

# STATE OF NEW YORK

8319--A

2023-2024 Regular Sessions

## IN ASSEMBLY

November 27, 2023

Introduced by M. of A. BURKE -- read once and referred to the Committee on Education -- recommitted to the Committee on Education 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 declaring Pulaski Day 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 359 of the laws of 2023, 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, the last Friday in October known as  
7 Pulaski Day, or a legal holiday, except general election day,  
8 Washington's birthday and Lincoln's birthday, and except that driver  
9 education classes may be conducted on a Saturday. A deficiency not  
10 exceeding four days during any school year caused by teachers' attend-  
11 ance upon conferences held by superintendents of schools of city school  
12 districts or other school districts employing superintendents of schools  
13 shall be excused by the commissioner, notwithstanding any provision of  
14 law, rule or regulation to the contrary, a school district may elect to  
15 schedule such conference days in the last two weeks of August, subject  
16 to collective bargaining requirements pursuant to article fourteen of  
17 the civil service law, and such days shall be counted towards the  
18 required one hundred eighty days of session, provided however, that such  
19 scheduling shall not alter the obligation of the school district to  
20 provide transportation to students in non-public elementary and second-  
21 ary schools or charter schools. At least two such conference days during  
22 such school year shall be dedicated to staff attendance upon conferences

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

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

15 § 2. Subdivision 2-a of section 3635 of the education law, as sepa-  
16 rately amended by chapters 359 and 629 of the laws of 2023, is amended  
17 to read as follows:

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

49 § 3. This act shall take effect on the first of July next succeeding  
50 the date on which it shall have become a law. Effective immediately, the  
51 addition, amendment and/or repeal of any rule or regulation necessary  
52 for the implementation of this act on its effective date are authorized  
53 to be made and completed on or before such effective date.