

NEW YORK STATE DISABILITIY

SERVICES COUNCIL

Constitution and Bylaws

**ARTICLE I**

***NAME:*** The name of the organization is the New York State Disability Services Council (NYSDSC).

**ARTICLE II**

***DEFINITIONS:***
**CUNY:** Any Institution affiliated with the City University of New York, including the Community Colleges.
**Employees:** Individuals holding paid positions within an Institution with key responsibilities related to disability services, policy, and/or compliance for students with disabilities.
**Good Standing:** Member who is a current employee of an Institution who has paid dues for the current year.
**Independents:** Private or independent Institutions.
**Institution:** Any accredited degree-granting higher education institution that maintains a physical campus within New York State.
**Joint Affiliate:** Institutions that have affiliations with one or more sectors.
**Proprietaries:** Proprietary (for profit) Institutions.
**SUNY Disability Services Council:** The predecessor organization to the NYSDSC.
**SUNY:** Any Institution affiliated with the State University of New York, including the Community Colleges.

***HISTORICAL NOTE:*** Effective June 21, 2007 this organization is the successor organization to the SUNY Disability Services Council and was created in recognition of 1) the need for cooperation and communication across higher education disability services sectors, 2) the ability to effect greater change through the combined efforts of these higher education disability services sectors, and 3) the increased expectation for equal and equitable access in higher education.

***PREAMBLE:*** The NYSDSC is an association for Employees of degree-granting higher education institutions within New York State who make policy or who are involved in compliance or coordination of disability services at each campus. While membership is voluntary, key persons are encouraged to join the organization and efforts will be made to interest representatives from all degree-granting higher education Institutions.

***EQUITY:*** The NYSDSC affirms its commitment to the support of policies and practices that advance and ensure the rights, privileges and inclusion of all individuals regardless of age, color, religion, creed, disability, marital status, veteran status, national origin, race, gender, genetic predisposition or carrier status, or sexual orientation.

**ARTICLE III**

***PURPOSE:*** To provide a forum to discuss and to find solutions to common problems in the delivery of disability services to students in higher education and to serve as a resource to government/legislative bodies and/or other organizations interested in the education of students with disabilities in higher education Institutions. Discussions may include, but are not limited to: provision of direct services; advocacy; education; professional development; and, funding of disability services. Further, the NYSDSC is organized and operated exclusively for educational purposes under section 501(c) (3) of the Internal Revenue Code.

**ARTICLE IV**

**MEMBERSHIP:** Full Membership is available to Employees of any Institution. Employees of Joint Affiliates must declare the sector they will participate in at the time of their membership application. Each Full Member will be accorded one vote.

Associate Membership is a non-voting status available to any person (including but not limited to students, representatives from state agencies affiliated with higher education disability services, and pre-professionals) who would not qualify for Full Membership but who is interested in the provision of disability services to students with disabilities at higher education Institutions.

Emeritus Membership status is an honorary, non-voting status for retiring members who wish to stay involved in NYSDSC. Emeritus Members must have been a Full Member for at least 3 years (does not have to be consecutive) at the time of retirement if retiring in 2011 or earlier, 4 years if retiring in 2012 and 5 years if retiring in 2013 and beyond. Emeritus Members will have access to the listserv, be eligible to attend conferences at the member rate and participate on committees. They will not be eligible to hold office or chair committees.

Membership may not be used to promote any monetary gain. The Executive Committee has the right to terminate membership if there is evidence of the promotion of products or services for business purposes.

***DUES:***The dues period will be January 1 to December 31 of each year and the dues amount will be established by the Executive Committee.

**ARTICLE V**

***ROLE:*** The NYSDSC is the primary professional organization within New York State for persons with key responsibilities related to disability services, policy, and/or compliance for students with disabilities at Institutions of higher education.

***POWER AND FUNCTIONS:*** The NYSDSC disseminates relevant information to its members and may establish and promote unified positions on matters of equal access, student rights and advocacy, on a state-wide basis and/or within constituent sectors. All official business of the Council may be conducted at an official meeting, by U.S. Mail, or by electronic means.

**ARTICLE VI**

***SECTOR REPRESENTATION:*** Each of the four sectors (SUNY, CUNY, INDEPENDENTS and PROPRIETARIES) will be represented on the Executive Committee. The sectors will elect a representative as detailed in the EXECUTIVE COMMITTEE section of this Constitution.

The Full Members of the NYSDSC who are from SUNY Institutions will elect a council to represent their sector’s interests and select a representative to serve on the Executive Committee as detailed in the EXECUTIVE COMMITTEE section of this Constitution.

The Full Members of the NYSDSC who are from CUNY Institutions will elect a council to represent their sector’s interests and select a representative to serve on the Executive Committee as detailed in the EXECUTIVE COMMITTEE section of this Constitution.

The Full Members of the NYSDSC who are from PROPRIETARIES Institutions will elect a council to represent their sector’s interests and select a representative to serve on the Executive Committee as detailed in the EXECUTIVE COMMITTEE section of this Constitution.

The Full Members of the NYSDSC who are from INDEPENDENTS Institutions will elect a council to represent their sector’s interests and select a representative to serve on the Executive Committee as detailed in the EXECUTIVE COMMITTEE section of this Constitution.

***EXECUTIVE COMMITTEE:*** The Executive Committee will consist of the following officers, elected by a majority of the membership casting votes in an election, and will meet a minimum of four times a year in order to carry out the business and goals of the organization:

**President:** It will be the duty of the President to lead the organization and serve as the chief officer of the organization. The President will act as, or delegate, a representative of the organization to outside agencies and constituencies. The President will ensure that the goals and agendas as determined by the membership of the organization are carried out. The President will serve as the chair of the Executive Committee. The President will preside at all Executive Committee and business meetings. The President will be a member ex officio of all committees. The President may appoint committee chairs who may serve as advisors to the Executive Committee. Should there be no volunteers for President Elects position, upon his or her interest, the sitting president may remain in his/her role for additional term.

**President-Elect:** It will be the duty of the President-Elect to act in the absence of the President and assume the presidency at the conclusion of the President’s one-year term. The President-Elect or his/her designee will chair the Conference Planning Committee at the biannual meetings.

**Immediate Past-President:** It will be the duty of the Immediate Past-President to be the advisor to the current President. The Immediate Past-President will assist the President in carrying out the goals of the organization. The Immediate Past-President will serve for a one-year term.

**Secretary:** The Secretary will be the custodian of all official records and record and publish the minutes of the biannual meetings as well as the Executive Committee meeting minutes. The Secretary will receive and tally ballots during voting. The Secretary will be elected for a two-year term.

**Treasurer:** The Treasurer will be responsible for receiving and disbursing funds of the organization. The Treasurer will maintain all financial and membership records of the Council. The Treasurer will submit regular financial reports to the Executive Committee and to the membership at biannual meetings. The Treasurer will be elected for a two-year term.

**Membership and Marketing:** The Membership and Marketing Representative will be responsible for membership records, updates, renewals and inquiries. This position will monitor overall membership functions, financial and technical. The Membership and Marketing Representative will be responsible for integration of software and website functions. The Membership and Marketing Representative will submit regular membership reports. The Membership and Marketing Representative will be elected for a two-year term.

**CUNY Representative:** The CUNY representative will be selected by the members of CUNY Sector, and will be a member of the CUNY Sector Council. The term length will be determined by the CUNY Sector.

**INDEPENDENTS Representative:** The INDEPENDENTS Representative will be selected by members of INDEPENDENTS Institutions. The term length will be determined by the INDEPENDENTS Sector.

**PROPRIETARIES Representative:** The PROPRIETARIES representative will be selected by members of the PROPRIETARIES Sector. The term length will be determined by the PROPRIETARIES Sector.

**SUNY Representative:** The SUNY Representative will be selected by the members of SUNY Sector Council. The term length will be determined by the SUNY Sector.

**AHEAD Affiliate Representative:** The AHEAD Affiliate Representative will be selected by the Nominations Committee for a two year term. The AHEAD Affiliate Representative will ensure communication between NYSDSC and AHEAD, as well as coordinate NYSDSC Affiliate representation at the annual AHEAD conference. The AHEAD Affiliate Representative will be elected for a two year term.

***PRESIDENT’S COMMITTEE:*** The President’s Committee will be made up of all prior Presidents of the current and predecessor Councils who are currently members of the NYSDSC in good standing. The Committee will work on issues as requested by the Executive Committee.

***NOMINATIONS:*** An election will be held by electronic mail, by other electronic means, or by U.S. Mail in May. The standing Nominations Committee will identify candidates for the positions of President-Elect, Secretary, Treasurer, AHEAD Affiliate Position and conduct elections for these positions. The Nominations Committee shall consist of voting members with representation from each sector when possible. The Nominating Committee shall not exceed nine members. A call for nominations for election to available Executive Committee positions will be sent to all members between February and April of each year with a stated deadline for submission, no less than three weeks from the date of the call for nominations. The Chairperson of the Nominations Committee will close the Call for Nominations at the date specified as the deadline when the call was opened. If no nominations are received, the Nominations Committee may extend the deadline until a candidate comes forth *or* may leave the vacant seat open until the next meeting and call for volunteers from the floor at the meeting. In the event that only a single nomination is received for an open position, at the close of nominations, the Secretary of the Executive Board will be empowered to cast a single vote on behalf of the membership and no formal election will be necessary for that position. When a candidate or candidates has/have come forward, the call for nominations is closed via email to the membership and no further nominations will be accepted.

***ELECTIONS:*** When the call for nominations is closed, the Chairperson of the Nominations Committee and the Secretary of the Executive Board work together to open the ballot. The Chairperson of the Nominations Committee will advise the Executive Board of the submitted nominations and request information from the candidates. The Nominations Committee Chairperson will appeal to the membership via email to solicit information/questions for the candidates to answer to support their candidacy. The Chairperson of the Nominations Committee forwards the candidates’ information and answers to the membership and opens up the ballot for voting via email in May. Members will be provided at least three weeks to submit votes. The Chairperson of the Nominations Committee will close the vote at the date specified as the deadline when the vote was opened and announce that the vote is closed via email to all the members. Election winners are announced via email and the Nominations Committee is discharged from its duties. In the event of a tie vote at the close of elections, the tie will be broken by the flip of a coin to be conducted by the Immediate Past-President at the commencement of the June Meeting.

Newly-elected officers will assume their positions at the annual June Meeting of the NYSDSC.

**ARTICLE VII**

***MEETINGS:***The NYSDSC will meet two (2) times a year, each year in October or November and in June and for such other meetings as are scheduled by the Executive Committee. At least one meeting every 2 years will be held in Albany. Voting needed to conduct business at a meeting will require a quorum consisting of a minimum of 15% of current membership. A vote will be decided based on a simple majority.

***ATTENDANCE:*** All members are encouraged to be present at all general meetings, but in case of absence, any member may designate another member as his or her proxy for all quorum and voting purposes.

***QUORUM:***All voting to amend the NYSDSC bylaws or constitution will be conducted through electronic means or by U.S. mail sent to all members.  Members will be provided at least two weeks to return ballots from the date the vote is called. A vote will be decided based on a simple majority of those responding.

**ARTICLE VIII**
***DISSOLUTION:***  In the event of dissolution of the organization, its assets remaining after payment or provision of payment of all debts and liabilities of this organization shall be distributed to a not-for-profit organization which is organized and operated exclusively for educational or charitable purposes, and which the organization has designated as a recipient by a majority vote.

**Non-Inurement:** No part of the net earnings of the organization shall inure to the benefit of any member, trustee, director, officer of the organization, or any private individual (except that reasonable compensation may be paid for services rendered to or for the organization), and no member, trustee, officer of the organization or any private individual shall be entitled to share in the distribution of any of the assets upon dissolution of the organization.

NYSDSC Constitution First Adopted June 21, 2007, updated by vote of the membership July 21, 2008 (removed responsibility for elections from President-Elect; added nominations committee for election of officers)
Updated by vote of the membership March 31, 2011 (added Emeritus Membership; changed definitions of quorum)
Updated by vote of the membership December 6, 2011 (changed the title to the Constitution and Bylaws of the organization, added an equity statement, removed outdated clauses, added important legal information, made changes to membership status information, and more clearly defined the duties of the members of the Executive Committee)

Updated by vote of the membership (Added the AHEAD Affiliate Representative as an elected office on the Executive Committee.)

Updated by vote of the membership November 18, 2016 (added procedural statements to the Executive Board Nomination and Election process and changed to allow each Sector to determine term limits for their respective Sector Council positions).

Updated by vote of the membership November, 2018 (added Membership and Marketing Position).