

STATE OF NEW YORK

6342--A

Cal. No. 375

2023-2024 Regular Sessions

IN SENATE

April 17, 2023

Introduced by Sens. STAVISKY, HARCKHAM, JACKSON, SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- recommitted to the Committee on Higher Education in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the education law, in relation to including a faculty or staff member on the board of trustees of community colleges

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The opening paragraph of subdivision 1 of section 6306 of
2 the education law, as amended by chapter 268 of the laws of 2003, is
3 amended to read as follows:
4 Each community college, except in the city of New York, shall be
5 administered by a board of trustees of [~~ten~~] eleven members, nine of
6 whom shall be appointed for terms of seven years in annual rotation, and
7 [~~one member~~] two members elected as herein provided, except that initial
8 appointments shall be made for terms of one to nine years respectively.
9 Five members shall be appointed by the local legislative body or board,
10 or other appropriate governing agency, one of whom may be a member of
11 such local legislative body or board, or other appropriate governing
12 agency, four, from among persons residing in the sponsoring community,
13 by the governor and one member elected by and from among the students of
14 the college who shall serve as a member of the board for a one-year
15 term, provided, however, that the term of the student member first
16 elected shall be nine months commencing October first, nineteen hundred
17 seventy-five, and one of whom shall be elected by and from among the
18 faculty and staff of the college, ex-officio and non-voting, who shall
19 serve a two-year term, provided, however, that the term of the faculty

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [~~-~~] is old law to be omitted.

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1 or staff member first elected shall commence July first, two thousand
2 twenty-five. The faculty or staff member and student member shall be
3 afforded the same parliamentary privileges as are conferred upon voting
4 members, including but not limited to the right to make and second
5 motions and to place items on the agenda. Such faculty or staff and
6 student member shall be subject to every provision of any general,
7 special or local law, ordinance, charter, code, rule or regulation
8 applying to the members of such board with respect to the discharge of
9 their duties including, but not limited to, those provisions setting
10 forth codes of ethics, disclosure requirements and prohibiting business
11 and professional activities. The election of the student member shall be
12 conducted in accordance with rules and regulations promulgated by the
13 respective representative campus student association in accordance with
14 guidelines established by the state university trustees. The election of
15 the faculty or staff member shall be conducted in accordance with rules
16 and regulations promulgated by the respective faculty senate or equiv-
17 alent faculty shared governance body of each campus. In the event that
18 the student member ceases to be a student at the institution, [~~he~~] they
19 shall be required to resign. In the event that the faculty or staff
20 member ceases to be an employee at the institution, they shall be
21 required to resign. The governor's initial appointments shall be for
22 terms of two, four, six and eight years respectively and those by local
23 authorities for terms of one, three, five, seven and nine years respec-
24 tively. Vacancies shall be filled for unexpired terms in the same manner
25 as original selections by the authority responsible for the original
26 selection. The board shall select its own [~~chairman~~] chair from among
27 its voting membership. Where two or more local sponsors join in the
28 establishment of a community college, the apportionment of the appoint-
29 ments among them shall be made by the state university trustees. Trus-
30 tees shall receive no compensation for their services but shall be reim-
31 bursed for their expenses actually and necessarily incurred by them in
32 the performance of their duties under this article. Members initially
33 appointed or elected under this subdivision to the board of trustees of
34 any community college hereafter established shall take office immediat-
35 35 ly upon their selection and qualification, but for purposes of determin-
36 36 ing the expiration of their respective terms and the commencement of the
37 37 terms of their successors, the term of office of each such initial
38 38 member shall be deemed to have commenced on the first day of July of the
39 39 year in which such college was established. The terms of office of all
40 40 members of the boards of trustees of community colleges heretofore
41 41 established, appointed or elected as provided in this subdivision, shall
42 42 terminate on the thirtieth day of June of the calendar year within which
43 43 such terms expire under the provisions of this subdivision as hereby
44 44 amended. For the purpose of determining such year all initial terms of
45 45 office of appointed members of the boards of trustees of community
46 46 colleges heretofore established shall be deemed to have commenced on the
47 47 first day of July of the year in which such colleges were established
48 48 and the terms of their successors for full terms, if any, shall be
49 49 deemed to have commenced upon the expiration of the number of years from
50 50 such date for which such initial appointments were made.

51 § 2. This act shall take effect immediately.