June 28, 2021

Open Meetings Law Update

With the expiration of the Governor’s executive orders related to COVID-19 on June 24, 2021, the remote meeting flexibility charter school boards of trustees have enjoyed with respect to the New York Open Meetings Law comes to an end. Going forward, charter school trustees must:

1. be physically present at the physical location listed in the board meeting notice; or,
2. be present via videoconference at a location:
   1. listed in the meeting notice; and
   2. at which the public can attend.

Trustees will not count toward quorum or be able to vote if they only participate in the meeting by telephone. Trustees will also not be able to participate via videoconference from home or work unless their home or work addresses are listed in the meeting notice and the public can enter their homes or work places to attend the meeting.

As a reminder, if a board streams its meetings over the internet or conducts them via videoconference like Zoom, the board must list the website address for the meeting in its public meeting notice per N.Y. Public Officers Law § 104(5).

Please contact the Institute with any questions.