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American Dental Association

**Constitution
and
Bylaws**

Revised to
January 1, 2004

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Constitution

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ARTICLE I • NAME

1 The name of this organization shall be the American
2 Dental Association, hereinafter referred to as “the
3 Association” or “this Association.”

ARTICLE II • OBJECT

4 The object of this Association shall be to encourage
5 the improvement of the health of the public and to
6 promote the art and science of dentistry.

ARTICLE III • ORGANIZATION

7 *Section 10. INCORPORATION:* This Association is
8 a non-profit corporation organized under the laws of
9 the State of Illinois. If this corporation shall be
10 dissolved at any time, no part of its funds or property
11 shall be distributed to, or among, its members but,
12 after payment of all indebtedness of the corporation,
13 its surplus funds and properties shall be used for
14 dental education and dental research in such manner
15 as the then governing body of the Association may
16 determine.

17 *Section 20. HEADQUARTERS OFFICE:* The
18 registered office of this Association shall be known
19 as the Headquarters Office and shall be located in the
20 City of Chicago, County of Cook,
21 State of Illinois.

22 *Section 30. BRANCH OFFICES:* Branch offices of
23 this Association may be established in any city of the
24 United States by a majority vote of the House of
25 Delegates.

26 *Section 40. MEMBERSHIP:* The membership of this
27 Association shall consist of dentists and other
28 persons whose qualifications and classifications shall
29 be as established in Chapter I of the *Bylaws*.

30 *Section 50. CONSTITUENT SOCIETIES:*
31 Constituent societies of this Association shall be

32 those dental societies or dental associations chartered
33 as such in conformity with Chapter II of
34 the *Bylaws*.

35 *Section 60. COMPONENT SOCIETIES:* Component
36 societies of this Association shall be those dental
37 societies or dental associations organized as such in
38 conformity with Chapter III of the *Bylaws* of this
39 Association and in conformity with the bylaws of
40 their respective constituent societies.

41 *Section 70. TRUSTEE DISTRICTS:* The constituent
42 societies of the Association and the federal dental
43 services shall be grouped into seventeen (17) trustee
44 districts, as provided in Chapter IV of the *Bylaws*.

ARTICLE IV • GOVERNMENT

45 *Section 10. LEGISLATIVE BODY:* The legislative
46 and governing body of this Association shall be a
47 House of Delegates which may be referred to as “the
48 House” or “this House,” as provided in Chapter V of
49 the *Bylaws*.

50 *Section 20. ADMINISTRATIVE BODY:* The
51 administrative body of this Association shall be a
52 Board of Trustees, which may be referred to as “the
53 Board” or “this Board” as provided in Chapter VII of
54 the *Bylaws*.

ARTICLE V • OFFICERS

55 *Section 10. ELECTIVE OFFICERS:* The elective
56 officers of this Association shall be a President, a
57 President-elect, a First Vice President, a Second Vice
58 President, a Treasurer and a Speaker of the House of
59 Delegates, each of whom shall be elected by the
60 House of Delegates as provided in Chapter VIII of
61 the *Bylaws*.

62 *Section 20. APPOINTIVE OFFICER:* The
63 appointive officer of this Association shall be an
64 Executive Director who shall be appointed by the
65 Board of Trustees as provided in Chapter IX of the
66 *Bylaws*.

ARTICLE VI • ANNUAL SESSION

67 The annual session of this Association shall be
68 conducted in accordance with Chapters V and XV of
69 the *Bylaws*.

ARTICLE VII • PRINCIPLES OF ETHICS AND
CODE OF PROFESSIONAL CONDUCT

70 The *Principles of Ethics and Code of Professional*
71 *Conduct* of this Association and the codes of ethics
72 of the constituent and component societies which are
73 not in conflict with the *Principles of Ethics and Code*
74 *of Professional Conduct* of this Association, shall
75 govern the professional conduct of all members.

ARTICLE VIII • AMENDMENTS

76 This *Constitution* may be amended by a two-thirds
77 (2/3) affirmative vote of the members of the House
78 of Delegates, provided that the proposed
79 amendments have been presented in writing at any
80 previous session of the House of Delegates.
81 This *Constitution* may also be amended at any
82 session of the House of Delegates by a unanimous
83 vote, provided the proposed amendments have been
84 presented in writing at a previous meeting of such
85 session.

Bylaws



CHAPTER I • MEMBERSHIP

86 *Section 10. CLASSIFICATION:* The members of this
87 Association shall be classified as follows:

- 88 Active Members
- 89 Life Members
- 90 Retired Members
- 91 Student Members
- 92 Honorary Members
- 93 Provisional Members
- 94 Associate Members
- 95 Affiliate Members

96 *Section 20. QUALIFICATIONS, PRIVILEGES,*
97 *DUES AND SPECIAL ASSESSMENTS:*

98 A. ACTIVE MEMBER.

99 a. QUALIFICATIONS. An active member shall be
100 a dentist who is licensed to practice dentistry (or
101 medicine provided the physician has a D.D.S. or
102 D.M.D. or equivalent dental degree) in a state or
103 other jurisdiction of the United States and shall be a
104 member in good standing of this Association as that
105 is defined in these *Bylaws*. In addition, a dentist
106 shall be a member in good standing of this
107 Association's constituent and component societies,
108 unless the dentist is in the exclusive employ of, or
109 is serving on active duty in, one of the federal
110 dental services, is practicing in a country other than
111 the United States and consequently is ineligible for
112 membership in a constituent or component society
113 or is a non-practicing dentist. A dentist is
114 considered to be in the exclusive employ of one of
115 the federal dental services when the dentist is under
116 contract to provide dental services to the
117 beneficiaries of the federal agency on a full-time
118 basis and does not engage in private practice within
119 the jurisdiction of a constituent or component
120 society. A dentist is considered to be a non-
121 practicing dentist when the dentist works as a
122 dental school faculty member, dental administrator

123 or consultant within the territorial jurisdiction of a
 124 constituent society and is ineligible for active
 125 membership in the constituent or component
 126 society because the dentist is not licensed in the
 127 territorial jurisdiction of that constituent.

128 *Explanatory Notes:* The term “other jurisdiction of
 129 the United States” as used in this *Constitution and*
 130 *Bylaws* shall mean the District of Columbia, the
 131 Commonwealth of Puerto Rico, the
 132 Commonwealth of the Northern Mariana Islands
 133 and the territories of the United States Virgin
 134 Islands, Guam and American Samoa.

135 The term “federal dental services” as used in this
 136 *Constitution and Bylaws* shall mean the dental
 137 departments of the Air Force, the Army, the Navy,
 138 the Public Health Service, the department of
 139 Veterans Affairs and other federal agencies.

140 b. PRIVILEGES.

141 (1) An active member in good standing shall
 142 receive annually a membership card and *The*
 143 *Journal of the American Dental Association*, the
 144 subscription price of which shall be included in the
 145 annual dues. An active member shall be entitled to
 146 attend any scientific session of this Association and
 147 receive such other services as are provided by the
 148 Association.

149 (2) An active member in good standing shall be
 150 eligible for election as a delegate or alternate
 151 delegate to the House of Delegates and for election
 152 or appointment to any office or agency of this
 153 Association, except as otherwise provided in these
 154 *Bylaws*.

155 (3) An active member under a disciplinary sentence
 156 of suspension shall not be privileged to hold office,
 157 either elective or appointive, including delegate and
 158 alternate delegate, in such member’s component
 159 and constituent societies and this Association, or to
 160 vote or otherwise participate in the selection of
 161 officials of such member’s component and
 162 constituent societies and this Association.

163 c. DUES AND SPECIAL ASSESSMENTS.

164 The dues of active members shall be four hundred
 165 thirty-five dollars (\$435.00) due January 1 of each
 166 year. In addition to their annual dues, active
 167 members shall pay any special assessments levied
 168 by the House of Delegates, due January 1 of each
 169 year. However, any dentist, who satisfies the
 170 eligibility requirements for active membership and
 171 any of the following conditions shall be entitled to
 172 pay the reduced active member dues and any
 173 special assessment stated under such satisfied
 174 condition so long as that dentist maintains

175 continuous membership, subject to the further
 176 reductions permitted under the provisions of
 177 Chapter I, Section 20Ad of these *Bylaws*:
 178 (1) Dentists, when awarded a D.D.S. or D.M.D.
 179 degree, shall be exempt from the payment of active
 180 member dues and any special assessment for the
 181 remaining period of that year and the following first
 182 full calendar year. Dentists shall pay twenty-five
 183 percent (25%) of active member dues and special
 184 assessment for the second full calendar year
 185 following the year in which the degree was
 186 awarded, fifty percent (50%) of active member dues
 187 and special assessment in the third year, seventy-
 188 five percent (75%) in the fourth year and one
 189 hundred percent (100%) in the fifth year and
 190 thereafter. Eligibility for this benefit shall be
 191 conditioned on maintenance of continuous
 192 membership or payment of reduced dues and
 193 special assessment(s) for the years not previously
 194 paid, at the rates current during the missing
 195 year(s).*

196 (2) The dentist who is engaged full-time in (a) an
 197 advanced training course of not less than one (1)
 198 academic year's duration in an accredited school or
 199 a residency program in areas neither recognized by
 200 this Association nor accredited by the Commission
 201 on Dental Accreditation or (b) a residency program
 202 or advanced education program in areas recognized
 203 by this Association and in a program accredited by
 204 the Commission on Dental Accreditation shall pay
 205 thirty dollars (\$30.00) due on January 1 of each
 206 year until December 31 following completion of
 207 such program. For the dentist who enters such a
 208 course or program within one (1) year of the award
 209 of D.D.S. or D.M.D. degree the applicable
 210 foregoing condition (1) shall toll until completion
 211 of that program. Upon completing the program, the
 212 dentist shall pay dues and any special assessments
 213 for active members at the next period-in-time level
 214 that is applicable under condition (1). Eligibility for
 215 this benefit shall be conditioned on maintenance of
 216 continuous membership or payment of post-
 217 graduate student dues and active member dues and
 218 special assessment(s) for years not previously paid,
 219 at the rates current during the missing years. The
 220 dentist who is engaged full-time in (a) an advanced
 221 training course of not less than one (1) academic
 222 year's duration in an accredited school or residency
 223 program in areas neither recognized by this
 224 Association nor accredited by the Commission on
 225 Dental Accreditation or (b) a residency program or
 226 advanced education program in areas recognized by
 227 this Association and in a program accredited by the
 228 Commission on Dental Accreditation shall be
 229 exempt from the payment of any active member
 230 special assessment then in effect through December
 231 31 following completion of such course or program.

232 (3) An active member who is serving the
 233 profession by working full-time for a charitable
 234 organization and is receiving neither income nor a
 235 salary for such charitable service other than a
 236 subsistence amount which approximates a cost of
 237 living allowance shall pay dues of five dollars
 238 (\$5.00) due January 1 of each year, and shall be
 239 exempt from the payment of any special assessment
 240 then in effect through December 31 following
 241 completion of such service; provided that such
 242 charitable service is being performed continuously
 243 for not less than one year and provided further that
 244 such member does not supplement such subsistence
 245 income by the performance of services as a member
 246 of the faculty of a dental or dental auxiliary school,
 247 as a dental administrator or consultant, or as a
 248 practitioner of any activity for which a license to
 249 practice dentistry or dental hygiene is required.
 250 (4) A graduate of a non-accredited dental school
 251 who has recently been licensed to practice dentistry
 252 in a jurisdiction in which there is a constituent
 253 dental society of the American Dental Association
 254 shall be exempt from payment of active member
 255 dues and any special assessment for the remaining
 256 period of the year in which the license was issued
 257 and the following first full calendar year. The
 258 newly licensed graduate of a non-accredited school
 259 shall pay twenty-five percent (25%) of active
 260 member dues and any special assessment the
 261 second calendar year following the year in which
 262 the license was obtained, fifty percent (50%) of
 263 active member dues and any special assessment in
 264 the third year, seventy-five percent (75%) in the
 265 fourth year and one hundred (100%) in the fifth
 266 year and thereafter.*

* This footnote clarifies the expansion of the reduced dues program approved by the 2003 House of Delegates. Only new dental school graduates and newly licensed dentists of non-accredited dental schools entering the reduced dues program in 2004 or thereafter are eligible for the expanded reduced dues program at the progression set forth in these *Bylaws* under conditions 1 and 4. Dentists who entered the reduced dues program prior to 2004 continue their progression to next applicable rate. That progression is as follows: twenty-five percent (25%) of active member dues and special assessment for the first full calendar year following graduation from an accredited dental school or the year in which the license was obtained for graduates of non-accredited dental schools, fifty percent (50%) of active member dues and special assessment in the second year, seventy-five (75%) in the third year and one hundred percent (100%) in the fourth year and thereafter. Such reductions are conditioned on maintenance of

267 (5) A licensed dentist who has never been an active
 268 member of this Association and is ineligible for dues
 269 reduction as a new graduate under this Section of the
 270 *Bylaws*, shall pay fifty percent (50%) of active
 271 member dues and any special assessment in the first
 272 year of membership, and shall pay one hundred
 273 percent (100%) of active member dues and any
 274 special assessment in the second year and each year
 275 thereafter.

276 d. ACTIVE MEMBERS SELECTED AFTER
 277 JULY 1 AND OCTOBER 1. Those members
 278 selected to active membership in this Association
 279 after July 1, except for those whose membership
 280 has lapsed for failure to pay the current year's dues
 281 and/or special assessments, shall pay one half (1/2)
 282 of the current year's dues and one half (1/2) of any
 283 active member special assessment then in effect,
 284 and those selected after October 1, shall pay one-
 285 quarter (1/4) of the current year's dues and one
 286 quarter (1/4) of any active member special
 287 assessment then in effect.

288 B. LIFE MEMBER.

289 a. QUALIFICATIONS. A life member shall be a
 290 member in good standing of this Association who
 291 (1) has been an active and/or retired member in
 292 good standing of this Association for thirty (30)
 293 consecutive years or a total of forty (40) years of
 294 active and/or retired membership or has been a
 295 member of the National Dental Association for
 296 twenty-five (25) years and subsequently held at
 297 least ten (10) years of membership in the American
 298 Dental Association; (2) has attained the age of
 299 sixty-five (65) years in the previous calendar year;
 300 and (3) has submitted an affidavit attesting to the
 301 qualifications for this category through said
 302 component and constituent societies, if such exist.

303 A dentist who immigrated to the United States may
 304 receive credit for up to twenty-five (25) consecutive
 305 or total years of membership in a foreign dental
 306 association in order to qualify for the respective
 307 requirements for life membership.

308 Years of student membership shall not be counted
 309 as active membership for purposes of establishing
 310 eligibility for life membership unless the dentist was
 311 an active member in good standing prior to
 312 becoming a student member.

313 The Association will give notification to members
 314 who are eligible for life membership. Life

continuous membership or payment of dues and
 special assessment(s) for the years not previously
 paid at the rates current during the missing years.

*Interim policy adopted by the Board of Trustees,
 December 2003*

315 membership shall be effective the calendar year
 316 following the year in which the requirements are
 317 fulfilled. Maintenance of membership in good
 318 standing in the member's constituent and component
 319 societies, if such exist, shall be a requisite for
 320 continuance of life membership in this Association.

321 b. PRIVILEGES. A life member in good standing of
 322 this Association shall receive annually a membership
 323 card. A life member shall be entitled to all the
 324 privileges of an active member, except that a retired
 325 life member shall not receive *The Journal of the*
 326 *American Dental Association* except by subscription.

327 A life member under a disciplinary sentence of
 328 suspension shall not be privileged to hold office,
 329 either elective or appointive, including delegate and
 330 alternate delegate, in such member's component and
 331 constituent societies and this Association, or to vote
 332 or otherwise participate in the selection of officials
 333 of such member's component and constituent
 334 societies and this Association.

335 c. DUES AND SPECIAL ASSESSMENTS.

336 (1) ACTIVE LIFE MEMBERS. Regardless of a
 337 member's previous classification of membership, the
 338 dues of life members who have not fulfilled the
 339 qualifications of retired membership pursuant to
 340 Chapter I, Section 20C of these *Bylaws* with regard
 341 to income related to dentistry shall be fifty percent
 342 (50%) of the dues of active members, due January 1
 343 of each year. In addition to their annual dues, active
 344 life members shall pay fifty percent (50%) of any
 345 active member special assessment levied by the
 346 House of Delegates, due January 1 of each year.

347 (2) RETIRED LIFE MEMBERS. Life members who
 348 have fulfilled the qualifications of Chapter I, Section
 349 20C of these *Bylaws* with regard to income related
 350 to dentistry shall be exempt from payment of dues
 351 and any special assessment levied by the House of
 352 Delegates.

353 (3) ACCEPTANCE OF BACK DUES AND
 354 SPECIAL ASSESSMENTS. For the purpose of
 355 establishing continuity of active membership to
 356 qualify for life membership, back dues and special
 357 assessments, except as otherwise provided in these
 358 *Bylaws*, shall be accepted for not more than the three
 359 (3) years of delinquency prior to the date of
 360 application for such payment. The rate of such dues
 361 and/or special assessments, except as otherwise
 362 provided in these *Bylaws*, shall be in accordance
 363 with Chapter I, Section 40 of these *Bylaws*.

364 For the purpose of establishing continuity of active
 365 membership in order to qualify for life membership,
 366 an active member, who had been such when entering
 367 upon active duty in one of the federal dental services
 368 but who, during such federal dental service,
 369 interrupted the continuity of active membership

370 because of failure to pay dues and/or special
371 assessments and who, within one year after
372 separation from such military or equivalent duty,
373 resumed active membership, may pay back dues and
374 special assessments for any missing period of active
375 membership at the rate of dues and/or special
376 assessments current during the missing years of
377 membership.

378 C. RETIRED MEMBER.

379 a. QUALIFICATIONS. A retired member shall be
380 an active member in good standing of this
381 Association who is now a retired member of a
382 constituent society, if such exists, and is no longer
383 earning income from the performance of any
384 dentally related activity, and has submitted an
385 affidavit attesting to qualifications for this
386 category through said component and constituent
387 society, if such exist. Maintenance of active or
388 retired membership in good standing in the
389 member's component society and retired
390 membership in good standing in the member's
391 constituent, if such exist, entitling such member to
392 all the privileges of an active member, shall be
393 requisite for entitlement to and continuance of
394 retired membership in this Association.

395 b. PRIVILEGES. A retired member in good
396 standing shall receive annually a membership card.
397 A retired member shall be entitled to all the
398 privileges of an active member.

399 A retired member under a disciplinary sentence of
400 suspension shall not be privileged to hold office,
401 either elective or appointive, including delegate and
402 alternate delegate, in such member's component
403 and constituent societies and this Association, or to
404 vote or otherwise participate in the selection of
405 officials of such member's component and
406 constituent societies and this Association.

407 c. DUES AND SPECIAL ASSESSMENTS. The
408 dues of retired members shall be twenty-five
409 percent (25%) of the dues of active members, due
410 January 1 of each year. In addition to their annual
411 dues, retired members shall pay twenty-five percent
412 (25%) of any active member special assessment
413 levied by the House of Delegates, due January 1 of
414 each year.

415 D. STUDENT MEMBER.

416 a. QUALIFICATIONS. A student member shall be
417 either a predoctoral student of a dental school
418 accredited by the Commission on Dental
419 Accreditation of this Association or a dentist
420 eligible for membership in this Association who is

421 engaged full time in an advanced training course of
422 not less than one academic year's duration in an
423 accredited school or residency program.

424 b. PRIVILEGES. A student member in good
425 standing of this Association shall receive annually a
426 membership card and *The Journal of the American*
427 *Dental Association*, the subscription price of which
428 shall be included in the annual dues. A student
429 member shall be entitled to attend any scientific
430 session of this Association.

431 A student member under a disciplinary sentence of
432 suspension shall not be privileged to serve as the
433 American Student Dental Association's delegate or
434 alternate delegate in this Association's House of
435 Delegates.

436 c. DUES AND SPECIAL ASSESSMENTS.

437 (1) PREDOCTORAL STUDENT MEMBERS: The
438 dues of predoctoral student members shall be five
439 dollars (\$5.00) due January 1 of each year. Such
440 student members shall be exempt from the payment
441 of any special assessment levied by the House of
442 Delegates.

443 (2) POSTDOCTORAL STUDENTS AND
444 RESIDENTS: The dues of dentists who are student
445 members pursuant to Chapter I, Section 20D shall
446 be thirty dollars (\$30.00) due January 1 of each
447 year. Such student members shall be exempt from
448 the payment of any special assessment levied by the
449 House of Delegates.

450 (3) Student membership terminates on December
451 31 after graduation or after completion of a
452 residency or graduate work.

453 E. HONORARY MEMBER.

454 a. QUALIFICATIONS: An individual who has
455 made outstanding contributions to the advancement
456 of the art and science of dentistry, upon election by
457 the Board of Trustees, shall be classified as an
458 honorary member of this Association.

459 b. PRIVILEGES. An honorary member shall
460 receive a membership card and *The Journal of the*
461 *American Dental Association*. An honorary member
462 shall be entitled to attend any scientific session of
463 this Association and receive such other services as
464 are authorized by the Board of Trustees.

465 c. DUES AND SPECIAL ASSESSMENTS.
466 Honorary members shall be exempt from payment
467 of dues and any special assessment levied by the
468 House of Delegates.

469 F. PROVISIONAL MEMBER.

470 a. QUALIFICATIONS. A provisional member
471 shall be a dentist who:

472 (1) has received a D.D.S. or D.M.D. degree from a
473 dental school accredited by the Commission on

474 Dental Accreditation of the American Dental
 475 Association or shall be a graduate of an
 476 unaccredited dental school who has recently been
 477 licensed to practice dentistry in a jurisdiction in
 478 which there is a constituent dental society;

479 (2) has not established a place of practice; and
 480 (3) shall have applied for provisional membership
 481 within 12 months of graduation or licensure.

482 Provisional membership shall terminate December
 483 31 of the second full calendar year following the
 484 year in which the degree was awarded.

485 b. PRIVILEGES. A provisional member in good
 486 standing shall be entitled to all the privileges of an
 487 active member except that, notwithstanding
 488 anything in these *Bylaws* to the contrary, a
 489 provisional member shall have no right to appeal
 490 from a denial of active membership in the
 491 Association.

492 A provisional member under a disciplinary
 493 sentence of suspension shall not be privileged to
 494 hold office, either elective or appointive, including
 495 delegate and alternate delegate, in such member's
 496 component and constituent societies and this
 497 Association, or to vote or otherwise participate in
 498 the selection of officials of such member's
 499 component and constituent societies and this
 500 Association.

501 c. DUES AND SPECIAL ASSESSMENTS. The
 502 dues and/or special assessments of provisional
 503 members shall be the same as the dues and/or
 504 special assessments of active members.

505 G. ASSOCIATE MEMBER.

506 a. QUALIFICATIONS. An associate member shall
 507 be a person ineligible for any other type of
 508 membership in this Association, who contributes to
 509 the advancement of the objectives of this
 510 Association, is employed in dental-related
 511 education or research, does not hold a dental license
 512 in the United States, and has applied to and been
 513 approved by the Board of Trustees.*

514 b. PRIVILEGES. An associate member in good
 515 standing shall receive annually a membership card
 516 and *The Journal of the American Dental*

* Individuals who are classified as associate members of this Association prior to the 1996 annual session of the House of Delegates but who are not employed full-time in dentally-related education or research by an accredited institution of higher education, may maintain their associate membership so long as other eligibility requirements are met and current dues and special assessments are paid.

517 *Association*, the subscription price of which shall be
 518 included in the annual dues. An associate member
 519 shall be entitled to attend any scientific session of
 520 this Association and receive such other services as
 521 are authorized by the Board of Trustees.

522 c. DUES AND SPECIAL ASSESSMENTS. The
 523 dues of associate members shall be twenty-five
 524 percent (25%) of the dues of active members, due
 525 January 1 of each year. In addition to their annual
 526 dues, associate members shall pay twenty-five
 527 percent (25%) of any active member special
 528 assessment levied by the House of Delegates, due
 529 January 1 of each year.

530 H. AFFILIATE MEMBER.

531 a. QUALIFICATIONS. An affiliate member shall
 532 be a dentist who is ineligible for any other
 533 classification of membership and:

534 (1) is practicing in a country other than the United
 535 States;

536 (2) has been classified as an affiliate member upon
 537 application to and approval by the Board of
 538 Trustees; and

539 (3) is a member in good standing of this
 540 Association.

541 b. PRIVILEGES. An affiliate member in good
 542 standing shall receive annually a membership card
 543 and *The Journal of the American Dental*
 544 *Association*, the subscription price of which shall be
 545 included in the annual dues. An affiliate member
 546 shall be entitled to attend any scientific session of
 547 this Association and receive such other services as
 548 are authorized by the Board of Trustees.

549 c. DUES AND SPECIAL ASSESSMENTS. The
 550 dues of affiliate members shall be fifty percent
 551 (50%) of the dues of active members, due January 1
 552 of each year. In addition to their annual dues,
 553 affiliate members shall pay fifty percent (50%) of
 554 any active member special assessment levied by the
 555 House of Delegates, due January 1 of each year.

556 *Section 30. DEFINITION OF “IN GOOD*
 557 *STANDING”.* A member of this Association whose
 558 dues and special assessments for the current year have
 559 been paid shall be in good standing; provided,
 560 however, that a member, to remain in good standing
 561 may be required under the bylaws of the member’s
 562 constituent or component society, to meet standards
 563 of continuing education, pay special assessments,
 564 cooperate with peer review bodies or committees on
 565 ethics, or attend, if a newly admitted active member, a
 566 stated number of membership meetings between the

567 date of admission and the completion of the first
 568 calendar year of active membership. If under a
 569 disciplinary sentence of suspension, such member
 570 shall be designated as a “member in good standing
 571 temporarily under suspension” until the member’s
 572 disciplinary sentence has terminated.

573 The requirement of paying current dues does not
 574 apply to retired life and honorary members of this
 575 Association for the purpose of determining their good
 576 standing. The requirement of paying special
 577 assessments does not apply to retired life, honorary
 578 and student members of this Association for purposes
 579 of determining their good standing.

580 A member of this Association who is disabled for a
 581 period of one year, is no longer earning income from
 582 the performance of dentally-related activity because
 583 of the disability, and who was a member in good
 584 standing at the time such disability was incurred, shall
 585 be exempt from the payment of dues and special
 586 assessments and shall be in good standing during the
 587 period of disability. A disabled member, in order to
 588 receive entitlement to dues and special assessments
 589 exemption, shall submit through the member’s
 590 component and constituent societies, if such exist, to
 591 this Association a medical certificate attesting to
 592 disability and a certificate from said component and
 593 constituent societies, if such exist, attesting to this
 594 disability. During the period of exemption from dues
 595 and special assessments, further such certificates shall
 596 be presented on request to this Association.*

597 *Section 40. LAPSE OF MEMBERSHIP AND*
 598 *REINSTATEMENT.*

599 A. LAPSE OF MEMBERSHIP. Any member whose
 600 dues and special assessments have not been paid by
 601 March 31 of the current year shall cease to be a

* Members with disabilities incurred during active military duty who were granted dues and special assessment disability waivers prior to the 2002 annual session of the House of Delegates may continue to receive such waivers so long as they are unable to practice dentistry within the definition of these *Bylaws*. Members with disabilities other than those disabled during active military duty who were granted dues and special assessment disability waivers prior to the 2002 annual session of the House of Delegates may continue to receive such waivers, provided such members can submit further certification attesting to the disability, upon request of the Association, during the exemption period.

602 member of this Association. Further, an associate
603 member who terminates full-time employment in
604 dentally-related education or research shall cease to
605 be an associate member of this Association December
606 31 of that calendar year.

607 B. REINSTATEMENT. Reinstatement of active, life,
608 student, retired or affiliate membership may be
609 secured on payment of appropriate dues and special
610 assessments of this Association by any former
611 member and on compliance by any former member
612 with the pertinent bylaws and regulations of the
613 constituent and component societies involved and this
614 Association.

615 *Section 50. DUES OR SPECIAL ASSESSMENT*
616 *RELATED ISSUES.*

617 A. PAYMENT DATE AND INSTALLMENT
618 PAYMENTS. Dues and special assessments of all
619 members are payable January 1 of each year, except
620 for active and active life members who may
621 participate in an installment payment plan. Such plan
622 shall be sponsored by the members' respective
623 constituent or component dental societies, or by this
624 Association if the active or active life members are in
625 the exclusive employ of, or are serving on active duty
626 in, one of the federal dental services. The plan shall
627 require monthly installment payments that conclude
628 with the current dues and special assessment amount
629 fully paid by June 30. Transactional costs may be
630 imposed, prorated to this Association and the
631 constituent or component dental society. The
632 installment plan shall provide for the expeditious
633 transfer of member dues and special assessments to
634 this Association and the applicable constituent or
635 component dental society, if such exists, as soon as
636 commercially feasible.

637 B. FINANCIAL HARDSHIP WAIVERS. Those
638 members who have suffered a significant financial
639 hardship that prohibits them from payment of their
640 full dues and/or special assessments may be excused
641 from the payment of fifty percent (50%), seventy-five
642 percent (75%) or all of the current year's dues and/or
643 special assessment(s) as determined by their
644 constituent and component dental societies. The
645 constituent and component society secretaries shall
646 certify the reason for the waiver, and the constituent
647 and component societies shall provide the same
648 proportionate waiver of their dues as that provided by
649 this Association.

CHAPTER I • MEMBERSHIP
CHAPTER II • CONSTITUENT SOCIETIES

650 C. CALCULATING PERCENTAGE DUES OR
651 SPECIAL ASSESSMENTS. In establishing the dollar
652 rate of dues or special assessments in this chapter
653 expressed as a percentage of active member dues or
654 special assessments, computations resulting in
655 fractions of a dollar shall be rounded up to the next
656 whole dollar.

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CHAPTER II • CONSTITUENT SOCIETIES

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Section 10. ORGANIZATION: A constituent society may be organized and chartered, subject to the approval of the House of Delegates, upon application of at least one hundred (100) dentists, practicing in any state or other jurisdiction of the United States who are active, life or retired members of the Association in good standing. No such society shall be chartered in any state or other jurisdiction of the United States in which a constituent society is already chartered by this Association.

Section 20. NAME: A constituent society shall take its name from the state or other jurisdiction of the United States.

Section 30. POWERS AND DUTIES:

A. A constituent society shall have the power to select its active, life, and retired members as active members of this Association within the limits of Section 40 of this Chapter.

B. It shall have the power to organize its members into component societies within the limits imposed by Chapter III, Section 10 of these *Bylaws*.

C. It shall have the power to provide for its financial support and to establish bylaws, rules and regulations to govern its members provided such bylaws, rules and regulations do not conflict with, or limit, these *Bylaws*.

D. It shall have the power to discipline any of its members subject to the provisions in Chapter XII, Section 20 of these *Bylaws*.

E. It shall be its duty to collect membership dues and special assessments for this Association in conformity with Chapter I, Section 20, of these *Bylaws*.

F. It shall have the power to establish committees, councils and commissions of the constituent society; to designate their power and duties; and to adopt reasonable eligibility requirements for service thereon.

698 *Section 40. MEMBERSHIP:*

699 A. The active, life, and retired membership of each
 700 constituent society, except as otherwise provided in
 701 these *Bylaws*, shall consist solely of dentists
 702 practicing within the territorial jurisdiction of the
 703 constituent society; dentists retired from active
 704 practice; dentists engaged in activities furthering the
 705 object of this Association; dentists serving on the
 706 faculty of a dental school or receiving compensation
 707 as a dental administrator or consultant within the
 708 jurisdiction of the constituent society but are licensed
 709 in another jurisdiction; and dentists in a federal dental
 710 service (provided that the federal dentist is either
 711 licensed in or serving within the confines of the
 712 constituent society's jurisdiction), provided that such
 713 dentists are active, life or retired members in good
 714 standing of a component of the constituent (except for
 715 the federal dentists), if such exists, and this
 716 Association.

717 *Explanatory Note:* A dentist who has retired from
 718 active practice or who is engaged in activities
 719 furthering the object of this Association shall be
 720 considered to be practicing dentistry within the
 721 meaning of this section.

722 B. REMOVAL FROM ONE JURISDICTION TO
 723 ANOTHER. A member who has changed the location
 724 of the member's practice from the jurisdiction of one
 725 constituent society to that of another constituent
 726 society may maintain active membership in the
 727 constituent society in which membership is being
 728 held for the calendar year following that of the
 729 member's removal from the jurisdiction of such
 730 society. The same privilege shall apply to a member
 731 who is separated from a federal dental service and
 732 who enters practice in an area under the jurisdiction
 733 of a constituent society or a member who is retired
 734 from a federal dental service and who is serving on a
 735 faculty of a dental school, or is receiving
 736 compensation as a dental administrator or consultant,
 737 or is engaged in any activity in the area under the
 738 jurisdiction of a constituent society for which a
 739 license to practice dentistry or dental hygiene is
 740 required by the state or other jurisdiction of the
 741 United States wherein the activity is conducted. A
 742 dentist who retires from active practice and
 743 establishes residence in an area outside of the
 744 jurisdiction of the constituent society in which the
 745 dentist holds membership shall be permitted to
 746 continue membership in such constituent society for

747 the period of retirement.
 748 A member who is unsuccessful in transferring
 749 membership from one constituent society to another
 750 shall be entitled to a hearing (by either the component
 751 or constituent society), on the decision denying the
 752 member's application for transfer of membership and
 753 to appeal to the constituent society to which transfer
 754 is sought, if applicable, and thereafter to the Council
 755 on Ethics, Bylaws and Judicial Affairs of this
 756 Association in accordance with the procedures in
 757 Chapter XII, Section 20C and D of these *Bylaws* even
 758 though a disciplinary penalty is not involved.

759 C. PRIVILEGES. An active, life, or retired member
 760 in good standing shall enjoy all privileges of
 761 constituent society membership except as otherwise
 762 provided by these *Bylaws*.

763 D. MULTIPLE JURISDICTIONS. A member may
 764 hold membership in more than one constituent society
 765 with the consent of the constituent society involved.
 766 A member is required to maintain active membership
 767 in the constituent society, if accepted therein, in
 768 whose jurisdiction the member maintains or practices
 769 dentistry at a secondary or "branch" office. In order to
 770 meet the requirement of tripartite membership, a
 771 member must also maintain active membership in one
 772 component society of each constituent society into
 773 which the member is accepted, if such exist. If such a
 774 member is accused of unethical conduct and
 775 disciplinary proceedings are brought, then those
 776 proceedings shall be instituted in the component or
 777 constituent society where the alleged unethical
 778 conduct occurred. A disciplinary ruling affecting
 779 membership in one constituent society shall affect
 780 membership in both societies and in the Association.
 781 A member shall have the right of appeal as provided
 782 in Chapter XII of the *Bylaws*. Such member shall pay
 783 dues in this Association only through the constituent
 784 society in whose jurisdiction the member conducts
 785 the major part of the member's practice.

786 *Section 50. OFFICERS:* The officers of a
 787 constituent society shall be president, secretary,
 788 treasurer and such others as may be prescribed in its
 789 bylaws.

790 *Section 60. SESSIONS:* A constituent society shall
 791 hold a business session at least once each calendar
 792 year.

793 *Section 70. CONSTITUTION AND BYLAWS:* Each
 794 constituent society shall adopt and maintain a

795 constitution and bylaws which shall not be in conflict
 796 with, or limit, the *Constitution and Bylaws*
 797 of this Association and shall file a copy thereof and
 798 any changes which may be made thereafter, with the
 799 Executive Director of this Association.

800 *Section 80. "PRINCIPLES OF ETHICS AND CODE*
 801 *OF PROFESSIONAL CONDUCT"*: The *Principles of*
 802 *Ethics and Code of Professional Conduct* of this
 803 Association and the code of ethics adopted by the
 804 constituent society shall be the code of ethics of that
 805 constituent society for governing the professional
 806 conduct of its members.

807 *Section 90. RIGHT OF HEARING AND APPEAL:*
 808 Disputes arising between constituent societies or
 809 between a constituent society and one or more of its
 810 component societies may be referred to the Council
 811 on Ethics, Bylaws and Judicial Affairs of this
 812 Association for hearing and decision as provided in
 813 Chapter X, Section 120Gd in accordance with the
 814 procedure of Chapter XII, Section 20C and D of these
 815 *Bylaws* even though a disciplinary penalty is not
 816 involved.

817 *Section 100. PRIVILEGE OF REPRESENTATION:*
 818 Each constituent society shall be entitled to two (2)
 819 delegates in the House of Delegates, except that one
 820 (1) delegate shall be allocated to the Virgin Islands
 821 Dental Association. The Air Force Dental Corps, the
 822 Army Dental Corps, the Navy Dental Corps, the
 823 Public Health Service and the Department of
 824 Veterans Affairs shall each be entitled to two
 825 delegates, one of which shall be elected by the
 826 respective service, without regard to the number of
 827 members. The remaining number of delegates shall
 828 be allocated as provided in Chapter V, Sections 10C
 829 and 10D.

830 Each constituent society and each federal dental
 831 service may select from among its active, life and
 832 retired members the same number of alternate
 833 delegates as delegates and shall designate the
 834 alternate delegate who shall replace an absent
 835 delegate.

836 *Section 110. CHARTERED CONSTITUENT*
 837 *SOCIETIES:* The Executive Director of the
 838 Association is authorized to issue a charter to each
 839 constituent society denoting its name and territorial
 840 jurisdiction. The following societies are chartered as
 841 constituent societies of this Association:

- 842 Alabama Dental Association
- 843 Alaska Dental Society

CHAPTER II • CONSTITUENT SOCIETIES

844	Arizona State Dental Association
845	Arkansas State Dental Association
846	California Dental Association
847	Colorado Dental Association
848	Connecticut State Dental Association, The
849	Delaware State Dental Society
850	District of Columbia Dental Society, The
851	Florida Dental Association
852	Georgia Dental Association
853	Hawaii Dental Association
854	Idaho State Dental Association
855	Illinois State Dental Society
856	Indiana Dental Association
857	Iowa Dental Association
858	Kansas Dental Association
859	Kentucky Dental Association
860	Louisiana Dental Association, The
861	Maine Dental Association
862	Maryland State Dental Association
863	Massachusetts Dental Society
864	Michigan Dental Association
865	Minnesota Dental Association
866	Mississippi Dental Association, The
867	Missouri Dental Association
868	Montana Dental Association
869	Nebraska Dental Association, The
870	Nevada Dental Association
871	New Hampshire Dental Society
872	New Jersey Dental Association
873	New Mexico Dental Association
874	New York State Dental Association
875	North Carolina Dental Society, The
876	North Dakota Dental Association
877	Ohio Dental Association
878	Oklahoma Dental Association
879	Oregon Dental Association
880	Pennsylvania Dental Association
881	Puerto Rico, Colegio de Cirujanos Dentistas de
882	Rhode Island Dental Association
883	South Carolina Dental Association
884	South Dakota Dental Association
885	Tennessee Dental Association
886	Texas Dental Association
887	Utah Dental Association
888	Vermont State Dental Society
889	Virgin Islands Dental Association
890	Virginia Dental Association
891	Washington State Dental Association
892	West Virginia Dental Association
893	Wisconsin Dental Association
894	Wyoming Dental Association

CHAPTER III • COMPONENT SOCIETIES

895 *Section 10. ORGANIZATION:* Component societies
896 may be organized in conformity with a plan approved
897 by the constituent society of which they shall be
898 recognized entities provided, however, that the active,
899 life or retired members of each component society
900 shall consist of dentists who are members in good
901 standing of their respective constituent societies and
902 of this Association. The plan adopted by the
903 constituent society may or may not limit active
904 membership in a component society to dentists who
905 reside or practice within the geographic area of that
906 component society. Each component society shall
907 adopt and maintain a constitution and bylaws, which
908 shall not be in conflict with, or limit, the *Constitution*
909 *and Bylaws* of this Association or that of its
910 constituent society, and shall file a copy thereof and
911 any changes which may be made thereafter with the
912 Executive Director of this Association.

913 *Section 20. POWER AND DUTIES:*

914 A. A component society shall have the power to
915 select its active, life, and retired members as active
916 members of the constituent society in accordance
917 with Chapter II, Section 40, of these *Bylaws*.

918 B. It shall have the power to provide for its financial
919 support, to establish bylaws, rules and regulations, not
920 in conflict with, or limiting, the *Constitution and*
921 *Bylaws* of this Association or that of its constituent
922 society and to adopt a code of ethics not in conflict
923 with the *Principles of Ethics and Code of*
924 *Professional Conduct* of this Association or code of
925 ethics of its constituent society.

926 C. It shall have the power to discipline any of its
927 members subject to the provisions in Chapter XII,
928 Section 20 of these *Bylaws*.

929 D. It shall have the power to establish committees,
930 councils and commissions of the component society;
931 to designate their powers and duties; and to adopt
932 reasonable eligibility requirements for service
933 thereon.

934 *Section 30. PRIVILEGES OF MEMBERSHIP:* An
935 active, life, or retired member in good standing shall
936 have the opportunity of enjoying all privileges of
937 component society membership except as otherwise
938 provided by these *Bylaws*.

CHAPTER III • COMPONENT SOCIETIES
CHAPTER IV • TRUSTEE DISTRICTS

939 *Section 40. TRANSFER FROM ONE COMPONENT*
940 *TO ANOTHER:*

941 A member who has changed residence or location of
942 practice within the jurisdiction of a constituent
943 society so that the member no longer fulfills the
944 membership requirements of the component society
945 of which he or she is a member may maintain active
946 membership in that component society for the
947 calendar year following such change of residence or
948 practice location.

949 A member who is required to transfer membership
950 from one component society to another and whose
951 application for transfer of membership is denied shall
952 be entitled to a hearing (by either the component or
953 constituent society), on the decision denying the
954 member's application for transfer of membership and
955 to appeal to the member's constituent society, if
956 applicable, and the Council on Ethics, Bylaws and
957 Judicial Affairs of this Association in accordance
958 with the procedures in Chapter XII, Section 20C and
959 D of these *Bylaws* even though a disciplinary
960 penalty is not involved. A component society which
961 receives an application for transfer of membership
962 from a dentist who has moved from the jurisdiction of
963 another constituent society is governed by Chapter II,
964 Section 40B of these *Bylaws*.

CHAPTER IV • TRUSTEE DISTRICTS

965 *Section 10. ORGANIZATION:* The constituent
966 societies and the federal dental services shall be
967 organized into seventeen (17) trustee districts.

968 *Section 20. PURPOSE:* The purpose of establishing
969 trustee districts is to provide representation of the
970 members of the constituent societies and the federal
971 dental services on the Board of Trustees.

972 *Section 30. COMPOSITION:* The trustee districts are
973 numbered and composed as follows:

974 DISTRICT 1

975 Connecticut State Dental Association, The
976 Maine Dental Association
977 Massachusetts Dental Society
978 New Hampshire Dental Society
979 Rhode Island Dental Association
980 Vermont State Dental Society

981 DISTRICT 2

982 New York State Dental Association

CHAPTER IV • TRUSTEE DISTRICTS

- 983 DISTRICT 3
- 984 Pennsylvania Dental Association
- 985 DISTRICT 4
- 986 Air Force Dental Corps
- 987 Army Dental Corps
- 988 Delaware State Dental Society
- 989 District of Columbia Dental Society, The
- 990 Maryland State Dental Association
- 991 Navy Dental Corps
- 992 New Jersey Dental Association
- 993 Public Health Service
- 994 Puerto Rico, Colegio de Cirujanos Dentistas de
- 995 Veterans Affairs
- 996 Virgin Islands Dental Association
- 997 DISTRICT 5*
- 998 Alabama Dental Association
- 999 Georgia Dental Association
- 1000 Mississippi Dental Association, The
- 1001 DISTRICT 6
- 1002 Kentucky Dental Association
- 1003 Missouri Dental Association
- 1004 Tennessee Dental Association
- 1005 West Virginia Dental Association
- 1006 DISTRICT 7
- 1007 Indiana Dental Association
- 1008 Ohio Dental Association
- 1009 DISTRICT 8
- 1010 Illinois State Dental Society
- 1011 DISTRICT 9
- 1012 Michigan Dental Association
- 1013 Wisconsin Dental Association
- 1014 DISTRICT 10
- 1015 Iowa Dental Association
- 1016 Minnesota Dental Association
- 1017 Nebraska Dental Association, The
- 1018 North Dakota Dental Association
- 1019 South Dakota Dental Association
- 1020 DISTRICT 11
- 1021 Alaska Dental Society
- 1022 Idaho State Dental Association
- 1023 Montana Dental Association
- 1024 Oregon Dental Association
- 1025 Washington State Dental Association
- 1026 DISTRICT 12
- 1027 Arkansas State Dental Association

CHAPTER IV • TRUSTEE DISTRICTS

- 1028 Kansas Dental Association
- 1029 Louisiana Dental Association, The
- 1030 Oklahoma Dental Association

- 1031 DISTRICT 13
- 1032 California Dental Association

- 1033 DISTRICT 14
- 1034 Arizona State Dental Association
- 1035 Colorado Dental Association
- 1036 Hawaii Dental Association
- 1037 Nevada Dental Association
- 1038 New Mexico Dental Association
- 1039 Utah Dental Association
- 1040 Wyoming Dental Association

- 1041 DISTRICT 15
- 1042 Texas Dental Association

- 1043 DISTRICT 16
- 1044 North Carolina Dental Society, The
- 1045 South Carolina Dental Association
- 1046 Virginia Dental Association

- 1047 DISTRICT 17^{*}
- 1048 Florida Dental Association

* In order to establish the required pattern of four, four, four and five members respectively retiring from councils and commissions each year, members of councils and commissions from the new 5th and 17th districts who are in office at the time this footnote becomes effective shall finish their terms in accordance with their scheduled term completion dates. Councils and commissions that have incumbent members from the new 5th district shall add a new member from the 17th district to a full four-year term. Councils and commissions that have incumbent members from the new 17th district shall add a new member from the new 5th district to a full four-year term.

CHAPTER V • HOUSE OF DELEGATES

- 1049 *Section 10. COMPOSITION.*
- 1050 A. VOTING MEMBERS. The House of Delegates
1051 shall be limited to four hundred sixty (460) voting
1052 members for the two years 2004 to 2005 inclusive.
1053 Thereafter, the number of voting members shall be
1054 determined by the methodologies set forth in Section
1055 10C of this Chapter. It shall be composed of the
1056 officially certified delegates of the constituent dental
1057 societies, two (2) officially certified delegates from
1058 each of the five (5) federal dental services and five (5)
1059 student members of the American Student Dental
1060 Association who are officially certified delegates
1061 from the American Student Dental Association.
- 1062 B. EX OFFICIO MEMBERS. The elective and
1063 appointive officers and trustees of this Association
1064 shall be *ex officio* members of the House of Delegates
1065 without the power to vote. They shall not serve as
1066 delegates. Past presidents of this Association shall be
1067 *ex officio* members of the House of Delegates without
1068 the power to vote unless designated as delegates.
- 1069 C. REPRESENTATIONAL REQUIREMENTS AND
1070 GOALS. Each constituent society shall be entitled to
1071 two (2) delegates, except that one (1) delegate shall
1072 be allocated to the Virgin Islands Dental Association.
1073 The Air Force Dental Corps, the Army Dental Corps,
1074 the Navy Dental Corps, the Public Health Service and
1075 the Department of Veteran Affairs shall each be
1076 entitled to two (2) delegates, one of which shall be
1077 elected by the respective service, without regard to
1078 the number of members.
- 1079 For the two years 2004-2005 inclusive, the
1080 remaining number of delegates shall be allocated to
1081 the constituent societies, through their trustee districts
1082 based on the representational goals that each trustee
1083 district's representation in the House of Delegates
1084 shall vary by no more or less than 0.3% from its
1085 active, life or retired membership share in this
1086 Association, based on the Association's December 31,
1087 2002 membership records, and that no district or
1088 constituent shall lose a delegate from its 2003
1089 allocation. Thereafter, to allow for changes in the
1090 delegate allocation due to membership fluctuations,
1091 the Board of Trustees shall use this variance method
1092 of district delegate allocation (a variance of no more
1093 than 0.3% of its active, life and retired membership
1094 share in the Association) at subsequent intervals of
1095 three (3) years, with the first such review occurring

1096 for the 2006 House of Delegates. Such reviews shall
 1097 be based on the Association's year-end membership
 1098 records for the calendar year preceding the review
 1099 period in question. No district shall lose a delegate
 1100 unless their membership numbers are at least one
 1101 percent less than their membership numbers of the
 1102 prior three years. Any changes deemed necessary
 1103 shall be presented to the House of Delegates in the
 1104 form of a *Bylaws'* amendment to Section 10D of this
 1105 Chapter.

1106 D. DELEGATE ALLOCATION. Based on the
 1107 representational requirements and goals set forth in
 1108 Section 10C, the delegates are allocated as follows:

1109 DISTRICT 1

1110 Connecticut State Dental Association, The,
 1111 7 delegates

1112 Maine Dental Association, 3 delegates

1113 Massachusetts Dental Society, 13 delegates

1114 New Hampshire Dental Society, 3 delegates

1115 Rhode Island Dental Association, 3 delegates

1116 Vermont State Dental Society, 2 delegates

1117 District Total: 31 delegates

1118 DISTRICT 2

1119 New York State Dental Association, 41 delegates

1120 District Total: 41 delegates

1121 DISTRICT 3

1122 Pennsylvania Dental Association, 18 delegates

1123 District Total: 18 delegates

1124 DISTRICT 4

1125 Air Force Dental Corps, 2 delegates

1126 Army Dental Corps, 2 delegates

1127 Delaware State Dental Society, 2 delegates

1128 District of Columbia Dental Society, The,

1129 2 delegates

1130 Maryland State Dental Association, 7 delegates

1131 Navy Dental Corps, 2 delegates

1132 New Jersey Dental Association, 12 delegates

1133 Public Health Service, 2 delegates

1134 Puerto Rico, Colegio de Cirujanos Dentistas de,

1135 2 delegates

1136 Veterans Affairs, 2 delegates

1137 Virgin Islands Dental Association, 1 delegate

1138 District Total: 36 delegates

1139 DISTRICT 5

1140 Alabama Dental Association, 5 delegates

1141 Georgia Dental Association, 9 delegates

1142 Mississippi Dental Association, The, 3 delegates

CHAPTER V • HOUSE OF DELEGATES

- 1143 District Total: 17 delegates
- 1144 DISTRICT 6
- 1145 Kentucky Dental Association, 6 delegates
- 1146 Missouri Dental Association, 7 delegates
- 1147 Tennessee Dental Association, 7 delegates
- 1148 West Virginia Dental Association, 3 delegates
- 1149 District Total: 23 delegates
- 1150 DISTRICT 7
- 1151 Indiana Dental Association, 9 delegates
- 1152 Ohio Dental Association, 16 delegates
- 1153 District Total: 25 delegates
- 1154 DISTRICT 8
- 1155 Illinois State Dental Society, 19 delegates
- 1156 District Total: 19 delegates
- 1157 DISTRICT 9
- 1158 Michigan Dental Association, 17 delegates
- 1159 Wisconsin Dental Association, 9 delegates
- 1160 District Total: 26 delegates
- 1161 DISTRICT 10
- 1162 Iowa Dental Association, 5 delegates
- 1163 Minnesota Dental Association, 9 delegates
- 1164 Nebraska Dental Association, The, 3 delegates
- 1165 North Dakota Dental Association, 2 delegates
- 1166 South Dakota Dental Association, 2 delegates
- 1167 District Total: 21 delegates
- 1168 DISTRICT 11
- 1169 Alaska Dental Society, 2 delegates
- 1170 Idaho State Dental Association, 3 delegates
- 1171 Montana Dental Association, 2 delegates
- 1172 Oregon Dental Association, 6 delegates
- 1173 Washington State Dental Association, 10 delegates
- 1174 District Total: 23 delegates
- 1175 DISTRICT 12
- 1176 Arkansas State Dental Association, 4 delegates
- 1177 Kansas Dental Association, 4 delegates
- 1178 Louisiana Dental Association, The, 6 delegates
- 1179 Oklahoma Dental Association, 5 delegates
- 1180 District Total: 19 delegates
- 1181 DISTRICT 13
- 1182 California Dental Association, 60 delegates
- 1183 District Total: 60 delegates
- 1184 DISTRICT 14
- 1185 Arizona State Dental Association, 6 delegates
- 1186 Colorado Dental Association, 8 delegates
- 1187 Hawaii Dental Association, 3 delegates

CHAPTER V • HOUSE OF DELEGATES

- 1188 Nevada Dental Association, 3 delegates
1189 New Mexico Dental Association, 3 delegates
1190 Utah Dental Association, 4 delegates
1191 Wyoming Dental Association, 2 delegates
1192 District Total: 29 delegates
- 1193 DISTRICT 15
1194 Texas Dental Association, 23 delegates
1195 District Total: 23 delegates
- 1196 DISTRICT 16
1197 North Carolina Dental Society, The, 9 delegates
1198 South Carolina Dental Association, 5 delegates
1199 Virginia Dental Association, 10 delegates
1200 District Total: 24 delegates
- 1201 DISTRICT 17
1202 Florida Dental Association, 20 delegates
1203 District Total: 20 delegates
- 1204 AMERICAN STUDENT DENTAL
1205 ASSOCIATION, 5 delegates
- 1206 E. ALTERNATE DELEGATES. Each constituent
1207 dental society and each federal dental service may
1208 select from among its active, life and retired members
1209 the same number of alternate delegates as delegates.
1210 The American Student Dental Association may select
1211 from among its active members the same number of
1212 alternate delegates as delegates.
- 1213 F. SELECTION OF AMERICAN STUDENT
1214 DENTAL ASSOCIATION DELEGATES AND
1215 ALTERNATE DELEGATES. The American Student
1216 Dental Association shall select its five (5) delegates
1217 from its even numbered regions in even numbered
1218 years, and the odd numbered regions in odd
1219 numbered years, with their alternate delegates
1220 selected from the opposite groups of regions.
- 1221 *Section 20.* ELECTION OF DELEGATES AND
1222 ALTERNATE DELEGATES: The officially certified
1223 delegates and the alternate delegates of each
1224 constituent society shall be elected by one or more of
1225 the following methods:
1226 1. By the membership at large of that constituent
1227 society
1228 2. By the constituent society's governing legislative
1229 body
1230 3. By a component with respect to the delegates
1231 representing that component
1232 Each federal dental service and the American Student
1233 Dental Association may establish its own method for

1234 selecting delegates.

1235 *Section 30. CERTIFICATION OF DELEGATES*
 1236 *AND ALTERNATE DELEGATES:* The secretary of
 1237 each constituent society, the ranking administrative
 1238 officer of each federal dental service, and the
 1239 secretary of the American Student Dental Association
 1240 shall file with the Executive Director of this
 1241 Association, at least sixty (60) days prior to the first
 1242 day of the annual session of the House of Delegates,
 1243 the names of the delegates and alternate delegates
 1244 designated by the society, service or association. The
 1245 Executive Director of this Association shall provide
 1246 each delegate and alternate delegate with credentials
 1247 which shall be presented to the Committee on
 1248 Credentials, Rules and Order of the House of
 1249 Delegates. In the event of a contest over the
 1250 credentials of any delegate or alternate delegate, the
 1251 Committee on Credentials, Rules and Order shall hold
 1252 a hearing and report its findings and
 1253 recommendations to the House of Delegates for final
 1254 action.

1255 *Section 40. POWERS:*

1256 A. The House of Delegates shall be the supreme
 1257 authoritative body of this Association.

1258 B. It shall possess the legislative powers.

1259 C. It shall determine the policies which shall govern
 1260 this Association in all of its activities.

1261 D. It shall have the power to enact, amend and repeal
 1262 the *Constitution and Bylaws*.

1263 E. It shall have the power to adopt and amend the
 1264 *Principles of Ethics and Code of Professional*
 1265 *Conduct* for governing the professional conduct of the
 1266 members.

1267 F. It shall have the power to grant, amend, suspend or
 1268 revoke charters of constituent societies. It shall also
 1269 have the power by a two-thirds (2/3) majority to
 1270 suspend the representation of a constituent society in
 1271 the House of Delegates upon a determination by the
 1272 House that the bylaws of the constituent society
 1273 violate the *Constitution* or *Bylaws* of this Association
 1274 providing, however, such suspension shall not be in
 1275 effect until the House of Delegates has voted that the
 1276 constituent society is in violation and has one year
 1277 after notification of the specific violation in which to
 1278 correct its constitution or bylaws.

1279 G. It shall have the power to create special

- 1280 committees of the Association.
- 1281 H. It shall have the power to establish branch offices
1282 of the Association.
- 1283 I. It shall have the power to approve all memorials,
1284 resolutions or opinions issued in the name of the
1285 American Dental Association.
- 1286 *Section 50. DUTIES:* It shall be the duty of the House
1287 of Delegates:
- 1288 A. To elect the elective officers.
- 1289 B. To elect the members of the Board of Trustees.
- 1290 C. To elect the members of the councils and
1291 commissions except as otherwise provided by these
1292 *Bylaws*.
- 1293 D. To receive and act upon reports of the committees
1294 of the House of Delegates.
- 1295 E. To adopt an annual budget.
- 1296 F. To serve as the court of appeal from decisions of
1297 the Council on Ethics, *Bylaws* and Judicial Affairs
1298 except those decisions involving discipline of
1299 members.
- 1300 *Section 60. TRANSFER OF POWERS AND*
1301 *DUTIES OF THE HOUSE OF DELEGATES:* The
1302 powers and duties of the House of Delegates, except
1303 the power to amend, enact and repeal the *Constitution*
1304 *and Bylaws*, and the duty of electing the elective
1305 officers and the members of the Board of Trustees,
1306 may be transferred to the Board of Trustees of this
1307 Association in time of extraordinary emergency. The
1308 existence of a time of extraordinary emergency may
1309 be determined by unanimous consent of the members
1310 of the Board of Trustees present and voting at a
1311 regular or special session. Such extraordinary
1312 emergency may also be determined by mail vote of
1313 the last House of Delegates on recommendation of at
1314 least four (4) of the elective officers. A mail vote
1315 to be valid shall consist of ballots received from not less
1316 than one-fourth (1/4) of the members of the last
1317 House of Delegates. A majority of the votes cast
1318 within thirty (30) days after the mailing of the ballot
1319 shall decide the vote.
- 1320 *Section 70. ANNUAL SESSION:* The House of
1321 Delegates shall meet annually.
- 1322 *Section 80. SPECIAL SESSIONS:* A special session
1323 of the House of Delegates shall be called by the
1324 President on a three-fourths (3/4) affirmative vote of

1325 the members of the Board of Trustees or on written
 1326 request of delegates representing at least one-third
 1327 (1/3) of the constituent societies and not less than
 1328 one-fifth (1/5) of the number of officially certified
 1329 delegates of the last House of Delegates. The time
 1330 and place of a special session shall be determined by
 1331 the President, provided the time selected shall be not
 1332 more than forty-five (45) days after the request was
 1333 received. The business of a special session shall be
 1334 limited to that stated in the official call except by
 1335 unanimous consent.

1336 *Section 90. OFFICIAL CALL:*

1337 A. ANNUAL SESSION. The Executive Director of
 1338 the Association shall cause to be published in *The*
 1339 *Journal of the American Dental Association* an
 1340 official notice of the time and place of each annual
 1341 session, and shall send to each member of the House
 1342 of Delegates an official notice of the time and place
 1343 of the annual session at least thirty (30) days before
 1344 the opening of such session.

1345 B. SPECIAL SESSION. The Executive Director of
 1346 the Association shall send an official notice of the
 1347 time and place of each special session and a statement
 1348 of the business to be considered to every officially
 1349 certified delegate and alternate delegate of the last
 1350 House, not less than fifteen (15) days before
 1351 the opening of such session.

1352 *Section 100. QUORUM:* One-fourth (1/4) of the
 1353 voting members of the House of Delegates,
 1354 representing at least one-fourth (1/4) of the
 1355 constituent societies and federal dental services, shall
 1356 constitute a quorum for the transaction of business at
 1357 any meeting.

1358 *Section 110. OFFICERS:*

1359 A. SPEAKER AND SECRETARY. The officers of
 1360 the House shall be the Speaker of the House of
 1361 Delegates and the Secretary of the House of
 1362 Delegates. The Executive Director of this Association
 1363 shall serve as Secretary of the House of Delegates.

1364 In the absence of the Speaker the office shall be
 1365 filled by the President. In the absence of the Secretary
 1366 of the House of Delegates the Speaker shall appoint a
 1367 Secretary of the House of Delegates *pro tem*.

1368 B. DUTIES.

1369 a. SPEAKER. The Speaker shall preside at all
 1370 meetings of the House of Delegates and, in
 1371 accordance with Chapter V, Section 140Bb,

1372 determine the order of business for all meetings
 1373 subject to the approval of the House of Delegates,
 1374 appoint tellers to assist in determining the result of
 1375 any action taken by vote and perform such other
 1376 duties as custom and parliamentary procedure
 1377 require. The decision of the Speaker shall be final
 1378 unless an appeal from such decision shall be made
 1379 by a member of the House, in which case final
 1380 decision shall be by majority vote. In addition,
 1381 following adjournment of the Standing Committee
 1382 on Constitution and Bylaws, the Speaker and the
 1383 Chair of the Council on Ethics, Bylaws and Judicial
 1384 Affairs shall be responsible for reviewing and either
 1385 approving or redrafting any new resolutions or
 1386 changes to resolutions that propose amendments to
 1387 the *Constitution and Bylaws*, in accordance with
 1388 Chapter V, Section 140Ab.

1389 b. SECRETARY. The Secretary of the House of
 1390 Delegates shall serve as the recording officer of the
 1391 House and the custodian of its records, and shall
 1392 cause a record of the proceedings of the House to be
 1393 published as the official transactions of the House.

1394 *Section 120. ORDER OF BUSINESS:* The order of
 1395 business shall be that order of business adopted by the
 1396 House of Delegates in conformity with Chapter V,
 1397 Section 110Ba and Chapter V, Section 140Bb.

1398 *Section 130. RULES OF ORDER:*

1399 A. STANDING RULES AND REPORTS.

1400 a. REPORTS. All reports of elective officers,
 1401 councils and committees, except supplemental
 1402 reports, shall be sent to each delegate and alternate
 1403 delegate at least fourteen (14) days in advance of the
 1404 opening of the annual session. All supplemental
 1405 reports shall be distributed to each delegate before
 1406 such report is considered by the House of Delegates.

1407 b. APPROPRIATION OF FUNDS. Any resolution
 1408 proposing an appropriation of funds, except those
 1409 relating to the annual budget, shall be referred to the
 1410 Board of Trustees for a report at the same session on
 1411 the availability of funds for the purpose specified.

1412 c. APPROVAL OF ANNUAL BUDGET. The
 1413 proposed annual budget shall be submitted by the
 1414 Board of Trustees to the members of the House of
 1415 Delegates at least fourteen (14) days prior to the
 1416 opening meeting of the annual session, shall be
 1417 referred to a special reference committee on budget
 1418 for hearings at the annual session and then shall be
 1419 considered for approval as a special order of
 1420 business at the second meeting of the House of

1421 Delegates. In the event the budget as submitted is
 1422 not approved, all recommendations for changes shall
 1423 be referred to the Board of Trustees to prepare and
 1424 present a revised budget. This procedure shall be
 1425 repeated until a budget for the ensuing fiscal year
 1426 shall be adopted.

1427 d. INTRODUCTION OF NEW BUSINESS. No
 1428 new business shall be introduced into the House of
 1429 Delegates less than 15 days prior to the opening of
 1430 the annual session, unless submitted by a Trustee
 1431 District. No new business shall be introduced into
 1432 the House of Delegates at the last meeting of a
 1433 session except when such new business is submitted
 1434 by a trustee district and is permitted to be introduced
 1435 by a two-thirds (2/3) vote of the House of Delegates.
 1436 The motion introducing such new business shall not
 1437 be debatable. Approval of such new business shall
 1438 require a majority vote except new business
 1439 introduced at the last meeting of a session that
 1440 would require a bylaw amendment cannot be
 1441 adopted at such last meeting. Reference committee
 1442 recommendations shall not be deemed new business.

1443 e. RESOLUTIONS. A resolution becomes the
 1444 property of the American Dental Association when
 1445 submitted to the ADA House of Delegates for
 1446 consideration. If adopted by the House of Delegates,
 1447 this Association shall be the sole owner of the
 1448 resolution which shall constitute “work made for
 1449 hire” under copyright laws. This Association shall
 1450 have the exclusive right to seek copyright
 1451 registration for the resolution and to secure
 1452 copyrights and retain ownership of such copyrights
 1453 in its own name.

1454 B. ADDITIONAL RULES. The rules contained in the
 1455 current edition of *The Standard Code of*
 1456 *Parliamentary Procedure* by Alice Sturgis shall
 1457 govern the deliberations of the House of Delegates in
 1458 all cases in which they are applicable and not in
 1459 conflict with the standing rules or these *Bylaws*.

1460 *Section 140. COMMITTEES:* The committees of the
 1461 House of Delegates shall be:

1462 A. COMMITTEE ON CONSTITUTION AND
 1463 BYLAWS.

1464 a. COMPOSITION. The Committee shall consist of
 1465 not more than eight (8) nor less than six (6)
 1466 members of the Council on Ethics, Bylaws and
 1467 Judicial Affairs of this Association appointed by the
 1468 President in consultation with the Speaker of the
 1469 House of Delegates and the Council Chair.

1470 b. DUTIES: Prior to the first meeting of each new
 1471 session of the House of Delegates, the Committee
 1472 shall review all resolutions proposing amendments
 1473 to the *Constitution and Bylaws* and shall either
 1474 approve the text of the amendment as written or
 1475 shall redraft the resolution to accomplish the intent
 1476 of the maker in the form currently used by the
 1477 House of Delegates. The Committee shall file a
 1478 report of its findings and actions at the first meeting
 1479 of the House of Delegates and then shall adjourn.
 1480 Thereafter until the House of Delegates adjourns
 1481 *sine die*, the Speaker of the House and the Chair of
 1482 the Council on Ethics, Bylaws and Judicial Affairs
 1483 shall be responsible for reviewing any new
 1484 resolutions or changes to resolutions that propose
 1485 amendments to the *Constitution and Bylaws*, and
 1486 they shall either approve the text of the amendment
 1487 as written or shall redraft the resolution to
 1488 accomplish the intent of the maker in the form
 1489 currently used by the House of Delegates.

1490 B. COMMITTEE ON CREDENTIALS, RULES
 1491 AND ORDER.

1492 a. COMPOSITION. The Committee, consisting of
 1493 eight (8) members from the officially certified
 1494 delegates and alternate delegates, shall be appointed
 1495 by the President at least sixty (60) days in advance
 1496 of each session.

1497 b. DUTIES. It shall be the duty of the Committee (1)
 1498 to record and report the roll call of the House of
 1499 Delegates at each meeting; (2) to conduct a hearing
 1500 on any contest regarding the certification of a
 1501 delegate or alternate delegate and to report its
 1502 recommendations to the House of Delegates; (3) to
 1503 prepare a report, in consultation with the Speaker
 1504 and Secretary of the House of Delegates, on matters
 1505 relating to the order of business and special rules of
 1506 order; (4) to consider all matters referred to
 1507 it and report its recommendations to the House of
 1508 Delegates.

1509 C. RESOLUTIONS COMMITTEE.

1510 a. COMPOSITION. The Resolutions Committee
 1511 shall consist of the Speaker and the Secretary of the
 1512 House of Delegates and the chairs of the reference
 1513 committees authorized by Subsection D of this
 1514 Chapter.

1515 b. DUTIES. The duties of the Resolutions
 1516 Committee shall be to examine resolutions after
 1517 action by the reference committees and arrange a
 1518 sequence for House action based upon the

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- 1519 importance of the resolutions' subject matter.
- 1520 D. REFERENCE COMMITTEES.
- 1521 a. COMPOSITION. Reference committees,
1522 consisting of eight (8) members from the officially
1523 certified delegates and alternate delegates, shall be
1524 appointed by the President at least sixty (60) days in
1525 advance of each annual session.
- 1526 b. DUTIES. It shall be the duty of a reference
1527 committee to consider reports referred to it, to
1528 conduct open hearings and to report its
1529 recommendations to the House of Delegates.
- 1530 E. SPECIAL COMMITTEES. The Speaker, with the
1531 consent of the House of Delegates, shall appoint
1532 special committees to perform duties not otherwise
1533 assigned by these *Bylaws*, to serve until adjournment
1534 *sine die* of the session at which they were appointed.
- 1535 *Section 150. ELECTION PROCEDURE:* Elective
1536 officers, members of the Board of Trustees and
1537 members of councils and committees shall be elected
1538 by the House of Delegates except as otherwise
1539 provided in these *Bylaws*. Voting shall be by ballot,
1540 except that when there is only one candidate for an
1541 office, council or committee, such candidate may be
1542 declared elected by the Speaker. The Secretary shall
1543 provide facilities for voting. The polls shall be open
1544 for at least one and one-half (1-1/2) hours.
- 1545 a. When one is to be elected, and more than one has
1546 been nominated, the majority of the ballots cast shall
1547 elect. In the event no candidate receives a majority
1548 of the votes cast on the first ballot, the two (2)
1549 candidates receiving the greatest number of votes
1550 shall be balloted upon again.
- 1551 b. When more than one is to be elected, and the
1552 nominees exceed the number to be elected, the votes
1553 cast shall be non-cumulative, and the candidates
1554 receiving the greatest number of votes shall be
1555 elected.

CHAPTER VI • CONFLICT OF INTEREST

- 1556 It is the policy of this Association that individuals
1557 who serve in elective, appointive or employed offices
1558 or positions do so in a representative or fiduciary
1559 capacity that requires loyalty to the Association. At
1560 all times while serving in such offices or
1561 positions, these individuals shall further the interests
1562 of the Association as a whole. In addition, they shall
1563 avoid:
- 1564 a. placing themselves in a position where personal or
1565 professional interests may conflict with their duty to

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1566 this Association.
1567 b. using information learned through such office or
1568 position for personal gain or advantage.
1569 c. obtaining by a third party an improper gain or
1570 advantage.
1571 As a condition for selection, each nominee,
1572 candidate and applicant shall disclose any situation
1573 which might be construed as placing the individual in
1574 a position of having an interest that may conflict with
1575 his or her duty to the Association. While serving, the
1576 individual shall comply with the conflict of interest
1577 policy applicable to his or her office or position, and
1578 shall report any situation in which a potential conflict
1579 of interest may arise. The Board of Trustees shall
1580 approve the compliance activities that will implement
1581 the requirements of this chapter. The Board
1582 of Trustees shall render a final judgment on what
1583 constitutes a conflict of interest.

CHAPTER VII • BOARD OF TRUSTEES

1584 *Section 10. COMPOSITION:* The Board of Trustees
1585 shall consist of one (1) trustee from each of the
1586 seventeen (17) trustee districts. Such seventeen (17)
1587 trustees, the President-elect and the two Vice
1588 Presidents shall constitute the voting membership of
1589 the Board of Trustees. In addition, the President, the
1590 Treasurer and the Executive Director of the
1591 Association, except as otherwise provided in the
1592 *Bylaws* shall be *ex officio* members of the Board
1593 without the right to vote.

1594 *Section 20. QUALIFICATIONS:* A trustee must be
1595 an active, life or retired member, in good standing, of
1596 this Association and an active, life, or retired member
1597 of one of the constituent societies of the trustee
1598 district which the trustee is elected to represent.
1599 Should the status of any trustee change in regard to
1600 the preceding qualifications during the trustee's term
1601 of office, that office shall be declared vacant by the
1602 President and the President shall fill such vacancy as
1603 provided in Chapter VII, Section 90, of these *Bylaws*.

1604 *Section 30. TERM OF OFFICE:* The term of office of
1605 a trustee shall be four (4) years. The tenure of a
1606 trustee shall be limited to one (1) term of four (4)
1607 years.

1608 *Section 40. NOMINATION:*

1609 A. SINGLE CONSTITUENT DISTRICT. In trustee
1610 districts consisting of a single constituent dental
1611 society, the trustee nomination procedures shall be
1612 determined by an elective process established by the
1613 constituent dental society which shall produce a
1614 single nominee for trustee. Until such time as the
1615 Speaker declares the nominee elected pursuant to
1616 Paragraph A of Section 60 of this Chapter, the

1617 nomination may be reconsidered by the duly
 1618 constituted caucus of the trustee district during the
 1619 appropriate annual session, provided that at no time
 1620 shall more than one nominee be presented by the
 1621 trustee district for election. The House of Delegates
 1622 may vote to reject any such nominee and thereby
 1623 compel the trustee district caucus to select a different
 1624 nominee.

1625 **B. MULTIPLE CONSTITUENT DISTRICTS.** In
 1626 multiple constituent districts, the delegates from the
 1627 constituent societies of the trustee district in which
 1628 the term of the trustee is to terminate, shall hold a
 1629 caucus to select a nominee or nominees for the office
 1630 of trustee. Such caucus shall be called by the trustee
 1631 whose term is about to expire, or by the trustee's
 1632 designee. The notice of the time and place of such
 1633 caucus shall be reported to the Secretary of the
 1634 House.

1635 At the caucus the delegates shall nominate one (1)
 1636 or two (2) candidates for the office of trustee, whose
 1637 name or names shall be presented to the House of
 1638 Delegates in accordance with the following rules. An
 1639 action taken at a duly constituted caucus of the trustee
 1640 district to nominate or select a trustee may be
 1641 reconsidered at a later caucus during the appropriate
 1642 annual session.

1643 a. A person receiving the unanimous vote of the
 1644 delegates present and voting at the caucus shall be
 1645 the only nominee presented by the district.

1646 b. In the event that one (1) candidate receives a
 1647 majority vote, one (1) or more of the delegates
 1648 voting in the minority may select another nominee
 1649 and the names of both nominees shall be presented
 1650 to the House of Delegates as the nominees of that
 1651 district.

1652 c. The number of votes received by each nominee in
 1653 the caucus shall be reported to the House of
 1654 Delegates.

1655 **C. NOMINATING PROCEDURE.** Candidates for the
 1656 office of trustee shall be nominated from the floor of
 1657 the House of Delegates by a simple declaratory
 1658 statement, which may be followed by an acceptance
 1659 speech not to exceed four (4) minutes by the
 1660 candidate from the podium, according to the protocol
 1661 established by the Speaker of the House of Delegates.
 1662 Seconding a nomination is not permitted.

1663 *Section 50. CONFLICT OF INTEREST:* Each person
 1664 nominated for the office of trustee shall complete a
 1665 conflict of interest statement as prescribed by the
 1666 Board of Trustees and shall file such statement with
 1667 the Secretary of the House of Delegates to be made
 1668 available to the delegates prior to election.

1669 *Section 60. ELECTION:* The trustee shall be elected
 1670 by the House of Delegates according to the following
 1671 rules:

1672 A. If there is only one (1) nominee from a trustee
 1673 district, the Speaker shall declare such nominee
 1674 elected.

1675 B. If there are two (2) nominees from a trustee
 1676 district, the election shall be by ballot in accordance
 1677 with Chapter V, Section 150. The nominee receiving
 1678 the larger number of votes cast shall be declared
 1679 elected. The method of election set forth in this
 1680 paragraph shall not be used for any trustee district
 1681 consisting of a single constituent dental society. A
 1682 trustee district consisting of a single constituent
 1683 dental society may present a single nominee to be
 1684 elected pursuant to Paragraph A of this Section.

1685 *Section 70. INSTALLATION:* The trustee shall be
 1686 installed by the President or by the President's
 1687 designee.

1688 *Section 80. REMOVAL FOR CAUSE:* The House of
 1689 Delegates may remove a trustee for cause in
 1690 accordance with procedures established by the House
 1691 of Delegates, which procedures shall provide for
 1692 notice of the charges and an opportunity for the
 1693 accused to be heard in his or her defense. The
 1694 affirmative vote of two-thirds (2/3) of the delegates
 1695 present and voting is required to remove a trustee
 1696 from office. If the House of Delegates elects to
 1697 remove the trustee, that action shall create a vacancy
 1698 on the Board of Trustees which shall be filled in
 1699 accordance with Chapter VII Section 90.

1700 *Section 90. VACANCY:* In the event of a vacancy in
 1701 the office of trustee, an active, life or retired member
 1702 may be appointed by the President to fill the
 1703 unexpired term of the vacancy. The appointment shall
 1704 be made by the President with the advice and consent
 1705 of the former trustee's district. A trustee district may
 1706 file rules with the Association's Executive Director
 1707 setting forth how its nominee shall be chosen. In the
 1708 event an appointment to fill the vacancy has not been
 1709 made by the time of the next meeting of the House of
 1710 Delegates following the occurrence of the vacancy,
 1711 then a successor trustee shall be elected for the
 1712 remainder of the unexpired term by the House of
 1713 Delegates pursuant to the provisions of Chapter VII,
 1714 Sections 40 and 60 of these *Bylaws*. If the term of the
 1715 vacated trustee position has less than fifty percent
 1716 (50%) of a full four-year term remaining at the time
 1717 the successor trustee is appointed or elected, the
 1718 successor trustee shall be eligible for election to a
 1719 new, consecutive four-year term. If fifty percent
 1720 (50%) or more of the vacated term remains to be
 1721 served at the time of the appointment or election, the
 1722 successor trustee shall not be eligible for another
 1723 term.

- 1724 *Section 100. POWERS:*
 1725 A. The Board of Trustees shall be the managing body
 1726 of the Association, vested with full power to conduct
 1727 all business of the Association, subject to the laws of
 1728 the State of Illinois, the *Articles of Incorporation*, the
 1729 *Constitution and Bylaws* and the mandates of the
 1730 House of Delegates. The power of the Board of
 1731 Trustees to act as the managing body of the
 1732 Association shall not be construed as limiting the
 1733 power of the House of Delegates to establish policy
 1734 with respect to the governance of this Association in
 1735 all its activities, except for areas expressly
 1736 reserved in these *Bylaws* as powers and/or duties of
 1737 the Board of Trustees, as the same may be amended
 1738 by the House of Delegates from time to time in
 1739 accordance with these *Bylaws*.
- 1740 B. It shall have the power to establish rules and
 1741 regulations not inconsistent with these *Bylaws* to
 1742 govern its organization and procedure.
- 1743 C. It shall have the power to direct the President to
 1744 call a special session of the House of Delegates as
 1745 provided in Chapter V, Section 80, of the *Bylaws*.
- 1746 D. It shall have full discretionary power to cause to be
 1747 published in, or to be omitted from, any official
 1748 publication of the Association any article in whole or
 1749 in part.
- 1750 E. It shall have the power to establish *ad interim*
 1751 policies when the House of Delegates is not in session
 1752 and when such policies are essential to the
 1753 management of the Association provided, however,
 1754 that all such policies must be presented for review
 1755 and consideration by the House of Delegates at its
 1756 next session.
- 1757 F. It shall have the power to remove a council
 1758 member for cause in accordance with procedures
 1759 established by the Board of Trustees in its *Rules*.
- 1760 G. It shall have the power to elect honorary members.
- 1761 H. It shall have the power to appoint its members to
 1762 committees that shall have the power to perform any
 1763 duty that the Board of Trustees may lawfully
 1764 delegate.
- 1765 I. It shall have the interim power to supervise,
 1766 monitor and guide the activities of all councils and
 1767 special committees in order to ensure the fulfillment
 1768 of initiatives and directives assigned to each council
 1769 or special committee by the House of Delegates or
 1770 Board of Trustees subject to the requirement that all
 1771 interim actions of the Board must be approved by the
 1772 House of Delegates.
- 1773 J. In accordance with the laws of the State of Illinois,
 1774 it shall have the power to transact its business by

- 1775 unanimous consent via mail ballot, including
1776 electronic mail; to authorize the councils,
1777 commissions and committees of this Association to
1778 transact their business by mail ballot; and to establish
1779 rules and procedures for itself and for councils,
1780 commissions and committees of this Association to
1781 govern the use of ballots circulated and returned by
1782 U.S. mail, overnight courier, facsimile transmission
1783 or electronic mail.
- 1784 K. It shall have the power to appoint agents and/or
1785 other representatives for the purpose of supervising,
1786 managing and otherwise conducting business under
1787 its direction and in accordance with these *Bylaws* and
1788 the laws of the State of Illinois. No such appointment
1789 shall relieve the Board of Trustees of its fiduciary
1790 duties as the managing body of the Association as
1791 provided in these *Bylaws*.
- 1792 *Section 110. DUTIES:* It shall be the duty of the
1793 Board of Trustees:
- 1794 A. To provide for the purchase, sale, mortgage,
1795 maintenance and supervision of the Headquarters
1796 Office and all other property or offices owned or
1797 operated by this Association.
- 1798 B. To appoint the Executive Director of the
1799 Association.
- 1800 C. To determine the date and place for convening
1801 each annual session and provide for the management
1802 and general arrangements for each annual session as
1803 provided in Chapter XV, Section 30.
- 1804 D. To cause to be bonded by a surety company the
1805 Treasurer, the Executive Director and employees of
1806 the Association entrusted with Association funds.
- 1807 E. To provide guidelines and directives to govern the
1808 Treasurer's custody, investment and disbursement of
1809 Association funds and other property as provided in
1810 Chapter VIII, Section 100F, of these *Bylaws*; and to
1811 cause all accounts of the Association to be audited by
1812 a certified public accountant at least once a year.
- 1813 F. To prepare a budget for carrying on the activities
1814 of the Association for each ensuing fiscal year.
- 1815 G. To establish rules to govern its procedures in
1816 serving as the nominating committee for the office of
1817 Treasurer, and as provided in Chapter VIII of these
1818 *Bylaws*, to submit in printed form the name(s) and
1819 curriculum vitae of the Board's nominee(s) to the
1820 House of Delegates in the first mailing to the House
1821 in the year that the incumbent Treasurer's term is
1822 about to end.
- 1823 H. To submit to the House of Delegates at the
1824 opening meeting of the annual session, in printed
1825 form, nominations for membership to the councils,

- 1826 except as otherwise provided in these *Bylaws*.
- 1827 I. To appoint annually the chair of each council,
 1828 except as otherwise provided in these *Bylaws*, and to
 1829 act upon council, commission, and bureau
 1830 nominations for consultants and advisers except as
 1831 otherwise provided in these *Bylaws*.
- 1832 J. To provide interim guidance and supervision to all
 1833 councils and special committees in order to ensure the
 1834 fulfillment of initiatives and directives assigned to
 1835 each council or special committee by the House of
 1836 Delegates or Board of Trustees.
- 1837 K. To review the reports of councils and special
 1838 committees of the Association and to make
 1839 recommendations concerning such reports to the
 1840 House of Delegates.
- 1841 L. To act upon applications for active membership
 1842 from applicants practicing in dependencies of the
 1843 United States in which no constituent society exists or
 1844 in federal dental services.
- 1845 M. To submit an annual report to the House of
 1846 Delegates of its activities and those of the Treasurer
 1847 and Executive Director.
- 1848 N. To review the delegate allocations to the House of
 1849 Delegates as provided in Chapter V, Section 10C, of
 1850 these *Bylaws*.
- 1851 O. To elect associate members.
- 1852 P. To establish other funds as divisions of the General
 1853 Fund in accordance with the provisions of Chapter
 1854 XVII, Section 30.
- 1855 Q. To appoint special committees of the Association
 1856 in accordance with Chapter XI, Section 10 of these
 1857 *Bylaws*.
- 1858 R. To perform such other duties as are prescribed by
 1859 these *Bylaws*.
- 1860 S. To establish such administrative agencies of this
 1861 Association as may be necessary to implement the
 1862 Association's programs, to assign the duties of such
 1863 agencies through the Executive Director of the
 1864 Association under whose jurisdiction each shall
 1865 operate, and to require reports of such agencies
 1866 through the same channels.
- 1867 *Section 120. SESSIONS:*
- 1868 A. REGULAR SESSIONS. The Board of Trustees
 1869 shall hold a minimum of three regular sessions each
 1870 year. The number of actual regular meetings to be
 1871 held in excess of three for the ensuing year shall be
 1872 determined in advance by the Board of Trustees.
- 1873 B. SPECIAL SESSIONS. Special sessions of the
 1874 Board of Trustees may be called at any time either by

1875 the President or at the request of five voting members
 1876 of the Board, provided notice is given to each
 1877 member in advance of the session.

1878 C. PLACE OF MEETINGS: Regular or special
 1879 meetings may be held in a single geographic location
 1880 within or outside the state of Illinois or from multiple
 1881 remote locations through the use of a conference
 1882 telephone or other communications equipment by
 1883 means of which all members can communicate with
 1884 each other; provided, however, special meetings held
 1885 through the use of a conference telephone or other
 1886 communications equipment may be called by the
 1887 President or at the request of five voting members of
 1888 the Board of Trustees for matters of the Association
 1889 requiring immediate attention. Such meetings shall be
 1890 conducted in accordance with rules and procedures
 1891 established by the Board of Trustees.

1892 *Section 130. QUORUM:* A majority of the voting
 1893 members of the Board of Trustees shall constitute a
 1894 quorum.

1895 *Section 140. OFFICERS:*

1896 A. CHAIR AND SECRETARY. The officers of the
 1897 Board of Trustees shall be the President of the
 1898 Association who shall be the Chair, and the Executive
 1899 Director of the Association who shall be the
 1900 Secretary.

1901 In the absence of the President, the office of Chair
 1902 shall be filled by the President-elect and, in his or her
 1903 absence, by the First or Second Vice President in that
 1904 order and, in their absence, a voting member of the
 1905 Board shall be elected Chair *pro tem*.

1906 In the absence of the Secretary, the Chair shall
 1907 appoint a Secretary *pro tem*.

1908 B. DUTIES.

1909 a. CHAIR. The Chair shall preside at all meetings of
 1910 the Board of Trustees. The Chair shall cast the
 1911 deciding vote in case of a tie.

1912 b. SECRETARY. The Secretary shall serve as the
 1913 recording officer of the Board of Trustees and as the
 1914 custodian of its records. The Secretary shall cause a
 1915 factual record of the proceedings to be published as the
 1916 official transactions of the Board.

1917 *Section 150. COMMITTEES:* The Board of Trustees
 1918 shall have a standing Committee on the New Dentist.
 1919 The Committee shall consist of one (1) member from
 1920 each trustee district who are active members selected
 1921 by the Board of Trustees and confirmed by the House
 1922 of Delegates. Members of the Committee shall have
 1923 received their D.D.S. or D.M.D. degree less than ten
 1924 (10) years before the time of selection. The chair of
 1925 the Committee shall be appointed annually by the
 1926 Board of Trustees.

1927 Members of the Committee shall serve one (1) term
 1928 of four (4) years and shall not be eligible for
 1929 appointment to a council or commission for a period

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1930 of two (2) years after completing service on the
1931 Committee. However, the Board of Trustees shall
1932 stagger the terms of the members of the Committee in
1933 a manner so four (4) members will complete their
1934 terms each year, except every fourth year when five
1935 (5) members shall complete their terms.

1936 The Board of Trustees shall have the power to
1937 remove a Committee member for cause in accordance
1938 with procedures established by the Board in its *Rules*.
1939 In the event of any vacancy on the Committee, the
1940 Board of Trustees shall select a member of this
1941 Association possessing the same qualifications as
1942 established by these *Bylaws* for the previous member,
1943 to fill such vacancy for the remainder of the
1944 unexpired term. If the term of the vacated Committee
1945 position has less than fifty percent (50%) of a full
1946 four-year term remaining at the time the successor
1947 member is selected, the successor member shall be
1948 eligible for selection to a new, consecutive four-year
1949 term. If fifty percent (50%) or more of the vacated
1950 term remains to be served at the time of selection, the
1951 successor member shall not be eligible for another
1952 term.

1953 The Committee's work shall be assigned by the
1954 Board of Trustees, and reports and proposals
1955 formulated by the Committee shall be referred to the
1956 Board for decision and action. The duties of the
1957 Committee shall be:

- 1958 a. To provide the Board of Trustees with expertise
1959 on issues affecting new dentists less than ten years
1960 following graduation from dental school.
1961 b. To advocate to the Board of Trustees and other
1962 agencies of this Association the perspectives of the
1963 new dentist in the development of policies,
1964 programs, benefits and services of the Association.
1965 c. To identify the needs and concerns of new
1966 graduate dentists and make recommendations for
1967 any programs to assist with their transition to
1968 practice.
1969 d. To stimulate the increased involvement and active
1970 participation of new dentists in organized dentistry.
1971 e. To serve as *ex officio* members, without the power
1972 to vote, of councils and commissions of this
1973 Association on issues affecting new dentists; these
1974 appointments will be recommended by the
1975 Committee and assigned by the Board of Trustees.
1976 f. To enhance communications with constituent and
1977 component new/young dentist networks.

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1978 *Section 10. TITLE:* The elective officers of this
1979 Association shall be President, President-elect, First
1980 Vice President, Second Vice President, Treasurer and
1981 Speaker of the House of Delegates, as provided in
1982 Article V of the *Constitution*.

1983 *Section 20. ELIGIBILITY:* Only an active, life or
1984 retired member, in good standing, of this Association
1985 shall be eligible to serve as an elective officer.

1986 Trustees and elective officers may not apply for the
 1987 office of Treasurer while serving in any of those
 1988 offices.

1989 *Section 30. NOMINATIONS:*

1990 A. Nominations for the offices of President-elect,
 1991 Second Vice President and Speaker of the House shall
 1992 be made in accordance with the order of business.
 1993 Candidates for these elective offices shall be
 1994 nominated from the floor of the House of Delegates
 1995 by a simple declaratory statement, which may be
 1996 followed by an acceptance speech not to exceed four
 1997 (4) minutes by the candidate from the podium,
 1998 according to the protocol established by the Speaker
 1999 of the House of Delegates. Seconding a nomination is
 2000 not permitted.

2001 B. Nominations for the office of Treasurer shall be
 2002 made in accordance with the order of business. If
 2003 there is only one (1) eligible candidate for the office
 2004 of Treasurer, the Board of Trustees shall nominate
 2005 that individual from the floor of the House of
 2006 Delegates by a simple declaratory statement, which
 2007 may be followed by an acceptance speech not to
 2008 exceed four (4) minutes by the candidate from the
 2009 podium, according to the protocol established by the
 2010 Speaker of the House of Delegates. If there are two
 2011 (2) or more eligible candidates for the office of
 2012 Treasurer, the Board of Trustees shall nominate at
 2013 least two (2) and not more than three (3) candidates
 2014 from the floor of the House of Delegates by a simple
 2015 declaratory statement for each nominee, which may
 2016 be followed by an acceptance speech not to exceed
 2017 four (4) minutes by the candidate from the podium,
 2018 according to the protocol established by the Speaker
 2019 of the House of Delegates. Seconding a nomination is
 2020 not permitted.

2021 *Section 40. CONFLICT OF INTEREST:* Each person
 2022 nominated for the offices of President-elect, Second
 2023 Vice President, Treasurer and Speaker of the House
 2024 shall complete a conflict of interest statement as
 2025 prescribed by the Board of Trustees and shall file
 2026 such statement with the Secretary of the House of
 2027 Delegates to be made available to the delegates prior
 2028 to election.

2029 *Section 50. ELECTIONS:* The elective officers shall
 2030 be elected in accordance with Chapter V, Section 150.

2031 *Section 60. TERM OF OFFICE:* The President,
 2032 President-elect, First Vice President, Second Vice
 2033 President and Speaker of the House of Delegates shall
 2034 serve for a term of one (1) year, except as otherwise
 2035 provided in this chapter of the *Bylaws*, or until their
 2036 successors are elected and installed. The term of
 2037 office of the Treasurer shall be three (3) years, or
 2038 until a successor is elected and installed. The
 2039 Treasurer shall be limited to two (2) consecutive
 2040 terms of three (3) years each.

2041 *Section 70. INSTALLATION:* The elective officers
 2042 shall be installed at the last meeting of the annual
 2043 session of the House of Delegates. The President-
 2044 elect shall be installed as President at the next annual
 2045 session of the House following election. The Second
 2046 Vice President shall be installed as First Vice
 2047 President at the next annual session of the House
 2048 following election.

2049 *Section 80. REMOVAL FOR CAUSE:* The House of
 2050 Delegates may remove an elective officer for cause in
 2051 accordance with procedures established by the House
 2052 of Delegates, which shall include notice of the
 2053 charges and an opportunity for the accused to be
 2054 heard in his or her defense. The affirmative vote of
 2055 two-thirds of the majority of delegates present and
 2056 voting is required to remove an elective officer from
 2057 office. If the House of Delegates elects to remove the
 2058 elective officer, that action shall create a vacancy
 2059 which shall be filled in accordance with Chapter VIII,
 2060 Section 90.

2061 *Section 90. VACANCIES:*

2062 A. VACANCY OF ELECTIVE OFFICE: In the event
 2063 the office of President becomes vacant, the President-
 2064 elect shall become President for the unexpired portion
 2065 of the term. In the event the office of President
 2066 becomes vacant for the second time in the same term
 2067 or at a time when the office of President-elect is also
 2068 vacant, the First Vice President shall become
 2069 President for the unexpired portion of the term. In the
 2070 event the office of First Vice President becomes
 2071 vacant, the Second Vice President shall become the
 2072 First Vice President for the unexpired portion of the
 2073 term. A vacancy in the office of the Second Vice
 2074 President shall be filled by a majority vote of the
 2075 Board of Trustees. In the event of a vacancy in the
 2076 office of Speaker of the House of Delegates, the
 2077 President, with approval of the Board of Trustees,
 2078 shall appoint a Speaker *pro tem*. In the event
 2079 the office of President-elect becomes vacant by
 2080 reason other than the President-elect succeeding to
 2081 the office of the President earlier than the next annual
 2082 session, the office of President for the ensuing year
 2083 shall be filled at the next annual session of the House
 2084 of Delegates in the same manner as that provided for
 2085 the nomination and election of elective officers,
 2086 except that the ballot shall read "President for the
 2087 Ensuing Year." A vacancy in the office of Treasurer
 2088 shall be filled by a majority vote of the Board of
 2089 Trustees until the process of inviting applications,
 2090 screening and nominating candidates and electing a
 2091 new Treasurer has been completed by the Board of
 2092 Trustees and the House of Delegates. The Treasurer
 2093 *pro tem* shall be eligible for election to a new
 2094 consecutive three (3) year term. The newly elected
 2095 Treasurer shall be limited to two (2) consecutive
 2096 terms of three (3) years each.

2097 B. TEMPORARY INCAPACITY OF THE
 2098 PRESIDENT: Whenever the President notifies the

2099 Board of Trustees that he or she is unable to discharge
 2100 the duties of the office of President due to temporary
 2101 incapacity, the President-elect shall assume the duties
 2102 of the office of President, as Acting President, until
 2103 the President notifies the Board of Trustees that he or
 2104 she is prepared to resume the duties of the office of
 2105 President. Whenever the voting members of the
 2106 Board of Trustees of this Association determine by
 2107 majority vote that the President is unable to discharge
 2108 the duties of his or her office due to temporary
 2109 incapacity, the President-elect shall assume the duties
 2110 of the office of President, as Acting President, until
 2111 the President satisfies the voting members of the
 2112 Board of Trustees that he or she is prepared to resume
 2113 the duties of the office of President.

2114 *Section 100. DUTIES:*

2115 A. PRESIDENT. It shall be the duty of the President:
 2116 a. To serve as the primary official representative of
 2117 this Association in its contacts with governmental,
 2118 civic, business and professional organizations for
 2119 the purpose of advancing the objectives and policies
 2120 of this Association.
 2121 b. To serve as Chair and *ex officio* member of the
 2122 Board of Trustees and to perform such duties as are
 2123 provided in Chapters V and VII of these *Bylaws*.
 2124 c. To call special sessions of the House of Delegates
 2125 and the Board of Trustees as provided in Chapters V
 2126 and VII of these *Bylaws*.
 2127 d. To appoint the members of all committees of the
 2128 House of Delegates except as otherwise provided in
 2129 these *Bylaws*.
 2130 e. To fill vacancies in the office of trustee as
 2131 provided in Chapter VII, Section 90, of these *Bylaws*
 2132 and to fill other vacancies in accordance with these
 2133 *Bylaws*.
 2134 f. To submit an annual report to the House of
 2135 Delegates.
 2136 g. To perform such other duties as may be provided
 2137 in these *Bylaws*.

2138 B. PRESIDENT-ELECT. It shall be the duty of the
 2139 President-elect:
 2140 a. To assist the President as requested.
 2141 b. To serve as an *ex officio* member of the House of
 2142 Delegates without the right to vote.
 2143 c. To serve as an *ex officio* member of the Board of
 2144 Trustees.
 2145 d. To succeed to the office of President at the next
 2146 annual session of the House of Delegates following
 2147 election as President-elect.
 2148 e. To succeed immediately to the office of President
 2149 in the event of vacancy not only for the unexpired
 2150 term but also for the succeeding year.

2151 C. FIRST VICE PRESIDENT. It shall be the duty of
 2152 the First Vice President:
 2153 a. To assist the President as requested.
 2154 b. To serve as an *ex officio* member of the House of

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- 2155 Delegates without the right to vote.
2156 c. To serve as an *ex officio* member of the Board of
2157 Trustees.
2158 d. To succeed to the office of President, as provided
2159 in this chapter of the *Bylaws*.
- 2160 D. SECOND VICE PRESIDENT. It shall be the duty
2161 of the Second Vice President:
2162 a. To assist the President as requested.
2163 b. To serve as an *ex officio* member of the House of
2164 Delegates without the right to vote.
2165 c. To serve as an *ex officio* member of the Board of
2166 Trustees.
2167 d. To succeed to the office of First Vice President at
2168 the next annual session of the House of Delegates
2169 following election as Second Vice President.
2170 e. To succeed immediately to the office of First Vice
2171 President in the event of vacancy not only for the
2172 unexpired term but also for the succeeding term.
- 2173 E. SPEAKER OF THE HOUSE OF DELEGATES.
2174 The Speaker shall preside at the meetings of the
2175 House of Delegates and shall perform such duties as
2176 custom and parliamentary procedure require. The
2177 Speaker shall cast the deciding vote in case of a tie.
2178 The Speaker shall not be a member of the Board of
2179 Trustees.
- 2180 F. TREASURER. It shall be the duty of the
2181 Treasurer:
2182 a. To serve as custodian of all monies, securities and
2183 deeds belonging to the Association which may come
2184 into the Treasurer's possession.
2185 b. To hold, invest and disburse all monies, securities
2186 and deeds, subject to the direction of the Board of
2187 Trustees.
2188 c. To design a budgetary process in concert with the
2189 Board of Trustees.
2190 d. To oversee Association finances and budget
2191 development.
2192 e. To serve as the principal resource person for the
2193 budget reference committee in the House of
2194 Delegates and to help interpret the Association's
2195 finances for the membership.
2196 f. To review all financial information and data and
2197 report on financial matters to the Board of Trustees
2198 on a quarterly basis.
2199 g. To review travel reimbursement for the elective
2200 officers, trustees and Executive Director.
2201 h. To perform such other duties as may be provided
2202 in these *Bylaws*.

CHAPTER IX • APPOINTIVE OFFICER

- 2203 *Section 10.* TITLE: The appointive officer of this
2204 Association shall be an Executive Director, as
2205 provided in Article V of the *Constitution*.
- 2206 *Section 20.* CONFLICT OF INTEREST: The
2207 appointive officer of this Association and each person
2208 seeking that office shall comply with Chapter VI,

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CHAPTER X • COUNCILS

- 2209 Conflict of Interest, of these *Bylaws*.
- 2210 *Section 30. APPOINTMENTS:* While any active, life
2211 or retired member in good standing may be appointed
2212 to the office of Executive Director, the Board of
2213 Trustees may appoint a qualified individual who is
2214 not eligible for membership in this Association.
- 2215 *Section 40. TERM OF OFFICE AND SALARY:* The
2216 Board of Trustees shall determine the salary, if any,
2217 and the tenure of the Executive Director, which shall
2218 not exceed three (3) years. The completion of the full
2219 term of any appointment shall be at the discretion of
2220 the Board of Trustees.
- 2221 *Section 50. DUTIES:* The Executive Director shall be
2222 the principal agent of the Board of Trustees and
2223 elective officers. As agent and under the direction of
2224 the Board of Trustees and elective officers, the
2225 Executive Director shall be the chief operating officer
2226 of this Association and all its branches. In this
2227 capacity, the Executive Director shall (a) preserve and
2228 protect the *Constitution and Bylaws* and the standing
2229 rules of this Association; (b) facilitate the activities of
2230 the officers and trustees of this Association in
2231 carrying out their respective administrative
2232 responsibilities under these *Bylaws*; (c) engage the
2233 staff of this Association and direct and coordinate
2234 their activities; (d) provide leadership in the
2235 formulation and recommendation of new
2236 policies to the Board of Trustees and elective officers;
2237 (e) oversee the management of Association policies
2238 that have been adopted by the Board of Trustees
2239 and/or the House of Delegates; (f) assist the Board of
2240 Trustees in supervising, monitoring and providing
2241 guidance to all Association councils, commissions
2242 and committees in regard to their administrative
2243 functions and specific assignments, and to
2244 systematize the preparation of their reports, and to
2245 encourage the exchange of information concerning
2246 mutual interests and issues between councils,
2247 committees and commissions; (g) maintain effective
2248 internal and external relationships through frequent
2249 and comprehensive communication with all officers
2250 and trustees of this Association, the leadership of
2251 related dental organizations, and representatives from
2252 other leading public and private organizations that
2253 interact with this Association; and (h) perform such
2254 other duties as are prescribed by these *Bylaws*.

CHAPTER X • COUNCILS

- 2255 *Section 10. NAME:* The councils of this Association
2256 shall be:
- 2257 Council on Access, Prevention and Interprofessional
2258 Relations
2259 Council on ADA Sessions
2260 Council on Communications
2261 Council on Dental Benefit Programs
2262 Council on Dental Education and Licensure

- 2263 Council on Dental Practice
 2264 Council on Ethics, Bylaws and Judicial Affairs
 2265 Council on Government Affairs
 2266 Council on Members Insurance and Retirement
 2267 Programs
 2268 Council on Membership
 2269 Council on Scientific Affairs
- 2270 *Section 20. MEMBERS, SELECTIONS,*
 2271 *NOMINATIONS AND ELECTIONS:*
- 2272 A. The composition of the councils of this
 2273 Association shall be as follows:
- 2274 Council on Access, Prevention and Interprofessional
 2275 Relations shall be composed of one (1) member from
 2276 each trustee district whose terms of office shall be
 2277 staggered in such a manner that four (4) members will
 2278 complete their terms each year except every fourth
 2279 year when five (5) members shall complete their
 2280 terms. In addition, there shall be one (1) member who
 2281 is a physician and one (1) member who is a health
 2282 care facility administrator nominated by the Board of
 2283 Trustees.
- 2284 Council on ADA Sessions shall be composed of one
 2285 (1) member from each trustee district whose terms of
 2286 office shall be staggered in such a manner that four
 2287 (4) members will complete their terms each year
 2288 except every fourth year when five (5) members shall
 2289 complete their terms. In addition, the General Chair
 2290 of the Local Arrangements Committee for the current
 2291 year and the General Chair-elect for the succeeding
 2292 year shall serve as *ex officio* members with the right
 2293 to vote and shall not be eligible to serve as Council
 2294 Chair.
- 2295 Council on Communications shall be composed of
 2296 one (1) member from each trustee district whose
 2297 terms of office shall be staggered in such a manner
 2298 that four (4) members will complete their terms each
 2299 year except every fourth year when five (5) members
 2300 shall complete their terms.
- 2301 Council on Dental Benefit Programs shall be
 2302 composed of one (1) member from each trustee
 2303 district whose terms of office shall be staggered in
 2304 such a manner that four (4) members will complete
 2305 their terms each year except every fourth year when
 2306 five (5) members shall complete their terms.
- 2307 Council on Dental Education and Licensure shall be
 2308 composed of sixteen (16) members selected as
 2309 follows:
 2310 a. Nominations and Selection.
 2311 (1) Eight (8) members shall be nominated by the
 2312 Board of Trustees on a rotational system by trustee
 2313 district from the active, life or retired members of
 2314 this Association, no one of whom shall be a full-
 2315 time member of a faculty of a school of dentistry or
 2316 a member of a state board of dental examiners or

2317 jurisdictional dental licensing agency. A person
 2318 shall be considered to be a full-time member of a
 2319 faculty if he or she works for the school of dentistry
 2320 more than two (2) days or sixteen (16) hours per
 2321 week.

2322 (2) Four (4) members who are active, life or retired
 2323 members of this Association shall be selected by the
 2324 American Association of Dental Examiners from the
 2325 active membership of that body, no one of whom
 2326 shall be a member of a faculty of a school of
 2327 dentistry.

2328 (3) Four (4) members who are active, life or retired
 2329 members of this Association shall be selected by the
 2330 American Dental Education Association from its
 2331 active membership. These members shall hold
 2332 positions of professorial rank in dental schools
 2333 accredited by the Commission on Dental
 2334 Accreditation and shall not be members of any state
 2335 board of dental examiners or jurisdictional dental
 2336 licensing agency.

2337 b. Election. The eight (8) members of the Council on
 2338 Dental Education and Licensure nominated by the
 2339 Board of Trustees shall be elected by the House of
 2340 Delegates from nominees selected in accordance with
 2341 this section.

2342 c. Committees. The Council on Dental Education and
 2343 Licensure shall establish a standing Committee on
 2344 Dental Education and Educational Measurements and
 2345 a standing Committee on Licensure, each consisting
 2346 of eight (8) members selected by the Council. The
 2347 Council may establish additional committees when
 2348 they are deemed essential to carry out the duties of
 2349 this Council.

2350 Council on Dental Practice shall be composed of one
 2351 (1) member from each trustee district whose terms of
 2352 office shall be staggered in such a manner that four
 2353 (4) members will complete their terms each year
 2354 except every fourth year when five (5) members shall
 2355 complete their terms.

2356 Council on Ethics, Bylaws and Judicial Affairs shall
 2357 be composed of one (1) member from each trustee
 2358 district whose terms of office shall be staggered in
 2359 such a manner that four (4) members will complete
 2360 their terms each year except every fourth year when
 2361 five (5) members shall complete their terms.

2362 Council on Government Affairs shall be composed of
 2363 one (1) member from each trustee district whose
 2364 terms of office shall be staggered in such a manner
 2365 that four (4) members will complete their terms each
 2366 year except every fourth year when five (5) members
 2367 shall complete their terms. In addition, the chair of
 2368 the political action committee shall be an *ex officio*
 2369 member of the Council without the power to vote.
 2370 Consideration shall be given to a candidate's

2371 experience in the military or other federal dental
 2372 services. Members of the Council shall not be in the
 2373 full-time employ of the federal government.
 2374 Individuals called to active duty from the military
 2375 reserves or national guard forces, providing such
 2376 active duty has not been requested by the individual,
 2377 shall not be considered to be in the full-time employ
 2378 of the federal government.

2379 Council on Members Insurance and Retirement
 2380 Programs shall be composed of one (1) member from
 2381 each trustee district whose terms of office shall be
 2382 staggered in such a manner that four (4) members will
 2383 complete their terms each year except every fourth
 2384 year when five (5) members shall complete their
 2385 terms.

2386 Council on Membership shall be composed of one (1)
 2387 member from each trustee district whose terms of
 2388 office shall be staggered in such a manner that four
 2389 (4) members will complete their terms each year
 2390 except every fourth year when five (5) members shall
 2391 complete their terms.

2392 Council on Scientific Affairs shall be composed of
 2393 sixteen (16) members who shall be selected from
 2394 nominations open to all trustee districts, and the
 2395 current recipient of the Gold Medal Award for
 2396 Excellence in Dental Research.

2397 B. Nominations for all councils shall be made by the
 2398 Board of Trustees except as otherwise provided in
 2399 these *Bylaws*. The Board of Trustees shall adhere to
 2400 the systems of nominations provided in Chapter X,
 2401 Section 20A of these *Bylaws**. The House of
 2402 Delegates may make additional nominations pursuant
 2403 to the systems for council nominations provided in
 2404 Chapter X, Section 20A of these *Bylaws*. The elective
 2405 and appointive officers and the trustees of this
 2406 Association shall not serve as members of councils.
 2407 Each person nominated shall complete a conflict of

* In order to establish the required pattern of four, four, four and five members respectively retiring from councils and commissions each year, members of councils and commissions from the new 5th and 17th districts who are in office at the time this footnote becomes effective shall finish their terms in accordance with their scheduled term completion dates. Councils and commissions that have incumbent members from the new 5th district shall add a new member from the 17th district to a full four-year term. Councils and commissions that have incumbent members from the new 17th district shall add a new member from the new 5th district to a full four-year term.

2408 interest statement as prescribed by the Board of
 2409 Trustees and shall file such statement with the
 2410 Secretary of the House of Delegates to be made
 2411 available to the delegates prior to election. Members
 2412 of councils shall be elected by the House of Delegates
 2413 in accordance with Chapter V, Section 150 except as
 2414 otherwise provided in these *Bylaws*.

2415 C. REMOVAL FOR CAUSE. The Board of Trustees
 2416 may remove a council member for cause in
 2417 accordance with procedures established by the Board
 2418 of Trustees, which procedures shall provide for notice
 2419 of the charges, including allegations of the conduct
 2420 purported to constitute each violation, and a decision
 2421 in writing which shall specify the findings of fact
 2422 which substantiate any and all of the charges, and that
 2423 prior to issuance of the decision of the Board of
 2424 Trustees, no council member shall be excused from
 2425 attending any meeting of a council unless there is an
 2426 opportunity to be heard or compelling reasons exist
 2427 which are specified in writing by the Board of
 2428 Trustees.

2429 *Section 30. ELIGIBILITY:*

2430 A. All members of councils must be active, life or
 2431 retired members in good standing of this Association
 2432 except as otherwise provided in these *Bylaws*.

2433 B. No member of a council may serve concurrently as
 2434 a member of another council or commission.

2435 C. A member of the Council on Dental Education and
 2436 Licensure who was selected by the American
 2437 Association of Dental Examiners and who is no
 2438 longer an active member of the American Association
 2439 of Dental Examiners, may continue as a member of
 2440 the Council for the balance of that member's term.

2441 D. When a member of the Council on Dental Education
 2442 and Licensure who was selected by the American
 2443 Dental Education Association, shall cease to be a
 2444 member of the faculty of a member school of that
 2445 Association, such membership on either council shall
 2446 terminate, and the President of the Association shall
 2447 declare the position vacant.

2448 E. To be eligible to serve on the Council on Scientific
 2449 Affairs, the current recipient of the Gold Medal
 2450 Award for Excellence in Dental Research shall be an
 2451 active, life or retired member in good standing of this
 2452 Association if the current recipient qualifies for such
 2453 membership.

2454 *Section 40. CHAIRS:* One member of each council
 2455 shall be appointed annually by the Board of Trustees
 2456 to serve as chair with exception of the Council on
 2457 Dental Education and Licensure. The Chair of the
 2458 Council on Dental Education and Licensure shall be

2459 appointed from nominations submitted by the
2460 Council.

2461 *Section 50. CONSULTANTS, ADVISERS AND*
2462 *STAFF:*

2463 A. CONSULTANTS AND ADVISERS. Each council
2464 shall have the authority to nominate consultants and
2465 advisers in conformity with rules and regulations
2466 established by the Board of Trustees except as
2467 otherwise provided in these *Bylaws*.

2468 B. STAFF. The Executive Director shall employ the
2469 staff of councils, in the event they are employees, and
2470 shall select the titles for council staff positions.

2471 C. CONFLICT OF INTEREST. Consultants, advisers
2472 and staff, and each person nominated or seeking such
2473 positions, shall comply with Chapter VI, Conflict of
2474 Interest, of these *Bylaws*.

2475 *Section 60. TERM OF OFFICE:* The term of office of
2476 members of councils shall be four (4) years except as
2477 otherwise provided in these *Bylaws*. The tenure of a
2478 member of a council shall be limited to one (1) term
2479 of four (4) years except as otherwise provided in
2480 these *Bylaws*. A member shall not be eligible for
2481 appointment to another council or commission for a
2482 period of two (2) years after completing a previous
2483 council appointment. The physician and the health
2484 care facility administrator, nominated by the Board of
2485 Trustees for membership on the Council on Access,
2486 Prevention and Interprofessional Relations, shall be
2487 elected for a one (1) year term; however, such
2488 member shall not be limited as to the number of
2489 consecutive one (1) year terms that he or she may
2490 serve. The current recipient of the Gold Medal Award
2491 for Excellence in Dental Research shall serve on the
2492 Council on Scientific Affairs until the award is
2493 bestowed on the next honoree.

2494 *Section 70. VACANCY:* In the event of a vacancy in
2495 the membership of any council, the President shall
2496 appoint a member of the Association possessing the
2497 same qualifications as established by these *Bylaws* for
2498 the previous member, to fill such vacancy until a
2499 successor is elected by the next House of Delegates
2500 for the remainder of the unexpired term. In the event
2501 such vacancy involves the chair of the council, the
2502 President shall have the power to appoint an *ad*
2503 *interim* chair. In the event it is the current recipient of
2504 the Gold Medal Award for Excellence in Dental
2505 Research who cannot serve on the Council on
2506 Scientific Affairs, the President, in consultation with
2507 the Board of Trustees, shall have the power to appoint
2508 a prominent research scientist who shall serve until
2509 the award is bestowed on the next honoree.

2510 If the term of the vacated council position has less
2511 than fifty percent (50%) of a full four-year term
2512 remaining at the time the successor member is
2513 appointed or elected, the successor member shall be

2514 eligible for election to a new, consecutive four-year
 2515 term. If fifty percent (50%) or more of the vacated
 2516 term remains to be served at the time of the
 2517 appointment or election, the successor member shall
 2518 not be eligible for another term.

2519 *Section 80. MEETINGS OF COUNCILS.* Each
 2520 council shall hold at least one regular meeting
 2521 annually, provided that funds are available in the
 2522 budget for that purpose and unless otherwise directed
 2523 by the Board of Trustees. Meetings may be held in
 2524 the Headquarters Building, the Washington Office or
 2525 from multiple remote locations through the use of a
 2526 conference telephone or other communications
 2527 equipment by means of which all members can
 2528 communicate with each other. Such meetings shall be
 2529 conducted in accordance with rules and procedures
 2530 established by the Board of Trustees.

2531 *Section 90. QUORUM:* Except as otherwise provided
 2532 in these *Bylaws*, a majority of the members of any
 2533 council shall constitute a quorum.

2534 *Section 100. PRIVILEGE OF THE FLOOR:* Chairs
 2535 and members of councils who are not members of the
 2536 House of Delegates shall have the right to participate
 2537 in the debate on their respective reports but shall not
 2538 have the right to vote.

2539 *Section 110. ANNUAL REPORT AND BUDGET:*

2540 A. ANNUAL REPORT. Each council shall submit,
 2541 through the Executive Director, an annual report to
 2542 the House of Delegates and a copy thereof to the
 2543 Board of Trustees.

2544 B. PROPOSED BUDGET. Each council shall submit
 2545 to the Board of Trustees, through the Executive
 2546 Director, a proposed itemized budget for the ensuing
 2547 fiscal year.

2548 *Section 120. DUTIES:*

2549 A. COUNCIL ON ACCESS, PREVENTION AND
 2550 INTERPROFESSIONAL RELATIONS. The duties
 2551 of the Council shall be:

2552 a. To foster improvement in the health of the public
 2553 in matters of access to care, prevention of disease and
 2554 interprofessional relations by appropriate programs.

2555 b. To recommend policies and formulate programs
 2556 relating to community oral health, including access to
 2557 care, oral health planning, dental health personnel
 2558 resources, preventive dentistry, fluoridation and
 2559 nutrition issues.

2560 c. To evaluate for the Association trends in dental
 2561 public health and access to care that enhance oral
 2562 health on a community level, including public/private
 2563 partnerships, tobacco use prevention, volunteerism,
 2564 oral cancer prevention and community caries
 2565 prevention.

2566 d. To assist constituent and component societies,

- 2567 public health agencies and others in the management
 2568 and coordination of local resources or programs for
 2569 access to care, preventive dentistry and other
 2570 community health programs.
- 2571 e. To promote the Association's position and
 2572 maintain liaison with oral health agencies and special
 2573 interest organizations regarding access to care,
 2574 community oral health and dental health personnel
 2575 issues.
- 2576 f. To serve as liaison for the Association with the
 2577 Joint Commission on Accreditation of Healthcare
 2578 Organizations and with JCAHO corporate members
 2579 and other national health care organizations.
- 2580 g. To recommend policy on issues pertaining to the
 2581 relationship of dentistry to medicine, including
 2582 interdisciplinary patient management, dentist-
 2583 physician relations, the oral health needs of medically
 2584 compromised patients and the role of physical
 2585 evaluation and medical risk management in dental
 2586 practice.
- 2587 h. To conduct activities to improve the health
 2588 outcomes of patients requiring cooperative dental-
 2589 medical management.
- 2590 i. To conduct activities to increase patient access to
 2591 dental care, including assessing public and private
 2592 dental access programs and advising other
 2593 Association agencies charged with recommending
 2594 policy and legislation on access to care.
- 2595 j. To conduct activities to increase access to the
 2596 benefits of cooperative dental-medical management
 2597 in hospitals, ambulatory care centers, long-term care
 2598 facilities and other interdisciplinary health care
 2599 settings.
- 2600 k. To foster dentistry's role in the hospital, including
 2601 active medical staff membership and clinical
 2602 privileges.
- 2603 l. To advise other Association agencies charged with
 2604 communications, scientific, legislative and legal
 2605 activities related to community oral health including
 2606 tobacco use prevention, dental health personnel
 2607 resources, preventive dentistry, fluoridation and
 2608 nutrition issues.
- 2609 **B. COUNCIL ON ADA SESSIONS.** The duties of
 2610 the Council shall be:
- 2611 a. To have responsibility for conducting the annual
 2612 session of this Association, except the House of
 2613 Delegates, subject to approval by the Board of
 2614 Trustees as provided in these *Bylaws*.
- 2615 b. To plan and coordinate other Association sessions
 2616 or regional meetings.
- 2617 **C. COUNCIL ON COMMUNICATIONS.** The duties
 2618 of the Council shall be:

- 2619 a. To identify, review and recommend, prior to
- 2620 implementation, programs to educate the public
- 2621 about oral health, including national media relations
- 2622 programs, patient communications and materials for
- 2623 use in the dental office.
- 2624 b. To identify public and media relations issues and
- 2625 to review existing programs and to utilize these
- 2626 programs, or, if appropriate, oversee the
- 2627 development and recommend communications
- 2628 programs to address such issues.
- 2629 c. To maintain liaison with national health
- 2630 organizations and the dental industry to promote
- 2631 cooperative oral health public education initiatives.
- 2632 d. To assist dental editors and to support constituent
- 2633 and component dental societies with their media and
- 2634 community relations programs and communications
- 2635 with members.
- 2636 e. To review communication messages to the public
- 2637 and to the members concerning the public and
- 2638 private image of dentistry.
- 2639 f. To assist constituent and component dental society
- 2640 communications committees or appropriate staff
- 2641 with their media and communications programs.
- 2642 g. To assist other Association agencies and
- 2643 constituent and component dental societies, upon
- 2644 request, in their communications efforts regarding
- 2645 Association products and services.

2646 D. COUNCIL ON DENTAL BENEFIT
2647 PROGRAMS. The duties of the Council shall be:

- 2648 a. To formulate and recommend policies relating to
- 2649 the planning, administration and financing of dental
- 2650 benefit programs.
- 2651 b. To study, evaluate and disseminate information on
- 2652 the planning, administration and financing of dental
- 2653 benefit programs.
- 2654 c. To assist the constituent societies and other
- 2655 agencies in developing programs for the planning,
- 2656 administration and financing of dental benefit
- 2657 programs.
- 2658 d. To provide assistance, guidance and support to
- 2659 constituent and component societies in the
- 2660 development and management of professional
- 2661 review systems.
- 2662 e. To encourage the inclusion of dental benefits in
- 2663 health benefit plans and to promote dental benefit
- 2664 plans in accordance with Association policy.
- 2665 f. To conduct activities and formulate and
- 2666 recommend policies concerning the assessment and
- 2667 improvement of the quality of dental care relating to
- 2668 dental benefit plans.
- 2669 g. To formulate procedural and diagnostic codes in
- 2670 conjunction with national dental organizations and the
- 2671 dental benefits industry that dentists can use to report
- 2672 patient care on dental benefit claim forms.

2673 E. COUNCIL ON DENTAL EDUCATION AND
2674 LICENSURE. The duties of the Council shall be:

- 2675 a. To act as the agency of the Association in matters
- 2676 related to the evaluation and accreditation of all

- 2677 dental educational, dental auxiliary educational and
 2678 associated subjects and as liaison to the Commission
 2679 on Dental Accreditation.
 2680 b. To study and make recommendations including
 2681 the formulation and recommendation of policy on:
 2682 (1) Dental education and dental auxiliary education.
 2683 (2) The recognition of special areas of dental
 2684 practice.
 2685 (3) The recognition of categories of dental
 2686 auxiliaries.
 2687 (4) The approval or disapproval of national
 2688 certifying boards for special areas of dental practice
 2689 and for dental auxiliaries.
 2690 (5) The educational and administrative standards of
 2691 the certifying boards for special areas of dental
 2692 practice and for dental auxiliaries.
 2693 (6) Associated subjects that affect all dental, dental
 2694 auxiliary and related education.
 2695 (7) Dental licensure and dental auxiliary
 2696 credentialing.
 2697 c. To act on behalf of this Association in
 2698 maintaining effective liaison with certifying boards
 2699 and related agencies for special areas of dental
 2700 practice and for dental auxiliaries.
 2701 d. To monitor and disseminate information on
 2702 continuing dental education and to encourage the
 2703 provision of and participation in continuing dental
 2704 education.
- 2705 F. COUNCIL ON DENTAL PRACTICE. The duties
 2706 of the Council shall be:
 2707 a. To formulate and recommend policies relating to
 2708 dental practice.
 2709 b. To study, evaluate and disseminate information
 2710 concerning various forms of business organization
 2711 of a dental practice, economic factors related to
 2712 dental practice, practice management techniques,
 2713 auxiliary utilization and dental laboratory services to
 2714 the end that dentists may continue to improve
 2715 services to the public.
 2716 c. To develop educational and other programs to
 2717 assist dentists in improved practice management,
 2718 including practice marketing materials and
 2719 continuing education seminars, and to assist
 2720 constituent and component societies and other dental
 2721 organizations in the development of such programs
 2722 so that dentists may continue to improve the
 2723 delivery of their services to the public.
 2724 d. To encourage and develop satisfactory relations
 2725 with the various organizations representing the
 2726 dental laboratory industry and craft.
 2727 e. To formulate programs for establishing and
 2728 maintaining the greatest efficiency, quality and
 2729 service of the dental laboratory industry and craft in
 2730 their relation to the dental profession.
 2731 f. To encourage and develop satisfactory relations
 2732 with the various organizations representing dental
 2733 auxiliaries.
 2734 g. To gather, formulate and disseminate information
 2735 related to auxiliary utilization, management and

- 2736 employment practices.
 2737 h. To serve in a consultative capacity to those
 2738 educational and promotional activities directed to
 2739 the public and the profession and to assess their
 2740 impact on dental practice.
 2741 i. To provide assistance, education and information
 2742 on issues related to dentists' well being.
- 2743 G. COUNCIL ON ETHICS, BYLAWS AND
 2744 JUDICIAL AFFAIRS. The duties of the Council shall
 2745 be:
- 2746 a. To consider proposals for amending the
 2747 *Principles of Ethics and Code of Professional*
 2748 *Conduct*.
 2749 b. To provide advisory opinions regarding the
 2750 interpretation of the *Principles of Ethics and Code*
 2751 *of Professional Conduct*.
 2752 c. To consider appeals from members of the
 2753 Association, or from component societies subject to
 2754 the requirements of Chapter XII, Section 20 of these
 2755 *Bylaws*.
 2756 d. To hold hearings and render decisions in disputes
 2757 arising between constituent societies or between
 2758 constituent and component societies.
 2759 e. To discipline any of the direct members of this
 2760 Association (members in good standing who
 2761 pursuant to Chapter I of these *Bylaws* do not hold
 2762 membership in any constituent society of this
 2763 Association) in accordance with the requirements
 2764 and procedures of Chapter XII of these *Bylaws*,
 2765 using hearing panels composed of not less than three
 2766 (3) of its elected members selected by the Council
 2767 chair. The Council may adopt procedures governing
 2768 the discipline of direct members of this Association
 2769 (members in good standing who pursuant to Chapter
 2770 I of these *Bylaws* do not hold membership in any
 2771 constituent society of this Association) consistent with
 2772 Chapter XII of these *Bylaws*, which may include the
 2773 use of an investigating committee or individual to
 2774 investigate any complaint made against such
 2775 member and report findings to the hearing panel
 2776 concerning whether charges should issue.
 2777 f. To review the articles of the *Constitution and*
 2778 *Bylaws* in order to keep them consistent with the
 2779 Association's program.
 2780 g. To recommend editorial changes in the *Bylaws* to
 2781 improve their consistency, clarity and style.
 2782 h. Notwithstanding paragraph g of this subsection,
 2783 the Council shall have the authority to make
 2784 corrections in punctuation, grammar and spelling in
 2785 the *Bylaws* which do not alter its context or
 2786 meaning. Such corrections shall be made only by a
 2787 unanimous vote of the Council members present and
 2788 voting.
 2789 i. To review the rules and bylaws of all commissions
 2790 of the Association in order to keep such rules and
 2791 bylaws consistent with the *Constitution and Bylaws*
 2792 of this Association.
 2793 j. To act as the Standing Committee on Constitution
 2794 and Bylaws of the House of Delegates, with the

- 2795 composition of such committee to be determined in
 2796 accordance with Chapter V, Section 140A of these
 2797 *Bylaws*, and to conduct other business it deems
 2798 necessary.
 2799 k. To provide guidance and advice on ethical and
 2800 professional issues to constituent and component
 2801 societies.
 2802 l. To formulate and disseminate materials related to
 2803 ethical and professional conduct in the practice and
 2804 promotion of dentistry.
- 2805 H. COUNCIL ON GOVERNMENT AFFAIRS. The
 2806 duties of the Council shall be:
 2807 a. To encourage the improvement of the health of
 2808 the public and to promote the art and science of
 2809 dentistry in matters of legislation and regulations by
 2810 appropriate activities.
 2811 b. To formulate and recommend policies related to
 2812 legislative and regulatory issues and to
 2813 governmental agency programs.
 2814 c. To formulate proposed legislation, approved by
 2815 the Board of Trustees, that may be submitted to
 2816 Congress and which will promote the art and science
 2817 of dentistry in accordance with Association policies.
 2818 d. To disseminate information which will assist the
 2819 constituent and component societies involving
 2820 legislation and regulation affecting the dental health
 2821 of the public.
 2822 e. To serve and assist the American Dental
 2823 Association as a liaison with agencies of the federal
 2824 government.
 2825 f. To advise other Association agencies charged with
 2826 developing, recommending and/or implementing
 2827 legislative policies adopted by the House of
 2828 Delegates.
 2829 g. To serve as liaison for the American Dental
 2830 Association with those agencies of the federal
 2831 government which employ dental personnel in direct
 2832 dental care delivery programs and the dentists in
 2833 those services.
 2834 h. To recommend programs and policies which will
 2835 ensure that eligible beneficiaries of federal dental
 2836 service programs have access to quality dental care.
 2837 i. To recommend programs and policies which
 2838 promote an efficient and effective dental care
 2839 delivery system within the federal dental services.
 2840 j. To assist in the development of dental manpower
 2841 requirements and appropriate mobilization programs
 2842 in times of emergency.
 2843 k. To formulate and recommend policies which are
 2844 designed to advance the professional status of
 2845 federally employed dentists.
 2846 l. To monitor dental training programs conducted by
 2847 the federal dental services.
- 2848 I. COUNCIL ON MEMBERS INSURANCE AND
 2849 RETIREMENT PROGRAMS. The duties of the
 2850 Council shall be:
 2851 a. To evaluate on a continuing basis all Association
 2852 sponsored insurance programs.

- 2853 b. To examine and evaluate other insurance
 2854 programs that might be of benefit to the
 2855 membership.
 2856 c. To advise and recommend courses of action on
 2857 insurance programs.
 2858 d. To assist constituent societies in matters related to
 2859 insurance programs.
 2860 e. To serve as Trustees for the American Dental
 2861 Association Members Retirement Program.
- 2862 J. COUNCIL ON MEMBERSHIP. Except as
 2863 otherwise provided in these *Bylaws*, the duties of the
 2864 Council shall be:
 2865 a. To formulate and recommend policies related to
 2866 membership recruitment and retention and other
 2867 related issues.
 2868 b. To identify and monitor trends and issues that
 2869 affect membership recruitment and retention,
 2870 particularly among under-represented segments, and
 2871 to encourage membership involvement throughout
 2872 organized dentistry.
 2873 c. To support, monitor and encourage membership
 2874 activities of constituent and component dental
 2875 societies and to enhance cooperation and
 2876 communication on tripartite recruitment and
 2877 retention efforts.
 2878 d. To recommend, monitor and support the
 2879 development of membership benefits and services
 2880 that respond to identified needs of members.
 2881 e. To act as an advocate for membership benefits.
- 2882 K. COUNCIL ON SCIENTIFIC AFFAIRS. The
 2883 duties of the Council shall be:
 2884 a. To develop and promote an annual research
 2885 agenda with appropriate means for funding.
 2886 b. To identify emergent issues and areas of research
 2887 that require response from the research community.
 2888 c. To report results on the latest scientific
 2889 developments to practicing dentists.
 2890 d. To evaluate and issue statements to the profession
 2891 regarding the efficacy of concepts, procedures and
 2892 techniques for use in the treatment of patients.
 2893 e. To guide, assist and act as liaison to the American
 2894 Dental Association Foundation and serve as its peer
 2895 review body.
 2896 f. To represent the Association on scientific and
 2897 research matters and maintain liaison with related
 2898 regulatory, research and professional organizations.
 2899 g. To encourage the development and improvement
 2900 of materials, instruments and equipment for use in
 2901 dental practice, and to coordinate development of
 2902 national and international standardization programs.
 2903 h. To determine the safety and effectiveness of, and
 2904 disseminate information on, materials, instruments
 2905 and equipment that are offered to the public or the
 2906 profession and further critically evaluate statements
 2907 of efficacy and advertising claims.
 2908 i. To study, evaluate and disseminate information
 2909 with regard to the proper use of dental therapeutic

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2910 agents, their adjuncts and dental cosmetic agents
2911 that are offered to the public or the profession.
2912 j. To award the American Dental Association Seal to
2913 dental products that meet the Association's
2914 requirements for acceptance.
2915 k. To promote efforts to develop dental research
2916 manpower and to involve students in dental
2917 research.
2918 l. To study, evaluate and disseminate information on
2919 those aspects of the dental practice environment
2920 related to the health of the public, dentists and dental
2921 auxiliaries.
2922 m. To serve as the primary resource for scientific
2923 inquiries from the public and the profession.

CHAPTER XI • SPECIAL COMMITTEES

2924 *Section 10. APPOINTMENT AND TERM.* Special
2925 committees of this Association may be created at any
2926 session of the House of Delegates or, when the House
2927 is not in session, by the Board of Trustees, for the
2928 purpose of performing duties not otherwise assigned
2929 by these *Bylaws*. Duties otherwise assigned by these
2930 *Bylaws* solely to one (1) council, commission or other
2931 agency should be assigned to that council,
2932 commission or other agency with the necessary
2933 funding to accomplish the task. If duties are assigned
2934 to a special committee that are assigned under these
2935 *Bylaws* to more than one (1) council, commission or
2936 other agency, members of the relevant councils,
2937 commissions or other agencies shall be appointed to
2938 serve on the special committee. Such special
2939 committees may serve until adjournment *sine die* of
2940 the next annual session of the House of Delegates.
2941 The authority for appointing the members of a special
2942 committee and their number shall be set forth in the
2943 resolution creating such committee.

2944 *Section 20. CONFLICT OF INTEREST:* Members of
2945 special committees and each person considered for
2946 such appointment shall comply with Chapter VI,
2947 Conflict of Interest, of these *Bylaws*.

2948 *Section 30. PRIVILEGE OF THE FLOOR:* Chairs
2949 and members of special committees who are not
2950 members of the House of Delegates shall have the
2951 right to participate in the debate on their respective
2952 reports but shall not have the right to vote.

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2953 *Section 10. PROFESSIONAL CONDUCT OF*
2954 *MEMBERS:* The professional conduct of a member
2955 of this Association shall be governed by the
2956 *Principles of Ethics and Code of Professional*

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2957 *Conduct* of this Association and by the codes of
2958 ethics of the constituent and component societies
2959 within whose jurisdiction the member practices, or
2960 conducts or participates in other professional dental
2961 activities.

2962 *Section 20. DISCIPLINE OF MEMBERS:*

2963 A. CONDUCT SUBJECT TO DISCIPLINE. A
2964 member may be disciplined for (1) having been found
2965 guilty of a felony, (2) having been found guilty of
2966 violating the dental practice act of a state or other
2967 jurisdiction of the United States, (3) having been
2968 discharged or dismissed from practicing dentistry
2969 with one of the federal dental services under
2970 dishonorable circumstances, or (4) violating the
2971 *Bylaws*, the *Principles of Ethics and Code of*
2972 *Professional Conduct*, or the bylaws or code of ethics
2973 of the constituent or component society of which the
2974 accused is a member. For a member of a constituent
2975 society, disciplinary proceedings may be instituted by
2976 either the member's component or constituent
2977 society. Disciplinary proceedings against a direct
2978 member of this Association (a member in good
2979 standing who pursuant to Chapter I of these *Bylaws*
2980 does not hold membership in any constituent society
2981 of this Association) may be instituted by the Council
2982 on Ethics, Bylaws and Judicial Affairs of this
2983 Association.

2984 B. DISCIPLINARY PENALTIES. A member may be
2985 placed under a sentence of censure or suspension or
2986 may be expelled from membership for any of the
2987 offenses enumerated in Section 20A of this Chapter.

2988 Censure is a disciplinary sentence expressing in
2989 writing severe criticism or disapproval of a particular
2990 type of conduct or act.

2991 Suspension, subject to Chapter I, Section 30 of these
2992 *Bylaws*, means all membership privileges except
2993 continued entitlement to coverages under insurance
2994 programs are lost during the suspension period.
2995 Suspension shall be unconditional and for a specified
2996 period at the termination of which full membership
2997 privileges are automatically restored. A subsequent
2998 violation shall require a new disciplinary procedure
2999 before additional discipline may be imposed.

3000 Expulsion is an absolute discipline and may not be
3001 imposed conditionally except as otherwise provided
3002 herein.

3003 Probation, to be imposed for a specified period and
3004 without loss of privileges, may be administratively
3005 and conditionally imposed when circumstances
3006 warrant in lieu of a suspended disciplinary penalty.
3007 Probation shall be conditioned on good behavior.
3008 Additional reasonable conditions may be set forth in
3009 the decision for the continuation of probation. In the
3010 event that the conditions for probation are found by
3011 the society which preferred charges to have been
3012 violated, after a hearing on the probation violation
3013 charges in accordance with Chapter XII, Section 20C,

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3014 the original disciplinary penalty shall be
3015 automatically reinstated; except that when
3016 circumstances warrant the original disciplinary
3017 penalty may be reduced to a lesser penalty. There
3018 shall be no right of appeal from a finding that the
3019 conditions of probation have been violated.

3020 After all appeals are exhausted or after the time for
3021 filing an appeal has expired, a sentence of censure,
3022 suspension or expulsion meted out to any member,
3023 including those instances when the disciplined
3024 member has been placed on probation, shall be
3025 promulgated by such member's component and
3026 constituent societies, if such exist, and this
3027 Association.

3028 C. DISCIPLINARY PROCEEDINGS. Before a
3029 disciplinary penalty is invoked against a member, the
3030 following procedures shall be followed by the agency
3031 preferring charges:

3032 a. HEARING. The accused member shall be entitled
3033 to a hearing at which the accused shall be given the
3034 opportunity to present a defense to all charges
3035 brought against the accused. The agency preferring
3036 charges shall permit the accused member to be
3037 represented by legal counsel.

3038 b. NOTICE. The accused member shall be notified
3039 in writing of charges brought against the accused
3040 and of the time and place of the hearing, such notice
3041 to be sent by certified—return receipt requested
3042 letter addressed to the accused's last known address
3043 and mailed not less than twenty-one (21) days prior
3044 to the date set for the hearing. An accused member,
3045 upon request, shall be granted one postponement for
3046 a period not to exceed thirty (30) days.

3047 c. CHARGES. The written charges shall include an
3048 officially certified copy of the alleged conviction or
3049 determination of guilt, or a specification of the
3050 bylaw or ethical provisions alleged to have been
3051 violated, as the case may be, and a description of the
3052 conduct alleged to constitute each violation.

3053 d. DECISION. Every decision which shall result in
3054 censure, suspension or expulsion or in probation
3055 shall be reduced to writing and shall specify the
3056 charges made against the member, the facts which
3057 substantiate any or all of the charges, the verdict
3058 rendered, the penalty imposed or when appropriate
3059 the suspended penalty imposed and the conditions
3060 for probation, and a notice shall be mailed to the
3061 accused member informing the accused of the right
3062 to appeal. Within ten (10) days of the date on which
3063 the decision is rendered a copy thereof shall be sent
3064 by certified—return receipt requested mail to the last
3065 known address of each of the following parties: the
3066 accused member; the secretary of the component
3067 society of which the accused is a member, if
3068 applicable; the secretary of the constituent society of
3069 which the accused is a member, if applicable; the
3070 Chair of the Council on Ethics, Bylaws and Judicial
3071 Affairs of this Association and the Executive
3072 Director of this Association.

CHAPTER XII • PRINCIPLES OF ETHICS AND
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JUDICIAL PROCEDURE

3073 D. APPEALS. The accused member under sentence
3074 of censure, suspension or expulsion shall have the
3075 right to appeal from a decision of the accused's
3076 component society to the accused's constituent
3077 society by filing an appeal in affidavit form with the
3078 secretary of the constituent society. Such an accused
3079 member, or the component society concerned, shall
3080 have the right to appeal from a decision of the
3081 constituent society to the Council on Ethics, Bylaws
3082 and Judicial Affairs of this Association by filing an
3083 appeal in affidavit form with the Chair of the Council
3084 on Ethics, Bylaws and Judicial Affairs. Where the
3085 accused is a direct member of this Association (a
3086 member in good standing who pursuant to Chapter I
3087 of these *Bylaws* does not hold membership in any
3088 constituent society of this Association), the accused
3089 member shall have the right of appeal from a
3090 disciplinary decision of a hearing panel of the Council
3091 on Ethics, Bylaws and Judicial Affairs to the Council
3092 by filing an appeal in affidavit form with the Chair of
3093 the Council on Ethics, Bylaws and Judicial Affairs.
3094 Members of the hearing panel shall not have the right
3095 to vote on the Council's decision on such an appeal.
3096 An appeal from any decision shall not be valid
3097 unless notice of appeal is filed within thirty (30) days
3098 and the supporting brief, if one is to be presented, is
3099 filed within sixty (60) days after such decision has
3100 been rendered. A reply brief, if one is to be presented,
3101 shall be filed within ninety (90) days after such
3102 decision is rendered. A rejoinder brief, if one is to be
3103 presented, shall be filed within one hundred five
3104 (105) days after such decision is rendered. After all
3105 briefs have been filed, a minimum of forty-five (45)
3106 days shall elapse before the hearing date. Omission of
3107 briefs will not alter the briefing schedule or hearing
3108 date unless otherwise agreed to by the parties and the
3109 chair of the appropriate appellate agency.
3110 No decision shall become final while an appeal
3111 therefrom is pending or until the thirty (30) day
3112 period for filing notice of appeal has elapsed. In the
3113 event of a sentence of expulsion and no notice of
3114 appeal is received within the thirty (30) day period,
3115 the constituent society shall notify all parties of the
3116 failure of the accused member to file an appeal. The
3117 sentence of expulsion shall take effect on the date the
3118 parties are notified. The component and constituent
3119 societies shall each determine what portion of their
3120 current dues and their special assessments, if any,
3121 shall be returned to the expelled member. Dues and
3122 special assessments paid to this Association shall not
3123 be refundable in the event of expulsion. The
3124 following procedure shall be used in processing
3125 appeals:
3126 a. HEARINGS ON APPEAL. The accused member
3127 or the society (or societies) concerned shall be
3128 entitled to a hearing on an appeal, provided that
3129 such appeal is taken in accordance with, and
3130 satisfies the requirements of, Section 20D of this
3131 Chapter. The appellate agency hearing the appeal

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3132 shall permit the accused member to be represented
3133 by legal counsel. A party need not appear for the
3134 appeal to be heard by an appellate agency.
3135 b. NOTICE. The appellate agency receiving an
3136 appeal shall notify the society (or societies)
3137 concerned, or where applicable the hearing panel of
3138 the Council on Ethics, Bylaws and Judicial Affairs,
3139 and the accused member of the time and place of
3140 the hearing, such notice to be sent by certified—
3141 return receipt requested letter to the last known
3142 address of the parties to the appeal and mailed not
3143 less than thirty (30) days prior to the date set for the
3144 hearing. Granting of continuances shall be at the
3145 option of the agency hearing the appeal.
3146 c. PREHEARING MATTERS. Prehearing requests
3147 shall be granted at the discretion of the appellate
3148 agency. In appeals to this Association's Council on
3149 Ethics, Bylaws and Judicial Affairs, the Council
3150 chair has the authority to rule on motions from the
3151 parties for continuances and other prehearing
3152 procedural matters with advice from legal counsel
3153 of this Association. The Council chair may consult
3154 with the Council before rendering prehearing
3155 decisions.
3156 d. BRIEFS. Every party to an appeal shall be
3157 entitled to submit a brief in support of the party's
3158 position. The briefs of the parties shall be submitted
3159 to the secretary of the constituent society or the
3160 Chair of the Council on Ethics, Bylaws and Judicial
3161 Affairs of this Association, as the case may be, and
3162 to the opposing party(ies) in accordance with the
3163 prescribed briefing schedule. The party initiating
3164 the appeal may choose to rely on the record and/or
3165 on an oral presentation and not file a brief.
3166 e. RECORD OF DISCIPLINARY
3167 PROCEEDINGS. Upon notice of an appeal the
3168 agency which preferred charges shall furnish to the
3169 appellate agency which has received the appeal and
3170 to the accused member a transcript of, or an
3171 officially certified copy of the minutes of the
3172 hearing accorded the accused member. The
3173 transcript or minutes shall be accompanied by
3174 certified copies of any affidavits or other
3175 documents submitted as evidence to support the
3176 charges against the accused member or submitted
3177 by the accused member as part of the accused's
3178 defense. Where the agency preferring the charges
3179 does not provide for transcription of the hearing,
3180 the accused member, at the accused's own expense,
3181 shall be entitled to arrange for the services of a
3182 court reporter to transcribe the hearing.
3183 f. APPEALS JURISDICTION. The agency to
3184 which a decision has been appealed shall be
3185 required to review the decision appealed from to
3186 determine whether the evidence before the society
3187 or agency which preferred charges against the
3188 accused member supports that decision or warrants
3189 the penalty imposed. The appellate agency shall not
3190 be required to consider additional evidence unless

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3191 there is a clear showing that either party to the
3192 appeal will be unreasonably harmed by failure to
3193 consider the additional evidence. The parties to an
3194 appeal are the accused member and the society or
3195 agency which preferred charges. In appeals to the
3196 Council on Ethics, Bylaws and Judicial Affairs of
3197 this Association, the society which heard the first
3198 appeal may, at its option, participate in the appeal.
3199 g. DECISION ON APPEALS. Every decision on
3200 appeal shall be reduced to writing and shall state
3201 clearly the conclusion of the appellate agency and
3202 the reasons for reaching that conclusion. The
3203 appellate agency shall have the discretion (1) to
3204 uphold the decision of the agency which preferred
3205 charges against the accused member; (2) to reverse
3206 the decision of the agency which preferred charges
3207 and thereby exonerate the accused member; (3) to
3208 deny an appeal which fails to satisfy the
3209 requirements of Section 20D of this Chapter; (4) to
3210 refer the case back to the agency which preferred
3211 charges for new proceedings, if the rights of the
3212 accused member under all applicable bylaws were
3213 not accorded the accused; (5) to remand the case
3214 back to the agency which preferred charges for
3215 further proceedings when the appellate record is
3216 insufficient in the opinion of the appellate agency to
3217 enable it to render a decision; or (6) to uphold the
3218 decision of the agency which preferred charges
3219 against the accused member and reduce the penalty
3220 imposed.
3221 Within thirty (30) days of the date on which a
3222 decision on appeal is rendered, a copy thereof shall
3223 be sent by certified—return receipt requested mail
3224 to the last known address of each of the following
3225 parties: the accused member, the secretary of the
3226 component society of which the accused is a
3227 member, if applicable, the secretary of the
3228 constituent society of which the accused is a
3229 member, if applicable, the Chair of the Council on
3230 Ethics, Bylaws and Judicial Affairs of this
3231 Association and the Executive Director of this
3232 Association.
3233 E. NON-COMPLIANCE. In the event of a failure of
3234 technical conformance to the procedural requirements
3235 of Chapter XII, the agency hearing the appeal shall
3236 determine the effect of non-conformance.

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ASSOCIATION FOUNDATION

3237 *Section 10. AGENCIES AND PERSONNEL:* The
3238 Research Institute and the Paffenbarger Research
3239 Center at the National Institute of Standards and
3240 Technology will be agencies of the American Dental
3241 Association Foundation and the personnel of these
3242 agencies shall be employees of the Foundation.

CHAPTER XIII • AMERICAN DENTAL
ASSOCIATION FOUNDATION
CHAPTER XIV • COMMISSIONS

3243 *Section 20. FINANCIAL SUPPORT:* The Association shall
3244 annually furnish sufficient financial support, as an
3245 addition to generated non-Association funding, to
3246 assure the continued viability of the Foundation's
3247 research activities.

3248 *Section 30. DUTIES:*

3249 A. The Foundation, through its agencies, the Research
3250 Institute and the Paffenbarger Research Center at the
3251 National Institute of Standards and Technology shall:

3252 a. Conduct basic and applied research for the
3253 utilization in and development of oral health.

3254 b. Conduct training programs in research disciplines
3255 that relate to the basic and applied problems of oral
3256 health.

3257 B. In addition, the Foundation shall submit, either
3258 through or in cooperation with the Council on
3259 Scientific Affairs, an annual report to the House of
3260 Delegates, interim reports on request to the Board of
3261 Trustees, and an annual budget to the Board of
3262 Trustees for such financial support allocations as the
3263 Board may deem necessary.

3264 C. In addition, the Foundation's Administrative/
3265 Charitable group shall submit, through the ADA
3266 Board of Trustees acting as the Member, an annual
3267 report to the House of Delegates, interim reports on
3268 request to the Member, and an annual budget to the
3269 Board of Trustees for such financial support
3270 allocations as the Board may deem necessary.

3271 D. The Foundation also may perform such other
3272 charitable and research functions as permitted under
3273 its articles of incorporation and bylaws and the laws
3274 of the State of Illinois.

CHAPTER XIV • COMMISSIONS

3275 *Section 10. NAME:* The commissions of this
3276 Association shall be:

3277 Commission on Dental Accreditation

3278 Joint Commission on National Dental Examinations

3279 *Section 20. MEMBERS, SELECTIONS,
3280 NOMINATIONS AND ELECTIONS:*

3281 A. COMMISSION ON DENTAL

3282 ACCREDITATION. The number of members and the
3283 method of selection of the members of the
3284 Commission on Dental Accreditation shall be
3285 governed by the *Rules of the Commission on Dental
3286 Accreditation* and these *Bylaws*.

3287 Twelve (12) of the members of the Commission on
3288 Dental Accreditation shall be selected as follows:

3289 (1) Four (4) members shall be nominated by the
3290 Board of Trustees on a rotational system by trustee
3291 district from the active, life or retired members of
3292 this Association, no one of whom shall be a faculty
3293 member working for a school of dentistry more
3294 than one day per week or a member of a state board

- 3295 of dental examiners or jurisdictional dental
 3296 licensing agency. The members nominated by the
 3297 Board of Trustees shall be elected by the House of
 3298 Delegates.
- 3299 (2) Four (4) members who are active, life or
 3300 retired members of this Association shall be
 3301 selected by the American Association of Dental
 3302 Examiners from the active membership of that
 3303 body, no one of whom shall be a member of a
 3304 faculty of a school of dentistry.
- 3305 (3) Four (4) members who are active, life or retired
 3306 members of this Association shall be selected by the
 3307 American Dental Education Association from its
 3308 active membership. These members shall hold
 3309 positions of professorial rank in dental schools
 3310 accredited by the Commission on Dental Accreditation
 3311 and shall not be members of any state board of dental
 3312 examiners or jurisdictional dental licensing agency.
- 3313 B. JOINT COMMISSION ON NATIONAL
 3314 DENTAL EXAMINATIONS. The Joint Commission
 3315 on National Dental Examinations shall be composed
 3316 of fifteen (15) members selected as follows:
- 3317 a. Three (3) members shall be nominated by the
 3318 Board of Trustees from the active, life or retired
 3319 members of this Association and additional
 3320 nominations may be made by the House of
 3321 Delegates but no one of such nominees shall be a
 3322 member of a faculty of a school of dentistry or a
 3323 member of a state board of dental examiners or
 3324 jurisdictional dental licensing agency. The House of
 3325 Delegates shall elect the three (3) members from
 3326 those nominated by the Board of Trustees and the
 3327 House of Delegates.
- 3328 b. Six (6) members who are active, life or retired
 3329 members of this Association shall be selected by the
 3330 American Association of Dental Examiners from the
 3331 active membership of that body, no one of whom
 3332 shall be a member of a faculty of a dental school.
- 3333 c. Three (3) members who are active, life or retired
 3334 members of this Association shall be selected by the
 3335 American Dental Education Association from its
 3336 active membership. These members shall hold
 3337 positions of professorial rank in the dental schools
 3338 accredited by this Association and shall not be
 3339 members of any state board of dental examiners or
 3340 jurisdictional dental licensing agency.
- 3341 d. One (1) member who is a dental hygienist shall be
 3342 selected by the American Dental Hygienists'
 3343 Association.
- 3344 e. One (1) member who is a public representative
 3345 shall be selected by the Joint Commission on
 3346 National Dental Examinations.
- 3347 f. One (1) member who is a dental student shall be
 3348 selected annually by the American Student Dental
 3349 Association.
- 3350 C. CONFLICT OF INTEREST. Each person
 3351 nominated for election by the House of Delegates

3352 shall complete a conflict of interest statement as
3353 prescribed by the Board of Trustees and shall file
3354 such statement with the Secretary of the House of
3355 Delegates to be made available to the delegates prior
3356 to election.

3357 *Section 30. REMOVAL FOR CAUSE:* The Board of
3358 Trustees may remove a commission member for
3359 cause in accordance with procedures established by
3360 the Board of Trustees, which procedures shall provide
3361 for notice of the charges, including allegations of the
3362 conduct purported to constitute each violation, and a
3363 decision in writing which shall specify the findings of
3364 fact which substantiate any and all of the charges, and
3365 that prior to issuance of the decision of the Board of
3366 Trustees, no commission member shall be excused
3367 from attending any meeting of a commission unless
3368 there is an opportunity to be heard or compelling
3369 reasons exist which are specified in writing by the
3370 Board of Trustees.

3371 *Section 40. ELIGIBILITY:*

3372 A. All members of commissions who are dentists
3373 must be active, life or retired members in good
3374 standing of this Association except as otherwise
3375 provided in these *Bylaws*.

3376 B. A member of the Joint Commission on National
3377 Dental Examinations, who was selected by the
3378 American Association of Dental Examiners and who
3379 is no longer an active member of that Association,
3380 may continue as a member of the Commission for the
3381 balance of that member's term.

3382 C. When a member of the Joint Commission on
3383 National Dental Examinations, who was selected by
3384 the American Dental Education Association, shall
3385 cease to be a member of the faculty of a member
3386 school of that Association, such membership on the
3387 Commission shall terminate, and the President of the
3388 American Dental Association shall declare the
3389 position vacant.

3390 D. No member of a commission may serve
3391 concurrently as a member of a council or another
3392 commission.

3393 E. CHAIRS. The Commissions of this Association
3394 shall elect their own chairs who shall be active, life or
3395 retired members of this Association.

3396 *Section 50. CONSULTANTS, ADVISERS AND*
3397 *STAFF:*

3398 A. CONSULTANTS AND ADVISERS. Each
3399 commission shall have the authority to nominate
3400 consultants and advisers in conformity with rules and
3401 regulations established by the Board of Trustees
3402 except as otherwise provided in these *Bylaws*. The
3403 Joint Commission on National Dental Examinations
3404 also shall select consultants to serve on the
3405 Commission's test construction committees. The
3406 Commission on Dental Accreditation shall have the

3407 power to appoint consultants to assist in developing
 3408 requirements and guidelines for the conducting of
 3409 accreditation evaluations, including site visitations, of
 3410 predoctoral, advanced dental educational, and dental
 3411 auxiliary educational programs.

3412 B. STAFF. The Executive Director shall employ the
 3413 staff of Commissions, in the event they are
 3414 employees, and shall select the titles for commission
 3415 staff positions.

3416 C. CONFLICT OF INTEREST. Consultants, advisers
 3417 and staff, and each person nominated or seeking such
 3418 positions, shall comply with Chapter VI, Conflict of
 3419 Interest, of these *Bylaws*.

3420 *Section 60. TERM OF OFFICE:* The term of office
 3421 of members of the commissions shall be four (4)
 3422 years except that (a) the term of office of members of
 3423 the Commission on Dental Accreditation selected
 3424 pursuant to the *Rules of the Commission on Dental*
 3425 *Accreditation* shall be governed by those *Rules* and
 3426 (b) the term of office of the dental student selected by
 3427 the American Student Dental Association for
 3428 membership on the Joint Commission on National
 3429 Dental Examinations shall be one (1) year.

3430 The tenure of a member of a commission shall be
 3431 limited to one (1) term of four (4) years except that
 3432 (a) the consecutive tenure of members of the
 3433 Commission on Dental Accreditation selected
 3434 pursuant to the *Rules of the Commission on Dental*
 3435 *Accreditation* shall be governed by those *Rules* and
 3436 (b) tenure in office of the dental student selected by
 3437 the American Student Dental Association for
 3438 membership on the Joint Commission on National
 3439 Dental Examinations shall be one (1) term. As of
 3440 1990, a member shall not be eligible for appointment
 3441 to another commission or council for a period of two
 3442 (2) years after completing a previous commission
 3443 appointment.

3444 *Section 70. VACANCY:* In the event of a vacancy in
 3445 the office of a commissioner, the following procedure
 3446 shall be followed:

3447 A. In the event the member of a commission, whose
 3448 office is vacant, is or was a member of and was
 3449 appointed or elected by this Association, the President
 3450 of this Association shall appoint a member of this
 3451 Association possessing the same qualifications as
 3452 established by these *Bylaws* for the previous member,
 3453 to fill such vacancy until a successor is elected by the
 3454 next House of Delegates of this Association for the
 3455 remainder of the unexpired term.

3456 B. In the event the member of a commission whose
 3457 office is vacant was selected by an organization other
 3458 than this Association, such other organization shall
 3459 appoint a successor possessing the same
 3460 qualifications as those possessed by the previous
 3461 member of the commission.

3462 C. In the event such vacancy involves the chair of the

3463 commission, the President of this Association shall
 3464 have the power to appoint an *ad interim* chair, except
 3465 as otherwise provided in these *Bylaws*.

3466 D. If the term of the vacated commission position has
 3467 less than fifty percent (50%) of a full four-year term
 3468 remaining at the time the successor member is
 3469 appointed or elected, the successor member shall be
 3470 eligible for election to a new, consecutive four-year
 3471 term. If fifty percent (50%) or more of the vacated
 3472 term remains to be served at the time of the
 3473 appointment or election, the successor member shall
 3474 not be eligible for another term.

3475 *Section 80. MEETINGS OF COMMISSIONS.* Each
 3476 commission shall hold at least one regular meeting
 3477 annually, provided that funds are available in the
 3478 budget for that purpose and unless otherwise directed
 3479 by the Board of Trustees. Meetings may be held at the
 3480 Headquarters Building, the Washington Office or
 3481 from multiple remote locations through the use of a
 3482 conference telephone or other communications
 3483 equipment by means of which all members can
 3484 communicate with each other. Such meetings shall be
 3485 conducted in accordance with rules and procedures
 3486 established by the Board of Trustees.

3487 *Section 90. QUORUM:* A majority of the members of
 3488 any commission shall constitute a quorum.

3489 *Section 100. PRIVILEGE OF THE FLOOR:* Chairs
 3490 and members of the commissions who are not
 3491 members of the House of Delegates shall have the
 3492 right to participate in the debate on their respective
 3493 reports but shall not have the right to vote.

3494 *Section 110. ANNUAL REPORT AND BUDGET:*

3495 A. ANNUAL REPORT. Each commission shall
 3496 submit, through the Executive Director, an annual
 3497 report to the House of Delegates and a copy thereof to
 3498 the Board of Trustees.

3499 B. PROPOSED BUDGET. Each commission shall
 3500 submit to the Board of Trustees, through the
 3501 Executive Director, a proposed itemized budget for
 3502 the ensuing fiscal year.

3503 *Section 120. POWER TO ADOPT RULES:* Any
 3504 commission of this Association shall have the power
 3505 to adopt rules for such commission and amendments
 3506 thereto, provided such rules and amendments thereto
 3507 do not conflict with or limit the *Constitution and*
 3508 *Bylaws* of this Association. Rules and amendments
 3509 thereto, adopted by any commission of this
 3510 Association, shall not be effective until submitted in
 3511 writing to and approved by majority vote of the
 3512 House of Delegates of this Association, except the
 3513 Joint Commission on National Dental Examinations
 3514 shall have such bylaws and amendments thereto as
 3515 the House of Delegates of this Association may adopt
 3516 by majority vote for the conduct of the purposes and

3517 management of the Joint Commission on National
3518 Dental Examinations.

3519 *Section 130. DUTIES:*

3520 A. COMMISSION ON DENTAL ACCREDITATION.

3521 The duties of the Commission on Dental
3522 Accreditation shall be:

3523 a. To formulate and adopt requirements and
3524 guidelines for the accreditation of dental educational
3525 and dental auxiliary educational programs.

3526 b. To accredit dental educational and dental
3527 auxiliary educational programs.

3528 c. To provide a means for appeal from an adverse
3529 decision of the accrediting body of the Commission
3530 to a separate and distinct body of the Commission
3531 whose membership shall be totally different from
3532 that of the accrediting body of the Commission.

3533 d. To submit an annual report to the House of Delegates
3534 of this Association and interim reports, on request, and
3535 the Commission's annual budget to the Board of
3536 Trustees of the Association.

3537 e. To submit the Commission's articles of
3538 incorporation and rules and amendments thereto to
3539 this Association's House of Delegates for approval
3540 by majority vote either through or in cooperation
3541 with the Council on Dental Education and
3542 Licensure.

3543 B. JOINT COMMISSION ON NATIONAL
3544 DENTAL EXAMINATIONS. The duties of the Joint
3545 Commission on National Dental Examinations shall
3546 be:

3547 a. To provide and conduct written examinations,
3548 exclusive of clinical demonstrations for the purpose
3549 of assisting state boards of dental examiners in
3550 determining qualifications of dentists who seek
3551 license to practice in any state or other jurisdiction
3552 of the United States. Dental licensure is subject to
3553 the laws of the state or other jurisdiction of the
3554 United States and the conduct of all clinical
3555 examinations for licensure is reserved to the
3556 individual board of dental examiners.

3557 b. To provide and conduct written examinations,
3558 exclusive of clinical demonstrations for the purpose
3559 of assisting state boards of dental examiners in
3560 determining qualifications of dental hygienists who
3561 seek license to practice in any state or other
3562 jurisdiction of the United States. Dental hygiene
3563 licensure is subject to the laws of the state or other
3564 jurisdiction of the United States and the conduct of
3565 all clinical examinations for licensure is reserved to
3566 the individual board of dental examiners.

3567 c. To make rules and regulations for the conduct of
3568 examinations and the certification of successful
3569 candidates.

3570 d. To serve as a resource of the dental profession in
3571 the development of written examinations.

CHAPTER XV • SCIENTIFIC SESSION
CHAPTER XVI • PUBLICATIONS

CHAPTER XV • SCIENTIFIC SESSION

3572 *Section 10. OBJECT:* The scientific session of this
3573 Association is established to foster the presentation
3574 and discussion of subjects pertaining to the
3575 improvement of the health of the public and the
3576 science and art of dentistry.

3577 *Section 20. TIME AND PLACE:* The scientific
3578 session of the Association shall be held annually at a
3579 time and place selected by the Board of Trustees.
3580 Such selection shall be made at least one (1) year in
3581 advance.

3582 *Section 30. MANAGEMENT AND GENERAL*
3583 *ARRANGEMENTS:* The Board of Trustees shall
3584 provide for the management of, and make all
3585 arrangements for, each scientific session unless
3586 otherwise provided in these *Bylaws*.

3587 *Section 40. TRADE AND LABORATORY*
3588 *EXHIBITS:* Products of the dental trade and dental
3589 laboratories and other products may be exhibited at
3590 each scientific session under the direction of the
3591 Board of Trustees and in accordance with rules and
3592 regulations established by that body.

3593 *Section 50. ADMISSION:* Admission to meetings of
3594 the scientific sessions shall be limited to members of
3595 this Association who are in good standing and to
3596 others admitted in accordance with rules and
3597 regulations established by the Board of Trustees.

CHAPTER XVI • PUBLICATIONS

3598 *Section 10. OFFICIAL JOURNAL:*

3599 A. TITLE. This Association shall publish or cause to
3600 be published an official journal under the title of *The*
3601 *Journal of the American Dental Association*,
3602 hereinafter referred to as *The Journal*.

3603 B. OBJECT. The object of *The Journal* shall be to
3604 report, chronicle and evaluate activities of scientific
3605 and professional interest to members of the dental
3606 profession.

3607 C. FREQUENCY OF ISSUE AND SUBSCRIPTION
3608 RATE. The frequency of issue and the subscription
3609 rate of *The Journal* shall be determined by the Board
3610 of Trustees.

3611 *Section 20. OTHER JOURNALS:* The Association
3612 may publish or cause to be published other journals in
3613 the field of dentistry subject to the direction and
3614 regulations of the Board of Trustees.

3615 *Section 30. OFFICIAL TRANSACTIONS:* The
3616 official transactions of the House of Delegates and the
3617 Board of Trustees and the reports of officers, councils
3618 and committees shall be published under the direction
3619 of the Executive Director.

CHAPTER XVI • PUBLICATIONS
CHAPTER XVII • FINANCES

3620 *Section 40. AMERICAN DENTAL DIRECTORY:* This
3621 Association shall cause to be published an *American*
3622 *Dental Directory*.

CHAPTER XVII • FINANCES

3623 *Section 10. FISCAL YEAR:* The fiscal year of the
3624 Association shall begin January 1 of each calendar
3625 year and end December 31 of the same year.

3626 *Section 20. GENERAL FUND:* The General Fund
3627 shall consist of all monies received other than those
3628 specifically allocated to other funds by these *Bylaws*.
3629 This fund shall be used for defraying all expenses
3630 incurred by this Association not otherwise provided
3631 for in these *Bylaws*. The General Fund may be
3632 divided into Operating and Reserve Divisions at the
3633 direction of the Board of Trustees.

3634 *Section 30. OTHER FUNDS:* The Association may
3635 establish other funds, at the direction of the Board of
3636 Trustees, for activities and programs requiring
3637 separate accounting records to meet governmental
3638 and administrative requirements. Such funds shall
3639 consist of monies and other assets received or
3640 allocated in accordance with the purpose for which
3641 they are established. Such funds shall be used for
3642 defraying all expenses incurred in their operation,
3643 shall serve only as separate accounting entities and
3644 continue to be held in the name of the American
3645 Dental Association as divisions of the General Fund.

3646 *Section 40. SPECIAL ASSESSMENTS:* In addition
3647 to the payment of dues required in Chapter I, Section
3648 20 of these *Bylaws*, a special assessment may be
3649 levied by the House of Delegates upon active, active
3650 life, retired, affiliate and associate members of this
3651 Association as provided in Chapter I, Section 20 of
3652 these *Bylaws*, for the purpose of funding a specific
3653 project of limited duration. Such an assessment may
3654 be levied at any annual or special session of the
3655 House of Delegates by a two-thirds (2/3) majority
3656 vote of the delegates present and voting, provided
3657 notice of the proposed assessment has been presented
3658 in writing at least ninety (90) days prior to the first
3659 day of the session of the House of Delegates at which
3660 it is to be considered. Notice of such a resolution shall
3661 be sent by a certifiable method of delivery to each
3662 constituent society not less than ninety (90) days
3663 before such session to permit prompt, adequate notice
3664 by each constituent society to its delegates and
3665 alternate delegates to the House of Delegates of this
3666 Association, and shall be announced to the general
3667 membership in an official publication of this
3668 Association at least sixty (60) days in advance of the
3669 session. The specific project to be funded by the
3670 proposed assessment, the time frame of the project,
3671 and the amount and duration of the proposed
3672 assessment shall be clearly presented in giving notice

CHAPTER XVII • FINANCES
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3673 to the members of this Association. Revenue from a
3674 special assessment and any earnings thereon shall be
3675 deposited in a separate fund as provided in Chapter
3676 XVII, Section 30 of these *Bylaws*. The House of
3677 Delegates may amend the main motion to levy a
3678 special assessment only if the amendment is germane
3679 and adopted by a two-thirds (2/3) majority vote of the
3680 delegates present and voting. The House of Delegates
3681 may consider only one (1) specific project to be
3682 funded by a proposed assessment at a time. However,
3683 if properly adopted by the House of Delegates, two
3684 (2) or more special assessments may be in force at the
3685 same time. Any resolution to levy a special
3686 assessment that does not meet the notice requirements
3687 set forth in the previous paragraph also may be
3688 adopted by a unanimous vote of the House of
3689 Delegates, provided the resolution has been presented
3690 in writing at a previous meeting of the same session.

CHAPTER XVIII • ALLIANCE OF THE
AMERICAN DENTAL ASSOCIATION

3691 *Section 10. RECOGNITION:* The Association
3692 recognizes the Alliance of the American Dental
3693 Association as an organization of the spouses of
3694 active, life, retired or student members in good
3695 standing of this Association, and of spouses of such
3696 deceased members who were in good standing at the
3697 time of death.

3698 *Section 20. CONSTITUTION AND BYLAWS:* No
3699 provision in the constitution and bylaws of the
3700 Alliance shall be in conflict with the *Constitution and*
3701 *Bylaws* of this Association.

CHAPTER XIX • INDEMNIFICATION

3702 Each trustee, officer, council member, committee
3703 member, employee and other agent of the Association
3704 shall be held harmless and indemnified by the
3705 Association against all claims and liabilities and all
3706 costs and expenses, including attorney's fees,
3707 reasonably incurred or imposed upon such person in
3708 connection with or resulting from any action, suit or
3709 proceeding, or the settlement or compromise thereof,
3710 to which such person may be made a party by reason
3711 of any action taken or omitted to be taken by such
3712 person as a trustee, officer, council member,
3713 committee member, employee or agent of the
3714 Association, in good faith. This right of
3715 indemnification shall inure to such person whether or
3716 not such person is a trustee, officer, council member,
3717 committee member, employee or agent at the time
3718 such liabilities, costs or expenses are imposed or
3719 incurred and, in the event of such person's death,
3720 shall extend to such person's legal representatives. To
3721 the extent available, the Association shall insure
3722 against any potential liability hereunder.

CHAPTER XX • CONSTRUCTION
CHAPTER XXI • AMENDMENTS

CHAPTER XX • CONSTRUCTION

3723 Where the context or construction requires, all titles
3724 and personal pronouns used in the *Bylaws*, whether
3725 used in the masculine, feminine or neutral gender,
3726 shall include all genders.

CHAPTER XXI • AMENDMENTS

3727 *Section 10. PROCEDURE:* These *Bylaws* may be
3728 amended at any session of the House of Delegates by
3729 a two-thirds (2/3) majority vote of the members
3730 present and voting, provided the proposed
3731 amendments shall have been presented in writing at a
3732 previous session or a previous meeting of the same
3733 session.

3734 *Section 20. AMENDMENT RELATING TO DUES:*
3735 An amendment of these *Bylaws* effecting a change in
3736 the dues of active members or affecting the procedure
3737 for changing the dues of active members may be
3738 adopted only if the proposed amendment has been
3739 presented in writing at least ninety (90) days prior to
3740 the first day of the session of the House of Delegates
3741 at which it is to be considered. Notice of such a
3742 resolution shall be sent by a certifiable method of
3743 delivery to each constituent society not less than
3744 ninety (90) days before such session to permit
3745 prompt, adequate notice by each constituent society to
3746 its delegates and alternate delegates to the House of
3747 Delegates of this Association, and shall be announced
3748 to the general membership in an official publication
3749 of the Association at least sixty (60) days in advance
3750 of the annual session.

3751 Amendments affecting dues may also be adopted by
3752 a unanimous vote provided that the proposed
3753 amendment has been presented in writing at a
3754 previous meeting of the same session.

*Articles of
Incorporation*

.....

3755 1. NAME. The name of this corporation is
3756 AMERICAN DENTAL ASSOCIATION.

3757 2. DURATION. The duration of the corporation is
3758 perpetual.

3759 3. PURPOSE AND OBJECT. The purpose and object
3760 of this corporation are to encourage the improvement
3761 of the health of the public and to promote the art and
3762 science of dentistry.

3763 4. OFFICE. The principal office of the corporation
3764 shall be in the City of Chicago, Cook County, Illinois.

3765 5. BYLAWS. The bylaws of the corporation shall be
3766 divided into two categories designated, respectively,
3767 "Constitution" and "Bylaws" and each category shall
3768 be amendable from time to time in the manner and by
3769 the method therein set forth, but in case of any
3770 conflict between the Constitution and the Bylaws the
3771 provisions of the Constitution shall control.

3772 6. MEMBERSHIP. The qualifications, the method of
3773 election, designation or selection, the privileges and
3774 obligations, and the voting rights, if any, of the
3775 various classes of members which are established by
3776 the Constitution and Bylaws of the corporation from
3777 time to time shall be set forth in and governed by
3778 such Constitution and Bylaws.

3779 7. EXERCISE OF CORPORATE POWERS. Except
3780 as otherwise provided by law, the affairs of this
3781 corporation shall be governed and the corporate
3782 powers of the corporation shall be exercised by a
3783 Board of Directors (to be known as the Board of
3784 Trustees), House of Delegates, officers, councils,
3785 committees, members, agents and employees as set
3786 forth in the Constitution and Bylaws and the titles,
3787 duties, powers, and methods of electing, designating
3788 or selecting all of the foregoing shall be as provided
3789 therein.

3790 8. VOTING RIGHTS WITH RESPECT TO
3791 ARTICLES OF INCORPORATION. Only those
3792 members of the corporation shall have voting rights in
3793 respect to amendments to the Articles of
3794 Incorporation who shall have a right to vote on
3795 amendments to the Constitution of the corporation.

