

STATE OF NEW YORK

6693

2025-2026 Regular Sessions

IN ASSEMBLY

March 7, 2025

Introduced by M. of A. GALLAHAN -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to the required number of days school is in session and providing schools the option to operate one hundred eighty days of instruction or the equivalent number of hours of pupil instruction

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Legislative findings. The legislature finds and declares
2 that a number of schools nationwide have implemented a flexible school
3 week schedule while still maintaining the statutorily required amount of
4 instructional time. This type of flexibility has resulted in savings on
5 such items as energy, transportation and substitute teacher costs, along
6 with better attendance, less time lost to extracurricular activities,
7 more opportunities for teacher training and appointments, and longer
8 class periods for instructional time. Many of the districts in other
9 states which have already implemented flexible school schedules tend to
10 be smaller and rural with long transportation routes to and from
11 schools, and with no other option to save costs other than to close
12 schools or layoff staff. Given the fiscal crisis facing New York as well
13 as rising fuel, energy, and transportation costs, a flexible school week
14 schedule based on the equivalent hours of pupil instruction may offer
15 schools operational flexibility without jeopardizing the amount of
16 instructional time required by law.

17 New York state is without legal authority to operate less than one
18 hundred eighty days of instruction without forfeiting state aid. The
19 lack of operational flexibility in school districts, in particular
20 regard to instructional days, is a problem largely unaddressed in state
21 statute or regulation. A well-planned alternative school week schedule
22 can be cost-effective, and can provide flexibility for those school
23 districts in fiscal crisis, while maintaining a quality education.

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

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1 Therefore, the legislature finds that enactment of this legislation is
2 necessary and appropriate to make certain that school boards, after
3 thorough review and public comment, have the discretion and authority to
4 provide local school districts with operational flexibility to modify
5 the number of instructional days per year, while maintaining the quality
6 of education at the particular school or schools requesting a flexible
7 school week schedule.

8 § 2. Section 551 of the education law, as added by chapter 414 of the
9 laws of 1972, is amended to read as follows:

10 § 551. Apportionment. 1. In order to meet proper health, welfare and
11 safety standards in qualifying schools for the benefit of the pupils
12 enrolled therein, there shall be apportioned health, welfare and safety
13 grants by the commissioner to each qualifying school for the school
14 years beginning on and after July first, nineteen hundred seventy-one,
15 an amount equal to the product of thirty dollars multiplied by the aver-
16 age daily or equivalent hourly attendance of pupils receiving instruc-
17 tion in such school, to be applied for costs of maintenance and repair.
18 Such apportionment shall be increased by ten dollars multiplied by the
19 average daily or equivalent hourly attendance of pupils receiving
20 instruction in a school building constructed prior to nineteen hundred
21 forty-seven. In no event shall the per pupil annual allowance computed
22 under this section exceed fifty per centum of the average per pupil cost
23 of equivalent maintenance and repair in the public schools of the state
24 on a state-wide basis, as determined by the commissioner, and in no
25 event shall the apportionment to a qualifying school exceed the amount
26 of expenditures for maintenance and repair of such school as reported
27 pursuant to section five hundred fifty-two of this article.

28 2. The apportionment pursuant to this section shall be reduced by one
29 one hundred eightieth for each day less than one hundred eighty days
30 that such school was actually in total session in the base year, or a
31 school failing to comply with the equivalent number of hours of pupil
32 instruction shall forfeit from its apportionment an amount determined by
33 applying a ratio of the number of hours the school was in noncompliance
34 in relation to the required minimum equivalent number of hours of pupil
35 instruction, except that the commissioner may disregard such reduction
36 up to five days or the equivalent number of hours if [~~he~~] the commis-
37 sioner finds that the school was not in session for one hundred eighty
38 days or the equivalent number of hours of pupil instruction because of
39 extraordinary adverse weather conditions, impairment of heating facili-
40 ties, insufficiency of water supply, shortage of fuel or the destruction
41 of a school building, and if the commissioner further finds that such
42 school cannot make up such days or the equivalent number of hours of
43 instruction during the school year. No such reduction shall be made,
44 however, for any day on which such school was in session for the purpose
45 of administering the regents examinations or the regents scholarship
46 examinations, or any day, not to exceed three days, or the equivalent
47 number of hours when such school was not in session because of a confer-
48 ence of teachers called by the principal of the school.

49 § 3. Subdivision 2 of section 1704 of the education law, as amended by
50 chapter 543 of the laws of 1971, is amended to read as follows:

51 2. Except as otherwise provided by law, no board of education or
52 community board in the city school district of the city of New York
53 shall provide for a school year consisting of fewer than one hundred
54 eighty days of school or the equivalent number of hours of pupil
55 instruction.

1 § 4. Paragraphs a and c of subdivision 2 of section 2117 of the educa-
2 tion law, as added by chapter 744 of the laws of 1952, are amended to
3 read as follows:

4 a. The whole time school has been maintained in their district during
5 the year ending on June thirtieth previous to the date of such report,
6 and stating what portion of the time such school has been taught by
7 qualified teachers, and the whole number of days, or the equivalent
8 number of hours of pupil instruction, including holidays, in which the
9 school was taught by qualified teachers.

10 c. The number of children taught in the district during such year by
11 qualified teachers, and the aggregate days' or equivalent hours' attend-
12 ance of all such children.

13 § 5. The first undesignated paragraph of section 3107 of the education
14 law, as amended by chapter 784 of the laws of 1961, is amended to read
15 as follows:

16 In cities having a population of one million or more, employees of the
17 board of education who are members of the New York city teachers'
18 retirement system shall be granted sick leave due to personal illness.
19 Such sick leave shall be on the basis of at least ten days for each year
20 of service, cumulative to a maximum of two hundred days. Members shall
21 upon application be granted a retirement leave of absence with full pay
22 consisting of one-half of their accumulated unused sick leave, up to a
23 maximum of one school term or the equivalent number of school days or
24 the equivalent number of hours of pupil instruction.

25 § 6. Paragraph a of subdivision 4 of section 3204 of the education
26 law, as amended by section 7 of part A of chapter 56 of the laws of
27 2022, is amended to read as follows:

28 a. A full time day school or class, except as otherwise prescribed,
29 shall be in session for not less than one hundred eighty days each year,
30 or the equivalent number of hours of pupil instruction, exclusive of
31 legal holidays that occur during the term of said school and exclusive
32 of Saturdays.

33 § 7. Paragraphs d, k and l of subdivision 1 of section 3602 of the
34 education law, as amended by section 11 of part B of chapter 57 of the
35 laws of 2007, the opening paragraph of paragraph (d) as amended by
36 section 6 of and paragraph (l) as amended by section 7 of part A of
37 chapter 56 of the laws of 2023, are amended to read as follows:

38 d. "Average daily attendance" shall mean the total number of attend-
39 ance days or the equivalent number of hours of pupil instruction of
40 pupils in a public school of a school district in kindergarten through
41 grade twelve, or equivalent ungraded programs, plus the total number of
42 instruction days or the equivalent number of hours of pupil instruction
43 for such pupils receiving homebound instruction including pupils receiv-
44 ing remote instruction as defined in the regulations of the commis-
45 sioner, divided by the number of days or equivalent hours the district
46 school was in session as provided in this section. The attendance of
47 pupils with disabilities attending under the provisions of paragraph c
48 of subdivision two of section forty-four hundred one of this chapter
49 shall be added to average daily or equivalent hourly attendance.

50 (1) Equivalent attendance shall mean the quotient of the total number
51 of student hours of instruction in programs in a public school of a
52 school district or a board of cooperative educational services leading
53 to a high school diploma or a high school equivalency diploma as defined
54 in regulations of the commissioner for pupils under the age of twenty-
55 one not on a regular day school register of the district, divided by one
56 thousand. Average daily or equivalent hourly attendance shall include

1 the equivalent attendance of the school district. For the purposes of
2 secondary school weighting, such equivalent attendance shall be consid-
3 ered as average daily or equivalent hourly attendance in grades seven
4 through twelve.

5 (2) In computing average daily or equivalent hourly attendance, school
6 districts may, with the commissioner's approval, exclude attendance for
7 those days or equivalent number of hours of pupil instruction, on which
8 school attendance was adversely affected because of an epidemic or
9 manmade or natural disaster or act of terrorism. In computing such
10 attendance, the school district shall: (i) determine the number of reli-
11 gious holidays which fall on a school day in which school is scheduled
12 to be in session within a school year according to regulations estab-
13 lished by the commissioner, such religious holidays to be duly recog-
14 nized as such for purposes of this section by duly adopted resolution of
15 the board of education; (ii) deduct the aggregate attendance on such
16 religious holidays from the total aggregate attendance, by grade level;
17 (iii) deduct such religious holidays from the total number of days or
18 equivalent number of hours of pupil instruction of session, by grade
19 level; and (iv) compute the average daily or equivalent hourly attend-
20 ance for the school year.

21 k. "Attendance ratio" shall mean the number computed to four decimals
22 without rounding when the aggregate days or equivalent hours attendance
23 is divided by the possible aggregate attendance of all pupils in attend-
24 ance in the district, as computed for each school district by the
25 commissioner by June first of the year following the attendance year.

26 l. "Average daily membership" shall mean the possible aggregate
27 attendance of all pupils in attendance in a public school of the school
28 district in kindergarten through grade twelve, or equivalent ungraded
29 programs, including possible aggregate attendance for such pupils
30 receiving homebound instruction, including pupils receiving remote
31 instruction as defined in the regulations of the commissioner, with the
32 possible aggregate attendance of such pupils in one-half day kindergar-
33 tens multiplied by one-half, divided by the number of days or equivalent
34 number of hours of pupil instruction the district school was in session
35 as provided in this section. The full time equivalent enrollment of
36 pupils with disabilities attending under the provisions of paragraph c
37 of subdivision two of section forty-four hundred one of this chapter
38 shall be added to average daily or equivalent hourly membership. Aver-
39 age daily or equivalent hourly membership shall include the equivalent
40 attendance of the school district, as computed pursuant to paragraph d
41 of this subdivision. In any instance where a pupil is a resident of
42 another state or an Indian pupil is a resident of any portion of a
43 reservation located wholly or partly within the borders of the state
44 pursuant to subdivision four of section forty-one hundred one of this
45 chapter or a pupil is living on federally owned land or property, such
46 pupil's possible aggregate attendance shall be counted as part of the
47 possible aggregate attendance of the school district in which such pupil
48 is enrolled.

49 § 8. Paragraphs a and b of subdivision 2 of section 3602 of the educa-
50 tion law, as amended by section 13 of part B of chapter 57 of the laws
51 of 2007, are amended to read as follows:

52 a. Computation of resident weighted average daily or equivalent hourly
53 attendance. For purposes of this section weighted average daily or
54 equivalent hourly attendance of a school district for any school year
55 shall be computed as follows:

1 (1) Weighted average daily or equivalent hourly attendance shall be
2 determined by using the average daily or equivalent hourly attendance of
3 public school pupils in a full-day kindergarten and grades one through
4 six as the basic unit, with the attendance of such pupils in one-half
5 day kindergartens measured at one-half of such basic unit and the
6 attendance of such pupils in grades seven through twelve measured at one
7 and one-quarter of such basic unit. The sum of all such units of
8 attendance shall be the weighted average daily or equivalent hourly
9 attendance.

10 (2) In computing such attendance, the school district shall (i) deter-
11 mine the number of religious holidays which fall on a school day in
12 which school is scheduled to be in session within a school year accord-
13 ing to regulations established by the commissioner, such religious holi-
14 days to be duly recognized as such for purposes of this section by duly
15 adopted resolution of the board of education; (ii) deduct the aggregate
16 attendance on such religious holidays from the total aggregate attend-
17 ance, by grade level; (iii) deduct such religious holidays from the
18 total number of days or equivalent number of hours of session, by grade
19 level; (iv) compute the weighted average daily or equivalent hourly
20 attendance for the school year.

21 (3) In any instance where a pupil is a resident of another state or an
22 Indian pupil is a resident of any portion of a reservation located whol-
23 ly or partly within the borders of the state pursuant to subdivision
24 four of section forty-one hundred one of this chapter or a pupil is
25 living on federally owned land or property, such pupil's attendance
26 shall be counted as part of the weighted average daily or equivalent
27 hourly attendance of the school district in which such pupil is
28 enrolled.

29 (4) Resident weighted average daily or equivalent hourly attendance
30 for purposes of determining the aid ratio of a school district for any
31 school year shall be the weighted average daily or equivalent hourly
32 attendance for the school year immediately preceding the base year, less
33 the weighted average daily or equivalent hourly attendance of nonresi-
34 dent pupils attending public schools in the district for such school
35 year, plus the weighted average daily or equivalent hourly attendance of
36 pupils resident in the district but attending public schools in another
37 district or state plus the weighted average daily or equivalent hourly
38 attendance of pupils resident in the district but attending full-time a
39 school operated by a board of cooperative educational services or a
40 county vocational education and extension board for such school year.
41 The attendance of nonresident pupils attending public school in the
42 district and resident pupils attending such schools outside of the
43 district shall be determined by applying to the number of such pupils
44 registered during the school year in each case the ratio of aggregate
45 days or equivalent hours attendance to the possible aggregate days or
46 equivalent hours attendance of all pupils in attendance in the district.
47 Indian pupils of a reservation attending public school, or pupils living
48 on the United States military reservation at West Point attending public
49 school, shall be deemed to be resident pupils of the district providing
50 such school, for purposes of this paragraph. Where a school district has
51 entered into a contract with the state university pursuant to subdivi-
52 sion two of section three hundred fifty-five of this chapter under which
53 the school district makes payments in the nature of tuition for the
54 education of certain children residing in the district, such children
55 for whom such tuition payments are made shall be deemed to be resident
56 pupils of such district for the purposes of this paragraph.

1 (5) In determining the resident weighted average daily or equivalent
2 hourly attendance of a component school district of a central high
3 school district for computing the aid ratio the weighted average daily
4 or equivalent hourly attendance of high school pupils residing in such
5 component district and attending the central high school shall be
6 included. The resident weighted average daily or equivalent hourly
7 attendance of a central high school district itself shall be the sum of
8 the resident weighted average daily or equivalent hourly attendance of
9 each component school district computed as provided in the first
10 sentence of this paragraph.

11 (6) Notwithstanding the provisions of subparagraphs four and five of
12 this paragraph, when a school district shall experience an increase in
13 resident weighted average daily or equivalent hourly attendance during
14 the current year because of the closing in whole, or in part, of a non-
15 public school or a campus school, or a school previously operated by the
16 United States government on the United States military reservation at
17 West Point, the commissioner, in computing any aid ratio of such
18 district, shall permit the use of such additional resident weighted
19 average daily or equivalent hourly attendance for aid ratio purposes
20 during the current year and the next succeeding year, provided that such
21 additional resident weighted average daily or equivalent hourly attend-
22 ance attributable to such closing, or part thereof, shall be in excess
23 of one hundred students; provided, however, that such district which
24 qualifies for an increase in total wealth pupil units pursuant to para-
25 graph f of this subdivision, shall use the increase in resident weighted
26 average daily or equivalent hourly attendance, even if such increase in
27 resident weighted average daily or equivalent hourly attendance is less
28 than one hundred.

29 b. Computation of adjusted average daily or equivalent hourly attend-
30 ance. For purposes of this section adjusted average daily or equivalent
31 hourly attendance of a school district for any school year shall be
32 computed as follows:

33 (1) Adjusted average daily or equivalent hourly attendance shall be
34 determined by using the average daily or equivalent hourly attendance of
35 public school pupils in a full-day kindergarten and grades one through
36 twelve as the basic unit, with the attendance of such pupils in one-half
37 day kindergartens measured at one-half of such basic unit. The sum of
38 all such units of attendance shall be the adjusted average daily or
39 equivalent hourly attendance.

40 (2) In computing such attendance, the school district shall (i) deter-
41 mine the number of religious holidays which fall on a school day in
42 which school is scheduled to be in session within a school year accord-
43 ing to regulations established by the commissioner, such religious holi-
44 days to be duly recognized as such for purposes of this section by duly
45 adopted resolution of the board of education; (ii) deduct the aggregate
46 attendance on such religious holidays from the total aggregate attend-
47 ance, by grade level; (iii) deduct such religious holidays from the
48 total number of days or equivalent number of hours of session, by grade
49 level; (iv) compute the adjusted average daily or equivalent hourly
50 attendance for the school year.

51 (3) In any instance where a pupil is a resident of another state or an
52 Indian pupil is a resident of any portion of a reservation located whol-
53 ly or partly within the borders of the state pursuant to subdivision
54 four of section forty-one hundred one of this chapter or a pupil is
55 living on federally owned land or property, such pupil's attendance

1 shall be counted as part of the adjusted average daily attendance of the
2 school district in which such pupil is enrolled.

3 § 9. Paragraph e of subdivision 1 of section 3602-c of the education
4 law, as amended by chapter 740 of the laws of 1982, is amended to read
5 as follows:

6 e. "Average daily attendance" shall mean the total number of attend-
7 ance days or the equivalent number of hours of pupils receiving services
8 divided by the number of days or equivalent hours the public school was
9 in session for each attendance period. For each such attendance period
10 the total number of attendance days or equivalent number of hours for
11 each such pupil shall be determined by multiplying the number of days or
12 equivalent hours on which each such pupil was in attendance by the ratio
13 obtained by dividing the number of class periods of each such pupil by
14 the total number of class periods, not to exceed five, operated by the
15 public school during the school day. Only pupils residing in this state
16 shall be included in such computation.

17 § 10. Paragraph m of subdivision 12 and subdivision 16 of section
18 3602-e of the education law, paragraph m of subdivision 12 as amended by
19 section 19 of part B of chapter 57 of the laws of 2007 and subdivision
20 16 as amended by section 18 of part A of chapter 57 of the laws of 2013,
21 are amended to read as follows:

22 m. a process for the waiver of the time requirements established
23 pursuant to this subdivision in order to authorize the operation of a
24 summer universal prekindergarten program limited to the months of July
25 and August, upon a finding by the commissioner that the school district
26 is unable to operate the program during the regular school session
27 because of a lack of available space pursuant to regulations of the
28 commissioner. Notwithstanding any other provision of this section to the
29 contrary, such process shall provide for a reduction of the aid per
30 prekindergarten pupil payable for pupils served pursuant to such waiver
31 by one one-hundred eightieth of the aid per prekindergarten pupil deter-
32 mined pursuant to paragraph a of subdivision ten [~~or subparagraph (i) of~~
33 ~~paragraph b of subdivision ten-a~~] of this section for each day or equiv-
34 alent hour less than one hundred eighty days or the equivalent number of
35 hours that the summer program is in session.

36 16. The grant payable to a school district pursuant to this section in
37 the current year shall be reduced by one one-hundred eightieth for each
38 day less than one hundred eighty days that the universal prekindergarten
39 classes of the district were actually in session, or a district failing
40 to comply with the equivalent number of hours of pupil instruction shall
41 forfeit from its total state aid allocation an amount determined by
42 applying a ratio of the number of hours the district was in noncompli-
43 ance in relation to the required minimum equivalent number of hours of
44 pupil instruction, except that the commissioner may disregard such
45 reduction for any deficiency that may be disregarded in computing total
46 foundation aid pursuant to subdivision seven or eight of section thirty-
47 six hundred four of this [~~chapter~~ part] and in addition may disregard
48 a reduction for any deficiency that is caused by a delay in the opening
49 of public school classes due to extraordinarily adverse weather condi-
50 tions or other cause cited in such subdivision seven of section thirty-
51 six hundred four that results in cancellation of the prekindergarten
52 program or of transportation to such program.

53 § 11. Subdivisions 7 and 8 of section 3604 of the education law,
54 subdivision 7 as amended by chapter 107 of the laws of 2020 and subdivi-
55 sion 8 as amended by chapter 359 of the laws of 2023, are amended and

1 five new subdivisions 7-c, 7-d, 7-e, 7-f and 7-g are added to read as
2 follows:

3 7. No district shall be entitled to any portion of such school moneys
4 on such apportionment unless the report of the trustees or board of
5 education for the preceding school year shall show that the public
6 schools were actually in session in the district and taught by a quali-
7 fied teacher or by successive qualified teachers or by qualified teach-
8 ers for not less than one hundred eighty days or the equivalent number
9 of hours of pupil instruction. The moneys payable to a school district
10 pursuant to section thirty-six hundred nine-a of this part in the
11 current year shall be reduced by one one-hundred eightieth of the
12 district's total foundation aid for the base year for each day less than
13 one hundred eighty days that the schools of the district were actually
14 in session or a district failing to comply with the equivalent number of
15 hours of pupil instruction shall forfeit from its total state aid allo-
16 cation an amount determined by applying a ratio of the number of hours
17 the district was in noncompliance in relation to the required minimum
18 equivalent number of hours of pupil instruction, except that the commis-
19 sioner may disregard such reduction in the apportionment of public
20 money: (i) for any day or days or the equivalent number of hours on
21 which session had been previously scheduled but the superintendent was
22 required to close the school or schools due to a properly executed
23 declaration of a state or local state of emergency pursuant to article
24 two-B of the executive law; or (ii) for up to five days, or the equiv-
25 alent number of hours if [~~he or she~~] the commissioner finds that the
26 schools of the district were not in session for one hundred eighty days
27 or the equivalent number of hours because of extraordinarily adverse
28 weather conditions, impairment of heating facilities, insufficiency of
29 water supply, shortage of fuel, lack of electricity, natural gas leak-
30 age, unacceptable levels of chemical substances, a credible threat to
31 student safety as reasonably determined by a lead school official or the
32 destruction of a school building either in whole or in part, and if,
33 further, the commissioner finds that such district cannot make up such
34 days or equivalent hours of instruction by using for the secondary
35 grades all scheduled vacation days which occur prior to the first sched-
36 uled regents examination day in June, and for the elementary grades all
37 scheduled vacation days which occur prior to the last scheduled regents
38 examination day in June; or (iii) for any day or days in the two thou-
39 sand nineteen -- two thousand twenty school year on which session had
40 been previously scheduled but the chancellor of the city school district
41 of the city of New York or the superintendent of a district closed the
42 school or schools due to a determination by the chancellor or super-
43 intendent that it was in the best interest of public health or safety of
44 the school district to close the school or schools in response to the
45 novel coronavirus, COVID-19. For the purposes of this subdivision,
46 "scheduled vacation days" shall mean days on which the schools of the
47 district are not in session and for which no prohibition exists in
48 subdivision eight of this section for them to be in session.

49 7-c. For the purposes of this section, "one hundred eighty days" means
50 one hundred eighty days of instruction or the equivalent number of hours
51 of pupil instruction per school year based on a different number of days
52 of instruction approved by the school district governing board or char-
53 ter school governing body.

54 7-d. The local school board, in its discretion, may authorize some or
55 all of its schools to modify the number of instructional days per year
56 after thorough review and public comment. Before authorizing some or

1 all of its schools to modify the number of instructional days per year,
2 the school board, shall within its review, include, but not be limited
3 to, consideration of the following:

4 a. how the school or schools will maintain a quality education;

5 b. the reason for the request;

6 c. the educational benefit to pupils;

7 d. ways to negotiate the changes with the collective bargaining unit
8 representing the employees affected by the changes;

9 e. input from employees affected by the changes but not represented by
10 a collective bargaining agreement;

11 f. the impact of an alternative school week schedule on primary grade
12 pupils; and

13 g. the impact of an alternative school week schedule on working
14 parents who may be required to find child care services for their school
15 age children due to the shortened school week.

16 7-e. After review, but not limited to the considerations set forth in
17 subdivision seven-d of this section, a school board shall conduct at
18 least one public hearing, to gather public input, and to provide at
19 least thirty days notice to the public prior to such hearing. The
20 school board may authorize some or all of its schools to modify the
21 number of instructional days per year provided the total number of hours
22 of instruction per year is no less than the minimum number of instruc-
23 tional hours per year established by the commissioner's regulations for
24 that particular group of pupils. Subject to a policy developed and
25 adopted by the board of any school district, the board may provide for a
26 school term consisting of school hours.

27 7-f. A district failing to comply with the required minimum hours of
28 pupil instruction per year as established by the commissioner's regu-
29 lations, shall forfeit from its total state aid allocation an amount
30 determined by applying a ratio of the number of hours the district was
31 in noncompliance in relation to the required minimum number of hours as
32 established by the commissioner. Not later than August first, the board
33 of each district shall certify to the department the number of hours of
34 pupil instruction in the previous school year. If the district did not
35 provide at least the required minimum number of hours of pupil instruc-
36 tion as established by the commissioner, the deduction of state aid
37 shall be made in the following fiscal year from the first payment of
38 state school aid.

39 7-g. The commissioner shall promulgate regulations establishing the
40 minimum number of hours of pupil instruction per year.

41 8. No school shall be in session on a Saturday, the first day of the
42 second lunar month after the winter solstice in the preceding calendar
43 year known as Asian Lunar New Year, or a legal holiday, except general
44 election day, Washington's birthday and Lincoln's birthday, and except
45 that driver education classes may be conducted on a Saturday. A defi-
46 ciency not exceeding four days or the equivalent number of hours during
47 any school year caused by teachers' attendance upon conferences held by
48 superintendents of schools of city school districts or other school
49 districts employing superintendents of schools shall be excused by the
50 commissioner, notwithstanding any provision of law, rule or regulation
51 to the contrary, a school district may elect to schedule such conference
52 days or the equivalent number of hours in the last two weeks of August,
53 subject to collective bargaining requirements pursuant to article four-
54 teen of the civil service law, and such days shall be counted towards
55 the required one hundred eighty days of session, provided however, that
56 such scheduling shall not alter the obligation of the school district to

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

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

54 § 13. This act shall take effect on the first of July next succeeding
55 the date on which it shall have become a law.