

# STATE OF NEW YORK

7113

2019-2020 Regular Sessions

## IN ASSEMBLY

April 9, 2019

Introduced by M. of A. LIFTON -- (at request of the State Education Department) -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to permitting school districts to commence the school year calendar prior to September

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

1 Section 1. Paragraph c of subdivision 1 and subparagraph (i) of paragraph c of subdivision 2 of section 3205 of the education law, paragraph c of subdivision 1 as amended by chapter 518 of the laws of 1993 and subparagraph (i) of paragraph c of subdivision 2 as amended by chapter 277 of the laws of 2017, are amended to read as follows:

2 c. For purposes of this article, a minor who becomes six years of age on or before the first of December in any school year shall be required to attend upon full time instruction from the first day that the [~~appropriate~~] public schools are in session [~~in September of~~] for such school year, and a minor who becomes six years of age after the first of December in any school year shall be required to attend upon full time instruction from the first day of session in the following [~~September~~] school year; and, except as otherwise provided in subdivision three of this section, shall be required to remain in attendance until the last day of session in the school year in which the minor becomes sixteen years of age.

3 (i) Minors whose parents elect not to enroll their children in school until the following [~~September~~] school year.

4 § 2. Section 3205 of the education law is amended by adding a new subdivision 4 to read as follows:

5 4. In each school district, a board of education or board of trustees may, in its discretion, following a public hearing for the purpose of determining whether a resolution shall be adopted, provide for the school year calendar to commence prior to September.

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

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1     a. Such public hearing, conducted upon reasonable notice, shall be  
2     held to consider: (i) whether it is feasible for the district to  
3     commence the school year prior to September; (ii) any benefits from  
4     starting the school year prior to September; (iii) any effects on the  
5     local economy, including any effects on the tourism industry; and (iv)  
6     any effect starting the school year prior to September will have on  
7     students' access to summer school programs at the district.

8     b. Within twenty days of the public hearing or at the next regularly  
9     scheduled board meeting following the public hearing, whichever is soon-  
10    er, the board of education or board of trustees shall, by resolution,  
11    determine whether to begin the school year prior to September.

12    § 3. This act shall take effect July 1, 2019.