S T A T E O F N E W Y O R K

7224

I N S E N A T E

May 2, 2012

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:

Section 1. Section 204 of the education law is amended to read as follows:

S 204. Meetings and absences. 1. (A) The regents may provide for regular meetings[, and the chancellor, or the commissioner of education, or any five regents, may at any time call a special meeting of the board of regents and fix the time and place therefor; and at least ten days' notice of every meeting shall be mailed to the usual address of each regent. If any regent shall fail to attend three consecutive meetings, without excuse accepted as satisfactory by the regents, he may be deemed to have resigned and the regents shall then report the vacancy to the legislature, which shall fill it] OF THE BOARD OF REGENTS AND ANY COMMITTEE, TASK FORCE, COUNCIL OR OTHER BODY THEREOF. NOTICE OF TIME, PLACE AND AGENDA FOR ALL REGULAR PUBLIC MEETINGS OF THE BOARD OF REGENTS AND ANY COMMITTEE, TASK FORCE, COUNCIL OR OTHER SUCH BODY OF THE BOARD SHALL BE PUBLICLY PROVIDED AT LEAST TEN DAYS IN ADVANCE OF SUCH MEETING. SUCH NOTICE OF TIME, PLACE AND AGENDA SHALL BE DISTRIBUTED VIA THE BOARD'S OFFICIAL INTERNET WEBSITE AND SPECIFICALLY DISTRIBUTED BY UNITED STATES POSTAL SERVICE TO ALL REGENTS AT THEIR USUAL ADDRESSES AND, IF A MEETING OF A COMMITTEE, TASK FORCE, COUNCIL OR OTHER SUCH BODY OF THE BOARD, BY SUCH MEANS, INCLUDING BUT NOT LIMITED TO THE UNITED STATES POSTAL SERVICE OR ELECTRONIC MEANS, AS DETERMINED BY THE COMMITTEE, TASK FORCE, COUNCIL OR OTHER SUCH BODY. AN AGENDA FOR A REGULAR PUBLIC MEETING OF THE BOARD OR ANY COMMITTEE, TASK FORCE, COUNCIL OR OTHER BODY THEREOF, SHALL BE COMPRISED OF A LIST OF ALL ITEMS TO BE CONSIDERED, A DESCRIPTION OF THE SUBJECT MATTER OF EACH SUCH ITEM AND THE FULL TEXT OF ALL ITEMS SUBJECT TO A VOTE AND THE NAME OF A PERSON KNOWLEDGEABLE ABOUT THE AGENDA AND CONTACT INFORMATION FOR SUCH PERSON, INCLUDING OFFICE 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.

LBD13075-01-1

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

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

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

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

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

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