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2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. NOLAN, COLTON, JAFFEE, MAGNARELLI, ZEBROWSKI,
CASTRO, GALEF, CRESPO, MILLMAN, WEPRIN -- Multi-Sponsored by -- M. of
A. COOK, GABRYSZAK, GLICK, GOTTFRIED, HEASTIE, TITONE, WEISENBERG --
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 ASSEM-
BLY, 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-

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

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1 ING OF THE BOARD OR ANY COMMITTEE, TASK FORCE, COUNCIL OR OTHER BODY
2 THEREOF, SHALL BE COMPRISED OF A LIST OF ALL ITEMS TO BE CONSIDERED, A
3 DESCRIPTION OF THE SUBJECT MATTER OF EACH SUCH ITEM AND THE FULL TEXT OF
4 ALL ITEMS SUBJECT TO A VOTE AND THE NAME OF A PERSON KNOWLEDGEABLE ABOUT
5 THE AGENDA AND CONTACT INFORMATION FOR SUCH PERSON, INCLUDING OFFICE
6 ADDRESS, E-MAIL ADDRESS, AND TELEPHONE NUMBER, FROM WHOM INFORMATION
7 ABOUT THE AGENDA MAY BE OBTAINED AND TO WHOM WRITTEN COMMENTS MAY BE
8 SUBMITTED. THE NOTICE AND AGENDA SHALL BE CONSIDERED A PUBLIC RECORD.

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

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

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

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

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