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

7782

2015-2016 Regular Sessions

I N A S S E M B L Y

May 27, 2015

Introduced by M. of A. GUNTHER -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to the board of trustees' meetings

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

Section 1. Paragraph a of subdivision 2 of section 353 of the education law, as amended by chapter 98 of the laws of 2010, is amended to read as follows:

a. The board may provide for regular meetings, and the chairman, or the vice-chairman, or any eight members by petition, may at any time call a special meeting of the board of trustees and fix the time and place therefor; and at least seven days notice of every meeting shall be mailed to the usual address of each trustee, unless such notice be waived by a majority of the board. Resolutions for the consideration of the board of trustees must be mailed to the usual address of each trustee no less than seven days prior to a meeting, unless the chair shall make available in writing on the day of the meeting the facts which necessitate an immediate vote. Eight trustees attending shall be a quorum for the transaction of business and, unless a greater number is required by the by-laws, the act of a majority of the members present at any meeting shall be the act of the board. *A BOARD MEMBER SHALL BE CONSIDERED PRESENT AT ANY MEETING, AND THUS ALLOWED TO CAST A VOTE, IF THEY ARE NOT PHYSICALLY AT THE MEETING BUT ARE SIMULTANEOUSLY TELECONFERENCING OR VIDEOCONFERENCING INTO THE MEETING.* The board shall hold at least two public hearings each year. One public hearing shall be held during the spring semester and one public hearing shall be held in the fall semester. The purpose of such hearings shall be to receive testimony and statements from concerned individuals about university issues. The board shall fix the time, place, duration and format of each hearing. At least three members of the board shall attend each hearing. At

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

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least thirty days notice of the hearing shall be given by the chairman of the board to all members of the board, to all presidents of state operated campuses, to the chair of faculty-senate bodies of state operated campuses, to all student government presidents of state operated campuses, to the certified or recognized employee organizations representing employees of the state university and to the media. Such notice shall contain the time and place of the public hearing.

S 2. Section 6306 of the education law is amended by adding a new subdivision 1-b to read as follows:

1-B. ANY MEMBER OF THE BOARD WHO ATTENDS A MEETING THROUGH MEANS OF TELECONFERENCING OR VIDEOCONFERENCING SHALL BE DEEMED PRESENT FOR BOTH PURPOSES OF CONSTITUTING A QUORUM AND HAVING SUCH MEMBER'S VOTE COUNTED TOWARD ANY ACTION OF THE BOARD.

S 3. This act shall take effect immediately.