

STATE OF NEW YORK

7768

2023-2024 Regular Sessions

IN ASSEMBLY

June 7, 2023

Introduced by M. of A. COLTON, LEE -- read once and referred to the Committee on Ways and Means

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, or a legal holiday, except general
7 election day, Washington's birthday and Lincoln's birthday, and except
8 that driver education classes may be conducted on a Saturday. A defi-
9 ciency not exceeding four days during any school year caused by teach-
10 ers' attendance upon conferences held by superintendents of schools of
11 city school districts or other school districts employing superinten-
12 dents of schools shall be excused by the commissioner, notwithstanding
13 any provision of law, rule or regulation to the contrary, a school
14 district may elect to schedule such conference days in the last two
15 weeks of August, subject to collective bargaining requirements pursuant
16 to article fourteen of the civil service law, and such days shall be
17 counted towards the required one hundred eighty days of session,
18 provided however, that such scheduling shall not alter the obligation of
19 the school district to provide transportation to students in non-public
20 elementary and secondary schools or charter schools. At least two such
21 conference days during such school year shall be dedicated to staff
22 attendance upon conferences providing staff development relating to
23 implementation of the new high learning standards and assessments, as
24 adopted by the board of regents. Notwithstanding any other provision of
25 law, rule or regulation to the contrary, school districts may elect to

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

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1 use one or more of such allowable conference days in units of not less
2 than one hour each to provide staff development activities relating to
3 implementation of the new high learning standards and assessments. A
4 district making such election may provide such staff development on any
5 day during which sessions are allowed and apply such units to satisfy a
6 deficiency in the length of one or more daily sessions of instruction
7 for pupils as specified in regulations of the commissioner. The commis-
8 sioner shall assure that such conference days include appropriate school
9 violence prevention and intervention training, and may require that up
10 to one such conference day be dedicated for such purpose.

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

13 2-a. The superintendent of each city school district, in a city having
14 a population in excess of one million, shall prepare a public school
15 calendar and shall notify officials of nonpublic schools to which trans-
16 portation has been requested not later than the first day of June in
17 each year, of the days on which the public schools will be in session in
18 the following school year. Such school district which provides transpor-
19 tation to nonpublic schools shall provide such transportation for the
20 same number of days as the public schools are open but shall not provide
21 transportation services for more than one hundred eighty days. Offi-
22 cials of each nonpublic school to which transportation is provided by a
23 city school district of a city having a population in excess of one
24 million may notify such district, not later than the first day of July
25 of each school year, of a maximum of five days, exclusive of Saturdays,
26 Sundays or legal holidays upon which public schools are required to be
27 closed, on which the public schools are scheduled to be closed, except
28 that in any year in which the first or last day of Passover and Easter
29 Sunday are separated by more than seven days, such officials may notify
30 the district of a maximum of ten days, but such school district will be
31 required to provide for transportation to such nonpublic school provided
32 that such five or ten additional days, whichever is applicable, are
33 limited to the following: the Tuesday, Wednesday, Thursday and Friday
34 after Labor Day, Rosh Hashanah, Yom Kippur, the week in which public
35 schools are closed for spring recess, December twenty-fourth and the
36 week between Christmas day and New Year's day, the Tuesday, Wednesday,
37 Thursday and Friday after the observance of Washington's birthday, the
38 first day of the second lunar month after the winter solstice in the
39 preceding calendar year, known as Asian Lunar New Year, and, in the
40 boroughs of Brooklyn and Queens only, Anniversary Day as designated in
41 section twenty-five hundred eighty-six of this chapter.

42 § 3. This act shall take effect July 1, 2023.