



SUNY Ulster Board Policy Manual

Policy Section 1 By-Laws of the Board of Trustees of Ulster County Community College

Policy Number 1.1 By-Laws of the Board of Trustees of Ulster County Community College

Approval Date: November 8, 1965

1.1. THE BY-LAWS ARTICLE I - NAME

The name of the community college of Ulster County shall be Ulster County Community College.

ARTICLE II - PURPOSE

Ulster County Community College is a comprehensive community college with broad responsibilities for the enrichment of the community to which it belongs. Ulster County Community College commits itself to the development of comprehensive full and part-time, day and evening educational programs to meet the wide range of interests and needs of high school graduates and others of the community, within the framework of the State University of New York.

ARTICLE III - POWERS AND DUTIES OF THE BOARD

Article 126 of the New York State Education Law provides the statutory framework for the governance of community colleges.

In addition to these statutory rights, powers and responsibilities, the Board shall have all the power reasonably necessary to exercise powers granted expressly or by implication and to discharge duties imposed expressly or by implication by Section 6306 - subject only to the Board of Trustees of the State University.

ARTICLE IV - ORGANIZATION OF THE BOARD

1. Officers

The officers of the Board shall be a Chair, a Vice Chair, and Secretary.

2. Term of Office

The Chair, Vice Chair, and Secretary shall be elected each year at the Annual Meeting. A two-thirds vote shall be necessary for election. Vacancies in any office shall be filled by the Board as provided under the Community College Law (Sec. 6306). (Revised 1/21/20)

3. Duties of the Chair

The Chair shall preside at all meetings of the Board and shall be a member ex-officio of all committees.

The Chair shall appoint all standing and special committees.

4. Duties of the Vice Chair

The Vice Chair shall perform the duties of the Chair in his/her absence and such other duties as the Chair may delegate from time to time.

5. Duties of the Secretary

The Secretary, through the Recording Secretary, shall be responsible for the minutes of all regular and special meetings of the Board and shall prepare and distribute same to each member of the Board prior to the next regular meeting. (Revised 10/25/77)

ARTICLE V - COMMITTEES

1. The standing committees of the Board shall be:
 - a. Personnel Committee
 - b. Educational Programs and Services Committee
 - c. Finance and Audit Committee
 - d. Facilities and Technology Committee
 - e. Executive Committee

2. Duties of the Standing Committees

The duties of the standing committees shall be:

- a. The Committee on Personnel shall make recommendations to the Board regarding State titles and their accompanying job descriptions, all appointments, promotions, tenure awards, dismissals, retirements, resignations, leaves of absence, academic freedom, affirmative action, staff development, and other conditions of employment of union and non-union employees.
- b. The Committee on Educational Programs and Services shall make recommendations regarding the adoption of remedial, general education, and educational programs, the provision of adequate academic support, and where necessary, the elimination of approved educational programs.
- c. The Committee on Finance and Audit shall make recommendations to the Board regarding the fiscal policies of the College and all actions to be taken upon review of budgetary matters, financial management, treasury management and auditing.
- d. The Committee on Facilities and Technology shall make recommendations to the Board on all matters regarding building and grounds, plant maintenance and operation, including land acquisitions, new construction, parking, security, emergencies, and safety. The committee will also monitor the use and management of Information Technology.
- e. The Executive Committee, consisting of the officers of the Board of Trustees shall, subject to ratification at the next regular meeting of the Board, exercise, through the Board Chair, the powers of the Board and when the Chair deems that emergency conditions exist, undertake immediate action.

3. Each committee shall consist of at least three members.
4. The Chair shall be a member ex-officio of all committees.
5. The recommendations of all committees shall be subject to action of the entire Board.

ARTICLE VI - MEETINGS

1. Committee and Regular Meetings
 - a. The Board of Trustees shall hold committee and regular meetings each month, except December and July. The date and time shall be designated by the Board. Committees may meet as a Committee of the Whole.
 - b. A majority of the members of the Board (6 in number) shall constitute a quorum. (Revised 10/15/85)
 - c. The Board shall consider the items as presented in the Agenda accompanying the Notice of the Meeting. Items not on the Agenda shall be considered only upon consent of the majority of all members present. The Agenda shall be mailed or electronically transmitted to all Board members at least forty-eight hours prior to the Board meeting. (Revised 11/23/76)
 - d. All matters properly arising before a meeting at which a quorum is present shall be decided by a majority vote of all members. (Revised 11/23/76)
 - e. Proxy votes, mail or telephone votes shall not be used in deciding Board resolutions. However, the members of the Board may be polled at the direction of the Chair on matters of an emergency nature, and Board endorsement of any action taken, voted at the next regular meeting.
 - f. The presiding officer of the Board shall decide all questions of order, subject to an appeal to the Board of Trustees.
 - g. To the extent not superseded by Board Policy, law or regulations, The Board shall be governed during its proceedings by parliamentary rules and usage as set forth in Robert's "Rules of Order Newly Revised," except the Chair shall have the right to vote in all matters.
2. Annual Meeting
 - a. The Annual meeting of the Board shall be the regular October meeting. (Revised 10/25/77)

b. Two-thirds of the voting members of the Board (7 in number) shall be required for the election of officers. (Revised 10/15/85)

c. Specific business before this meeting shall be the election of officers and other business legally entitled to come before this meeting.

d. Consideration of other items of business and voting procedures will be the same as at regular meetings of the Board.

3. Special Meetings

a. Special meetings of the Board shall be held on the call of the Chair or on the call of three (3) members of the Board.

b. The notice for any special meeting shall include the agenda for such meeting and no other matter shall be considered at said meeting except with the consent of a majority of all members of the Board present at such meeting. (Revised 11/23/76)

c. The quorum and voting procedures at special meetings shall be the same as at regular meetings of the Board.

4. Attendance

a. Trustees who are unable to attend any meeting are requested to inform the Secretary or the Chair as early as possible. The Chair may cancel and reschedule any meeting where it is indicated that a quorum may be lacking. Notice of such rescheduled meeting shall be communicated to Trustees by mail, telephone or electronically.

b. The Chair may request a written statement of intent from any Trustee who does not attend three successive meetings.

Attendance by Videoconferencing: Board members may attend meetings in person or through the use of videoconferencing services. Attendance through use of videoconferencing services shall be done in compliance with Sections 103 and 104 of the Public Officers Law

Board Members who wish to attend any regular or special meeting via videoconference, shall first make a written application to the Chair of the Board setting forth the date of the meeting, the physical location where the Board Member will be present during the meeting, and a description of the location along with a statement of whether the location is open to the public and likewise accessible to the public. In the event the Chair wishes to attend a meeting by videoconference, then his/her application will be made to the Vice Chair.

Any application to attend a meeting via videoconference must be made at least 7 days prior to the scheduled meeting, or in the case of an emergency or special meeting, within 48 hours of the Chair's call for such meeting.

It shall be in the discretion of the Chair, or Vice Chair as set forth above, to approve or disapprove all applications to attend meetings via videoconference. All applications shall be approved or disapproved in sufficient time to allow for the proper notice to the public of the additional meeting locations.

The Secretary to the Board of Trustees shall publish the location of all approved videoconference sites to the public in the same manner as other public notices and in accordance with New York State Open Meetings Law and New York State Public Officers Law.

Pursuant to New York State Public Officers Law section 103, any Board member who participates in a meeting via videoconference at a location that is open to the public and which has been properly noticed to the public, shall count towards the determination of whether a quorum is present, and shall be entitled to vote in all matters that come before the Board.

5. Place of Meetings

All meetings shall be held in the County of Ulster in the Howard C. St. John Business Seminar Room of the College, unless in the case of an emergency or exigent circumstance. In this event, another meeting place shall be determined by the Chair. Timely notice of date and place of meetings shall be given.

6. Executive Sessions

The Board may hold executive sessions, after a majority vote to do so, and for such purposes authorized by New York Public Officers Law Section 105 and all other matters consistent with law. Minutes shall record Board actions taken during executive sessions, but not the discussions regarding their nature.

7. Public Presentations

Members of the public may be granted the opportunity to address the Board. Requests must be in writing, outlining the purpose and nature of the presentation and must be received by the Chair at least ten (10) days prior to a scheduled meeting. Delegations must state the name of their designated spokesperson. The Chair may seek counsel of the Board as to whether or not to allow the presentation. Presentations, in general, shall be limited to five (5) minutes from the time the presenter is given the floor. The Board's Chair may, at his/her discretion, terminate the presentation.

ARTICLE VII - PRESIDENT

1. The President shall be appointed by the Board of Trustees in accordance with policies and procedures of the State University of New York and shall serve at its pleasure. He/she

shall be appointed or removed only on the affirmative vote of two-thirds of all the voting members of the Board. (Revised 2/28/78)

2. The President shall be the chief executive officer of Ulster County Community College. He/she shall execute and enforce the policies of the Board.

3. The President shall make all personnel appointments, with full-time appointments being subject to consultation with the Committee on Personnel and confirmation by the Board.

4. The President shall, by virtue of his/her position, attend all meetings.

5. The President may report Board actions to the press or any other media, but no one else shall speak for the Board except its Chair or his/her designee.

ARTICLE VIII - GENERAL

1. By-Laws Limitation - Nothing in these By-laws shall violate any law of the State of New York.

2. Amendments to By-Laws - Proposed amendments may be presented for consideration at any regular or special meeting of the Board. However, amendments shall not be acted upon prior to the next regular meeting of the Board. These By-laws may be amended by a majority vote of all voting members of the Board of Trustees. (Revised 2/28/78)

3. A Nominating Committee of the Board shall be appointed when necessary by the Chair. This committee shall have the additional responsibilities, and within the framework of the statutes, to search for prospective new appointments to the Board when replacements of expired or unexpired terms become apparent.

Sections of the Ulster County Community College Faculty Handbook, as designated by the Board, shall be an integral part of these By-laws.

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