

# STATE OF NEW YORK

1275--A

2023-2024 Regular Sessions

## IN ASSEMBLY

January 13, 2023

Introduced by M. of A. COLTON, LEE, DAVILA, PAULIN, REYES, SILLITTI, BORES, DILAN, DINOWITZ, McMAHON, BRAUNSTEIN, KELLES, LUNSFORD, STIRPE, DICKENS, FALL, BURGOS, GALLAGHER, LEVENBERG, DE LOS SANTOS, LUCAS, SIMONE, SHRESTHA, RAJKUMAR, RIVERA, RAGA, GLICK, CLARK, TAYLOR, GIBBS, ROZIC, MAMDANI, O'DONNELL, ZACCARO, CUNNINGHAM, KIM, L. ROSENTHAL, SAYEGH, CRUZ, BENDETT, MAHER, ZINERMAN, SEAWRIGHT, EPSTEIN, HEVESI -- Multi-Sponsored by -- M. of A. GUNTHER -- read once and referred to the Committee on Governmental Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to declaring Asian Lunar New Year a school holiday

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 605 of the laws of 2019, is amended to read as  
3 follows:  
4 8. No school shall be in session on a Saturday, the first day of the  
5 second lunar month after the winter solstice in the preceding calendar  
6 year, known as Asian Lunar New Year, unless such day falls on a Sunday,  
7 in which case the school shall not be in session on the Monday thereaft-  
8 er, or a legal holiday, except general election day, Washington's birth-  
9 day and Lincoln's birthday, and except that driver education classes may  
10 be conducted on a Saturday. A deficiency not exceeding four days during  
11 any school year caused by teachers' attendance upon conferences held by  
12 superintendents of schools of city school districts or other school  
13 districts employing superintendents of schools shall be excused by the  
14 commissioner, notwithstanding any provision of law, rule or regulation  
15 to the contrary, a school district may elect to schedule such conference  
16 days in the last two weeks of August, subject to collective bargaining  
17 requirements pursuant to article fourteen of the civil service law, and

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

LBD00933-08-3

1 such days shall be counted towards the required one hundred eighty days  
2 of session, provided however, that such scheduling shall not alter the  
3 obligation of the school district to provide transportation to students  
4 in non-public elementary and secondary schools or charter schools. At  
5 least two such conference days during such school year shall be dedi-  
6 cated to staff attendance upon conferences providing staff development  
7 relating to implementation of the new high learning standards and  
8 assessments, as adopted by the board of regents. Notwithstanding any  
9 other provision of law, rule or regulation to the contrary, school  
10 districts may elect to use one or more of such allowable conference days  
11 in units of not less than one hour each to provide staff development  
12 activities relating to implementation of the new high learning standards  
13 and assessments. A district making such election may provide such staff  
14 development on any day during which sessions are allowed and apply such  
15 units to satisfy a deficiency in the length of one or more daily  
16 sessions of instruction for pupils as specified in regulations of the  
17 commissioner. The commissioner shall assure that such conference days  
18 include appropriate school violence prevention and intervention train-  
19 ing, and may require that up to one such conference day be dedicated for  
20 such purpose.

21 § 2. Subdivision 2-a of section 3635 of the education law, as amended  
22 by chapter 424 of the laws of 2005, is amended to read as follows:

23 2-a. The superintendent of each city school district, in a city having  
24 a population in excess of one million, shall prepare a public school  
25 calendar and shall notify officials of nonpublic schools to which trans-  
26 portation has been requested not later than the first day of June in  
27 each year, of the days on which the public schools will be in session in  
28 the following school year. Such school district which provides transpor-  
29 tation to nonpublic schools shall provide such transportation for the  
30 same number of days as the public schools are open but shall not provide  
31 transportation services for more than one hundred eighty days. Offi-  
32 cials of each nonpublic school to which transportation is provided by a  
33 city school district of a city having a population in excess of one  
34 million may notify such district, not later than the first day of July  
35 of each school year, of a maximum of five days, exclusive of Saturdays,  
36 Sundays or legal holidays upon which public schools are required to be  
37 closed, on which the public schools are scheduled to be closed, except  
38 that in any year in which the first or last day of Passover and Easter  
39 Sunday are separated by more than seven days, such officials may notify  
40 the district of a maximum of ten days, but such school district will be  
41 required to provide for transportation to such nonpublic school provided  
42 that such five or ten additional days, whichever is applicable, are  
43 limited to the following: the Tuesday, Wednesday, Thursday and Friday  
44 after Labor Day, Rosh Hashanah, Yom Kippur, the week in which public  
45 schools are closed for spring recess, December twenty-fourth and the  
46 week between Christmas day and New Year's day, the Tuesday, Wednesday,  
47 Thursday and Friday after the observance of Washington's birthday, the  
48 first day of the second lunar month after the winter solstice in the  
49 preceding calendar year, known as Asian Lunar New Year, and, in the  
50 boroughs of Brooklyn and Queens only, Anniversary Day as designated in  
51 section twenty-five hundred eighty-six of this chapter.

52 § 3. This act shall take effect July 1, 2024.