

STATE OF NEW YORK

553

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sens. LIU, COONEY, JACKSON, KAVANAGH, WEBB -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

AN ACT to amend the education law, in relation to the observance of all religious holidays by institutions within the state university and the city university of New York, and including the Asian Lunar New Year within the definition of such holidays

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

1 Section 1. Section 224-a of the education law is amended by adding a
2 new subdivision 8 to read as follows:

3 8. Notwithstanding the definition of "religious belief" as defined in
4 subdivision seven of this section, any student that celebrates the
5 cultural observance of the Asian Lunar New Year shall be excused for
6 that cultural observance in the same manner as students excused due to
7 such students' religious beliefs pursuant to this section.

8 § 2. The education law is amended by adding a new section 6235 to read
9 as follows:

10 § 6235. Students unable because of religious beliefs to register or
11 attend classes on certain days. 1. No person shall be expelled from or
12 be refused admission as a student to an institution of higher education
13 for the reason that such person is unable, because of such person's
14 religious beliefs, to register or attend classes or to participate in
15 any examination, study or work requirements on a particular day or days.

16 2. Any student in an institution of higher education who is unable,
17 because of such student's religious beliefs, to attend classes on a
18 particular day or days shall, because of such absence on the particular
19 day or days, be excused from any examination or any study or work
20 requirements.

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

LBD01196-01-5

1 3. It shall be the responsibility of the faculty and of the adminis-
2 trative officials of each institution of higher education to make avail-
3 able to each student who is absent from school, because of such
4 student's religious beliefs, an equivalent opportunity to register for
5 classes or make up any examination, study or work requirements which
6 such student may have missed because of such absence on any particular
7 day or days. No fees of any kind shall be charged by the institution for
8 making available to the said student such equivalent opportunity.

9 4. If registration, classes, examinations, study or work requirements
10 are held on Friday after four o'clock post meridian or on Saturday,
11 similar or makeup classes, examinations, study or work requirements or
12 opportunity to register shall be made available on other days, where it
13 is possible and practicable to do so. No special fees shall be charged
14 to the student for these classes, examinations, study or work require-
15 ments or registration held on other days.

16 5. In effectuating the provisions of this section, it shall be the
17 duty of the faculty and of the administrative officials of each institu-
18 tion of higher education to exercise the fullest measure of good faith.
19 No adverse or prejudicial effects shall result to any student because of
20 such student availing themselves of the provisions of this section.

21 6. Any student, who is aggrieved by the alleged failure of any faculty
22 or administrative officials to comply in good faith with the provisions
23 of this section, shall be entitled to maintain an action or proceeding
24 in the supreme court of the county in which such institution of higher
25 education is located for the enforcement of such student's rights under
26 this section.

27 7. It shall be the responsibility of the administrative officials of
28 each institution of higher education to give written notice to students
29 of their rights under this section, informing them that each student who
30 is absent from school, because of such student's religious beliefs,
31 shall be given an equivalent opportunity to register for classes or make
32 up any examination, study or work requirements which such student may
33 have missed because of such absence on any particular day or days. No
34 fees of any kind shall be charged by the institution for making avail-
35 able to such student such equivalent opportunity.

36 8. As used in this section, the term "institution of higher education"
37 shall mean any institution of higher education, recognized and approved
38 by the board of trustees of the city university of New York, which
39 provides a course of study leading to the granting of a post-secondary
40 degree or diploma. Such term shall not include any institution which is
41 operated, supervised or controlled by a church or by a religious or
42 denominational organization whose educational programs are principally
43 designed for the purpose of training ministers or other religious func-
44 tionaries or for the purpose of propagating religious doctrines. As used
45 in this section, the term "religious belief" shall mean beliefs associ-
46 ated with any corporation organized and operated exclusively for reli-
47 gious purposes, which is not disqualified for tax exemption under
48 section 501 of the United States Code.

49 9. Notwithstanding the definition of "religious belief" as defined in
50 subdivision eight of this section, any student that celebrates the
51 cultural observance of the Asian Lunar New Year shall be excused for
52 that cultural observance in the same manner as students excused due to
53 such students' religious beliefs pursuant to this section.

54 § 3. This act shall take effect immediately.