



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY,
NY 12234

TO: The Honorable the Members of the Board of Regents
Full Board

FROM: Erin M. O'Grady-Parent

SUBJECT: Proposed Amendment to the Rules of the Board of
Regents relating to the duties of the Senior Deputy of P-
12 Education

DATE: August 26, 2010

STRATEGIC GOAL: Goals 5 and 6

AUTHORIZATION(S):

Summary

Issue for Decision (Consent Agenda)

Should the Board of Regents adopt the proposed amendment of section 3.8 of the Rules of the Board of Regents to designate the Senior Deputy Commissioner for P-12 Education as the Deputy Commissioner of Education as specified in Education Law section 101-a, who, in the absence or disability of the Commissioner or when a vacancy exists in the office of Commissioner, shall exercise and perform the functions, powers and duties of the Commissioner?

Reason(s) for Consideration

Implementation of Regents Policy.

Proposed Handling

The proposed amendment is being presented to the Full Board for adoption at the September 2010 Regents meeting.

Procedural History

N/A

Background Information

The amendment will designate the Senior Deputy Commissioner as the Deputy Commissioner of Education as specified in Education Law section 101, who, in the absence or disability of the Commissioner or when a vacancy exists in the office of Commissioner, shall exercise and perform the functions, powers and duties conferred or imposed on the Commissioner by statute and by rule of the Regents.

A Notice of Proposed Rule Making was published in the State Register on May 19, 2010.

Recommendation

It is recommend that the Board of Regents take the following action:

VOTED: That section 3.8 of the Rules of the Board of Regents be amended, as submitted, effective October 6, 2010.

Timetable for Implementation

If adopted at the July Regents meeting, the proposed amendment will become effective on October 6, 2010.

AMENDMENT OF THE RULES OF THE BOARD OF REGENTS

Pursuant to section 101 of the Education Law.

Subdivision (b) of section 3.8 of the Rules of the Board of Regents is amended, effective October 6, 2010, as follows:

(b) The [counsel] senior deputy commissioner for p-12 education shall be the deputy commissioner of education as specified in section 101 of the Education Law. In the absence or disability of the commissioner or when a vacancy exists in the office of commissioner, [the counsel] such senior deputy commissioner shall exercise and

perform the functions, powers and duties conferred or imposed on the commissioner by statute and by rule of the Regents.