CONSTITUTION

ARTICLE I. NAME

The name of this organization is the Fourth District Dental Society, hereinafter referred to as "the Society or "this
Society".

ARTICLE II. OBJECT

The object of the Society shall be to encourage the improvement of the health of the public, to promote the art and science of dentistry, and to represent the interest of the members of the profession and the public which it serves.

ARTICLE III. TERRITORY

The territory embraced in the district comprises the counties of Clinton, Essex, Franklin, Fulton, Hamilton, Montgomery, Saratoga, Schenectady, Schoharie, Warren and Washington.

ARTICLE IV. ORGANIZATION

Sec. I. The Society is to be a non-profit organization.

Sec. IL The membership of this society shall consist of dentists and other individuals whose qualifications shall be establish in the By-laws.

Sec. III. The Society shall have the privilege to organize its members into branch societies as established in the By-laws.

Organizational Meeting June 2, 1868-D.S.S.N.Y June 30, 1868

ARTICLE V. GOVERNMENT

The legislative and governing body of this Society shall be the Board of Directors, as provided in Article X of the By-laws.

ARTICLE VI. OFFICERS

Sec. I. The elective officers of this Society shall be a President, a President Elect, a Vice President, a Secretary and a Treasurer, each of whom shall be elected as provided in the By-laws.

Sec. II. The appointive officer of this Society shall be an Executive Director who shall be appointed by the Board of Directors, as provided in Article VII of the By-laws.

ARTICLE VII. SESSIONS

Sec. I. Stated Sessions. The Society shall meet semi-annually at such time and place as may be determined by the President, with approval of the Board of

Directors.

Sec. II Special Sessions. Special meetings shall be called by the President at the written request of ten (10) percent of each Branch Society's active membership. At least twenty (20) days notice must be given the members for such meetings. The President with the consent of the Board of Directors can call a special session.

Sec. III Quorum. Twenty (20) members shall constitute a quorum for the transaction of business at any stated or special meeting.

ARTICLE VIII. AMENDMENTS

This Constitution may be amended as follows:

1. The amendment to be acted upon must be in writing, published in the Newsletter at least thirty (30) days prior to the Stated Meeting at which action is to be taken, and read at a previous Stated Meeting of the Society, except that an amendment presented with the consent of three quarters (3/4) of the members present and voting may be voted upon at the same Stated Meeting.

2. Such amendment shall be adopted by the affirmative votes of two thirds (2/3rds) of the members present and voting at the Stated Meeting at which action thereon is taken.

ARTICLE IX

This Constitution shall take effect immediately upon adoption.

BY-LAWS

ARTICLE I. MEMBERSHIP

Sec. 10 Classification: The membership of this Society shall be classified as follows: Active, Retired, Associate, Life, Honorary, Affiliate and Student.

Sec. 20 Active Member: Every licensed and registered dentist in the judicial district in which such a society is formed, shall be eligible for membership in the district or society in which he or she practices dentistry the majority of practice time.

Sec. 30 Retired Member: A member in good standing who has been an active member and who is no longer earning income from the performance of services as a member of the faculty of a dental school, as a dental administrator, or consultant, or as a practitioner of any activity for which license to practice dentistry, may be classified as a retired member upon application to the Executive Director, and upon proof of qualifications. To qualify for retired membership status, the member shall submit an affidavit attesting to his or her retirement on or before April 1. Maintenance of active or retired membership in good standing shall be requisite for entitlement to and continuance of retired membership in this Society.

Sec. 40 Life Member: An active and/or retired member in good standing, who has been a member of the New York State Dental Association for thirty (30) consecutive years, or for a total of forty (40) years, or who has been an active member of the American Dental Association for thirty (30) years inclusive of the last ten (10) consecutive years of active membership in the New York State Dental Association.
Life membership shall be effective the calendar year following the year in which the requirements are met. The Executive
Director will give notification to members who are eligible for life membership. Such applicant must be a member in good standing at the time of his or her classification as a life member. Maintenance of membership in good standing in his or her component society shall be requisite for continuance of Life Membership in the Society.

Sec. 50 Associate Member: Active members of the American Dental Association from this state, or any other state of the union or its possessions, who are in good standing in their Societies, shall be eligible to apply for associate membership in this Society.

Sec.60 Honorary Member: Any Individual who has contributed materially to the advancement of the art and science of dentistry, shall be eligible for honorary membership in this Society. The names and qualifications of candidates for honorary membership shall be submitted in writing to the Board of Directors for evaluation at a meeting prior to the one at which action shall be

taken.

Sec. 70 Affiliate Member: Any dentist practicing in any country other than the United States, its territories and possessions, who is a member of a recognized dental organization in such country, shall be eligible to apply, in writing, for affiliate membership in this Society.

Sec. 80 Student Member: Any pre-doctoral student of a dental school accredited by the American Dental Association who is an active member of the American Student Dental Association and a student member of the American Dental Association; or any dentist eligible for membership who is engaged full time in: 1. an advanced training course of not less than one academic year's duration in an accredited school or 2. an internship or residency program approved by the Council on Education, may be classified as a student member of this Society.

ARTICLE II. ADMISSION AND ELECTION OF MEMBERS

Sec. 10 Active Members: Applications for active membership shall be in writing on the official application form. It shall contain the applicant's name, office and residence address, college, date of graduation, number and year of license and registration. Such application must be accompanied by payment of dues for the current year, and shall be referred to the Membership Committee for investigation and to the Board of Directors for approval.

A member who has willfully falsified his or her answers to questions on the membership application form shall be subject to expulsion from this Society by action of the Board of Directors.

Sec. 20 Transfer of Membership: A member in good standing of one component Society, and who desires to transfer to another component Society, may make application for such transfer. The component Society receiving such application shall receive from the component Society of which the applicant is currently a member, a certification that the applicant is in good standing and a fully eligible active member.

Sec. 30 Reinstatement of Membership: Any former member who had resigned his membership, was dropped for nonpayment of dues, or other reasons, who desires to be reinstated, shall make application for such reinstatement on the official application form of this Society, which shall be referred to the Membership Committee for investigation, and to the Board of Directors for approval.

Sec. 40 Election/Reinstatement of Member: If an applicant is eligible for active membership or reinstatement, it shall require a majority affirmative vote of the members of the Board of Directors present and voting to elect or

reinstate the applicant. If an applicant is not approved by the Board of Directors any prepaid fee shall be returned, and he/she shall be advised that he/she does not qualify for membership.

Sec. 50 Retired Members: Applications for Retired Membership shall be in writing and directed to the Board of Directors. A retired dentist must remain retired to retain this classification. This application shall contain all pertinent information on the retirement of the member applying, and shall be referred to the Membership Committee for investigation. Election shall require majority vote of the members of the Board of Directors present and voting.

Sec. 60 Associate Members: All applications for Associate Membership must be in writing, on the official application form of this Society, which must be endorsed by the constituent or the component Society in which the applicant holds membership or the Secretary of the American Dental Association, certifying he/she is in good standing. Elections shall require a majority vote of the members of the Board of Directors present and voting.

Sec. 70 Life Members: Active members who are in good standing in this Society who are eligible for Life Membership, shall make application for same to the Board of Directors of this Society, the New York State Dental Association and the American Dental Association.

Sec. 80 Honorary Member: Honorary Members may be elected to this Society by a three-fourths (3/4) vote of the members present and voting, after nomination and consideration by the Board of Directors.

Sec. 90 Affiliate Members: Affiliate Members may be elected to this Society by a three-fourths (3/4) vote of the members present and voting, after nomination and consideration by the Board of Directors.

Sec. 100 Student Members: Application for Student Membership shall be in writing and directed to the Board of Directors. This application shall contain the name, age, mailing address and name of the school applicant attends with his standing (freshman, sophomore, junior, or senior). Election shall require a majority vote of the members of the Board of Directors present and voting.

ARTICLE III. FINANCES

Sec. 10 Membership Dues:

A. Active Members: The dues for active membership of the Society shall be determined by the district board of directors annually, plus the annual

dues of the American Dental Association and the New York State Dental Association. Dues of active members are due January 1 of each year.

B. Dues and Special Assessments.
Active members who have been awarded a DDS or DMD degree, and dentists who in the same year as the award of a DDS or DMD degree enter into and then who have completed an advanced training course of not less than one academic year's duration in a school or residency program accredited by the Commission on Dental Accreditation of the American Dental Association 1 shall be exempt from the payment of active member dues and any special assessment for the remaining period of that year and for the year immediately succeeding that year. Thereafter such dentists shall pay fifty percent (50%) of the dues of active members for the second full calendar year following graduation or completion of training, and one hundred percent (100%) thereafter due January 1.

C. Life Members: The dues of Life members who continue to be gainfully employed in dentistry (gainfully employed in dentistry shall mean: earning income by the performance of services as a member of the faculty of a dental or dental auxiliary school, as a dental administrator or consultant, or as a practitioner of any activity for which a dental degree is required) shall be one hundred percent (100%) of dues for active members. All other Life Members shall be exempt from payment of dues from this Society. Dues of Life Members are due January 1 of each year.

D. All members, except Life, Honorary, recent graduate or Student Members elected after July 1st, shall pay one half (1/2) of the current year's dues; those elected after October 1st, shall pay one-quarter (1/4) of the current year's dues. Former active members whose membership has lapsed for failure to pay current year's dues, shall upon reinstatement to active membership, be required to pay the full year's dues. New members who have not previously been members of the American Dental Association, the New York State Dental Association, and this Society, and who do not qualify for a dues reduction as recent graduate members, shall pay only one half (1/2) of the dues amount otherwise chargeable to them under these By-laws for their first year of membership.

E. An active member, who had been such when he/she entered upon active duty in one of the armed services or equivalent duty in the Public Health Services, but who, during such military or equivalent duty, interupted his active membership because of failure to pay dues, and who, within one (1) year after separation from such military or equivalent duty, resumed his/her active membership, may pay back dues for any missing period of active membership at the rate of dues current during the missed years of membership. Retroactive dues of this Society shall

be waived for members who provide affidavits supporting that they were in Federal Dental Services during the period between the years 1940-1948.

F. Retired Members: retired members shall be exempt from payment of dues of this Society.

G. Student Members: Student members shall be exempt from payment of dues of this Society.

H. Honorary Members: Honorary members shall be exempt from payment of dues of this Society.

I. Transfer of Membership: Members in good standing of a component of the New York State Dental Association, who transfer their membership to the Fourth District Dental Society, shall not pay dues to this Society for the remainder of the year in which the transfer was authorized. Active members of the American Dental Association, in good standing, who are members of a constituent other than the New York State Dental Association, who apply for Active membership, by transfer, to the Fourth District Dental Society prior to the end of its fiscal year, shall pay the annual dues only of this Society and the prescribed dues of the New York State Dental Association for the remainder of the calendar year in which they have been elected.

J. Former Members: Former members who are reinstated shall be required to pay the full year's dues of this Society and the prescribed dues of the New York State Dental Association and the American Dental Association, regardless of the time or period of reinstatement.

Sec. 20 Fiscal Year. The fiscal year of this Society shall begin on January 1st and end on December 31st of each year.

Sec. 30 General Operating Fund: The General Operating Fund shall consist of all monies received other than those specifically allocated to other funds by these By-laws. This fund shall be used to defray all expenses incurred by this Society not otherwise provided for in these Bylaws.

Sec. 40 Restricted Funds: Other restricted funds may be established by order of the Board of Directors. The Treasurer shall be the custodian of such funds which shall be invested according to recommendations of the Investment Committee and approved by the Board of Directors.

ARTICLE IV. DUTIES AND PRIVILEGES OF MEMBERS

Sec. 10 Duties of Members: All members, and applicants for membership,

by their election to such membership, agree to be bound by, and comply with the Constitution and By-laws, policies and Codes of Ethics of this Society. The New York State Dental Association and the American Dental Association.

Sec. 20 Privileges of Membership:

A. Active Members: Active members, by their election to membership and payment of dues to this Society, become eligible for membership to the New York State Dental Association and the American Dental Association. All active members, in good standing, shall have the privilege of the floor, the right to vote and the right to hold office. They shall have the privilege of admission to all stated and scientific meetings and continuing education courses or other courses of this Society and its branches and sections, the New York State Dental Association and the American Dental Association, subject to the rules of admission to such meetings and courses. They shall have privilege of admission to all meetings of the Board of Directors, except when in executive session, and may appear before the Board of Directors, upon request, regarding any matter within the scope of these By-laws. They shall have the privilege of belonging to not more than one (1) branch of this Society. Members may transfer to another branch society according to the by-laws of the branches involved. All active members are eligible for all other services and privileges as may hereafter be provided by this Society, the New York State Dental Association and the American Dental Association. In addition, they shall receive the journals of said organizations.

B. Retired Members: Retired Members shall have the right to attend all meetings of this Society, its branches and sections, and shall not have the right to vote and hold offices.

C. Life Members: Life Members shall be entitles to all the privileges of active members.

D. Associate Members: Associate Members shall have the privilege of attending all meetings of this Society, its branches and sections, the privilege of the floor and may serve on committees in an advisory capacity. They shall not have the right to vote or hold office.

E. Honorary Members: Honorary Members shall have the privilege of attending all meetings of this Society, it branches an sections, the privilege of the floor and may serve on committees in and advisory capacity. They shall not have the right to vote or hold office.

F. Affiliate Members: Affiliate Members shall have the privilege the of attending all meetings of this Society and its branches and sections,

but shall not have the right to vote or hold office.

G. Student Members: Student Members shall have the privilege of attending all meetings of this Society and its branches and sections, but shall not have the right to vote or hold office.

Sec. 30 In Good Standing:

A. Any member of this Society not under final sentence of suspension or expulsion whose dues for the current calendar year have been paid shall be considered a member in good standing.

B. Any member of this Society receiving assistance from the Relief Fund of this Society or who claimed hardship, based on written explanation acceptable to the Board of Directors as to the nature of the hardship, shall be exempt from the payment of dues and shall be considered in good standing.

C. An Active, Life, or Recent Graduate Member whose dues have not been paid by March 31, of the current year, shall cease to be a member of this Society. If a dropped member pays his/her dues before December 31, of the current year, he/she will be reinstated and not lose continuity of membership.

D. If an Active, Life, or Retired member who has resigned or been dropped wishes to apply for membership in a subsequent year, he/she may do so without penalty of back dues. For continuity of membership back dues shall be accepted for not more than three (3) years of delinquency immediately prior to the date of application for such payment. The rate of dues shall be in accordance with Article III of these By-laws. The requirement of paying current dues does not apply to Retired and Life Members of this Society for the purpose of determining their good standing.

E. Every member of this Society shall be bound by the Peer Review Manual of the New York State Dental Association. Failure to do so shall constitute grounds for suspension or revocation of membership in this Society.

ARTICLE V. OFFICERS, ELECTIVE OFFICES AND APPOINTED OFFICES

Sec. 10. Officers: The officers of this Society shall be a President, President-Elect, Vice President, Secretary and Treasurer as provided in Article VI of the Constitution. These officers shall be elected by the members of this Society at its Stated Meeting as provided in Article VI of these By-laws.

Sec. 20. Appointed Officers: The Appointed offices of this Society shall be an Executive Director, an Editor and a Chairperson of the Continuing Education Committee, each of whom shall be appointed by the Board of Directors. The Board of Directors shall determine the term of office of the appointed offices of this Society. In Addition:

A. One representative to the Council on Governmental Affairs of the New York State Dental Association,

B. One representative to the Council on Nominations of the New York State Dental Association, the Immediate Past President if available, to serve during the administrative year of the New York State Dental Association.

Sec. 30 Elective Offices: The Elective offices of this Society shall be as follows, with election to take place at the Stated Meeting:

A. Two members of this Society to serve At Large and two members to serve as Alternates to the Board of Directors.

B. One Nominee for NYSDA Trustee to serve a term as specified in the NYSDA Bylaws. The trustee must be qualified according to the NYSDA Bylaws Chapter V. The trustee shall be nominated to serve as a delegate to the ADA House of Delegates. The tenure of a trustee shall be limited to one full four year term.

C. The required number of delegates to the NYSDA House of Delegates. Each delegate shall serve a one-year term. No NYSDA delegate shall serve more than 8 consecutive years. The ADA Trustee is automatically the First Delegate to the ADA House of Delegates. The delegate having served the longest consecutive time in the NYSDA House of Delegates or the previous Board of Governors combined shall be nominated to serve as the SECOND Delegate to the ADA House of Delegates. No ADA Second Delegate shall serve more than a total of 8 years. In the event there is not a solitary senior NYSDA Delegate, the position of nominee as the delegate to the ADA House of Delegates shall be filled by one of the senior NYSDA Delegates through the nomination process defined in Article VI of these bylaws.

D. Two nominees as Alternate Delegates to the ADA House of Delegates

1. The President-elect shall serve as the 1st alternate delegate to the ADA House of Delegates.
2. The 2nd alternate delegate to the ADA House of Delegates shall be appointed by the board of directors.
3. No member having served 8 years as an ADA delegate shall be eligible to serve as an Alternate ADA delegate.

E. Two Alternate Delegates to the NYSDA House of Delegates

Sec. 40 Tenure of Office: The Elective Officers and members of Elective Offices

shall serve for a term of one year except as otherwise provided or until their successors are elected and installed.

Sec. 50 Eligibility: Only Active and Life Members in good standing, as defined in Article IV of these By-laws, shall be eligible to serve in any elective office. The Board of Directors shall determine the eligibility for all appointive offices of this Society. No member of this Society seeking nomination to an elective office may serve on the Nominating Committee.

Sec. 60 Vacancies: If for any reason an elective or appointed office becomes vacant, The Board of Directors of this Society shall be empowered to fill all vacancies for the remaining administrative year.

ARTICLE VI. NOMINATIONS, BALLOT, ELECTIONS AND VOTING

Sec. 10 Nominations: It shall be announced in an official publication of this Society, prior to the Annual Meeting, the nominations submitted by the Nominating Committee, and approved by the Board of Directors, for all elective offices as provided in Article V. After the Nominating Committee has rendered its report of the nominees at the Stated Meeting, the President shall announce additional nominations by petition as defined in Article VI. Sec. 20 of these By-laws.

Sec. 20 Nominations by Petition: Other nominations for elective offices may be made by petition, signed by at least three (3) members in good standing from each of the branch societies. Nominations by petition must be submitted to the President not less than thirty (30) days prior to the Stated Meeting.

Sec.30 Official Notice: All nominations received by the President shall be published in an official publication of this Society prior to the Annual Meeting. Nominations received after the publication but prior to thirty (30) days of the Stated Meeting shall be announced to the membership at said Stated Meeting.

Sec. 40 Ballot: If more than one nominee is submitted for any office, an official ballot shall be prepared by the Secretary carrying the names of all nominees for that office.

Sec. 50 Voting Eligibility: Only Active and Life Members in good standing shall be eligible to vote.

Sec. 60 Election: The annual election of this Society shall be held at the Stated Meeting. Nominees shall be elected by a majority vote as defined by the Sturgis Code of Parliamentary Procedure.

Sec. 70 Voting: Voting at the Stated Meeting shall take place at a time and location set by the President. The President shall appoint three (3) tellers who shall have official control of the ballot box during voting. No nominee shall be eligible to serve as a teller. The tellers shall tally the votes cast immediately following the end of the voting period and present a report of the results to the President, who shall announce these results during the Meeting.

ARTICLE VII. POWERS AND DUTIES OF OFFICERS- ELECTIVE OFFICES

Sec. 10 President: It shall be the duty of the President:

A. To be a member of, and preside over, the Board of Directors and the Executive Committee of this Society.

B. To call for special meetings as provided in Article XI.

C. To appoint chairpersons of all standing and special committees except as otherwise provided in these By-Laws.

D. To fill vacancies of committee chairpersons as they occur, except as otherwise provided in these By-laws.

E. To sign all certificates or other credentials of representatives to the New York State Dental Association and such other documents or papers as this Society or its Board of Directors may direct.

F. To serve as an ex-officio member of all committees of the Society.

G. To preside over the Stated Meetings which occur during their term of office.

H. To perform other duties as provided for in the By-laws.

Sec.20 President Elect: It shall be the duty of the President Elect:

A. To assist the President and, in his/her absence or upon his/her request, to officiate in his/her place as needed.

B. To serve as a member of the Board of Directors and the Executive committee.

C. To assume the duties of the office of President in the event of the vacancy of that office for the remainder of the un-expired term.

D. To serve on the Investment and Finance Committees.

E. To organize the Stated Meetings for the next year.

F. To attend the ADA Meeting as the alternate delegate

Sec. 30 Vice President: It shall be the duty of the Vice President:

A. To serve on the Board of Directors and Executive Committee

B. To serve on the By-laws Committee

C. To serve as an advisor to the Branch Societies

D. To attend the NYSDA HOD Meeting a delegate or alternate delegate

Sec. 40 Secretary: It shall be the duty of the Secretary:

A. To assist all the officers of this Society in the performance of their duties

B. To perform other duties as directed by the Board of Directors
C. To maintain a necrology record and to annually announce the names of recently deceased members at the Annual Meeting
D. To serve on the Board of Directors and the Executive Committee
F. To perform other duties as provided in these By-Laws

Sec. 50 Treasurer: IT shall be the duty of the Treasurer:
A**.** To serve as custodian of all money, securities, deeds and bequests belonging to this Society to be held and invested as directed by the Board of Directors with recommendations from the Finance Committee.
B. To make all disbursements upon the order of the Board of Directors with authorization to sign Society checks.
C. To furnish adequate bond at the expense of this Society.
D. To serve on the Board of Directors, the Executive Committee, and the Finance Committee.
E. To submit annually to the Board of Directors a statement of all the receipts and disbursements of the previous year, a report of the financial condition of this Society and a report of members in good standing and of those in arrears all of which shall be subject to audit by the Board of Directors.
F. To perform other duties as provided in these By-Laws.

Sec. 60 Executive Director: It shall be the duty of the Executive Director:
A. To be the executive arm of the Society and all its activities.
B. To supervise and coordinate appropriate Society communications, announcements and minutes.
C. To attend Stated Meetings of the New York State Dental Association House of Delegates with full funding from this Society.
D. to assist in the coordination of the committees of this Society.
E. To assist the officers of this Society in the performance of their respective duties.
F. To furnish adequate bond at the expense of the Society.
G. To make properly vouchered disbursements for the Society in cases of emergency.
H. To serve as trustee of such insurance policies as required by the Board of Directors.
I. To implement all officially adopted policies of the Society, except as otherwise noted in the By-Laws.
J. To provide and maintain complete records of the Annual, Semiannual, and all Board of Directors meetings.
K. To serve as nonvoting, ex-officio member of the Board of Directors
L. To perform all other such duties as may be directed by the Board of Directors.

Sec. 70 Continuing Education Committee Chairperson: The Continuing Ed-

ucation Committee Chairperson shall:
A. be appointed by the Board of Directors
B. report annually to the Board of Directors on the status of committee activities
C. be empowered by the Board of Directors to enter into contracts on behalf of the Society for the engagement of facilities and continuing education programs subject to terms and limitations as determined by the Board of Directors
D. surrender to the Treasurer all proceeds from continuing education activities

Sec. 80 Newsletter Editor: The Newsletter Editor shall:
A. be responsible for publication of a Society Newsletter a number of times per year
B. contribute to the New York State Dental Association Journal on behalf of the Society
C. seek suggestions as to content for these endeavors from the membership and the Branch Societies. Adjunct reporters, appointed by the Board of Directors, may assist the Newsletter Editor.

Sec. 90 Records of the Society: All elected and appointed officers and members of committees shall deliver to their successors or the Executive Director all funds, books, records, vouchers, and all other property of this Society upon expiration of term of office or termination for any other reason.

ARTICLE VIII. COMMITTEES

Sec. 10 Standing Committees: The standing committees of this Society shall be as follows: Substance Use Disorder and Wellbeing, Constitution and By-laws, Continuing Education, Dental Benefits, Dental Health Planning and Hospital Dentistry, Dental Practice, Education, Ethics, Finance, Governmental Affairs, Professional Liability, New Dentist, District Claims Review. Saratoga Dental Congress.

Sec. 20 Rules: The Board of Directors shall formulate rules for carrying out the work of the committees, and where so directed by said Board, committees may formulate their own rules.

Sec. 30 Special Committees: Special Committees may be created at any meeting of the Board of Directors, or when the Board is not in session, by the Executive Committee, for the purpose of performing any duties not otherwise provided for in these By-laws. The authority for appointing the members of a special committee shall be set forth either in motion duly seconded, or by a resolution creating such committee. Such special committees shall serve until the duties assigned to them are accomplished

and reported to the Board of Directors.

Sec. 40 Substance Use Disorder and Wellbeing Committee:

A. Composition: This committee shall consist of a chairperson, who shall serve as the representative to the Council on Chemical Dependency of the New York State Dental Association, and three other members as needed, appointed by the chairperson subject to approval by the Board of Directors.

B. Function: This committee shall:

1. respond to requests for assistance or allegations of impairment involving dentists of this Society.
2. develop a confidential, non-judgmental, non-punitive, and therapeutically oriented program to help members who are chemically dependent.
3. serve as "workplace" monitors for dentists in recovery or in the Professional Assistance Program (PAP).
4. consult with, and make recommendations to, the Committee on Substance Use Disorder and Wellbeing of the New York State Dental Association

Sec. 50 Constitution and By-Laws Committee:

A. Composition: This committee shall consist of a chairperson and other members appointed by the Board of Directors when active. The Executive Director shall be an ex-officio member.

B. Function: This committee shall:

1. suggest changes to the Constitution and By-laws that will advance the administrative efficiency of this Society.
2. consider all proposed amendments and revisions to the By-laws for proper wording,
3. examine and consider the Constitution and By-Laws of the New York State Dental Association and the American Dental Association when making amendments and revisions to the Constitution and By-Laws of this Society.

Sec. 60 Continuing Education Committee

A. Composition: This committee shall consist of a chairperson, appointed by the Board of Directors, and other members, as needed, appointed by the chairperson subject to approval by the Board of Directors.

B. Function: This committee shall:

1. Organize continuing education courses at various times throughout the year.
2. Report annually, via the chairperson, to the Board of Directors on committee activities.
3. Collect fees, dues, and assessments for continuing education courses for the Treasurer.

Sec. 70 Dental Benefit Program Committee:

A. Composition: This committee shall consist of a chairperson, who shall serve as the representative to the Council on Dental Benefit Programs of the New York State Dental Association, and four other members as needed, appointed by the chairperson subject to approval by the Board of Directors.

B. Function: This committee shall:

1. monitor the delivery of dental care through insurance mechanisms, government funded programs, health maintenance organizations, prepaid group practice systems and any other system for the delivery of dental care.
2. maintain liaisons between this Society and agencies sponsoring, administering or implementing government funded or privately funded dental care programs, and dental service corporations.
3. initiate negotiation with and respond to any agency sponsoring, administering or implementing dental care programs for the purpose of establishing mutually acceptable conditions.
4. consult with and make recommendations to the Council on Dental Benefit Programs of the New York State Dental Association

Sec. 80 Dental Health Planning and Hospital Dentistry Committee

A. Composition: This committee shall consist of a chairperson, who shall serve as the representative to the Council on Dental Health Planning and Hospital Dentistry of the New York State Dental Association, and three other members as needed appointed by the chairperson subject to approval by the Board of Directors.

B. Function: This committee shall:

1. develop plans and programs for the promotion of adequate dental care of the public.
2. endeavor to improve hospital dental services in the district.
3. maintain relations with other agencies; educational, public health, welfare or private groups who are interested in programs for improving the oral health education of the public.
4. consult with the council on Dental Health Planning and Hospital Dentistry, and any other councils, of the New York State Dental Association to achieve its goals.

Sec. 90 Dental Practice Committee:

A. Composition: This committee shall consist of a chairperson, who shall serve as the representative to the Council on Dental Practice of the New York State Dental Association, and other members as needed, appointed by the chairperson subject to approval by the Board of Directors.

B. Function: This committee shall:

1. formulate and recommend policies relating to dental practice.
2. study, evaluate, and disseminate information concerning:
   a) Business organization of a dental practice
   b) Economic factors related to dental practice
   c) Practice management techniques
   d) Auxiliary utilization
   e) Dental laboratory services and technologies
3. enhance dental services to the public
4. develop relations with organizations representing the dental laboratory and dental trade industries

Sec. 100 Education Committee:

A. Composition: This Committee shall consist of a chairperson, who shall serve as the representative to the Council on Education of the New York State Dental Association, and other members as needed, appointed by the chairperson subject to approval by the Board of Directors.

B. Function: This committee shall:

1. consult with, and make recommendations, to the Council on Education as to means and methods of improving and instituting dental education policies.

Sec. 110 Ethics Committee:

A. Composition: This committee shall consist of a chairperson, who shall serve as the representative to the Council on Ethics of the New York State Dental Association, and other members as needed, appointed by the chairperson subject to approval by the Board of Directors.

B. Function: This committee shall:

1. investigate all complaints of alleged violations of the Code of the Ethics or By-laws of this Society, and when warranted, refer the case to the Council on Ethics of the New York State Dental Association for a formal screening by the disciplinary panel.
2. consult with and make recommendations to said Council on Ethics regarding interpretation of, or additions to the Code of Ethics.
3. report to the Board of Directors, via the chairperson, regarding committee activities.

Sec. 120 Finance Committee:

A. Composition: This committee shall consist of a chairperson, the President, the President Elect, the Vice President, the Treasurer, the immediate Past President, the Executive Director (ex-officio) and other members appointed by the chairperson subject to approval by the Board

of Directors.

B. Function: This committee shall:

1. examine the finances, investments and assets of the Society to create and submit an annual budget report to the Board of Directors for approval.
2. report to the membership at the Stated Meeting, via the chairperson regarding the financial position of the Society.

Sec. 130 Governmental Affairs Committee:

A. Composition: This committee shall consist of a chairperson, who shall serve as the representative to the Council on Governmental Affairs of the New York State Dental Association, and other members as needed, appointed by the chairperson subject to approval by the Board of Directors.

B. Function: This committee shall:

1. protect the public and the dental profession in matters of legislation and regulation.
2. review pertinent legislation introduced in the Legislature of the State of New York, and advise appropriate legislators of the position of the Society
3. cooperate with the Council on Governmental Affairs to prepare and arrange for introduction of legislation deemed necessary or advisable to promote the dental health of the public and the interest of the Society and its members.

Sec. 140 Professional Liability:

A. Composition: This committee shall consist of a chairperson, who shall serve as the representative to the Council on Professional Liability of the New York State Dental Association, and other members when needed, appointed by the chairperson subject to approval by the Board of Directors.

B. Function: This committee shall:

1. work with any representative of insurance companies and brokers in the development of appropriate policies and programs of insurance in the interest of the members of this Society.
2. consult with and make recommendations to the Council on Insurance of the New York State Dental Association regarding problems of insuring the Society.

Sec. 150 Membership Committee:

A. Composition: This committee shall consist of a chairperson, and other members as needed, appointed by the chairperson subject to approval by the Board of Directors.

B. Function: This committee shall:

1. examine the character and qualifications of all applicants for

membership.
2. endeavor to increase the membership of this Society.
3. nominate the applicant for approval by the Board of Directors.

Sec. 160 New Dentist Committee:

A. Composition: This committee shall consist of a chairperson, who shall serve as the representative to the Council on the New Dentist of the New York State Dental Association, and other members as needed, appointed by the chairperson subject to approval by the Board of Directors.

B. Function: This committee shall:

1. recruit new dentists (dentists who graduated from dental school less than ten years ago) into the tripartite system of organized dentistry.
2. provide information and assistance for new dentists to facilitate their transition from dental school to private practice.

Sec. 170 Nominating Committee

A. Composition:

1. The Fourth District Trustee shall serve as Chairperson, there shall be six members of this committee and two alternate members: the three most recent past presidents, plus three active Fourth District members and a first and second alternate, all of whom have served on the Fourth District board.
2. No member of the Nominating Committee may be considered for any elective position.

Sec. 180 Peer Review and Quality Assurance Committee

A. Composition: This committee shall consist of a Northern Tier Peer Review Committee and a Southern Tier Peer Review Committee. Each Tier shall consist of a chairperson and other members, all appointed by the Board of Directors. The senior (most consecutive years on the committee) of the two chairpersons hall serve as the representative to the Council on Peer Review and Quality Assurance of the Dental Society of the State of New York. Members of this committee should serve for five years with staggered terms. They shall be general practitioners who have been in practice at least five years. They shall be licensed dentists of similar education and training. The committee should call on specialists for consultation when the need is indicated. Lay observers may also serve on Peer Review Committees.

B. Function: This committee shall:

1. adhere to the rules and regulations of the Peer Review Procedure Manual of the New York State Dental Association.
2. review disputes between two or more parties in a third party or prepayment contract and disputes between patients and member dentists.
3. concern itself with quality assurance as well as quality assessment related to dental treatment.
4. report to the Board of Directors periodically regarding committee activities

Sec. 190 District / Claims Committee

A. Composition: This committee shall consist of a chairperson and six other members, one of which shall be the Chairperson of the Insurance Committee, all appointed by the President. Any member of this committee, elected by the committee members, may serve as the representative to District / Claims Committee of the New York State Dental Association.

B. Function: This committee shall:

1. review malpractice claims received by an insurance company against a member of this Society and recommend a course of action.
2. only review claims by insurance companies that will respect the decisions of this committee.

Sec 210 Saratoga Dental Congress Committee

A. Composition: This committee shall consist of a chairperson appointed by the Board of Directors, the officers of the society, the Continuing Education chairperson, the Membership Committee chairperson, the Presidents of the Branch Dental Societies and other members as needed, appointed by the chairperson subject to approval by the Board of Directors. The Executive Director shall be an ex-officio member.

B. Function: This committee shall:

1. Organize and operate the Saratoga Dental Congress for the District
2. Report periodically, via the chairperson, to the Board of Directors on committee activities.

ARTICLE IX. BOARD OF DIRECTORS

Sec. 10 Composition: The Board of Directors shall consist of the Elected Officers of this Society, the Immediate Past President, two Directors at Large,

a Trustee of the New York State Dental Association, delegates of the NYSDA House of Delegates, and one representative of each Branch Society, to be elected by the membership of each Branch Society. There shall be two Alternate Directors who shall have a vote only in the event another Director is not present. Members of the Board of Directors shall take office at the same time as duly elected officers of this Society.

Sec. 20 Function: The Board of Directors shall:

1. serve as the administrative body of this Society.
2. supervise and execute all matters brought before it, as provided in these By-laws.
3. have custody of all Society properties and funds and shall supervise the banking and investment of said properties and funds.
4. consider the character and professional standing of all candidates for membership and ballot for the election of such candidates.
5. fill all vacancies in office or committees and make such appointments to offices or committees as provided in these Bylaws.
6. retain the power to propose Life Members and elect Honorary Members.
7. retain the power to create all standing and special committees.
8. retain the power to supervise all activities of appointive officers, committees, employees or agents as provided in the By-laws.
9. retain the power to discipline members of this Society for violation of the Code of Ethics, By-laws, rules or regulations of this Society.
10. retain the power to consider all amendments to the By-laws.
11. approve an annual budget, showing the estimated income and anticipated expenditures of this Society, which shall be published in the Newsletters thirty (30) days prior to the Stated Meeting and submitted to the membership for adoption at said Meeting. Alteration of any item in the budget at the Annual Meeting requires a two-thirds (2/3) affirmative vote of all votes cast by those present and voting.
12. render a report of its proceedings whenever called upon.
13. have jurisdiction in all matters not provided for in these By-laws. Such action, to become effective as policy, shall require the approval of the membership of this Society. Such matters shall be submitted to the membership in any one of the following ways:
    1. At a Stated Meeting, immediately following the Board meeting.
    2. By publication in the Newsletter or electronic communication, giving notice of such proposed action at the next or second Stated Meeting after such published notice.
    3. At a special meeting called for such purpose.

Sec. 30 Meetings/ Quorum:

A. Meetings: Regular meetings of the Board of Directors shall be held as deemed necessary by the President, Special Meetings may be held on seven (7) days notice.

B. Quorum: No business shall be transacted by the Board of Directors unless a quorum is present. A quorum shall mean a majority of the Board members (18 members, 10 is a quorum).

Sec. 40 Executive Committee of the Board of Directors

A. Composition: This committee shall consist of the President, President Elect, Vice president, Secretary, Treasurer and Executive Director (ex-officio).

B. Function: This committee shall:

1. transact business of an emergency nature at such times when the entire Board cannot be convened.
2. report any actions taken to the Board of Directors at the next meeting thereof.
3. at times act as a reference committee for the Board of Directors, receiving and directing correspondence and business to proper committees or agencies of this Society.

ARTICLE X. MEETINGS

Sec. 10 Stated Meetings: Stated Meetings shall be held in the spring and fall. The Stated Meetings may be changed by action of the Board of Directors. Election of officers will take place at a Stated Meeting. Their duties will commence on January 1st following the election.

Sec. 20 Special Meetings: Special Meetings may be called by the President or in his absence, the President Elect, or by the Board of Directors, or by petition when signed by fifty (50) members in good standing, stating the purpose of such meeting. The petition shall be submitted to the President, who shall set a date for such meeting within fifteen (15) days of receipt of said petition. The President will forward notice of the special meeting, to the membership, at least (7) days prior to the date of the proposed meeting.

Sec. 30 Quorum: Any combination of twenty (20) Active and Life Members in good standing, shall constitute a quorum at any Stated or Special meeting.

Sec. 40 Voting at Meetings: Voting at meetings shall be by viva voca, a show of hands or by closed ballot if ordered by the Presiding Officer, or by one-third (1/3) of the voting members present. Unless otherwise provided in these By-laws, a majority vote shall be required to determine any question or motion.

ARTICLE XI. ORDER OF BUSINESS

Sturgis Code of Parliamentary Procedure shall govern all business sessions

of this Society. In addition, Sturgis Code of Parliamentary Procedure shall govern all matters or questions not otherwise covered in these By-laws, the By-laws of the New York State Dental Association or the American Dental Association.

ARTICLE XII. DISCIPLINARY PROCEEDINGS

Sec. 10 Code of Ethics

A. The Code of Ethics of this Society shall be that of the "Principles of Ethics" of the American Dental Association and the Code of Ethics of the New York State Dental Association, together with such additions thereto as adopted by this Society, when not in conflict with said documents.

B. Professional Conduct of Members: The professional conduct of every member of this Society shall be governed by the "Principles of Ethics" of the American Dental Association, the "Code of Ethics" of the New York State Dental Association, the code of Ethics of this Society or of any other dental society within whose jurisdiction the member practices, or conducts or participates in other dental professional activities.

Sec. 20 Discipline of Members:

A. Proceedings: Proceedings may be instituted against any member of this Society by the Ethics Committee for any of the following offenses or violations.

1. Having been found guilty of violating a dental practice act to which he/she is subject
2. Violation of the By-laws or code of Ethics as specified in Sec. 10 of this Article
3. Violation of the rules, regulations, or resolutions of this Society or the Board of Directors.
4. Upon final conviction of a felony involving moral turpitude.
5. Upon disciplinary action taken by the New York State Board of Regents resulting in a New York State Dental Association Council on Ethics hearing.

B. Disciplinary Penalties: For any of the offenses enumerated in Sec. 20 (A) of this Article, a member may be placed under sentence of:

1. Probation for a definite period of time.
2. Censure before the Council on Ethics of the New York State Dental Association, by its Chairperson.
3. Suspension for a definite period of time.
4. Expulsion from this Society.

C. Disciplinary Proceedings: Before a disciplinary penalty is invoked against a member, the following procedures shall be followed by this Society.

1. *Complaint:* In the event that a complaint is filed against a member of this Society involving any of the foregoing offenses, the same shall be referred to the Ethics Committee for consideration and study. The Ethics Committee may require that the facts upon which such complaint was based be validated in affidavit form or otherwise. When the complaint is preferred against a member of the Ethics Committee or a member of the Board of Directors, the accused member shall not act or serve on the Committee or Board during the consideration of the case. If the complaint against a member is a minor infraction, the Ethics Committee may, in lieu of filing charges against the offending member, accept his/her written assurances that he/she will cease the practice complained of and will thereafter adhere to conduct in accordance with Sec. 10 (B) of this Article.
2. *Charges* If the Ethics Committee should determine after consideration and study of the complaint filed against a member that charges should be brought, it shall thereupon formulate such charges in writing. The written charges shall include an officially certified copy of the alleged conviction or determination of guilt or a specification of the By-laws or other ethical provisions alleged to have been violated, as the case may be, and a description of the conduct alleged to constitute each violation.
3. *Process:* If a violation is deemed warranted by the Ethics Committee, it shall be the duty of the Committee chairperson to forward the facts in the case to the Council on Ethics for a formal screening by the disciplinary panel.
4. *Stay of Discipline:* No decision shall become final while an appeal is pending or until the period of perfecting an appeal has elapsed.
5. *Failure to Attend Hearing or Trial, or to Accept Discipline:* Failure of a member to attend a scheduled hearing, or to appear in person to accept a penalty of discipline duly imposed on him/her, after notice by registered mail, may make such a member subject to charges for expulsion.

D. Right of Appeal:

1. Any member of this Society who shall have been directed to suffer discipline in any degree by any decision and action by the Council on Ethics shall have the right of appeal to the New York State Dental Association, in accordance with the applicable provisions of the By-laws of said State Society.
2. Validity of Appeal: No appeal shall be valid for consideration unless filed within the specified limit of time pre-

scribed by the aforementioned constituent or national organizations.

ARTICLE XIII. SUSPENSION AND EXPULSION

Upon final ruling of the Council on Ethics, this Society will inform the member of the final judgment and it will be implemented within this Society in accordance with the ruling as applied to membership in the New York State Dental Association.

ARTICLE XIV. PUBLICATIONS

Sec. 10 Official Publications: This Society shall publish and issue an "Official Newsletter". This letter is to be published as many times during the year as the Editor or the Board of Directors so direct. In addition, this Society shall maintain an official website and email address in order to provide members and the public information concerning this Society. Electronic communication with the public or general membership of the society can be considered an official publication of this Society.

Sec. 20 Publication Rights: The publication rights of this Society shall be determined by the Board of Directors.

Sec. 30 Other Publications: This Society may issue various publications from time to time, of its proceedings, or such other publications of interest to the advancement of dental science, upon the approval of and order of the Board of Directors.

ARTCIEL XV. BRANCH SOCIETIES

Sec. 10 Formation:

A. The Board of Directors may authorize the formation of Branch Societies of the Fourth District Dental Society in localities where such subsidiary organizations may best serve the members, and the scientific purposes of this Society, as hereinafter provided:

B. Active Members of this Society, in good standing, who are desirous of forming a Branch Society in a locality where they reside or practice, and who are not already enrolled in an existing Branch Society, may so petition the Board of Directors. The Board may approve such petition, provided no similar Branch Society is in existence in such locality. Upon such approval, the Executive Director of this Society shall notify the membership of the intention of forming such a Branch Society, and shall submit same for final approval by the members. No Branch Society shall be formed unless it has received the approval at the next Stated Meeting of a majority of the members voting. Existing Branch Societies are: Adirondack Dental Society, Fulton-Hamilton-Montgomery Dental Society, Saratoga County Dental Society,

Schenectady County Dental Society, Schoharie County Dental Society and Upper Hudson Dental Society,

Sec. 20 Eligibility For Membership: Only Active and Life Members, in good standing in this Society, are eligible for membership in any Branch Society, provided they reside or practice within that locality. Members can enroll in only one Branch Society.

Sec. 30 Rules Governing Branch Societies:

A. *Name*: It shall select its name, which shall be approved by the Board of Directors.

B. *By-laws, Rules of Procedure*: Each Branch Society shall formulate its own By-laws and adopt rules of procedure which shall not be in conflict with the By-laws of this Society, the New York State Dental Association or the American Dental Association, subject to the approval of the Board of Directors.

C. *Officers*: The officers shall be elected by the members of the Branch Society, as provided in the By-laws of the Branch Society.

D. *Representative*: Each Branch Society shall appoint or elect one member to serve on the Board of Directors of the Fourth District Dental Society.

E. *Meetings*: Meetings shall be held as provided in the By-laws of each Branch Society. A record of the minutes of all meetings shall be kept.

Sec. 40 Finances: In addition to the dues paid by each member to this Society, the Branch Societies may collect additional dues from each of its members.

Sec. 50 Activities: Notwithstanding any other provisions of these By-laws, such Branch Societies, whether heretofore or hereafter formed, shall not have primary jurisdiction to take independent action on professional policy, economic or general welfare, or any issues separate and apart from this Society, other than the right to hold scientific meetings, clinics, continuing education courses and recreational or social affairs.

ARTICLE XVI. AMENDMENTS

Sec. 10 Enactment: These By-laws and the Constitution of this Society shall be effective immediately upon adoption.

Sec. 20 Amendments:

A. Amendments to these By-laws shall first be submitted in writing

either to the Board of Directors or to the membership at a Stated Meeting. In either event the Board of Directors shall consider such proposed amendments, and upon approval by the Board, they shall be referred to the Constitution and By-laws Committee for proper wording, and shall be reported back to the Board of Directors for its consideration. A majority vote of the members of the Board present and voting shall be required for approval. Thereafter the amendments shall be published in the Newsletter announcing that they shall be voted upon by the membership at a Stated Meeting or Special Meeting. It shall require a two-thirds (2/3) affirmative vote of the members present and voting to ratify such amendments to the Constitution and By-laws of this Society.

B. An amendment presented at the Stated Meeting and approved by three-fourths (3/4) of the members of the Board of Directors present and voting may be adopted at the same meeting, provided it had the approval of three-fourths (3/4) of the members present and voting.

Sec. 30 Revisions: Substantially complete revision of these By-laws in their entirety or adoption of a new set of By-laws, shall be effectuated in accordance with the provision outlined in Sec. 20 of this Article. It shall require a two-thirds (2/3) affirmative vote of the members present and voting to ratify such revisions, or new By-laws.