

# STATE OF NEW YORK

2876--A

2019-2020 Regular Sessions

## IN SENATE

January 30, 2019

Introduced by Sens. MAY, BIAGGI -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- recommitted to the Committee on Education in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law and the election law, in relation to school session days

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 8 of section 3604 of the education law, as  
2 amended by chapter 260 of the laws of 2012, is amended to read as  
3 follows:

4 8. No school shall be in session on a Saturday, general election day  
5 or a legal holiday, except [~~general election day~~] Washington's birthday  
6 and Lincoln's birthday, and except that driver education classes may be  
7 conducted on a Saturday. A school district may elect to require staff  
8 attendance on a general election day or to schedule a professional  
9 development day. A deficiency not exceeding four days during any school  
10 year caused by teachers' attendance upon conferences held by superinten-  
11 dents of schools of city school districts or other school districts  
12 employing superintendents of schools shall be excused by the commission-  
13 er, notwithstanding any provision of law, rule or regulation to the  
14 contrary, a school district may elect to schedule such conference days  
15 in the last two weeks of August, subject to collective bargaining  
16 requirements pursuant to article fourteen of the civil service law, and  
17 such days shall be counted towards the required one hundred eighty days  
18 of session, provided however, that such scheduling shall not alter the  
19 obligation of the school district to provide transportation to students  
20 in non-public elementary and secondary schools or charter schools. The  
21 commissioner shall excuse a deficiency not exceeding four days during  
22 such school year caused by teachers' attendance upon conferences held by

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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1 such superintendents, provided that at least two such conference days  
2 during such school year shall be dedicated to staff attendance upon  
3 conferences providing staff development relating to implementation of  
4 the new high learning standards and assessments, as adopted by the board  
5 of regents. Notwithstanding any other provision of law, rule or regu-  
6 lation to the contrary, school districts may elect to use one or more of  
7 such allowable conference days in units of not less than one hour each  
8 to provide staff development activities relating to implementation of  
9 the new high learning standards and assessments. A district making such  
10 election may provide such staff development during the regularly sched-  
11 uled daily session and apply such units to satisfy a deficiency in the  
12 length of one or more daily sessions of instruction for pupils as speci-  
13 fied in regulations of the commissioner. The commissioner shall assure  
14 that such conference days include appropriate school violence prevention  
15 and intervention training, and may require that up to one such confer-  
16 ence day be dedicated for such purpose.

17 § 2. Subdivision 3 of section 4-104 of the election law, as amended by  
18 chapter 694 of the laws of 1989, is amended to read as follows:

19 3. A building exempt from taxation shall be used whenever possible as  
20 a polling place if it is situated in the same or a contiguous election  
21 district, and may contain as many distinctly separate polling places as  
22 public convenience may require. The expense, if any, incidental to its  
23 use, shall be paid like the expense of other places of registration and  
24 voting. If a board or body empowered to designate polling places chooses  
25 a public school building for such purpose, the board or agency which  
26 controls such building must make available a room or rooms in such  
27 building which are suitable for registration and voting and which are as  
28 close as possible to a convenient entrance to such building and must  
29 make available any such room or rooms which the board or body designat-  
30 ing such building determines are accessible to physically disabled  
31 voters as provided in subdivision one-a of this section. Notwithstanding  
32 the provisions of any general, special or local law, if a board or body  
33 empowered to designate polling places chooses a publicly owned or leased  
34 building[~~, other than a public school building,~~] for such purposes the  
35 board or body which controls such building must make available a room or  
36 rooms in such building which are suitable for registration and voting  
37 and which are as close as possible to a convenient entrance to such  
38 building, and must make available any such room or rooms which the board  
39 or body designating such building determines are accessible to phys-  
40 ically disabled voters unless, not later than thirty days after notice  
41 of its designation as a polling place, the board or body controlling  
42 such building, files a written request for a cancellation of such desig-  
43 nation with the board or body empowered to designate polling places on  
44 such form as shall be provided by the board or body making such desig-  
45 nation. The board or body empowered to so designate shall, within twenty  
46 days after such request is filed, determine whether the use of such  
47 building as a polling place would unreasonably interfere with the usual  
48 activities conducted in such building and upon such determination, may  
49 cancel such designation.

50 § 3. This act shall take effect January 1, 2021.