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I N   S E N A T E

May 2, 2012

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Introduced by Sen. FLANAGAN -- 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 meetings and absences of the board of regents

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Section 204 of the education law is amended to read as  
2 follows:  
3     S 204. Meetings and absences. 1. (A) The regents may provide for regu-  
4 lar meetings[, and the chancellor, or the commissioner of education, or  
5 any five regents, may at any time call a special meeting of the board of  
6 regents and fix the time and place therefor; and at least ten days'  
7 notice of every meeting shall be mailed to the usual address of each  
8 regent. If any regent shall fail to attend three consecutive meetings,  
9 without excuse accepted as satisfactory by the regents, he may be deemed  
10 to have resigned and the regents shall then report the vacancy to the  
11 legislature, which shall fill it] OF THE BOARD OF REGENTS AND ANY  
12 COMMITTEE, TASK FORCE, COUNCIL OR OTHER BODY THEREOF. NOTICE OF TIME,  
13 PLACE AND AGENDA FOR ALL REGULAR PUBLIC MEETINGS OF THE BOARD OF REGENTS  
14 AND ANY COMMITTEE, TASK FORCE, COUNCIL OR OTHER SUCH BODY OF THE BOARD  
15 SHALL BE PUBLICLY PROVIDED AT LEAST TEN DAYS IN ADVANCE OF SUCH MEETING.  
16 SUCH NOTICE OF TIME, PLACE AND AGENDA SHALL BE DISTRIBUTED VIA THE  
17 BOARD'S OFFICIAL INTERNET WEBSITE AND SPECIFICALLY DISTRIBUTED BY UNITED  
18 STATES POSTAL SERVICE TO ALL REGENTS AT THEIR USUAL ADDRESSES AND, IF A  
19 MEETING OF A COMMITTEE, TASK FORCE, COUNCIL OR OTHER SUCH BODY OF THE  
20 BOARD, BY SUCH MEANS, INCLUDING BUT NOT LIMITED TO THE UNITED STATES  
21 POSTAL SERVICE OR ELECTRONIC MEANS, AS DETERMINED BY THE COMMITTEE, TASK  
22 FORCE, COUNCIL OR OTHER SUCH BODY. AN AGENDA FOR A REGULAR PUBLIC MEET-  
23 ING OF THE BOARD OR ANY COMMITTEE, TASK FORCE, COUNCIL OR OTHER BODY  
24 THEREOF, SHALL BE COMPRISED OF A LIST OF ALL ITEMS TO BE CONSIDERED, A  
25 DESCRIPTION OF THE SUBJECT MATTER OF EACH SUCH ITEM AND THE FULL TEXT OF  
26 ALL ITEMS SUBJECT TO A VOTE AND THE NAME OF A PERSON KNOWLEDGEABLE ABOUT  
27 THE AGENDA AND CONTACT INFORMATION FOR SUCH PERSON, INCLUDING OFFICE  
28 ADDRESS, E-MAIL ADDRESS, AND TELEPHONE NUMBER, FROM WHOM INFORMATION

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

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1 ABOUT THE AGENDA MAY BE OBTAINED AND TO WHOM WRITTEN COMMENTS MAY BE  
2 SUBMITTED. THE NOTICE AND AGENDA SHALL BE CONSIDERED A PUBLIC RECORD.

3 (B) THE CHANCELLOR OR THE COMMISSIONER, OR ANY FIVE REGENTS, MAY AT  
4 ANY TIME CALL A SPECIAL MEETING OF THE BOARD OF REGENTS AND FIX THE TIME  
5 AND PLACE THEREFOR. NOTICE OF TIME, PLACE AND AGENDA FOR ALL REGULAR  
6 PUBLIC MEETINGS OF THE BOARD OF REGENTS AND ANY COMMITTEE, TASK FORCE,  
7 COUNCIL OR OTHER SUCH BODY OF THE BOARD SHALL BE PUBLICLY PROVIDED AT  
8 LEAST THREE DAYS IN ADVANCE OF SUCH MEETING. SUCH NOTICE OF TIME, PLACE  
9 AND AGENDA SHALL BE DISTRIBUTED VIA THE BOARD'S OFFICIAL INTERNET  
10 WEBSITE AND SPECIFICALLY CIRCULATED ACCORDING TO THE RULES AND REGU-  
11 LATIONS OF THE REGENTS TO ALL REGENTS. THE BOARD OF REGENTS SPECIAL  
12 PUBLIC MEETING AGENDA SHALL BE COMPRISED OF A LIST OF ALL ITEMS TO BE  
13 CONSIDERED, A DESCRIPTION OF THE SUBJECT MATTER OF EACH SUCH ITEM AND  
14 THE FULL TEXT OF ALL ITEMS SUBJECT TO A VOTE AND THE NAME OF A PERSON  
15 KNOWLEDGEABLE ABOUT THE AGENDA AND CONTACT INFORMATION FOR SUCH PERSON,  
16 INCLUDING OFFICE ADDRESS, E-MAIL ADDRESS, AND TELEPHONE NUMBER, FROM  
17 WHOM INFORMATION ABOUT THE AGENDA MAY BE OBTAINED AND TO WHOM WRITTEN  
18 COMMENTS MAY BE SUBMITTED. THE NOTICE AND AGENDA SHALL BE CONSIDERED A  
19 PUBLIC RECORD.

20 2. ANY MEETING OF THE BOARD OF REGENTS AND ANY COMMITTEE, TASK FORCE,  
21 COUNCIL OR OTHER SUCH BODY SHALL BE CONDUCTED IN ACCORDANCE WITH ARTICLE  
22 SEVEN OF THE PUBLIC OFFICERS LAW.

23 3. A SUMMARY OF RESOLUTIONS, DECISIONS AND OTHER ACTIONS BY THE BOARD  
24 OF REGENTS AND ANY COMMITTEE, TASK FORCE, COUNCIL OR OTHER BODY THEREOF  
25 FOR ANY MEETING SHALL BE ELECTRONICALLY AVAILABLE ON THE BOARD OF  
26 REGENTS WEBSITE NO LATER THAN FIVE DAYS FOLLOWING SUCH MEETING AND SHALL  
27 BE CONSIDERED A PUBLIC RECORD. THE APPROVED MINUTES, ATTENDANCE, VOTING  
28 RECORD AND EITHER TRANSCRIPTS OR VIDEO RECORD FOR ANY MEETING MUST BE  
29 POSTED NO LATER THAN FIVE DAYS FOLLOWING THE APPROVAL BY THE BOARD,  
30 COMMITTEE, TASK FORCE, COUNCIL OR OTHER SUCH BODY. INFORMATION POSTED ON  
31 THE BOARD OF REGENTS WEBSITE SHALL REMAIN ON THE SITE AS ARCHIVED DATA  
32 FOR A MINIMUM OF TEN YEARS.

33 4. IF ANY REGENT SHALL FAIL TO ATTEND THREE CONSECUTIVE MEETINGS,  
34 WITHOUT EXCUSE ACCEPTED AS SATISFACTORY BY THE REGENTS, THAT REGENT MAY  
35 BE DEEMED TO HAVE RESIGNED AND THE REGENTS SHALL THEN REPORT THE VACANCY  
36 TO THE LEGISLATURE WHICH SHALL FILL IT.

37 S 2. This act shall take effect on the first of July next succeeding  
38 the date on which it shall have become a law.