



Community District Education Council 26

New York City Department of Education

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Albert Suhu <i>President of the Council</i>	Todd Friedman <i>First Vice- President</i>	Cassandra Louie <i>Second Vice President</i>	Adriana Aviles <i>Recording Secretary</i>	Dennis Chan <i>Treasurer</i>
<i>Council Members:</i>			Danielle Giunta	
Norman Cohn	Taeho Hwang	Athena Gavros	Community Superintendent	
Jennifer Catherall	Dilip Nath		District 26	
Sulinda Hong				

Resolution for Community District Education Council 26 to Authorize Limited Videoconferencing of its Public Meetings

WHEREAS, by passing Chapter 56 of the Laws of 2022 (“Chapter 56”), the New York State Legislature amended Section 103 of the Open Meetings Law (OML); and

WHEREAS, Chapter 56 adds Section 103-a of the Open Meetings Law, permitting Community Education Councils (CECs) to authorize its members to attend meetings by videoconferencing under extraordinary circumstances; and

WHEREAS, Section 103-a(2)(a) requires CEC 26 to adopt a resolution following a public hearing authorizing the limited use of videoconferencing under such circumstances; and

WHEREAS, Section 103-a(2) allows for hybrid meetings by requiring “that a minimum number of members are present to fulfill the public body’s quorum requirement in the same physical location or locations where the public can attend”; and

WHEREAS, Section 103-a(2)(c) requires that members be physically present at any such meeting “unless such member is unable to be physically present at any such meeting location due to extraordinary circumstances . . . including disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member’s physical attendance at such meeting”; and

WHEREAS, in accordance with Section 103-a(2)(d), any members attending by videoconference must, except during executive session, be “heard, seen and identified, while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon”; and

WHEREAS, Section 103-a(2)(g) requires that any meeting where a member attends by videoconference be recorded, posted to the CEC 26 webpage within five business days, and transcribed upon request; and

WHEREAS, Section 103-a(2)(h) requires that members of the public be permitted to attend and participate, if authorized, in any meeting by videoconference when a member attends by videoconference; and

WHEREAS, CEC committees and sub-committees that are advisory only and include members of the public are not considered public bodies subject to the OML and are permitted to meet remotely; and

THEREORE, BE IT RESOLVED, that CEC 26 authorizes its members who experience an extraordinary circumstance, as described above and further defined by any rules or written procedures later adopted, to attend meetings by videoconference: (i) as long as a quorum of the members attend in-person at one or more locations open to the public; (ii) as long as the member can be seen, heard, and identified while the open portion of the meeting is being conducted; and (iii) as otherwise permitted under Chapter 56 of the Laws of 2022; and

BE IT FURTHER RESOLVED, that CEC 26 shall create written procedures further governing its use of videoconferencing by its members in compliance with Chapter 56 of the Laws of 2022.

Community Education Council District 26 approved this resolution on June 9, 2022, at the monthly meeting by unanimous vote. Members Present: Norman Cohn, Dilip Nath, Todd Friedman, Adriana Aviles, Albert Suhu, Dennis Chan, Sulinda Hong, Taeho Hwang, Jennifer Catherall, and Cassandra Louie.