

STATE OF NEW YORK

3068--A

2023-2024 Regular Sessions

IN ASSEMBLY

February 2, 2023

Introduced by M. of A. SAYEGH, JACKSON, SILLITTI, GALLAGHER, MAMDANI, FORREST, MITAYNES, FALL, LAVINE, SHRESTHA, EPSTEIN, AUBRY, ZACCARO, TAPIA, RAMOS, SEAWRIGHT, BURDICK, GONZALEZ-ROJAS, RAGA, WEPRIN, BERGER, COLTON, ROZIC, GUNTHER, ALVAREZ, STERN, BLUMENCRANZ, CARROLL, RAJKUMAR, ARDILA, DARLING, CURRAN, EACHUS, L. ROSENTHAL, LUNSFORD, BICHOTTE HERMELYN, SOLAGES, LEE, CHANG, CUNNINGHAM, FAHY, BRAUNSTEIN, BORES, TAYLOR, WILLIAMS, PHEFFER AMATO, SHIMSKY, WALLACE, TAGUE, SIMONE -- read once and referred to the Committee on Governmental Operations -- recommitted to the Committee on Governmental Operations in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to establishing Eid al-Fitr and Eid al-Adha as school holidays

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 359 of the laws of 2023, is amended to read as follows:

8. No school shall be in session on a Saturday, the first day of the second lunar month after the winter solstice in the preceding calendar year known as Asian Lunar New Year, the holidays of Eid al-Fitr and Eid al-Adha, as affixed by Muslim religious law and tradition, 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 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

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

LBD07656-04-4

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

20 § 2. Subdivision 2-a of section 3635 of the education law, as sepa-
21 rately amended by chapters 359 and 629 of the laws of 2023, is amended
22 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, the fifteenth
50 day of the eighth month of the Indian calendar in each year, known as
51 Diwali, the holidays of Eid al-Fitr and Eid al-Adha, as affixed by
52 Muslim religious law and tradition, and, in the boroughs of Brooklyn and
53 Queens only, Anniversary Day as designated in section twenty-five
54 hundred eighty-six of this chapter.

55 § 3. This act shall take effect immediately.