

8314

2011-2012 Regular Sessions

I N A S S E M B L Y

June 13, 2011

Introduced by M. of A. NOLAN -- read once and referred to the Committee
on 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 regular
4 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 MEETING
23 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

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

LBD13075-01-1

1 ALL ITEMS SUBJECT TO A VOTE AND THE NAME OF A PERSON KNOWLEDGEABLE ABOUT
2 THE AGENDA AND CONTACT INFORMATION FOR SUCH PERSON, INCLUDING OFFICE
3 ADDRESS, E-MAIL ADDRESS, AND TELEPHONE NUMBER, FROM WHOM INFORMATION
4 ABOUT THE AGENDA MAY BE OBTAINED AND TO WHOM WRITTEN COMMENTS MAY BE
5 SUBMITTED. THE NOTICE AND AGENDA SHALL BE CONSIDERED A PUBLIC RECORD.

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

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

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

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

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