



**Bylaws
of the
Board of Trustees
of the
State University of New York College
of
Environmental Science and Forestry**

Last amended February 25, 2022

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Preface

The State University of New York (“SUNY”) College of Environmental Science and Forestry (“ESF” or “the College”) is a public college of SUNY. ESF was established in 1911 by an act of the New York State Legislature as the State’s “institution for educational work in forestry” and became a unit within the newly formed SUNY system in 1948. In 1972, the State Legislature re-chartered ESF to reflect the increased breadth of its programs.

The SUNY Board of Trustees is empowered by statute as the governing body of the SUNY system. It has authority over the day-to-day operations of SUNY colleges and universities. In turn, each college or university in the SUNY system has its own Governing Council or Board of Trustees, subject to the control, management, or approval of the SUNY Board of Trustees.

The Governing Council or Board of Trustees or, as the case may be, of each college or university within the SUNY system largely determines its respective internal organization, its procedures of operation, and the responsibilities of administrative officers. ESF is the only institution of the twenty-nine (29) SUNY state operated campuses with a governing Board of Trustees (“the Board”) instead of a Governing Council. The Board’s authority is set by statutes that grant the Board more extensive authority and responsibility than any other SUNY institution. The portions of the Laws of New York that treat the general organization and governance of the College, and the specific powers and responsibilities of its Board, are found in New York Education Law §§ 6001- 6007 et seq.

The Board has adopted bylaws and amendments to clarify how the Board organizes itself and conducts its business pursuant to the powers and duties specified in New York State Education Law § 6004. The Board most recently modified and adopted bylaws effective on December 14, 2018, through its adoption of this manual at a regular meeting of the Board on December 14, 2018.

Article I. The Board of Trustees

Section 1. Powers

The Board shall govern the College and shall exercise all of its powers granted to it by New York State Education Law §§ 6003, 6004, and 6005.

Section 2. Composition

Pursuant to New York State Education Law § 6003, the Board shall consist of fifteen (15) members. These members include the New York State Lieutenant-Governor, the State Commissioner of Education, the SUNY Chancellor, the State Commissioner of the Department of Environmental Conservation, and the Chancellor of Syracuse University, all of which shall be Ex Officio members. In addition, one member shall be elected and removed by the students of ESF in accordance with the rules and regulations promulgated by the ESF student association(s). The student member 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 the 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 remaining nine members of the Board are appointed, pursuant to New York State Education Law § 6003, by the Governor of the State of New York, by and with the advice and consent of the State Senate. These appointed members will remain on the Board unless removed pursuant to New York State Education Law or through a written resignation filed with the Secretary of the Board. All appointed members that have not been removed as stated herein are referred to in these bylaws as "Serving Appointed Members."

All members of the Board serve without compensation but shall be entitled to actual necessary expenses incurred in the performance of their duties.

Section 3. Voting Members

The voting members consist of the Serving Appointed Members and the student member of the Board. These members are hereinafter referred to as "Voting Members." Ex Officio members of the Board cannot vote. They may act through a representative appointed in writing and filed with the Secretary of the Board.

Section 4. Officers

The officers of the Board shall be a Chair and a Vice Chair, both of whom shall be members of the Board, and a Secretary, who need not be a member of the Board. The Board may elect such other officers as it from time to time deems advisable.

Section 5. Elections

The election of Board officers shall take place at an annual or regular meeting of the Board or at any other meeting called for the purpose of filling a vacancy. The election of nominated members to an officer position requires a majority vote of all Voting Members. The secretary shall count the votes and announce the results.

Any officer may be removed by a vote of two-thirds (2/3) of the entire number of Voting Members at a regular or special meeting.

Section 6. Terms

Pursuant to New York State Education Law § 6003, the term of office of the appointed members shall be six (6) years. These appointed members shall be divided into three classes, so that the terms of one-third (1/3) thereof shall expire every two (2) years. The Serving Appointed Members, however, shall hold over and continue to discharge the duties of their office after the expiration of their term until a successor is appointed, or upon issuing a written resignation to the Secretary of the Board.

The student member's term of office shall be one (1) year, commencing on the first day of July of the calendar year in which the student election is conducted. In the event that the student member ceases to be a student, such member shall be required to resign.

The Chair and Vice Chair shall serve for a term of two years, but the Chair can serve, in that capacity, for no more than two consecutive terms. The transition of the term shall occur at the annual meeting.

The Secretary to the Board shall be jointly nominated and appointed by the ESF President and the Chair and shall serve a term of four (4) years. The Secretary to the Board may be appointed to consecutive terms without limitation.

Vacancies in the membership of the Board shall be filled for the unexpired term in the same manner as original appointments or elections.

In recognition of the invaluable service rendered to the College, former Board members shall be designated Trustees Emeriti.

Section 7. Responsibilities of Officers

- a. Chair. The Chair shall preside over the meetings of the Board, perform the usual duties of the presiding officer, and decide all questions of order subject to appeal to the Board.
- b. Vice Chair. The Vice Chair, in the absence of the Chair, shall be vested with the powers and discharge the duties of the Chair.
- c. Secretary. The Secretary of the Board shall keep a full and correct record of the proceedings of the Board, and all other standing committees, and attend to the giving and serving of all notices as required herein, and perform such other duties pertaining to the Secretary or as the Board of Trustees, or any other standing committees.

Article II. Meetings of the Board

Section 1. Overview

Meetings of the Board are of three kinds: the annual meeting, regular meetings, and special meetings. Discussions and actions on any topic not specifically exempted by the New York Freedom of Information Law, Public Officers Law § 84, et seq., shall be held in an open meeting, which shall be open to the public. Any official action taken in Executive (closed) Session shall be approved in a public meeting before it can have any force or effect.

Pursuant to New York State Public Officers Law § 105, the Board may act in an executive (closed) session only when issues arise concerning:

- a. matters which will imperil the public safety if disclosed;
- b. any matter which may disclose the identity of a law enforcement agent or informer;
- c. information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
- d. discussions regarding proposed, pending or current litigation;
- e. collective negotiations pursuant to article fourteen of the civil service law;
- f. the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;
- g. the preparation, grading or administration of examinations; and
- h. the proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof.

Section 2: Annual and Regular Meetings

The annual meeting shall be the first meeting of the calendar year. In addition to the annual meeting, regular meetings of the Board shall be held at such other times during the year as are deemed practicable. There must be at least three (3) regular meetings in addition to the annual meeting. Each Voting Member of the Board shall be notified in writing at their physical or electronic address registered with the Secretary of the Board ("preferred address") no less than seven (7) days prior to the convening of each annual and regular meeting. Said notice must be accompanied by the meeting agenda. In addition, copies of any proposed Board resolutions must be mailed to the preferred address of each Voting Member not less than seven (7) days prior to the convening of

each annual and regular meeting, unless the Chair calls for a resolution on the day of a meeting when facts necessitate an immediate vote.

All meetings shall be held at such a time and place as determined by the Board.

All meeting agendas shall be publically available three (3) days prior to the scheduled meetings and shall be considered public records.

Section 3: Special Meetings

Special meetings of the Board may be called by the Chair, Vice Chair, or on written request to the Chair by five (5) Voting Members of the Board. Notice of such meetings shall be delivered to the preferred address of each member of the Board in writing not less than five (5) days prior to the date of such meeting and such notice shall set forth the general purpose of the meeting. The written notice shall indicate the item(s) of business to be considered during the special meeting.

All special meetings shall be conducted by the rules that govern all annual and regular meetings of the Board.

Section 4. Call to Order

The Chair shall call each meeting to order. In the absence of the Chair and the Vice Chair, any member of the Board may call a meeting to order and a temporary Chair shall be elected who shall possess the powers and perform the duties of the Chair. The temporary Chair must be a voting member of the Board and must be physically present at the meeting.

Section 5. Quorum

A majority (51% or greater) of the Voting Members of the Board must be physically assembled at one primary location, or participating through videoconferencing, in order to constitute a quorum for the transaction of business at all regular and special meetings of the Board, except that in no case shall the number be fewer than three Voting Members. An act of the majority of the Board shall be considered an act of the Board, except as otherwise specifically required by law or by these bylaws.

Non-voting members shall not be included in the number of members required to constitute a quorum or fulfilling a quorum of the Board or any of its committees.

Whenever these Bylaws reference an act of the majority of the Board or its members, this shall mean an act of Voting Members only.

Section 6. Reports

Reports may be made at annual, regular and special meetings of the Board by persons as the Board may designate.

Section 7. Minutes

All Board meetings are governed by the provisions of New York State Open Meetings Law. The minutes of the Board shall at all times be subject to the inspection of any member of the Board. Approved minutes of the annual, regular and specials meetings shall be posted to the ESF website within thirty (30) days of said meeting. Minutes will not be kept of executive (closed) sessions.

Section 8. Telephonic or Video Participation

Telephonic or video meetings of the Board or committees, including those held in executive (closed) session, may be held in accordance with New York Open Meetings Law § 103 (c) as long as proper and timely public notification of the meeting has been given. Arrangements for telephonic or video meetings must be coordinated with the Secretary of the Board and shall comply with the requirements of the State of New York.

Section 9. Conduct of Business

Unless otherwise stated in these bylaws, the principles of procedure prescribed in Robert's Rules of Order shall guide the conduct of meetings.

Article III. Committees of the Board

Section 1. Establishment of Committees

The standing committees of the Board shall consist of the following, together with the duties and charges listed below:

- a. Governance
 - i. Review and propose amendments to the bylaws of the Board; and
 - ii. Create, amend and propose onboarding and education materials and documentation for Board members.
 - iii. Oversee Annual Evaluation process as well as other Board Policies and recommend improvement as appropriate to enhance Board performance
- b. Sustainable Finance
 - i. Review and make recommendations regarding college finances.
- c. Diversity, Equity, and Inclusion

- i. Review and make recommendations regarding college policies and plans concerning implementation of a campus-wide Diversity, Equity and Inclusion (DEI) effort in attracting, retaining and engaging students, faculty and staff.
- d. Facilities
 - i. Review and make recommendations regarding college facilities, systems and infrastructure, including opportunities for incorporating green and sustainable technologies and materials.

The number of members appointed to each standing committee shall be determined by the Board Chair at the time of appointment. No committee shall consist of less than two (2) members. The Board Chair shall appoint the members to each standing committee during the annual meeting, but the Board Chair has the power to change the membership of any standing committee at any time.

Each standing committee shall elect its own chair and shall meet at the call of its chair, the Board Chair, the Vice Chair, or the ESF President. The standing committee shall consider such matters as may be referred to it by the Board, members of the Committee, or the ESF President. Meeting minutes must be taken by the Secretary to the Board or another committee member designated by the Committee Chair. Written notice of each standing committee meeting shall be provided per the requirements of regular meetings.

Each standing committee must report back to the Board as requested by the Chair or Vice Chair. However, standing committees do not have the power or authority to commit the Board to any policy or action.

Section 3. Ad Hoc Committees

The Board Chair shall have the authority to create ad hoc committees which operate under these same rules. These ad hoc committees may be created at any time but shall not exist for more than one year unless renewed for a specific period by the Chair and the Board during the annual meeting.

Article IV. Responsibilities of the Board

Section 1. Selection and Recommendation of the ESF President

In accordance with New York Education Law § 6004 (c), the Board has the authority to recommend Presidential candidates to the SUNY Board of Trustees.

Section 2. Duties

The Board shall receive reports and recommendations of the ESF President and take such action related thereto as the Board deems wise and not inconsistent with the policies adopted by the SUNY Chancellor and Board of Trustees for the organization and governance of SUNY.

Subject to the general management, supervision, control, and approval of, and in accordance with the rules established by the State University Trustees and New York State Education Law § 6004, the Board may exercise a number of powers and duties. These powers and duties include:

- a. Reviewing all major plans of the ESF President and Administration, and make relevant recommendations on subject matters included, but not limited to:
 - i. Appraisal or improvement of faculty, including faculty appointments, promotions, salary increments, leaves of absence, and termination of service;
 - ii. Student admission policies, including standards for student admissions and the number of students to be admitted;
 - iii. Appraisal or changes of academic programs, including programs of study and research;
 - iv. Standards for earning degrees, including the requirements for degrees and the candidates for degrees;
 - v. Expansion of institutional plans; and
 - vi. Student activities and housing.
- b. Making regulations regarding campus facilities, including maintenance, care and custody of College properties and buildings;
- c. Reviewing and recommending institutional budgets, including the annual budget;
- d. Fostering the development of advisory citizens' committees;
- e. Naming buildings and grounds;
- f. Making regulations regarding student and employee conduct, including rules controlling the affairs of the College, its faculty, staff, and students;
- g. Creating and entering into agreements, formal and informal, with industries and other agencies;

- h. Exercising supervision of student housing and safety;
- i. Reporting to the SUNY Board of Trustees annually and at other times as needed;
- j. Performing other actions as directed by the SUNY Board of Trustees; and
- k. Making regulations necessary for the performance of the Board's other duties.

The Board shall also entertain proposals referred to it by the SUNY Board of Trustees for review and recommendation, and shall, at its discretion, consider appeals as provided for in the regulations set forth by SUNY or the College.

Article V. The ESF President

Section 1. Appointment

The ESF President shall be appointed by the SUNY Board of Trustees upon the recommendation of the Board. Recommendations for appointment or removal of the President shall be accomplished by a vote of a majority of the Voting Members (or two-thirds (2/3) in the case of removal) during a regular or special meeting of the Board.

Section 2. Term

The ESF President shall hold office at the pleasure of the SUNY Board of Trustees.

Section 3. Responsibilities of the ESF President or Designee

- a. The ESF President shall be the chief executive officer of the College, and a member of the College faculty. The President shall exercise such administrative direction and supervision as will permit the proper operation and development of the College subject to the administrative control of the Board and the SUNY Board of Trustees.
- b. The ESF President, and/or designated administrators, shall be the official medium of communication between members of the faculty, staff, professional staff, students, and the Board. However, this does not prohibit the Board from communicating directly with any members of the campus community.
- c. The ESF President shall preside over all public exercises of the College and be the official representative of the College on all public occasions unless some other person be officially designated by the Board or the ESF President.
- d. All members of the College are responsible to the ESF President and upon him/her shall be the responsibility of enforcing policies, procedures, and regulations prescribed by the Board and the State of New York.
- e. The ESF President, or designee, shall preside over all meetings of the faculty and shall have power to call the faculty together whenever s/he deems it

necessary to submit to it such matters as s/he deems necessary for its action. When, in the judgment of the President, immediate action is required, s/he may decide any question that is normally submitted to the faculty or a committee and that decision shall be regarded as the decision of the faculty.

- f. The ESF President shall make such recommendations to the Board as s/he deems helpful in promoting the welfare of the College. In formulating recommendations to the Board, the President shall seek the services and advice of appropriate SUNY officials to determine if such recommendations are consistent with SUNY policy and with New York State fiscal and administrative procedures.
- g. The ESF President shall recommend to the Board candidates for appointment to the College faculty and professional staff. S/he is empowered to make all other appointments to the College staff subject to the New York State Civil Service and the New York State Division of the Budget laws and regulations. S/he may, subject to the approval of the Board, accept resignations from any member of the College faculty, professional staff, and staff.
- h. After approval of the faculty, the ESF President shall recommend to the Board all candidates for degrees and shall present such candidates for their degrees at commencement.
- i. The ESF President shall report to the Board on the state of the College at each regular meeting and shall prepare and submit such other reports as may be required by the Board.
- j. The ESF President shall prepare the annual budget of the College in accordance with the prescribed procedures of the State University of New York and the State Division of the Budget.
- k. The ESF President, or designee, shall execute such agreements for the College as are covered by general or special authorization of the Board.
- l. After consultation with College officials of the ESF President's nomination, the President shall recommend to the Board the establishment of rules and regulations for the governance and conduct of all College personnel.
- m. The ESF President shall recommend to the Board major changes in courses of study, in the requirements for admission, or significant changes in enrollment.
- n. The ESF President shall serve as the Chair of the Academic Governance body of the College
- o. The ESF President shall have the primary responsibility for the establishment and maintenance of proper relationships with ESF alumni.
- p. The ESF President shall handle the discipline of students with the power to impose appropriate penalties in accordance with the ESF Student Code of Conduct.

- q. The ESF President shall lead the fundraising efforts of the College, which shall be coordinated with the ESF Foundation. The President or designee will be an ex officio member of the ESF Foundation.

Article VI. Amendment of Bylaws

Section 1. Procedure

These bylaws, which does not include appendices, may be amended at any regular or special meeting of the Board by a majority of the Voting Members present.

Section 2. Notice

Proposed amendments of the bylaws and copies thereof shall be sent electronically to each Voting member of the Board at least fourteen (14) days prior to such action, and with receipt confirmation, avoid further circulation by mail. If there is no confirmation of receipt, then the proposed amendments to the bylaws and copies thereof shall be mailed to the preferred address of each Voting Member at least seven (7) days prior to such action.

Appendices

Appendix A. Statutory Authority Creating and Governing ESF

Section 1. New York State Education Law § 6001

§ 6001. College continued: The New York State College of Forestry at Syracuse University shall hereafter be known as the State University of New York College of Environmental Science and Forestry. The college shall be subject to the supervision of the state university trustees.

Section 2. New York State Education Law § 6002

§ 6002. Objects and purposes: The college shall have as its objects and purposes: 1. Teaching in the science and practice of environmental science and forestry in its several branches including landscape architecture; environmental design; environmental and resource engineering; environmental and resource management; wildlife studies; biology, chemistry, ecology; the manufacture and marketing of forest products; and the technologies appropriate to these branches of environmental science and forestry. 2. The conduct of research, investigation, and experimentation relating to such studies wherever appropriate, including suburban or urban areas, and in commercial or industrial facilities. 3. The conduct of experiments in forest and related resource development and management for public, commercial, recreational and aesthetic purposes, and, generally the giving of popular instruction and information concerning the elements of environmental science and forestry. 4. The operation of demonstration and public service programs with a view to acquiring, transmitting, and applying knowledge concerning the scientific management and use of forest and related natural resources for human benefit.

Section 3. New York State Education Law § 6003

§ 6003. College board of trustees; organization: There shall continue to be a board of trustees of the college consisting of fifteen members of which the lieutenant-governor, state commissioner of education, chancellor of the state university, the state commissioner of environmental conservation, and the chancellor of Syracuse university shall be ex officio members. Any ex officio member may act through a representative appointed in a writing filed with the secretary of the board. One member shall be elected by and from among the students of the college. The election of the student member shall be conducted in accordance with rules and regulations promulgated by the college student association in accordance with guidelines established by the state university. Such student member 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 one member of such board elected by and from among the students of the college may be removed by such students in accordance with rules and regulations promulgated by the college student association in accordance with guidelines promulgated by state university trustees. The board shall provide for the calling of regular and special meetings, designate a chairman, other than the student member, fix the number of voting members required to constitute a quorum for the transaction of business and the number of voting members required to exercise the powers vested in the board and otherwise make and amend rules for the conduct of its affairs. The members of the board, other than ex officio and student members, shall continue to be appointed by the governor, by and with the advice and consent of the senate. The members appointed by the governor shall continue to be divided into three classes, so that the terms of one-third thereof shall expire every two years. The term of office of members shall be six years. A vacancy in the office of an appointive trustee, other than by expiration of term, shall be filled by appointment for the unexpired term. 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. In the event that the student member ceases to be a student at the institution, such member shall be required to resign. The members of the board of trustees shall serve without compensation, but shall be entitled to their actual necessary expenses incurred in the performance of their duties.

Section 4. New York State Education Law § 6004

§ 6004. College board of trustees; powers and duties: The college shall continue to be administered and maintained at Syracuse University. Subject to the general management and supervision of and in accordance with rules established by the state university trustees, the college board of trustees shall exercise the following powers: a. Recommend regarding the establishment of courses of study, the creation of departments, the general course of instruction, research, and experiments to be pursued in the college and the degrees to be conferred, number and salaries of faculty, staff and all other employees, their appointment and termination or removal, and the nature of their duties. b. To submit for approval all contracts necessary or appropriate for carrying out any of the purposes or objects of the college, including such as shall involve cooperation with any person, corporation or association or any department of the government of the state of New York or of the United States in laboratory, experimental, investigative or research work, and the acceptance from such person, corporation, association or department of the state or federal government of gifts or contributions of money, expert service, labor, materials, apparatus, appliances or other

property in connection therewith. c. Recommend to the state university trustees candidates for appointment by the state university trustees as head of such institution. d. 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 college trustees with respect thereto. The state university trustees shall determine what constitutes 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. e. Make regulations governing the care, custody and management of lands, grounds, buildings and equipment. f. 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. g. Foster the development of advisory citizens' committees to render such assistance as the college trustees 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. h. Name buildings and grounds. i. Make regulations governing the conduct and behavior of students. j. 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. k. Perform such other powers and duties as may be authorized or required by the state university trustees by general rules or special directives. 1. [l.] * * 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.

Section 5. New York State Education Law § 6005

§ 6005. Appropriations: The state university trustees shall maintain general supervision over the requests for appropriations, budget, estimates and expenditures of such college. All moneys received from state appropriations for such college shall be expended upon vouchers approved by the chancellor of the state university, as the chief administrative officer of the state university, or by such authority or authorities in the state university as shall be designated by the chancellor by a rule or written direction filed with the comptroller, when and in the manner authorized by the state university trustees.

Section 6. New York State Education Law § 6006

§ 6006. Property to belong to state: All lands purchased and other property acquired with money appropriated by the state for such college shall be and remain the property of the state. If real property is purchased, the title thereto shall be conveyed to the people of the state of New York and the sufficiency of such title and the form of conveyance shall be approved by the attorney-general.

Section 7. New York State Education Law § 6007

§ 6007. Tuition; disposition of fees and income: The state university trustees shall regulate tuition fees and other fees and charges to be paid by students after prior consultation with the board of trustees of the college. All moneys received for tuition from students, those derived from the sale of the products of property belonging to the state administered by the college, and from fees and charges or any other sources in the course of the administration of the college, notwithstanding the provisions of section one hundred twenty-one of the state finance law, shall be credited to a separate fund and shall be expended as provided by subdivision four of section three hundred fifty-five of this chapter.

Appendix B: Policies of the SUNY Board of Trustees

[SUNY Policies of the Board of Trustees](#)