

Resolution for Community Education Council District 19
to Authorize the Adoption of Written Procedures following a Public Hearing for the
Use of Video Conferencing for the Conduct of 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; and

WHEREAS, Chapter 56 adds Section 103-a of the Open Meetings Law, permitting the Community Education Council District 19 (CEC 19) to authorize its members to attend meetings by videoconferencing under extraordinary circumstances; and

WHEREAS, Section 103-a (2)(a) requires CEC 19 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 19 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.

BE IT RESOLVED, that the CEC 19 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 the CEC 19 shall create written procedures further governing its use of videoconferencing by its members in compliance with Chapter 56 of the Laws of 2022.

BE IT FURTHER RESOLVED, the above resolution was unanimously voted and passed on August 16, 2026, by the following Community Education Council of District 19 members: Joyce French, Kimberly Washington, Evelyn Pugh, Emily Walker, Shandale Franklin, Kristin Garcia, Kimberly Ford, Simone Phillips-Webster, and Shakima Sealy.

**PROCEDURES RELATED TO USE OF VIDEOCONFERENCING AND VIRTUAL
ATTENDANCE AT MEETINGS CONDUCTED BY THE COMMUNITY EDUCATION COUNCIL DISTRICT 19**

Pursuant to New York State Public Officers Law § 103-a(2)(b), the NYC Department of Education of the Community Education Council for District 19 (“CEC19”) hereby adopts these procedures related to the use of videoconferencing and virtual attendance at meetings conducted by CEC 19 and any and all committees or subcommittees, now existing or hereafter created, of CEC 19 subject to the Open Meetings Laws of New York State (the “Procedures”).

1. Each member of CEC 19 who wishes to participate in a public meeting of CEC 19 shall be physically present at a designated meeting location that is open to the public and identified in the required public notice for such meeting. Including but not limited to the Community Superintendent and NYCPS Presenters.
2. If a member of CEC 19, due to extraordinary circumstances, wishes to attend and participate in the meeting but is unable to be physically present at the designated meeting location that has been noticed and is open to the public, the member may submit a written request to CEC 19 President seeking permission to attend the meeting via videoconference from a location that is not open to the public. This request must be submitted at a reasonable time prior to the meeting to allow the public notice to indicate that the meeting will include the use of videoconferencing. The notice must identify the nature of the extraordinary circumstance that causes the member to be unable to be physically present at the designated location.
3. Extraordinary circumstances shall be defined as:
 - a. Disability;
 - b. Illness;
 - c. Caregiver Responsibilities; and
 - d. Any other significant or unexpected factor or event which precludes such member’s physical attendance at such meeting location that is open to the public.
4. A meeting of CEC 19 shall not be permitted unless the number of members physically present at the designated location provided in the notice to the public is at least equal to the minimum number of members necessary to fulfill CEC 19’s quorum requirement.
5. Except in the case of Executive Sessions, when a member is participating remotely via videoconferencing from a location not open to the public, CEC 19 shall ensure that every member participating, whether in-person or virtually, can be seen, heard, and is always identified during the meeting. Members participating remotely are responsible for ensuring that their audio and visual equipment works properly.

For identification purposes, the member may (1) use the videoconferencing software identify the member(s)’ first and last name on the screen; or (2) the member may place a name plate with the member’s first and last name in front of him/her/them that is visible at all times on the screen.

If the member’s audio and/or visual connections are not operational and/or do not permit the member to be seen, heard, and identified, that member, who would otherwise qualify for remote participation, shall not be permitted to participate in the meeting.

6. If video conferencing is to be used subject to these Procedures, the public notice for the meeting must inform the public that videoconferencing will be used. This notice shall notice where the public

can view the meeting virtually and if public participation in the meeting is allowed, it should specify where the public can view and/or participate in the meeting. The notice shall identify where documents and records whose discussion is anticipated will be posted or available at least 24 hours prior to the meeting, as is required pursuant to Public Officers Law §106 (e). Finally, the notice shall identify the physical location of the meeting where the public may attend.

7. If videoconferencing is used subject to these Procedures, the minutes of the meeting shall identify which member(s) participated remotely and shall be available to the public pursuant to Section 106 of the Public Officers Law.

8. If videoconferencing is used subject to these Procedures, the meeting shall be recorded, such recording to be posted or linked on the CEC's website within five business days following the meeting. The recording shall remain available for a minimum of five years from the date of posting. Upon request, a transcript of the meeting shall be made available.

9. If videoconferencing is used subject to these Procedures, members of the public may attend the meeting at any location open to the public. CEC 19 shall also provide the opportunity for members of the public to view the meeting virtually, and where public participation is allowed, shall provide the opportunity for members of the public to participate virtually in real time. Members of the public who participate virtually shall enjoy the same privileges as those who attend the meeting in person.

10. Neither the in-person participation requirements of Paragraph 1 of the Procedures nor the in-person quorum requirements of Paragraph 4 of the Procedures shall apply during a State disaster emergency declared by the governor pursuant to Section 28 of the Executive Law, or a local state and/or City of emergency proclaimed by the State Governor or NYC Mayor pursuant to Section 24 of the Executive Law, if the CEC determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the public body to hold an in-person meeting.