

2921

2015-2016 Regular Sessions

I N   A S S E M B L Y

January 20, 2015

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Introduced by M. of A. NOLAN, COLTON, JAFFEE, GALEF -- Multi-Sponsored  
by -- M. of A. COOK, GLICK, GOTTFRIED, TITONE -- 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, SUBCOMMITTEE, TASK FORCE, OR OTHER SUBGROUPS THEREOF. NOTICE  
13 OF TIME AND PLACE FOR ALL REGULAR PUBLIC MEETINGS OF THE BOARD OF  
14 REGENTS AND ANY COMMITTEE, SUBCOMMITTEE, TASK FORCE, OR OTHER SUBGROUPS  
15 THEREOF SHALL BE PUBLICLY PROVIDED AT LEAST SEVEN DAYS IN ADVANCE OF  
16 SUCH MEETING. SUCH NOTICE OF TIME, PLACE AND AGENDA SHALL BE DISTRIBUTED  
17 VIA THE BOARD'S OFFICIAL INTERNET WEBSITE AND SPECIFICALLY DISTRIBUTED  
18 BY UNITED STATES POSTAL SERVICE TO ALL REGENTS AT THEIR USUAL ADDRESSES  
19 AND, IF A MEETING OF A COMMITTEE, SUBCOMMITTEE, TASK FORCE, OR OTHER  
20 SUBGROUPS THEREOF, BY SUCH MEANS, INCLUDING BUT NOT LIMITED TO THE  
21 UNITED STATES POSTAL SERVICE OR ELECTRONIC MEANS, AS DETERMINED BY THE  
22 COMMITTEE, SUBCOMMITTEE, TASK FORCE, OR OTHER SUBGROUPS THEREOF. AN  
23 AGENDA FOR A REGULAR PUBLIC MEETING OF THE BOARD SHALL BE COMPRISED OF A  
24 LIST OF ALL ITEMS TO BE CONSIDERED WITH A DESCRIPTION OF THE SUBJECT

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

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1 MATTER OF EACH SUCH ITEM AND SHALL BE POSTED AT LEAST THREE DAYS IN  
2 ADVANCE OF THE MEETING; PROVIDED HOWEVER, THAT IN AN INSTANCE OF A  
3 HEALTH OR PUBLIC SAFETY EMERGENCY, THE BOARD MAY INCLUDE ADDITIONAL  
4 ITEMS TO THE AGENDA WITH LESS THAN THREE DAYS NOTICE. IN AN INSTANCE OF  
5 A HEALTH OR PUBLIC SAFETY EMERGENCY, THE BOARD SHALL USE BEST EFFORTS TO  
6 MAKE PUBLIC ANY CHANGES TO THE AGENDA PRIOR TO THE REGULAR MEETING. THE  
7 NOTICE AND AGENDA SHALL BE CONSIDERED A PUBLIC RECORD.

8 (B) THE CHANCELLOR OR THE COMMISSIONER, OR ANY FIVE REGENTS, MAY AT  
9 ANY TIME CALL A SPECIAL MEETING OF THE BOARD OF REGENTS AND FIX THE TIME  
10 AND PLACE THEREFOR. NOTICE OF TIME, PLACE AND AGENDA FOR ALL SPECIAL  
11 PUBLIC MEETINGS OF THE BOARD OF REGENTS SHALL BE PUBLICLY PROVIDED AT  
12 LEAST THREE DAYS IN ADVANCE OF SUCH MEETING. SUCH NOTICE OF TIME, PLACE  
13 AND AGENDA SHALL BE DISTRIBUTED VIA THE BOARD'S OFFICIAL INTERNET  
14 WEBSITE AND SPECIFICALLY CIRCULATED ACCORDING TO THE RULES AND REGU-  
15 LATIONS OF THE REGENTS TO ALL REGENTS. THE BOARD OF REGENTS SPECIAL  
16 PUBLIC MEETING AGENDA SHALL BE COMPRISED OF A LIST OF ALL ITEMS TO BE  
17 CONSIDERED WITH A DESCRIPTION OF THE SUBJECT MATTER OF EACH SUCH ITEM;  
18 PROVIDED HOWEVER, THAT IN AN INSTANCE OF A HEALTH OR PUBLIC SAFETY EMER-  
19 GENCY, THE BOARD MAY INCLUDE ADDITIONAL ITEMS TO THE AGENDA WITH LESS  
20 THAN THREE DAYS NOTICE. IN AN INSTANCE OF A HEALTH OR PUBLIC SAFETY  
21 EMERGENCY, THE BOARD SHALL USE BEST EFFORTS TO MAKE PUBLIC ANY CHANGES  
22 TO THE AGENDA PRIOR TO THE SPECIAL MEETING. THE NOTICE AND AGENDA SHALL  
23 BE CONSIDERED A PUBLIC RECORD.

24 2. ANY MEETING OF THE BOARD OF REGENTS AND ANY COMMITTEE, SUBCOMMIT-  
25 TEE, TASK FORCE, OR OTHER SUBGROUPS THEREOF SHALL BE CONDUCTED IN  
26 ACCORDANCE WITH ARTICLE SEVEN OF THE PUBLIC OFFICERS LAW.

27 3. A SUMMARY OF COMMITTEE REPORTS, ANY OTHER MINUTES, AND ATTENDANCE  
28 OF THE BOARD OF REGENTS FOR EITHER REGULAR OR SPECIAL MEETINGS SHALL BE  
29 ELECTRONICALLY AVAILABLE ON THE BOARD OF REGENTS WEBSITE AT THE CLOSE OF  
30 EACH BOARD MEETING AND SHALL BE CONSIDERED A PUBLIC RECORD. THE VIDEO  
31 RECORDING OF ANY REGULAR FULL BOARD MEETING SHALL BE POSTED NO LATER  
32 THAN FIVE DAYS FOLLOWING THE MEETING OF THE BOARD. ANY MEETING SUMMARIES  
33 AND ACTIONS TAKEN SHALL BE POSTED ON THE BOARD OF REGENTS WEBSITE WITHIN  
34 FIVE DAYS OF APPROVAL BY THE BOARD. INFORMATION POSTED ON THE BOARD OF  
35 REGENTS WEBSITE SHALL REMAIN ON THE SITE AS ARCHIVED DATA FOR A MINIMUM  
36 OF TEN YEARS.

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

41 S 2. This act shall take effect on the ninetieth day after it shall  
42 have become a law.