

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.