

STATE OF NEW YORK

2351--A

2023-2024 Regular Sessions

IN SENATE

January 20, 2023

Introduced by Sens. KAVANAGH, BAILEY, BROUK, CHU, COONEY, LIU -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary -- 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
18 such days shall be counted towards the required one hundred eighty days
19 of session, provided however, that such scheduling shall not alter the
20 obligation of the school district to provide transportation to students
21 in non-public elementary and secondary schools or charter schools. At
22 least two such conference days during such school year shall be dedi-
23 cated 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 training,
13 and may require that up to one such conference day be dedicated for
14 such purpose.

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

17 2-a. The superintendent of each city school district, in a city having
18 a population in excess of one million, shall prepare a public school
19 calendar and shall notify officials of nonpublic schools to which transportation
20 has been requested not later than the first day of June in
21 each year, of the days on which the public schools will be in session in
22 the following school year. Such school district which provides transportation
23 to nonpublic schools shall provide such transportation for the
24 same number of days as the public schools are open but shall not provide
25 transportation services for more than one hundred eighty days. Officials
26 of each nonpublic school to which transportation is provided by a
27 city school district of a city having a population in excess of one
28 million may notify such district, not later than the first day of July
29 of each school year, of a maximum of five days, exclusive of Saturdays,
30 Sundays or legal holidays upon which public schools are required to be
31 closed, on which the public schools are scheduled to be closed, except
32 that in any year in which the first or last day of Passover and Easter
33 Sunday are separated by more than seven days, such officials may notify
34 the district of a maximum of ten days, but such school district will be
35 required to provide for transportation to such nonpublic school provided
36 that such five or ten additional days, whichever is applicable, are
37 limited to the following: the Tuesday, Wednesday, Thursday and Friday
38 after Labor Day, Rosh Hashanah, Yom Kippur, the week in which public
39 schools are closed for spring recess, December twenty-fourth and the
40 week between Christmas day and New Year's day, the Tuesday, Wednesday,
41 Thursday and Friday after the observance of Washington's birthday, the
42 first day of the second lunar month after the winter solstice in the
43 preceding calendar year, known as Asian Lunar New Year, and, in the
44 boroughs of Brooklyn and Queens only, Anniversary Day as designated in
45 section twenty-five hundred eighty-six of this chapter.

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