

Pursuant to the NYSDA Bylaws, Chapter XV Section 10, the following proposed Bylaws amendment has been published on the NYSDA website at least 30 days prior to the Annual Session.

Resolution No.	28	New <input checked="" type="checkbox"/>	Substitute <input type="checkbox"/>	Amendment <input type="checkbox"/>
Submitted By:	Board of Trustees			
Date Submitted:	April 25, 2025	Reference Committee <input checked="" type="checkbox"/>	Direct to House <input type="checkbox"/>	
Total Financial Implication:				
Amount One-time	N/A	Amount On-going		

### Amendment to NYSDA Bylaws Council Member Removal for Failure to File Conflict of Interest Form

**Background Statement:** Increasingly, Council members have not been timely filing the required annual conflict of interest forms that all NYSDA leaders are required to file. These conflict of interest forms are important for NYSDA to have on file in order to ensure our leaders are not conflicted in fulfilling their Council duties.

The current process requires hearings to be held by the Board of Trustees for those that fail to file these forms before deposing them from their positions. This requirement is excessive for this noncompliance and has complicated already busy Board agendas by scheduling hearings that typically end in no-shows by the volunteer members.

This current process is clumsy and excessive for a forms violation and should be addressed in a simpler manner. Therefore, to save time and resources, the Board recommends that Council members who do not file their required annual conflict of interest forms by December 31 of any year should be automatically removed from a Council without the need for formal charges and a hearing. It should be noted that multiple outreach attempts are made with Council members, starting in July of every year, to file conflict of interest forms and a December 31 deadline is still very generous for members to come into compliance.

Hence, the Board proposes the following resolution:

**RESOLVED:** That Paragraph C of Section 20 of Chapter VIII of the NYSDA Bylaws be amended to read as follows (new language is underlined; deleted language is struck through):

C. Removal for Cause. The Board of Trustees may remove a council or committee member under this chapter for cause in accordance with procedures it has established, which shall provide for the notice of the charges, including allegations of the conduct purported to constitute each violation, and a decision in writing shall specify the findings of fact which substantiate any and all of the charges, and that prior to issuance of the decision of the Board of Trustees, no council or committee member under this chapter shall be excused from attending any meeting of a council

or committee under this chapter unless there is an opportunity to be heard or compelling reasons exist which are specified in writing by the Board of Trustees. Notwithstanding the foregoing, any Council member who fails to file the annual conflict of interest form as required by Chapter IV of these Bylaws and the Organization and Rules of the Board of Trustees by December 31 in any year shall automatically be removed as a member of such Council and sent written notice of such removal.

**BOARD VOTE: VOTE YES**

name	yes	no	abst ain	abse nt	name	yes	no	abst ain	abse nt	name	yes	no	abst ain	abse nt
<b>Casper-Klock</b>	x				<b>Greenberg</b>	x				<b>Korkosz</b>	x			
<b>Cuomo</b>	x				<b>Hills</b>	x				<b>Miller</b>	x			
<b>Demas</b>	x				<b>Jackson</b>	x				<b>Rothas</b>	x			
<b>Edwards</b>	x				<b>Jacobo</b>	x				<b>Samuels</b>	x			
<b>Gamache</b>	x				<b>Jonke</b>	x				<b>Scharoff</b>	x			
<b>Giordano</b>	x									<b>Stacy</b>	x			
										<b>Res #28</b>				