



MEMORANDUM

TO: Members of the Executive Committee
FROM: Tremayne T. Price, President
DATE: February 8, 2014
**SUBJECT: Amendments to Student Assembly Articles of Organization
(8 NYCRR Part 341)**

Action Requested

The resolution authorizes proposed rulemaking (i) to significantly condense the Articles of Organization to that which is essential to maintain its structure, (ii) to allow the Student Assembly to be more flexible in its operations, (iii) to remove unnecessary redundancies

Resolution

I recommend that the Executive Committee adopt the following resolution:

Resolved that the Chancellor, or designee, be, and hereby is, requested to prepare, in accordance with provisions of the State Administrative Procedure Act, Notice of Proposed Rulemaking to amend Part 341 of Title 8 NYCRR to read as follows (brackets denote old material to be deleted; underlining denotes new material to be added):

**PART 341
STUDENT ASSEMBLY**

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TITLE A—ESTABLISHMENT AND PURPOSE

§ 341.1 Name.

There shall be a [student] Student [assembly] Assembly of State University of New York.

§ 341.2 Purpose.

The student assembly shall be the official organization by which State University students participate in university-wide governance. The student assembly shall provide the following:

(a) a forum for consultation and the exchange of information between State University students, the chancellor, and the State University of New York Board of Trustees on matters of a university-wide nature which affect student concerns;

(b) a procedure for electing the student member of the State University of New York Board of Trustees; and

(c) a communications network for campus student government leaders.

The student assembly shall exercise such other responsibilities as the chancellor or the State University of New York Board of Trustees refer to it.

TITLE B—MEMBERSHIP

§ 341.3 Composition.

The Student Assembly shall consist of representatives from the graduate division at each of the doctoral degree granting institutions, the undergraduate division at each of the doctoral degree granting institutions, each of the other State-operated campuses, each of the community colleges, the New York State College of Ceramics at Alfred University, and the four statutory colleges at Cornell University in numbers determined as follows:

(a) One representative from each institution, independent of the size of their student body. Doctoral degree granting institutions shall have one representative from both the graduate and undergraduate divisions and there shall only be one representative for the four statutory colleges at Cornell University.

(b) Additional representatives will be authorized from institutions on the basis of the number of full-time equivalent students according to the following: one additional representative per every 4,000 full-time equivalent students that exceed the base 4,000 FTE enrollment. For the purpose of this section, full-time equivalent students shall be the number of full-time equivalent students in attendance at a member institution during the fall semester of the previous calendar year, as determined by State University.

(c) In cases where multiple student governments exist, the first representative shall be elected from among the student government presidents according to a campus election procedure adopted by written agreement of the campus student governments; in the absence of such an election, the president of the student government representing the greatest number of FTE

students will be the first campus representative to the student assembly.

§ 341.4 Election and appointment.

Representatives and alternates from member institutions shall be duly elected annually from among and by the students of that institution through a campus-wide election in accordance with procedures promulgated by the campus student government body, provided that the alternate representatives shall serve for the same term as the representatives for whom they are alternates. In the case of the statutory colleges, representatives and alternates must be statutory college students elected in accordance with procedures promulgated by the campus' student government body. Alternate representatives shall serve in the absence or inability to act for the representative for whom they are alternates and, in that event, such alternate representatives shall exercise all the powers and duties of the representatives for whom they are alternates.

§ 341.5 Eligibility.

Any representative or alternate from a member institution must be a student enrolled for credit who is included in a campus FTE base and meets the campus' requirements to stand for election and continues to be eligible to serve on the campus student government organization. Individuals seeking or holding office must have at least a 2.5 cumulative grade point average and must be enrolled at a State University of New York campus. For the purpose of this section, eligibility to continue in service shall be determined at the end of each semester. Once eligibility is lost, it cannot be regained by transfer to a new institution.

§ 341.6 Terms.

Each representative of a member institution shall serve for a term of one year or until their successors are installed; provided, however, that no such representative shall serve as a member of the assembly after ceasing to be enrolled at the institution from which the representative was elected.

§ 341.7 Reelection.

An elected representative who has served a full one-year term or major fraction thereof shall be eligible to serve a second consecutive one-year term. Representatives shall not be eligible to serve again as members of the assembly until the expiration of one year from the end of their last preceding term. Representatives who have served only a minor fraction of one term may serve for two additional consecutive one-year terms.

§ 341.8 Vacancies.

If ineligibility or other reason will prevent a Representative or alternate from performing the duties of the office, the position will be declared vacant and a new election will be held to fill the remainder of the unexpired term. An individual currently serving as an alternate may run in the election for an Assembly seat that has been vacated in this manner. In the event that both the Representative and the alternate are simultaneously unable to represent the campus, both offices will be vacated and the unexpired terms will be filled by a new election.

[TITLE B—MEMBERSHIP IN THE ASSEMBLY**§ 341.3 Membership.**

The student assembly shall consist of representatives from member institutions, and organized student groups as hereinafter defined.

§ 341.4 Member institutions.

Each campus of the State University shall be a member institution according to the following: the graduate division doctoral degree granting institutions; the undergraduate division at each of the doctoral degree granting institutions; each of the other State-operated campuses; each community college; New York State College of Ceramics at Alfred University; and one from the four statutory colleges at Cornell University.

§ 341.5 Representatives from member institutions.

(a) Each member institution of the student assembly shall have one representative for each full-time 4,000 equivalent students or fraction thereof. For the purpose of this section, full-time equivalent students shall be the number of full-time equivalent students in attendance at a member institution during the fall semester of the previous calendar year, as determined by State University.

(b) The first representative of each member institution shall be that institution's student government president. Additional representatives from member institutions, which exceed the 4,000 FTE base enrollment, shall be duly elected annually from among and by the students of that institution through a campus-wide election in accordance with procedures promulgated by the campus student government body. In the case of the statutory colleges, representatives must be statutory college students

elected in accordance with procedures promulgated by the campus' student government body.

(c) In cases where multiple student governments exist, the first representative shall be elected from among the student government presidents according to a campus election procedure adopted by written agreement of the campus student governments; in the absence of such an election, the president of the student government representing the greatest number of FTE students will be the first campus representative to the student assembly.

(d) Each member institution shall designate the officers next in line of succession to the student government president. Each designee may serve as an alternate for any representative of the member institution who is not able to attend a student assembly meeting.

§ 341.6 Organized student groups.

(a) Students representing constituencies traditionally underrepresented within the student assembly shall have an opportunity to meet, communicate and recommend resolutions for consideration by the student assembly. The opportunity for these students to voice their concerns will enable the student assembly representatives to consider concerns and view points that may not otherwise be introduced. In support of this important effort, the student assembly shall prepare a list of organized student groups, consisting of student organizations requesting organized student group designation which are established pursuant to written bylaws and which have chapters of 10 or more full or part-time students at 10 or more campuses.

(b) After providing annual public notice and conducting an open hearing, the student assembly shall select those organized student groups which:

(1) are likely to remain in existence for more than one academic year;

(2) represent points of view not adequately represented in the student assembly or the executive committee; and

(3) will not be adequately represented without participation in the student assembly or the executive committee by duly elected representatives.

(c) Each selected organized student group shall be considered a standing committee of the student assembly. As a standing committee, it will meet to discuss issues of particular interest to its

members and forward resolutions to the student assembly and the executive committee.

(d) Each organized student group will be allocated one nonvoting representative to the student assembly and the executive committee who shall be a student. The nonvoting representative will enjoy all the privileges accorded to representatives. Additionally, members of the organized student groups may serve on such other committees of the student assembly as appropriate.

(e) A group shall not be designated an organized student group or be seated in the student assembly if it has a policy or practice of restricting membership on the basis of race, religion, national origin, gender, sexual orientation, disability, marital status or age.

(f) Each organized student group shall elect its representatives to the student assembly and the executive committee from among the students elected by the campus chapters to serve on the organized student group. The campus selection process and the organized student group representatives election process shall be included in the student assembly bylaws.

§ 341.7 Eligibility.

Any representative from a member institution or organized student group or an alternate for a representative selected in accordance with §341.5(d) must be a student enrolled for credit who is included in a campus FTE base and meets the campus' requirements to stand for election and continues to be eligible to serve on the campus student government organization.

§ 341.8 Representatives to act in person.

Representatives shall act in person and not by proxy. An alternate is not considered a proxy and has all the voting rights assigned to a representative.]

TITLE C—OFFICERS

§ 341.9 President of the Assembly.

Before June 1st of each year, the Assembly shall elect one SUNY student as President of the Assembly for a term of one year commencing on June 1st. Upon election as President of the Assembly, the elected member shall vacate their position as the representative of his or her member institution in the Assembly, if applicable. The President of the Assembly shall preside at all meetings of the Assembly and shall exercise such other powers and duties as may be vested in the President by this Article and the bylaws of the Assembly. The President shall be an *ex officio*

member of all Assembly committees and serve as the student member of the State University of New York Board of Trustees. The President of the Assembly may be reelected for a second term, but may not thereafter be eligible for a successive term.

§ 341.10 Vice President.

Before June 1st of each year, the Assembly shall elect one SUNY student as Vice President for a term of one year commencing on June 1st. The Vice President shall exercise such other powers and duties as the Assembly shall provide in its bylaws. The Vice President shall serve as President of the Assembly during that officer's absence or inability to act.

§ 341.11 Treasurer

Before June 1st of each year, the Assembly shall elect one SUNY student as Treasurer for a term of one year commencing on June 1st. The Treasurer shall manage the budget of the Assembly and shall exercise such other powers and duties as the Assembly shall provide in its bylaws

§ 341.12 Secretary.

Before June 1st of each year, the Assembly shall elect one SUNY student as Secretary for a term of one year commencing on June 1st. The Secretary shall take and keep minutes of the Assembly and shall exercise such other powers and duties as the Assembly shall provide in its bylaws.

§ 341.13 Eligibility.

In order to serve as an officer, an individual must maintain a 2.5 cumulative GPA or higher, and must be enrolled at a State University of New York campus. For the purpose of this section, eligibility to continue in service shall be determined at the end of each semester. Once eligibility is lost, it cannot be regained by transfer to a new institution.

§ 341.14 Vacancies.

A vacancy in the office of President, Vice President, Treasurer or Secretary shall be filled for the unexpired term in the same manner as the original election, at the next succeeding meeting of the Assembly following the occurrence of the vacancy. In the interim, the Executive Committee shall elect one of its members to serve in an acting capacity until the vacancy is filled.

[TITLE C—OFFICERS

§ 341.9 Officers.

The officers of the student assembly shall be the president, vice president, secretary and treasurer.

§ 341.10 Duties.

The duties of the officers shall be as follows:

(a) President. The president of the student assembly shall preside at all meetings of the student assembly and shall exercise such other powers and duties as may be vested in the president by this Part and the bylaws of the student assembly. The president shall be an official member of all student assembly committees be responsible for a transition of officers between the time of election and June 1st, and serve as the student member of the State University of New York Board of Trustees.

(b) Vice president. The vice president shall perform such duties as prescribed by the president or the student assembly. In the absence of the president, the vice president shall perform all duties vested in the president by this Part and the bylaws of the student assembly, except serving as a member of the State University of New York Board of Trustees. In the event the president resigns or is no longer eligible to serve, the vice president shall become the president for the remainder of the term. The primary role of the vice president is to support the activities of the various committees of the student assembly.

(c) Treasurer. The treasurer shall perform such duties as prescribed by the president or the student assembly. The treasurer is the chief fiscal officer of the student assembly.

(d) Secretary. The secretary shall perform such duties as prescribed by the president or the student assembly. The secretary is the chief communications officer of the student assembly.

§ 341.11 Election of officers.

Officers shall be elected by the members of the student assembly at its annual business meeting. To stand for election and serve as an officer, an individual must be eligible to serve as a representative from the institution, must have at least a 2.5 cumulative GPA, must be enrolled at a State University of New York campus and be nominated by a representative.

§ 341.12 Eligibility to serve.

In order to continue to serve as an officer, an individual must

maintain eligibility to stand for election, in accordance with §341.7, must maintain a 2.25 cumulative GPA or higher, and must be enrolled at a State University of New York campus. For the purpose of this section, eligibility to continue in service shall be determined at the end of each semester. Once eligibility is lost, it cannot be regained by transfer to a new institution.

§ 341.13 Terms of office.

Officers shall hold office for one year or until their successors are installed. This one-year term shall be from June 1st of the election year to May 31st of the following year. Officers may serve no more than two terms per each office contingent upon the person's continued eligibility to serve as a member of the student assembly.

§ 341.14 Officer vacancies.

Vacancies shall occur in the position of student assembly officer upon the death, recall by the student assembly, resignation, incapacity as determined by the student assembly, loss of member status, loss of eligibility to serve as a representative, or loss of student status by the incumbent. Officer vacancies may be filled for the remaining portion of the unexpired term of office through an election at the next meeting of the student assembly or according to alternate bylaw procedures.]

TITLE D—ORGANIZATION

§ 341.14. Meetings.

The Assembly shall meet at least twice a year at such times and places as shall be determined by the Executive Committee. Special meetings may be called in accordance with the provisions of the bylaws.

§ 341.15. Committees.

The Assembly may establish such standing committees as it deems advisable and shall prescribe the functions of such committees. One such committee shall be the Executive Committee. The chairperson and members of the standing committees shall be appointed by the Executive Committee and shall serve for a term of one year commencing June 1st of each year. Committee members shall be eligible for reappointment.

[TITLE D—ORGANIZATION

§ 341.15 Meeting.

The student assembly shall meet at least once each semester with the dates and places to be determined by the student assembly. The annual business meeting must be held during the month of April. Special meetings may be called by the executive committee, by the request of one quarter of the student assembly representatives, one quarter of the member institutions, or the chancellor; the date and place of a special meeting shall be determined by the executive committee and the meeting must be held no later than 30 days following the request to hold such a meeting.

§ 341.16 Agenda.

The agenda for each regularly scheduled or special meeting of the student assembly will be established according to procedures outlined in the bylaws. All meetings of the student assembly shall include the opportunity for the chancellor or designee to address the membership.

§ 341.17 Meeting notification.

Notice of all regularly scheduled or special student assembly meetings will be sent to all representatives, State University campus presidents, the chancellor and other State University offices as may be designated by the chancellor. The notice must be sent at least 30 days in advance for regularly scheduled meetings and seven days in advance for special meetings and must include the time, date, and place of the meeting, an agenda of scheduled business, and other items as may be required by the student assembly bylaws

§ 341.18 Executive committee.

(a) There shall be an executive committee of the student assembly to conduct necessary business between meetings of the student assembly and other matters as prescribed by this Part or the bylaws. The executive committee shall include the officers of the student assembly and the designated number of representatives from the following: three representatives from the doctoral degree granting institutions (under-graduate division); three representatives from the university colleges; two representatives from the Colleges of Technology, Agriculture and Technology, and Statutory colleges; two representatives from the graduate division of the doctoral degree granting institutions; six representatives from the community colleges and one nonvoting student representative from each standing committee. In order to serve as a member of the executive committee, an individual must be a student at a State University of New York campus and must maintain a cumulative GPA of 2.0 or higher.

(b) The members of the executive committee shall be elected by and from among the representatives of the designated constituencies according to procedures outlined in the bylaws. Each designated constituency shall elect from among its representatives alternate(s) to serve in the absence of its representative(s) to the executive committee.

(c) Meetings. Meetings of the executive committee are to be determined by its members with the requirement that all meeting notices required of the student assembly meetings be followed except for the time of notification which will be seven days for executive committee meetings. The president of the student assembly shall serve as the presiding officer of the executive committee.

(d) Institutional classification. The student assembly is empowered, via its bylaws, to, as necessary, classify member institutions for representation on the executive committee in accordance with the history and mission of each individual institution.

§ 341.19 Other committees.

(a) The student assembly may establish such other standing and ad hoc committees as it deems advisable and shall prescribe the functions of such committees. The membership of such committees is to be determined by the student assembly, according to the bylaws, and from among the students, faculty and staff of the State University of New York. Each standing committee will be allocated one nonvoting student representative to the student assembly and the executive committee. The nonvoting student representative will enjoy all the privileges accorded to representatives and shall be elected by and from the members of the standing committee. In order to serve as a member of the executive committee, an individual must be a student at a State University of New York campus and must maintain a cumulative GPA of 2.0 or higher.

(b) All committee reports shall be addressed to the student assembly. Committee reports and recommendations shall be in writing and shall be mailed to the student assembly members 14 days in advance of the meeting at which they are to be considered by the student assembly.

§ 341.20 Quorums.

A quorum for the transaction of business at any meeting of the full student assembly shall consist of 40 percent of the duly elected or appointed and voting representatives of that body with at least 40 percent of the community colleges and 40 percent of all other

member institutions in attendance. The quorum for the transaction of business at any meeting of the executive committee or other duly constituted committee of the student assembly shall consist of a majority of the duly elected or appointed and voting members of such committee.

§ 341.21 Rules of procedure.

Procedures at the meetings of the student assembly, the executive committee or other duly constituted committees shall be governed by Robert's Rules of Order, except as otherwise provided by this Part or the bylaws.]

TITLE E—BYLAWS [OF THE STUDENT ASSEMBLY]

§ [341.22] 341.16 [Bylaws] Adoption.

[(a)] The [student assembly] Assembly [shall adopt, and] may adopt, amend or repeal such bylaws as it deems advisable, consistent with this Part, governing its activities and procedures.

[(b)] The adoption, amendment or repeal of such bylaws must receive a two- thirds vote of the student assembly membership.]

TITLE F—AMENDMENTS

§ [341.23] 341.17 [Amendments] Procedure.

The Board of Trustees shall approve all amendments to this Part. Amendments may be proposed by a member of the State University of New York Board of Trustees, [the student assembly,] the [chancellor] Chancellor or a [board] Board-designated committee. [The student assembly may propose amendments to the State University of New York Board of Trustees by a majority vote of student assembly members present at a student assembly meeting.] Proposed amendments to this Article may also be recommended to the Board of Trustees by a majority vote in the Assembly. The [president] President of the Assembly shall convey the text of any proposed amendment(s) in writing to each member at least 14 days prior to its consideration by the [student assembly] Assembly. Amendments proposed by the [student assembly] Assembly shall be submitted by the [chancellor] Chancellor to the Board of Trustees with recommendations. Unless otherwise provided, all amendments will become effective upon approval by the Board of Trustees.

Background

The resolution requests that changes be made to the Student Assembly's Articles of Organization that cut down on the amount of redundancies within the

policy as it currently stands. It is also designed to significantly reduce the overarching control over Student Assembly operations that the Board has had (unbeknownst to some degree to most of the Board members) throughout its recent history. This provides the Student Assembly, through its own bylaws, the ability to remain flexible with how they form committees, organize their meetings and agendas, establish meeting dates and times, as well as any other policies they deem necessary for their own operations. This also gives them more flexibility to be able to adapt with the changing higher education landscape as is necessary. There are some minor structural changes such as the combining of the two officer positions of Treasurer and Secretary into one position, as well as raising the standard for officers and representatives service to a standard, across-the-board 2.5 grade point average.