

In the Matter of Blackboard, Inc.,

Respondent.

DECISION AND NOTICE OF
CIVIL ASSESSMENT

Alleged Violations of Lobbying Act §1-j.

Blackboard, Inc. (“Respondent”), a client in 2010, was required to file the 2010 January/June and 2010 July/December Client Semi-Annual Reports (“Reports”) by July 15, 2010 and January 15, 2011, respectively, pursuant to Article 1-A of the Legislative Law (“Lobbying Act”) §1-j, because the Respondent retained, employed, or designated a lobbyist and Respondent reasonably anticipated that it would expend or incur reportable compensation and expenses in an amount in excess of \$5,000 during the 2010 calendar year.

On April 19, 2012, a Notice of Failure to File was issued which afforded the Respondent 15 days to file the Report.

On May 14, 2012, the Commission sent Respondent a Notice of Substantial Basis Investigation, including a proposed settlement agreement for \$4,000.

On May 28, 2014, the Commission approved a Substantial Basis Investigation Report, finding that a substantial basis existed to conclude that Respondent knowingly and willfully failed to file timely its Reports.

On August 12, 2014, a Notice of Hearing was issued to Respondent. On September 10, 2014, a hearing was held pursuant to Lobbying Act §1-o(c)(i) and 19 NYCRR §941. Respondent did not attend or put forth a defense.

On September 25, 2014, the hearing officer, Judge George C. Pratt, issued a Report and Recommendation (“Report and Recommendation”), in which he found that the Respondent knowingly and willfully failed to file the Reports and recommended the assessment of a civil penalty in the amount of \$9,000.

The parties were given 10 days from receipt of the Report and Recommendation to respond. No response was received from the Respondent.

The Joint Commission on Public Ethics (“Commission”) hereby affirms the Hearing Officer’s Report and Recommendation and finds that the Respondent knowingly and willfully failed to file its 2010 January/June and 2010 July/December Client Semi-Annual Reports. The Commission also affirms the Recommendation of the Hearing Officer and directs that the Respondent file its 2010 January/June and 2010 July/December reports and be assessed a civil penalty in the amount of \$9,000.

Approved: Daniel J. Horwitz
Chair

Paul Casteleiro
Hon. Joseph Covello
Seymour Knox, IV
Gary J. Lavine
Hon. Mary Lou Rath
David A. Renzi
Michael A. Romeo, Sr.
Hon. Renee R. Roth
George H. Weissman
Members

Absent: David Arroyo
Marvin E. Jacob
Members

DATED: November 25, 2014