

HANDBOOK



**ASSOCIATION OF COUNCIL MEMBERS
AND COLLEGE TRUSTEES OF
THE STATE UNIVERSITY OF NEW YORK**



2022

Introduction

As a Council member at one of the State-operated campuses in the SUNY system, or College Trustee at the College of Environmental Science and Forestry, you are part of the nation's largest College. You exercise responsibilities with respect to governance on the campus that you serve, your expertise and judgment are needed as a resource for your institution, and you have an obligation to represent your campus and the State University of New York in your community.

The key to successful Council membership is INVOLVEMENT. You should attend all Council meetings and participate actively in discussions and Council actions. Make your interest and support visible, both within and outside the university community, by attending campus functions. Learn as much as you can about the affairs of your campus by visiting faculty and student meetings and other events, and through informal contacts in the classrooms, offices, dining halls and residences. And, you should look for opportunities to tell others outside the University about the contributions and importance of SUNY and your institution. This handbook will help you understand your obligations as an appointed Council member. It will suggest opportunities Councils and their members have to help build a stronger university system.

This handbook will also acquaint you with the Association of Council Members and College Trustees of The State University of New York (ACT). ACT supports the campus Councils in their efforts to contribute to the success of the University.

Most Council members derive considerable satisfaction from their role. They find that the more one contributes through active participation in campus affairs the more rewarding is the experience.

Facts for Council Members

GOVERNANCE, APPOINTMENT, COMPOSITION

SUNY campus Councils are established, described and governed by the provisions of Article 8, Section 356 of the New York State Education Law, which is included as the appendix to this handbook. The College of Environmental Science and Forestry is supervised locally by a Board of Trustees, whose responsibilities are similar in many respects to those of the campus councils, but are separately provided for in Article 121, Sections 6003 and 6004 of the New York State Education Law. Questions regarding the Law should be referred to the Office of the University Counsel, State University Plaza, Albany, New York 12246, telephone (518)-320-1400.

Each Council consists of ten members, nine appointed by the Governor and one elected by and from among the students of the campus. One member is designated by the Governor as Chair.

TERMS OF OFFICE

Council members appointed by the Governor serve for a term of seven years beginning on July 1 of the appointment year, or until a successor is appointed. Student members serve for one year. Council vacancies are filled for the unexpired terms in the same manner as original appointments.

REMOVAL

Council members appointed by the Governor may be removed by the Governor. Student members may be removed by the students in accordance with local campus student association rules. Excessive absence from Council meetings without good cause and unexcused by the Chair may be a valid basis for removal.

COMPENSATION

Council members receive no compensation for their services but should be reimbursed by their institutions for expenses actually and necessarily incurred in the performance of their duties.

MEETINGS

Councils are required to meet at least four times each year but usually hold regular meetings more frequently. The Chair or, by petition, any five members may call a special meeting of the Council at any time and fix the time and place of the meeting. Minutes must be taken at all meetings. Council meetings are governed by the provisions of the New York State Open Meetings Law. Councils may act in executive session only under the conditions set forth in Section 105 of the Public Officers Law.

RESOLUTIONS, AGENDA, QUORUM

Resolutions for consideration must be mailed to Council members at least seven days prior to a meeting unless the Chair provides in writing the facts which necessitate immediate action at a meeting. The Council agenda is a public record and must be available at least three days prior to meeting. Five members attending a meeting constitute a quorum, and an act of a majority of the members present at a meeting is an act of the Council.

POWERS AND DUTIES

Originally intended as a local supervisory body, the College Council has evolved under the supervision and control of the SUNY Board of Trustees into an advisory body with regulatory authority over specific subjects. Some duties listed in the statute are anachronistic and other responsibilities not specified in statute have been added by the Trustees.

The College Council plays a significant role in the presidential search process. The College Council Chair usually serves as the search committee chair. Search committee recommendations are made to

the Council and it is the Council's responsibility to recommend three candidates for the Chancellor's consideration. The Chancellor, in turn, recommends one of the three candidates to the full Board of Trustees for its consideration and vote. The Board of Trustees is the appointing authority, and as such, it makes the ultimate decision.

The College Council can play an important role in town/gown relationships. That role has developed over the years. The Council can be a bridge between the campus community and the broader local community where the campus is located. Council members serve dual functions: they bring local issues and concerns to the attention of the college administration, and they promote and advocate for the college in the local community. One tool at the Council's disposal is the authority to create citizen advisory committees, which can include members of the local community as well as Council members. These citizen advisory committees can take many forms, from a standing committee that meets regularly to an ad hoc committee formed to address a single issue.

The College Council has broad advisory responsibilities. The Council should review all major plans of the President and provide recommendations on those plans.

Along with its advisory role, the College Council has specific regulatory functions in two areas: campus facilities and student life.

Almost all aspects of student life should be reviewed by the College Council. All major plans proposed by the president regarding the appraisal and improvement of faculty and personnel, expansion and restriction of student admissions, appraisal and improvement of academic programs and degree requirements, student activities and housing should be reviewed by the Council and recommendations made to the president. Recently, several Councils have exercised this advisory role to help address important student issues such as housing and food insecurity.

In addition to its broad advisory role, the College Council has specific regulatory responsibilities over the Code of Student Conduct specifically as it relates to Title IX and other state and federal laws. These responsibilities include, for example, the balancing of the right to free expression and the right to one's personal autonomy and dignity; and balancing the rights of students subject to discipline with the privacy rights of students alleging an infraction of the rules.

Along with its advisory role with respect to plans concerning college facilities, the Council has regulatory authority over two specific issues: the naming of buildings and facilities and the on-campus vehicle and traffic rules. As naming rights have become valuable tools in fundraising, on many campuses the Council's naming responsibility is exercised in collaboration with the college foundation or other fund-raising groups, some of which are subject to the final approval of the Board of Trustees.

Undefined in the statute, but nonetheless critical, is college Council's role as advocate for the institution and SUNY generally. From attending

campus events, to recruiting prospective students, to writing letters, to the Legislature in support of programs and funding, Council members should be strong advocates for their colleges.

DUTIES OF COUNCIL CHAIRS

The duties of the Council Chair are not specified by law, but they are usually considered to include the following:

- a) Presiding at meetings;
- b) Signing documents on behalf of the Council;
- c) Acting as spokesperson for the Council;
- d) Appointing committees;
- e) Resolving tie votes of the Council;
- f) Representing the Council at graduation exercises and other official functions;
- g) Insuring that agenda are prepared and minutes are kept in accordance with legal requirements;
- h) Insuring that qualified candidates are recommended for appointment to fill Council vacancies; and
- i) Insuring that the annual report of the Council is submitted to the Trustees.

Chairs can help to insure Council effectiveness by:

- a) Meeting regularly with the President of the institution on current matters and being responsible for informing Council members on important issues;
- b) Providing for the orientation of new Council members and familiarizing prospective members with the role and activities of the Council;
- c) Scheduling and presiding at self-evaluations by the Council;
- d) Including an ACT Board report at each Council meeting; and
- e) Insuring representation of the Council at the ACT Annual Conference.

WHAT IS ACT?

“ACT” is an acronym for the “Association of Council Members and College Trustees of State University of New York.” Founded in 1970, ACT exists in accordance with its Bylaws to:

- a) Provide a representative organization for Council members and College Trustees;
- b) Promote study of the responsibilities and duties of Councils and Council members;

- c) Encourage discussion of problems SUNY and its units;
- d) Provide communication among its members;
- e) Improve liaison among SUNY units and between them and the Board of Trustees; and
- f) Strengthen the SUNY system generally.

All Council members and college Trustees are automatically members of ACT, as are the officers of the SUNY institutions and the officers and principal staff members of SUNY System Administration.

ACT seeks to promote increased Council effectiveness, constructive government relations and productive advocacy for public higher education through general meetings, an Annual Conference and business meeting, and other member communications, and through a Board of Directors. At the Annual Conference, programs are presented to familiarize members with major issues relating to their responsibilities and to provide a forum for the exchange of information among Councils and their members. Council members can significantly influence the directions and plans of ACT, their statewide organization.

The President of ACT is an official observer at meetings of the SUNY Board of Trustees and ACT is asked to represent Council expertise and interests when needed by the Trustees or their committees.

The Board of Directors consists of 33 members who are elected by the ACT membership for staggered three-year terms. The Board meets as needed to discuss and act upon on-going issues, to provide a focal point for communications between the SUNY Trustees and System Administration and the Councils and their members, and to plan other meetings of ACT.

To insure effective communications, the Board is required to have at least one member from each state-operated SUNY unit. Board members are expected to:

- a) Attend Board meetings or arrange for substitutes from their Councils;
- b) Serve on committees and participate in other Board activities;
- c) Report regularly to their Councils on ACT activities and other SUNY issues and to the Board on significant matters from their campuses; and
- d) Encourage broad participation in ACT conferences and meetings.

Board members are reimbursed by ACT for expenses incurred in carrying out their duties. The activities of ACT are funded by annual dues paid by the member institutions.

HOW YOU CAN SERVE

Effective Councils and interested and involved Council members find many ways to serve their institutions and SUNY. Their contributions are limited only by their willingness to apply their skills and energy to the needs of their campuses, and by the extent to which the presidents make use of Council resources.

The Council members' opportunities to serve divide into three categories. First, Councils have the authority, subject to the general management, supervision, control, and approval of the State University Trustees, to make regulations dealing with "management of lands, grounds, buildings and equipment" and with "the conduct and behavior of students", and to "exercise supervision over student housing and safety." Addressing these REGULATORY responsibilities requires a significant commitment on the part of the Councils and their members and represents a major contribution to their institutions.

The Councils are primarily ADVISORY bodies, making available to the presidents, the wide variety of individual experiences, expertise, skills and talents of their members as well as the combined wisdom of their collective deliberations. The Councils offer valuable consultation regarding proposed plans and possible responses to pressure on financial or other resources. Council members can provide valuable assistance in management processes, problem solving, and identification of sources of expertise needed from outside the campus community. When Council vacancies occur, Councils should identify talents or skills needed by their institutions and work to secure appointments that address these needs.

The third category of service is in the area of ADVOCACY for the institution the Council serves, and for the State University system. Collectively and individually, and formally and informally, Council members are the most important and influential representatives of their campuses. Therefore, Council membership implies a responsibility to provide effective liaising between the SUNY institutions and the public. Councils should create forums for interaction with local government officials and with other community leaders. They can supplement official communications with state government officials and with the SUNY Trustees and System Administration. They can promote the visibility of the institutions and their presidents in their communities. They can support and assist in student recruiting. Alone or in cooperation with the campus foundations, they can assist in activities and in organizing and carrying out other projects to meet specific institutional needs.

Councils and their members have a legal obligation to serve their institutions in several ways, and they have many additional opportunities to contribute to the well-being of the State of New York through effective and accessible public higher education.

Appendix

EDUCATION LAW

§ 356. Councils of state-operated institutions; powers and duties

1. Subject to the general management, supervision and control of and in accordance with rules established by the state university trustees, the operations and affairs of each state-operated institution of the state university shall be supervised locally by a council, consisting of ten members, nine of whom shall be appointed by the governor and one of whom shall be elected by and from among the students of the institution. Such voting members shall be subject to every provision of any general, special or local law, ordinance, charter, code, rule or regulation applying to the voting members of such board with respect to the discharge of their duties including, but not limited to, those provisions setting forth codes of ethics, disclosure requirements and prohibiting business and professional activities. The election of the student member shall be conducted in accordance with rules and regulations promulgated by the respective representative campus student association in accordance with guidelines established by the state university trustees. One member shall be designated by the governor as chairman. Where an undergraduate state-operated institution of the state university is located adjacent to another institution of higher education and students of such undergraduate state-operated institution are, under arrangements made by the state university, taking a substantial portion of their courses at such other institution, the president or other head of such other institution shall be an ex-officio member of the council for such undergraduate stateoperated institution. Initial appointments, other than the student member and ex-officio members, shall be for terms expiring July first, nineteen hundred fifty-four, July first, nineteen hundred fifty-five, July first, nineteen hundred fifty-six, July first, nineteen hundred fifty-seven, July first, nineteen hundred fifty-eight, July first, nineteen hundred fifty-nine, July first, nineteen hundred sixty, July first, nineteen hundred sixty-one and, where there is no ex-officio member, July first, nineteen hundred sixty-two, respectively, and subsequent appointments, other than the student member, shall be for a full term of nine years from the first day of July of the calendar year in which the appointment is made. Vacancies shall be filled for the unexpired term in the same manner as original selections. The term of office for each council member appointed on or after April first, nineteen hundred eighty-six shall be seven years. The term of office for the student member shall be one year commencing July first of the calendar year in which the election is conducted, provided, however, that the term of the student member first elected shall be nine months commencing October first, nineteen hundred seventy-five and expiring June thirtieth, nineteen hundred seventy-six. In the event that the student member ceases to be a student at the institution, such member shall be required to resign. Members of

such councils appointed by the governor may be removed by the governor. Members of such councils elected by the students of the institution may be removed by such students in accordance with rules and regulations promulgated by the respective representative campus student association in accordance with guidelines promulgated by the state university trustees. Members of such councils shall receive no compensation for their services but shall be reimbursed for the expenses actually and necessarily incurred by them in the performance of their duties hereunder.

2. The councils of state-operated institutions shall provide for regular meetings at least four times annually, and the chair, or any five members by petition, may at any time call a special meeting of the council and fix the time and place therefor. At least seven days notice of every meeting shall be mailed to the usual address of each member, unless such notice be waived by a majority of the council. Resolutions for the consideration of the councils must be mailed to the usual address of each council member no less than seven days prior to a meeting, unless the chair shall make available in writing on the day of the meeting the facts which necessitate an immediate vote. The agenda for such meetings shall be available three days prior to the meetings and shall be considered public records. Five members attending shall constitute a quorum for the transaction of business and the act of a majority of the members present at any meeting shall be the act of the council.
3. Subject to the general management, supervision, control and approval of, and in accordance with rules established by the state university trustees, the council of each state-operated institution shall, with respect to the institution or institutions for which it serves, exercise the following powers:
 - a. recommend to the state university trustees candidates for appointment by the state university trustees as head of such institution;
 - b. review all major plans of the head of such institution for its more effective operation and make such recommendations with respect thereto as it deems appropriate. Such plans shall be submitted for approval by the state university trustees, together with the recommendations of the council with respect thereto. The state university trustees shall determine what constitute such major plans, which are hereby generally defined to include, among others, plans for the appraisal or improvement of the faculty and other personnel, expansion or restriction of student admissions, appraisal or improvement of academic programs and of standards for the earning of degrees, expansion of institutional plants and appraisal or improvement of student activities and housing;
 - c. make regulations governing the care, custody and management of lands, grounds, buildings and equipment;

- d. review the proposed budget requests for such institution prepared by the head thereof and recommend to the state university trustees a budget for such institution;
- e. foster the development of advisory citizens committees to render such assistance as the council may request, and to appoint the members of such citizens' committees. Members of such citizens' committees shall receive no compensation for their services but shall be reimbursed for the expenses actually and necessarily incurred by them in the performance of their duties;
- f. name buildings and grounds;
- g. make regulations governing the conduct and behavior of students;
- h. prescribe for and exercise supervision over student housing and safety;
- i. make an annual report to the state university trustees on or before September first of each year, and report to them from time to time on any matter it believes requires their attention;
- j. perform such other powers and duties as may be authorized or required by the state university trustees by general rules or special directives; and
- k. make and establish, and from time to time alter and amend, such regulations pertaining to the affairs of its institution, not inconsistent with law or the rules of the state university trustees, as may be necessary or appropriate to carry out effectively the foregoing powers and duties.

(Added L.1953, c. 525, § 3; amended L.1975, c. 587, § 2; L.1977, c. 164, § 2; L.1979, c. 406, § 2; L.1984, c. 296, § 6; L.1985, c. 552, § 8.)

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