



Policy Title:  
Student Members of the Boards of Trustees and College Councils

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Summary

This policy outlines the rights and responsibilities of student members of the College Councils of State-Operated Campuses of the State University of New York and Boards of Trustees of Community Colleges and the College of Environmental Science and Forestry.

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Policy

### **I. Student Members of College Councils on State-Operated Campuses**

In accordance with New York State Education Law §356, each College Council shall include one elected student member. The following guidelines outlined in 8 NYCRR § 312 shall be followed regarding the elected student members of College Councils.

- A. The student member shall be elected by and from among the students of the campus in accordance with rules and regulations promulgated by the representative campus student organization at each campus.
- B. In the case of a campus with more than one recognized representative student governance organization, representatives of each shall advise, consult and share responsibility for the preparation and promulgation of the rules and regulations in a manner as may be mutually agreed upon.
- C. The rules and regulations to be promulgated by the association or in such manner as may be mutually agreed upon pursuant to subdivision I.B. of this section above in the case of multiple student governance organizations, shall fix and define the following:
  1. the time and place of such election;

2. the eligibility of electors, except that eligibility shall not be limited to undergraduate students or full-time students only;
3. the manner of qualifying as a candidate for election;
4. the form and content of notification to the electors of the time and place of the election and the duties of the office;
5. the form of ballots, the location of polling places, the time such polls shall be open, the manner of casting ballots, the procedure for tallying and reporting the completed vote;
6. the manner in which election irregularities, if any, may be expeditiously resolved; and
7. the manner in which an elected student member may be removed.

D. These provisions shall apply to the student members of the College Councils:

1. The student member's term shall begin on July 1 following the election and shall expire on June 30 of the following year.
2. As a public officer, the student member shall be subject to the laws, rules and codes of ethics applicable to all other members of the Council and must adhere to the standards regarding conflicts of interest and ethics as covered in New York State Public Officers Law §§ 73 to 78. Additionally, the student member is accorded the protection of New York State Public Officers Law §17 when acting within the scope of his or her service as member of the Council.
3. Each student member must file with the New York Secretary of State an Oath of Office (Form A) as well as a certification of having received sections 73 to 78 of New York State Public Officers Law. The completed Oath of Office form shall be filed with the State Records and Law Bureau, Department of State, Albany, NY 12231.
4. Each student member of a College Council has full voting rights and may exercise full parliamentary privileges and be counted for quorum purposes.

## **II. Student Members of Boards of Trustees of Community Colleges**

In accordance with New York State Education Law §6306, each Community College Board of Trustees shall include one student member. The following guidelines shall be followed regarding student members of Boards of Trustees of community colleges.

- A. The student member shall be elected in accordance with the rules and regulations promulgated by the representative campus student association at each campus in accordance with the guidelines of 8 NYCRR § 604. The community college student member need not be a resident of the sponsoring municipality or school district but must be a member of the student body.
- B. In the case of a campus with more than one recognized representative student governance organization, representatives of each shall advise, consult and share responsibility for the preparation and promulgation of the rules and regulations in a manner as may be mutually agreed upon.
- C. The rules and regulations to be promulgated by the association or in such manner as may be mutually agreed upon pursuant to paragraph II.B. of this section in the case of multiple student governance organizations, shall fix and define the following:

1. the time and place of such election;
2. the eligibility of electors, except that eligibility shall not be limited to undergraduate students or full-time students only;
3. the manner of qualifying as a candidate for election, except that in the event that a student member ceases to be a student at the institution, he shall be required to resign;
4. the form and content of notification to the electors of the time and place of the election and the duties of the office;
5. the form of ballots, the location of polling places, the time such polls shall be open, the manner of casting ballots, the procedures for tallying and reporting the completed vote;
6. the manner in which election irregularities, if any, may be expeditiously resolved; and
7. the manner in which an elected student member may be removed.

D. These provisions shall apply to the student members of community college Boards of Trustees.

1. The student member's term shall begin on July 1 following the election and shall expire on June 30 of the following year.
2. The student members of community college Boards of Trustees are local officers and are subject to New York State General Municipal Law §§ 800-808 and related rules or codes of ethics adopted by the counties and municipalities.
3. Each student member of a community college Board must file with the clerk of the appropriate municipal corporation or school district serving as the local sponsor, a completed local Oath of Office.
4. Each student member of a community college Board of Trustees has full voting rights and may exercise full parliamentary privileges and be counted for quorum purposes.

### **III. Student Member of the Board of Trustees of the College of Environmental Science and Forestry**

In accordance with New York State Education Law §6003, the Board of Trustees of the College of Environmental Science and Forestry shall include one voting student member. The following stipulations shall be followed regarding the student member of the Board of Trustees.

- A. The student member shall be elected in accordance with the rules and regulations promulgated by the representative campus student association at College of Environmental Science and Forestry (ESF). The student member of the Board of Trustees must be a member of the student body of ESF.
- B. In the case of more than one recognized representative student governance organization, representatives of each shall advise, consult and share responsibility for the preparation and promulgation of the rules and regulations in a manner as may be mutually agreed upon.
- C. The rules and regulations to be promulgated by the association or in such manner as may be mutually agreed upon pursuant to paragraph II.B. of this section in the case of multiple student governance organizations, shall fix and define the following:
  1. the time and place of such election;
  2. the eligibility of electors, except that eligibility shall not be limited to undergraduate students or full-

time students only;

3. the manner of qualifying as a candidate for election;
4. the form and content of notification to the electors of the time and place of the election and the duties of the office;
5. the form of ballots, the location of polling places, the time such polls shall be open, the manner of casting ballots, the procedures for tallying and reporting the completed vote;
6. the manner in which election irregularities, if any, may be expeditiously resolved; and
7. the manner in which an elected student member may be removed.

D. These provisions shall apply to the student member of the Board of Trustees of the College of Environmental Science and Forestry.

1. The student member's term shall begin on July 1 following the election and shall expire on June 30 of the following year.
2. The student member of the Board of Trustees is a public officer and shall be subject to the New York State Public Officers Law.
3. Each student member must file with the New York Secretary of State an Oath of Office (Form A) as well as a certification of having received sections 73 to 78 of New York State Public Officers Law. The completed Oath of Office form shall be filed with the State Records and Law Bureau, Department of State, Albany, NY 12231.
4. The student member of the Board of Trustees has full voting rights and may exercise full parliamentary privileges and be counted for quorum purposes.

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#### Definitions

There are no definitions relevant to this policy.

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#### Other Related Information

There is no related information relevant to this policy.

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#### Procedures

There are no procedures relevant to this policy.

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#### Forms

[Form A](#) - Oath of Office, New York State Department of State

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#### Authority

The following link to FindLaw's [New York State Laws](#) is provided for users' convenience; it is not the official site for the State of New York laws.

[NYS Education Law Article 8 §356](#) (Councils of state-operated institutions; powers and duties.)

[NYS Education Law Article 121 §6003](#) (College board of trustees; organization.)

[NYS Education Law Article 126 §6306](#) (Administration of community colleges--boards of trustees.)

In case of questions, readers are advised to refer to the New York State Legislature site for the menu of [New York State Consolidated](#).

[Board of Trustees Policies – Student Members of College Councils \(8 NYCRR 312\)](#)

[Community College Rules - Administration of The College \(8 NYCRR Part 604\)](#)

University Board of Trustees Resolution, 75-231 adopted September 24, 1975.

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## History

By Chapter 587 of the Laws of 1975, New York State extended the membership of Boards of Trustees and College Councils in the State University of New York to students. An elected student was to be added to each group as a non-voting member. The election of the student member was to follow rules and regulations established by the representative campus student association on each campus in accordance with guidelines established by the Board of Trustees of the University.

The Board established those guidelines on September 24, 1975, in a resolution containing what was to become Parts 312 and 604.4 of the New York State Rules and Regulations. Because of the need to begin the process of implementation of Chapter 587 of the Laws of 1975, this information was communicated to the state operated and community college campuses in a memorandum to presidents on September 12, 1975, from the office of the University counsel and vice chancellor for legal affairs.

Because two opinions by the Attorney General of the State of New York (1975 Op. Atty. Gen., November 25 and 1976 Op. Atty. Gen., June 14) reduced the parliamentary abilities of the student members and indicated that they were not in fact Public Officers, the Legislature enacted Chapter 164 of the Laws of 1977. This statute made student members of Councils and Boards subject to the Public Officers Laws or General Municipal Laws and granted them parliamentary powers of moving or seconding motions and of placing items on the agendas of the bodies. This was communicated campuses in a memorandum to presidents on July 22, 1977, from the office of the University counsel and vice chancellor for legal affairs.

Chapter 406 of the Laws of 1979 granted voting privileges to the student members of College Councils. This was communicated in a memorandum to presidents on August 27, 1979, from the office of the University counsel and vice chancellor for legal affairs.

Chapter 98 of the Laws of 1986 granted voting privileges to the student member of the Board of Trustees of the College of Environmental Science and Forestry.

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## Appendices

There are no appendices relevant to this policy.