

# STATE OF NEW YORK

6108

2021-2022 Regular Sessions

## IN ASSEMBLY

March 10, 2021

Introduced by M. of A. STIRPE, ABINANTI, CUSICK, GUNTHER, HUNTER, HYNDMAN, MAGNARELLI, J. RIVERA, SIMON, TAYLOR, ZEBROWSKI, SAYEGH, FAHY, REYES, PHEFFER AMATO, D. ROSENTHAL, BRONSON, RODRIGUEZ, DE LA ROSA, FRIEND, L. ROSENTHAL, WOERNER, COOK, DICKENS, STECK, RICHARDSON, WALLACE -- read once and referred to the Committee on Education

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:

Section 1. Subdivision 8 of section 3604 of the education law, as amended by chapter 605 of the laws of 2019, is amended to read as follows:

8. No school shall be in session on a Saturday, general election day or a legal holiday, except [~~general election day~~] Washington's birthday and Lincoln's birthday, and except that driver education classes may be conducted on a Saturday. A school district may elect to require staff attendance on a general election day or to schedule a professional development day. A deficiency not exceeding four days during any school year caused by teachers' attendance upon conferences held by superintendents of schools of city school districts or other school districts employing superintendents of schools shall be excused by the commissioner, notwithstanding any provision of law, rule or regulation to the contrary, a school district may elect to schedule such conference days in the last two weeks of August, subject to collective bargaining requirements pursuant to article fourteen of the civil service law, and such days shall be counted towards the required one hundred eighty days of session, provided however, that such scheduling shall not alter the obligation of the school district to provide transportation to students in non-public elementary and secondary schools or charter schools. At least two such conference days during such school year shall be dedicated to staff attendance upon conferences providing staff development

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

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1 relating to implementation of the new high learning standards and  
2 assessments, as adopted by the board of regents. Notwithstanding any  
3 other provision of law, rule or regulation to the contrary, school  
4 districts may elect to use one or more of such allowable conference days  
5 in units of not less than one hour each to provide staff development  
6 activities relating to implementation of the new high learning standards  
7 and assessments. A district making such election may provide such staff  
8 development on any day during which sessions are allowed and apply such  
9 units to satisfy a deficiency in the length of one or more daily  
10 sessions of instruction for pupils as specified in regulations of the  
11 commissioner. The commissioner shall assure that such conference days  
12 include appropriate school violence prevention and intervention train-  
13 ing, and may require that up to one such conference day be dedicated for  
14 such purpose.

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

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

48 § 3. This act shall take effect January 1, 2023.