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American Dental Association

Constitution and Bylaws

Revised to
January 1, 2003



American Dental Association
www.ada.org

Constitution and Bylaws

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Constitution

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ARTICLE I • NAME

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

ARTICLE II • OBJECT

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

ARTICLE III • ORGANIZATION

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

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

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

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

31 *Section 50. CONSTITUENT SOCIETIES:*
32 Constituent societies of this Association shall be
33 those dental societies or dental associations
34 chartered as such in conformity with Chapter II of
35 the *Bylaws*.

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

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

ARTICLE IV • GOVERNMENT

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

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

ARTICLE V • OFFICERS

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

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

ARTICLE VI • ANNUAL SESSION

70 The annual session of this Association shall be
71 conducted in accordance with Chapters V and XV
72 of the *Bylaws*.

ARTICLE VII • PRINCIPLES OF ETHICS AND CODE OF PROFESSIONAL CONDUCT

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

ARTICLE VIII • AMENDMENTS

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

Bylaws



CHAPTER I • MEMBERSHIP

90 *Section 10.* CLASSIFICATION: The members of this
 91 Association shall be classified as follows:
 92 Active Members
 93 Life Members
 94 Retired Members
 95 Student Members
 96 Honorary Members
 97 Provisional Members
 98 Associate Members
 99 Affiliate Members
 100 *Section 20.* QUALIFICATIONS, PRIVILEGES,
 101 DUES AND SPECIAL ASSESSMENTS:
 102 A. ACTIVE MEMBER.
 103 a. QUALIFICATIONS. An active member shall be
 104 a dentist who is licensed to practice dentistry (or
 105 medicine provided the physician has a D.D.S. or
 106 D.M.D. or equivalent dental degree) in a state or
 107 other jurisdiction of the United States and shall be a
 108 member in good standing of this Association as that
 109 is defined in these *Bylaws*. In addition, a dentist
 110 shall be a member in good standing of this
 111 Association's constituent and component societies,
 112 unless the dentist is in the exclusive employ of, or
 113 is serving on active duty in, one of the federal
 114 dental services, is practicing in a country other than
 115 the United States and consequently is ineligible for
 116 membership in a constituent or component society
 117 or is a non-practicing dentist. A dentist is
 118 considered to be in the exclusive employ of one of
 119 the federal dental services when the dentist is under
 120 contract to provide dental services to the
 121 beneficiaries of the federal agency on a full-time
 122 basis and does not engage in private practice within
 123 the jurisdiction of a constituent or component
 124 society. A dentist is considered to be a non-
 125 practicing dentist when the dentist works as a
 126 dental school faculty member, dental administrator
 127 or consultant within the territorial jurisdiction of a

128 constituent society and is ineligible for active
129 membership in the constituent or component
130 society because the dentist is not licensed in the
131 territorial jurisdiction of that constituent.

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

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

144 b. PRIVILEGES.

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

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

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

167 c. DUES AND SPECIAL ASSESSMENTS.

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

181 Chapter I, Section 20Ad of these *Bylaws*:

182 (1) Dentists, when awarded a D.D.S. or D.M.D.
183 degree, shall be exempt from the payment of active
184 member dues and any special assessment for the
185 remaining period of that year. Dentists shall pay
186 twenty-five percent (25%) of active member dues
187 and special assessment for the first full calendar
188 year following the year in which the degree was
189 awarded, fifty percent (50%) of active member dues
190 and special assessment in the second year, seventy-
191 five percent (75%) in the third year and one
192 hundred percent (100%) in the fourth year and
193 thereafter. Eligibility for this benefit shall be
194 conditioned on maintenance of continuous
195 membership or payment of reduced dues and
196 special assessment(s) for the years not previously
197 paid, at the rates current during the missing year(s).

198 (2) The dentist who is engaged full-time in (a) an
199 advanced training course of not less than one (1)
200 academic year’s duration in an accredited school or
201 a residency program in areas neither recognized by
202 this Association nor accredited by the Commission
203 on Dental Accreditation or (b) a residency program
204 or advanced education program in areas recognized
205 by this Association and in a program accredited by
206 the Commission on Dental Accreditation shall pay
207 thirty dollars (\$30.00) due on January 1 of each
208 year until December 31 following completion of
209 such program. For the dentist who enters such a
210 course or program within one (1) year of the award
211 of D.D.S. or D.M.D. degree the applicable
212 foregoing condition (1) shall toll until completion
213 of that program. Upon completing the program, the
214 dentist shall pay dues and any special assessments
215 for active members at the next period-in-time level
216 that is applicable under condition (1). Eligibility for
217 this benefit shall be conditioned on maintenance of
218 continuous membership or payment of post-
219 graduate student dues and active member dues and
220 special assessment(s) for years not previously paid,
221 at the rates current during the missing years. The
222 dentist who is engaged full-time in (a) an advanced
223 training course of not less than one (1) academic
224 year’s duration in an accredited school or residency
225 program in areas neither recognized by this
226 Association nor accredited by the Commission on
227 Dental Accreditation or (b) a residency program or
228 advanced education program in areas recognized by
229 this Association and in a program accredited by the
230 Commission on Dental Accreditation shall be
231 exempt from the payment of any active member
232 special assessment then in effect through December
233 31 following completion of such course or program.

234 (3) An active member who is serving the
235 profession by working full-time for a charitable
236 organization and is receiving neither income nor a
237 salary for such charitable service other than a

238 subsistence amount which approximates a cost of
 239 living allowance shall pay dues of five dollars
 240 (\$5.00) due January 1 of each year, and shall be
 241 exempt from the payment of any special assessment
 242 then in effect through December 31 following
 243 completion of such service; provided that such
 244 charitable service is being performed continuously
 245 for not less than one year and provided further that
 246 such member does not supplement such subsistence
 247 income by the performance of services as a member
 248 of the faculty of a dental or dental auxiliary school,
 249 as a dental administrator or consultant, or as a
 250 practitioner of any activity for which a license to
 251 practice dentistry or dental hygiene is required.

252 (4) A graduate of a non-accredited dental school
 253 who has recently been licensed to practice dentistry
 254 in a jurisdiction in which there is a constituent
 255 dental society of the American Dental Association
 256 shall be exempt from payment of active member
 257 dues and any special assessment for the remaining
 258 period of the year in which the license was issued.
 259 The newly licensed graduate of a non-accredited
 260 school shall pay twenty-five percent (25%) of
 261 active member dues and any special assessment the
 262 first full calendar year following the year in which
 263 the license was obtained, fifty percent (50%) of
 264 active member dues and any special assessment in
 265 the second year, seventy-five percent (75%) in the
 266 third year and one hundred percent (100%) in the
 267 fourth year and thereafter.

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

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

289 B. LIFE MEMBER.

290 a. QUALIFICATIONS. A life member shall be a
 291 member in good standing of this Association who
 292 (1) has been an active and/or retired member in
 293 good standing of this Association for thirty (30)

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

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

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

314 The Association will give notification to members
 315 who are eligible for life membership. Life
 316 membership shall be effective the calendar year
 317 following the year in which the requirements are
 318 fulfilled. Maintenance of membership in good
 319 standing in the member's constituent and component
 320 societies, if such exist, shall be a requisite for
 321 continuance of life membership in this Association.

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

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

336 c. DUES AND SPECIAL ASSESSMENTS.

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

348 (2) RETIRED LIFE MEMBERS. Life members who
 349 have fulfilled the qualifications of Chapter I, Section
 350 20C of these *Bylaws* with regard to income related

351 to dentistry shall be exempt from payment of dues
352 and any special assessment levied by the House of
353 Delegates.

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

365 For the purpose of establishing continuity of active
366 membership in order to qualify for life membership,
367 an active member, who had been such when entering
368 upon active duty in one of the federal dental services
369 but who, during such federal dental service,
370 interrupted the continuity of active membership
371 because of failure to pay dues and/or special
372 assessments and who, within one year after
373 separation from such military or equivalent duty,
374 resumed active membership, may pay back dues and
375 special assessments for any missing period of active
376 membership at the rate of dues and/or special
377 assessments current during the missing years of
378 membership.

379 C. RETIRED MEMBER.

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

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

400 A retired member under a disciplinary sentence
401 of suspension shall not be privileged to hold office,

402 either elective or appointive, including delegate and
403 alternate delegate, in such member's component
404 and constituent societies and this Association, or to
405 vote or otherwise participate in the selection of
406 officials of such member's component and
407 constituent societies and this Association.

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

416 D. STUDENT MEMBER.

417 a. QUALIFICATIONS. A student member shall be
418 either a predoctoral student of a dental school
419 accredited by the Commission on Dental
420 Accreditation of this Association or a dentist
421 eligible for membership in this Association who is
422 engaged full time in an advanced training course of
423 not less than one academic year's duration in an
424 accredited school or residency program.

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

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

437 c. DUES AND SPECIAL ASSESSMENTS.

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

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

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

454 E. HONORARY MEMBER.

455 a. QUALIFICATIONS: An individual who has

456 made outstanding contributions to the advancement
 457 of the art and science of dentistry, upon election by
 458 the Board of Trustees, shall be classified as an
 459 honorary member of this Association.
 460 b. PRIVILEGES. An honorary member shall
 461 receive a membership card and *The Journal of the*
 462 *American Dental Association*. An honorary member
 463 shall be entitled to attend any scientific session of
 464 this Association and receive such other services as
 465 are authorized by the Board of Trustees.
 466 c. DUES AND SPECIAL ASSESSMENTS.
 467 Honorary members shall be exempt from payment
 468 of dues and any special assessment levied by the
 469 House of Delegates.

470 F. PROVISIONAL MEMBER.

471 a. QUALIFICATIONS. A provisional member
 472 shall be a dentist who:
 473 (1) has received a D.D.S. or D.M.D. degree from a
 474 dental school accredited by the Commission on
 475 Dental Accreditation of the American Dental
 476 Association or shall be a graduate of an
 477 unaccredited dental school who has recently been
 478 licensed to practice dentistry in a jurisdiction in
 479 which there is a constituent dental society;
 480 (2) has not established a place of practice; and
 481 (3) shall have applied for provisional membership
 482 within 12 months of graduation or licensure.
 483 Provisional membership shall terminate December
 484 31 of the second full calendar year following the
 485 year in which the degree was awarded.
 486 b. PRIVILEGES. A provisional member in good
 487 standing shall be entitled to all the privileges of an
 488 active member except that, notwithstanding
 489 anything in these *Bylaws* to the contrary, a
 490 provisional member shall have no right to appeal
 491 from a denial of active membership in the
 492 Association.
 493 A provisional member under a disciplinary
 494 sentence of suspension shall not be privileged to
 495 hold office, either elective or appointive, including
 496 delegate and alternate delegate, in such member's
 497 component and constituent societies and this
 498 Association, or to vote or otherwise participate in
 499 the selection of officials of such member's
 500 component and constituent societies and this
 501 Association.
 502 c. DUES AND SPECIAL ASSESSMENTS. The
 503 dues and/or special assessments of provisional
 504 members shall be the same as the dues and/or
 505 special assessments of active members.

506 G. ASSOCIATE MEMBER.

507 a. QUALIFICATIONS. An associate member shall

508 be a person ineligible for any other type of
 509 membership in this Association, who contributes to
 510 the advancement of the objectives of this
 511 Association, is employed full-time in dentally-
 512 related education or research, does not hold a dental
 513 license in the United States, and has applied to and
 514 been approved by the Board of Trustees.*
 515 b. PRIVILEGES. An associate member in good
 516 standing shall receive annually a membership card
 517 and *The Journal of the American Dental*
 518 *Association*, the subscription price of which shall be
 519 included in the annual dues. An associate member
 520 shall be entitled to attend any scientific session of
 521 this Association and receive such other services as
 522 are authorized by the Board of Trustees.
 523 c. DUES AND SPECIAL ASSESSMENTS. The
 524 dues of associate members shall be twenty-five
 525 percent (25%) of the dues of active members, due
 526 January 1 of each year. In addition to their annual
 527 dues, associate members shall pay twenty-five
 528 percent (25%) of any active member special
 529 assessment levied by the House of Delegates, due
 530 January 1 of each year.

531 H. AFFILIATE MEMBER.

532 a. QUALIFICATIONS. An affiliate member shall
 533 be a dentist who is ineligible for any other
 534 classification of membership and:
 535 (1) is practicing in a country other than the United
 536 States;
 537 (2) has been classified as an affiliate member upon
 538 application to and approval by the Board of
 539 Trustees; and
 540 (3) is a member in good standing of this
 541 Association.
 542 b. PRIVILEGES. An affiliate member in good
 543 standing shall receive annually a membership card
 544 and *The Journal of the American Dental*
 545 *Association*, the subscription price of which shall be
 546 included in the annual dues. An affiliate member
 547 shall be entitled to attend any scientific session of
 548 this Association and receive such other services as

* 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.

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

557 *Section 30. DEFINITION OF "IN GOOD*
 558 *STANDING"*. A member of this Association whose
 559 dues and special assessments for the current year have
 560 been paid shall be in good standing; provided,
 561 however, that a member, to remain in good standing
 562 may be required under the bylaws of the member's
 563 constituent or component society, to meet standards
 564 of continuing education, pay special assessments,
 565 cooperate with peer review bodies or committees on
 566 ethics, or attend, if a newly admitted active member, a
 567 stated number of membership meetings between the
 568 date of admission and the completion of the first
 569 calendar year of active membership. If under a
 570 disciplinary sentence of suspension, such member
 571 shall be designated as a "member in good standing
 572 temporarily under suspension" until the member's
 573 disciplinary sentence has terminated.

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

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

597 be presented on request to this Association.*

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

600 A. LAPSE OF MEMBERSHIP. Any member whose
 601 dues and special assessments have not been paid by
 602 March 31 of the current year shall cease to be a
 603 member of this Association. Further, an associate
 604 member who terminates full-time employment in
 605 dentally-related education or research shall cease to
 606 be an associate member of this Association December
 607 31 of that calendar year.

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

* 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.

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

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

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

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

CHAPTER II • CONSTITUENT SOCIETIES

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

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

671 *Section 30. POWERS AND DUTIES:*

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

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

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

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

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

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

696 *Section 40. MEMBERSHIP:*

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

711 or retired members in good standing of a component of
712 the constituent (except for the federal dentists), if such
713 exists, and this Association.

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

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

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

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

760 **D. MULTIPLE JURISDICTIONS.** A member may
761 hold membership in more than one constituent society
762 with the consent of the constituent society involved.
763 A member is required to maintain active membership
764 in the constituent society, if accepted therein,
765 in whose jurisdiction the member maintains or practices
766 dentistry at a secondary or "branch" office. In order to
767 meet the requirement of tripartite membership, a
768 member must also maintain active membership in one

769 component society of each constituent society into
770 which the member is accepted, if such exist. If such a
771 member is accused of unethical conduct and
772 disciplinary proceedings are brought, then those
773 proceedings shall be instituted in the component or
774 constituent society where the alleged unethical
775 conduct occurred. A disciplinary ruling affecting
776 membership in one constituent society shall affect
777 membership in both societies and in the Association.
778 A member shall have the right of appeal as provided
779 in Chapter XII of the *Bylaws*. Such member shall pay
780 dues in this Association only through the constituent
781 society in whose jurisdiction the member conducts
782 the major part of the member's practice.

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

787 *Section 60. SESSIONS:* A constituent society shall
788 hold a business session at least once each calendar
789 year.

790 *Section 70. CONSTITUTION AND BYLAWS:* Each
791 constituent society shall adopt and maintain a
792 constitution and bylaws which shall not be in conflict
793 with, or limit, the *Constitution and Bylaws*
794 of this Association and shall file a copy thereof and
795 any changes which may be made thereafter, with the
796 Executive Director of this Association.

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

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

814 *Section 100. PRIVILEGE OF REPRESENTATION:*
815 Each constituent society shall be entitled to at least
816 one delegate without regard to the number of
817 members. The Air Force Dental Corps, the Army
818 Dental Corps, the Navy Dental Corps, the Public
819 Health Service and the Department of Veterans
820 Affairs shall each be entitled to two delegates, one of
821 which shall be elected by the respective service,
822 without regard to the number of members. The
823 remaining number of delegates, to the limit
824 established in Chapter V, Section 10, shall be
825 allocated to constituent societies proportionately to

826 their number of active, life and retired members.
 827 Each constituent society and each federal dental
 828 service may select from among its active, life and
 829 retired members the same number of alternate
 830 delegates as delegates and shall designate the
 831 alternate delegate who shall replace an absent
 832 delegate.
 833 For the purpose of this section, the number of active,
 834 life and retired members, of each constituent society
 835 shall be determined as of the last day of the calendar
 836 year preceding an annual session.

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

843 Alabama Dental Association
 844 Alaska Dental Society
 845 Arizona State Dental Association
 846 Arkansas State Dental Association
 847 California Dental Association
 848 Colorado Dental Association
 849 Connecticut State Dental Association, The
 850 Delaware State Dental Society
 851 District of Columbia Dental Society, The
 852 Florida Dental Association
 853 Georgia Dental Association
 854 Hawaii Dental Association
 855 Idaho State Dental Association
 856 Illinois State Dental Society
 857 Indiana Dental Association
 858 Iowa Dental Association
 859 Kansas Dental Association
 860 Kentucky Dental Association
 861 Louisiana Dental Association, The
 862 Maine Dental Association
 863 Maryland State Dental Association
 864 Massachusetts Dental Society
 865 Michigan Dental Association
 866 Minnesota Dental Association
 867 Mississippi Dental Association, The
 868 Missouri Dental Association
 869 Montana Dental Association
 870 Nebraska Dental Association, The
 871 Nevada Dental Association
 872 New Hampshire Dental Society
 873 New Jersey Dental Association
 874 New Mexico Dental Association
 875 New York State Dental Association
 876 North Carolina Dental Society, The
 877 North Dakota Dental Association
 878 Ohio Dental Association
 879 Oklahoma Dental Association
 880 Oregon Dental Association
 881 Pennsylvania Dental Association
 882 Puerto Rico, Colegio de Cirujanos Dentistas de
 883 Rhode Island Dental Association

884 South Carolina Dental Association
 885 South Dakota Dental Association
 886 Tennessee Dental Association
 887 Texas Dental Association
 888 Utah Dental Association
 889 Vermont State Dental Society
 890 Virgin Islands Dental Association
 891 Virginia Dental Association
 892 Washington State Dental Association
 893 West Virginia Dental Association
 894 Wisconsin Dental Association
 895 Wyoming Dental Association

CHAPTER III • COMPONENT SOCIETIES

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

914 *Section 20.* POWER AND DUTIES:

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

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

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

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

935 *Section 30.* PRIVILEGES OF MEMBERSHIP: An
 936 active, life, or retired member in good standing shall
 937 have the opportunity of enjoying all privileges of

938 component society membership except as otherwise
939 provided by these *Bylaws*.

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

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

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

CHAPTER IV • TRUSTEE DISTRICTS

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

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

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

975 DISTRICT 1
976 Connecticut State Dental Association, The
977 Maine Dental Association
978 Massachusetts Dental Society
979 New Hampshire Dental Society
980 Rhode Island Dental Association
981 Vermont State Dental Society

982 DISTRICT 2
983 New York State Dental Association

984 DISTRICT 3
985 Pennsylvania Dental Association

986 DISTRICT 4
987 Air Force Dental Corps
988 Army Dental Corps

989 Delaware State Dental Society
990 District of Columbia Dental Society, The
991 Maryland State Dental Association
992 Navy Dental Corps
993 New Jersey Dental Association
994 Public Health Service
995 Puerto Rico, Colegio de Cirujanos Dentistas de
996 Veterans Affairs
997 Virgin Islands Dental Association

998 DISTRICT 5*
999 Alabama Dental Association
1000 Georgia Dental Association
1001 Mississippi Dental Association, The

1002 DISTRICT 6
1003 Kentucky Dental Association
1004 Missouri Dental Association
1005 Tennessee Dental Association
1006 West Virginia Dental Association

1007 DISTRICT 7
1008 Indiana Dental Association
1009 Ohio Dental Association

1010 DISTRICT 8
1011 Illinois State Dental Society

1012 DISTRICT 9
1013 Michigan Dental Association
1014 Wisconsin Dental Association

1015 DISTRICT 10
1016 Iowa Dental Association
1017 Minnesota Dental Association
1018 Nebraska Dental Association, The
1019 North Dakota Dental Association
1020 South Dakota Dental Association

1021 DISTRICT 11
1022 Alaska Dental Society
1023 Idaho State Dental Association
1024 Montana Dental Association
1025 Oregon Dental Association
1026 Washington State Dental Association

1027 DISTRICT 12
1028 Arkansas State Dental Association
1029 Kansas Dental Association
1030 Louisiana Dental Association, The
1031 Oklahoma Dental Association

1032 DISTRICT 13
1033 California Dental Association

1034 DISTRICT 14
1035 Arizona State Dental Association
1036 Colorado Dental Association
1037 Hawaii Dental Association
1038 Nevada Dental Association
1039 New Mexico Dental Association
1040 Utah Dental Association
1041 Wyoming Dental Association

1042	DISTRICT 15
1043	Texas Dental Association
1044	DISTRICT 16
1045	North Carolina Dental Society, The
1046	South Carolina Dental Association
1047	Virginia Dental Association
1048	DISTRICT 17*
1049	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

1050	<i>Section 10. COMPOSITION:</i> The House of Delegates
1051	shall be limited to four hundred twenty-seven (427)
1052	voting members. It shall be composed of the officially
1053	certified delegates of each constituent society, two (2)
1054	officially certified delegates from each of the five
1055	federal dental services and five (5) student members
1056	of the American Dental Association who are
1057	officially certified delegates from the American
1058	Student Dental Association.
1059	The elective and appointive officers and trustees of
1060	this Association shall be <i>ex officio</i> members of the
1061	House of Delegates without the power to vote. They
1062	shall not serve as delegates. Past presidents of this
1063	Association shall be <i>ex officio</i> members of the House
1064	of Delegates without the power to vote unless
1065	designated as delegates.
1066	Each constituent society shall be entitled to at least
1067	one (1) delegate without regard to the number of
1068	members. The Air Force Dental Corps, the Army
1069	Dental Corps, the Navy Dental Corps, the Public
1070	Health Service and the Department of Veterans
1071	Affairs shall be entitled to two (2) delegates, one of
1072	which shall be elected by the respective service,
1073	without regard to the number of members. The
1074	remaining number of delegates shall be allocated to
1075	constituent societies proportionally to their number of
1076	active, life and retired members. The "Method of
1077	Least Proportionate Error" shall be the formula used
1078	to calculate the number of delegates allocated
1079	annually to each constituent society.
1080	Each constituent society and each federal dental
1081	service may select from among its active, life and
1082	retired members the same number of alternate
1083	delegates as delegates. The American Student Dental
1084	Association may select from among its active
1085	members the same number of alternate delegates as
1086	delegates.
1087	The American Student Dental Association shall
1088	select its five delegates from its even numbered
1089	regions in even numbered years, and the odd
1090	numbered regions in odd numbered years, with their
1091	alternate delegates selected from the opposite groups
1092	of regions.
1093	For the purpose of this section, the number of
1094	active, life and retired members of each constituent
1095	society shall be determined as of the last day of the
1096	calendar year preceding an annual session.
1097	<i>Section 20. ELECTION OF DELEGATES AND</i>
1098	<i>ALTERNATE DELEGATES:</i> The officially certified
1099	delegates and the alternate delegates of each
1100	constituent society shall be elected by one or more of

- 1101 the following methods:
- 1102 1. By the membership at large of that constituent
- 1103 society
- 1104 2. By the constituent society's governing legislative
- 1105 body
- 1106 3. By a component with respect to the delegates
- 1107 representing that component
- 1108 Each federal dental service and the American Student
- 1109 Dental Association may establish its own method for
- 1110 selecting delegates.
- 1111 *Section 30. CERTIFICATION OF DELEGATES*
- 1112 *AND ALTERNATE DELEGATES:* The secretary of
- 1113 each constituent society, the ranking administrative
- 1114 officer of each federal dental service, and the
- 1115 secretary of the American Student Dental Association
- 1116 shall file with the Executive Director of this
- 1117 Association, at least sixty (60) days prior to the first
- 1118 day of the annual session of the House of Delegates,
- 1119 the names of the delegates and alternate delegates
- 1120 designated by the society, service or association. The
- 1121 Executive Director of this Association shall provide
- 1122 each delegate and alternate delegate with credentials
- 1123 which shall be presented to the Committee on
- 1124 Credentials, Rules and Order of the House of
- 1125 Delegates. In the event of a contest over the
- 1126 credentials of any delegate or alternate delegate, the
- 1127 Committee on Credentials, Rules and Order shall hold
- 1128 a hearing and report its findings and
- 1129 recommendations to the House of Delegates for final
- 1130 action.
- 1131 *Section 40. POWERS:*
- 1132 A. The House of Delegates shall be the supreme
- 1133 authoritative body of this Association.
- 1134 B. It shall possess the legislative powers.
- 1135 C. It shall determine the policies which shall govern
- 1136 this Association in all of its activities.
- 1137 D. It shall have the power to enact, amend and repeal
- 1138 the *Constitution and Bylaws*.
- 1139 E. It shall have the power to adopt and amend the
- 1140 *Principles of Ethics and Code of Professional*
- 1141 *Conduct* for governing the professional conduct of the
- 1142 members.
- 1143 F. It shall have the power to grant, amend, suspend or
- 1144 revoke charters of constituent societies. It shall also
- 1145 have the power by a two-thirds (2/3) majority to
- 1146 suspend the representation of a constituent society in
- 1147 the House of Delegates upon a determination by the
- 1148 House that the bylaws of the constituent society
- 1149 violate the *Constitution or Bylaws* of this Association
- 1150 providing, however, such suspension shall not be in
- 1151 effect until the House of Delegates has voted that the
- 1152 constituent society is in violation and has one year
- 1153 after notification of the specific violation in which to
- 1154 correct its constitution or bylaws.
- 1155 G. It shall have the power to create special
- 1156 committees of the Association.
- 1157 H. It shall have the power to establish branch offices
- 1158 of the Association.
- 1159 I. It shall have the power to approve all memorials,
- 1160 resolutions or opinions issued in the name of the
- 1161 American Dental Association.
- 1162 *Section 50. DUTIES:* It shall be the duty of the House
- 1163 of Delegates:
- 1164 A. To elect the elective officers.
- 1165 B. To elect the members of the Board of Trustees.
- 1166 C. To elect the members of the councils and
- 1167 commissions except as otherwise provided by these
- 1168 *Bylaws*.
- 1169 D. To receive and act upon reports of the committees
- 1170 of the House of Delegates.
- 1171 E. To adopt an annual budget.
- 1172 F. To serve as the court of appeal from decisions of
- 1173 the Council on Ethics, Bylaws and Judicial Affairs
- 1174 except those decisions involving discipline of
- 1175 members.
- 1176 *Section 60. TRANSFER OF POWERS AND*
- 1177 *DUTIES OF THE HOUSE OF DELEGATES:* The
- 1178 powers and duties of the House of Delegates, except
- 1179 the power to amend, enact and repeal the *Constitution*
- 1180 *and Bylaws*, and the duty of electing the elective
- 1181 officers and the members of the Board of Trustees,
- 1182 may be transferred to the Board of Trustees of this
- 1183 Association in time of extraordinary emergency. The
- 1184 existence of a time of extraordinary emergency may
- 1185 be determined by unanimous consent of the members
- 1186 of the Board of Trustees present and voting at a
- 1187 regular or special session. Such extraordinary
- 1188 emergency may also be determined by mail vote of
- 1189 the last House of Delegates on recommendation of at
- 1190 least four (4) of the elective officers. A mail vote to
- 1191 be valid shall consist of ballots received from not less
- 1192 than one-fourth (1/4) of the members of the last
- 1193 House of Delegates. A majority of the votes cast
- 1194 within thirty (30) days after the mailing of the ballot
- 1195 shall decide the vote.
- 1196 *Section 70. ANNUAL SESSION:* The House of
- 1197 Delegates shall meet annually.
- 1198 *Section 80. SPECIAL SESSIONS:* A special session
- 1199 of the House of Delegates shall be called by the
- 1200 President on a three-fourths (3/4) affirmative vote of

1201 the members of the Board of Trustees or on written
 1202 request of delegates representing at least one-third
 1203 (1/3) of the constituent societies and not less than
 1204 one-fifth (1/5) of the number of officially certified
 1205 delegates of the last House of Delegates. The time
 1206 and place of a special session shall be determined by
 1207 the President, provided the time selected shall be not
 1208 more than forty-five (45) days after the request was
 1209 received. The business of a special session shall be
 1210 limited to that stated in the official call except by
 1211 unanimous consent.

1212 *Section 90. OFFICIAL CALL:*

1213 A. ANNUAL SESSION. The Executive Director of
 1214 the Association shall cause to be published in *The*
 1215 *Journal of the American Dental Association* an
 1216 official notice of the time and place of each annual
 1217 session, and shall send to each member of the House
 1218 of Delegates an official notice of the time and place
 1219 of the annual session at least thirty (30) days before
 1220 the opening of such session.

1221 B. SPECIAL SESSION. The Executive Director of
 1222 the Association shall send an official notice of the
 1223 time and place of each special session and a statement
 1224 of the business to be considered to every officially
 1225 certified delegate and alternate delegate of the last
 1226 House, not less than fifteen (15) days before the
 1227 opening of such session.

1228 *Section 100. QUORUM:* One-fourth (1/4) of the
 1229 voting members of the House of Delegates,
 1230 representing at least one-fourth (1/4) of the
 1231 constituent societies and federal dental services, shall
 1232 constitute a quorum for the transaction of business at
 1233 any meeting.

1234 *Section 110. OFFICERS:*

1235 A. SPEAKER AND SECRETARY. The officers of
 1236 the House shall be the Speaker of the House of
 1237 Delegates and the Secretary of the House of
 1238 Delegates. The Executive Director of this Association
 1239 shall serve as Secretary of the House of Delegates.

1240 In the absence of the Speaker the office shall be
 1241 filled by the President. In the absence of the Secretary
 1242 of the House of Delegates the Speaker shall appoint a
 1243 Secretary of the House of Delegates *pro tem*.

1244 B. DUTIES.

1245 a. SPEAKER. The Speaker shall preside at all
 1246 meetings of the House of Delegates and, in
 1247 accordance with Chapter V, Section 140Bb,
 1248 determine the order of business for all meetings
 1249 subject to the approval of the House of Delegates,
 1250 appoint tellers to assist in determining the result of
 1251 any action taken by vote and perform such other
 1252 duties as custom and parliamentary procedure
 1253 require. The decision of the Speaker shall be final

1254 unless an appeal from such decision shall be made
 1255 by a member of the House, in which case final
 1256 decision shall be by majority vote. In addition,
 1257 following adjournment of the Standing Committee
 1258 on Constitution and Bylaws, the Speaker and the
 1259 Chairman of the Council on Ethics, Bylaws and
 1260 Judicial Affairs shall be responsible for reviewing
 1261 and either approving or redrafting any new
 1262 resolutions or changes to resolutions that propose
 1263 amendments to the *Constitution and Bylaws*, in
 1264 accordance with Chapter V, Section 140Ab.
 1265 b. SECRETARY. The Secretary of the House of
 1266 Delegates shall serve as the recording officer of the
 1267 House and the custodian of its records, and shall
 1268 cause a record of the proceedings of the House to be
 1269 published as the official transactions of the House.

1270 *Section 120. ORDER OF BUSINESS:* The order of
 1271 business shall be that order of business adopted by the
 1272 House of Delegates in conformity with Chapter V,
 1273 Section 110Ba and Chapter V, Section 140Bb.

1274 *Section 130. RULES OF ORDER:*

1275 A. STANDING RULES AND REPORTS.

1276 a. REPORTS. All reports of elective officers,
 1277 councils and committees, except supplemental
 1278 reports, shall be sent to each delegate and alternate
 1279 delegate at least fourteen (14) days in advance of the
 1280 opening of the annual session. All supplemental
 1281 reports shall be distributed to each delegate before
 1282 such report is considered by the House of Delegates.

1283 b. APPROPRIATION OF FUNDS. Any resolution
 1284 proposing an appropriation of funds, except those
 1285 relating to the annual budget, shall be referred to the
 1286 Board of Trustees for a report at the same session on
 1287 the availability of funds for the purpose specified.

1288 c. APPROVAL OF ANNUAL BUDGET. The
 1289 proposed annual budget shall be submitted by the
 1290 Board of Trustees to the members of the House of
 1291 Delegates at least fourteen (14) days prior to the
 1292 opening meeting of the annual session, shall be
 1293 referred to a special reference committee on budget
 1294 for hearings at the annual session and then shall be
 1295 considered for approval as a special order of
 1296 business at the second meeting of the House of
 1297 Delegates. In the event the budget as submitted is
 1298 not approved, all recommendations for changes shall
 1299 be referred to the Board of Trustees to prepare and
 1300 present a revised budget. This procedure shall be
 1301 repeated until a budget for the ensuing fiscal year
 1302 shall be adopted.

1303 d. INTRODUCTION OF NEW BUSINESS. No
 1304 new business shall be introduced into the House of
 1305 Delegates less than 15 days prior to the opening of
 1306 the annual session, unless submitted by a Trustee
 1307 District. No new business shall be introduced into
 1308 the House of Delegates at the last meeting of a
 1309 session except when such new business is submitted
 1310 by a trustee district and is permitted to be introduced

1311 by a two-thirds (2/3) vote of the House of Delegates.
 1312 The motion introducing such new business shall not
 1313 be debatable. Approval of such new business shall
 1314 require a majority vote except new business
 1315 introduced at the last meeting of a session that
 1316 would require a bylaw amendment cannot be
 1317 adopted at such last meeting. Reference committee
 1318 recommendations shall not be deemed new business.
 1319 e. RESOLUTIONS. A resolution becomes the
 1320 property of the American Dental Association when
 1321 submitted to the ADA House of Delegates for
 1322 consideration. If adopted by the House of Delegates,
 1323 this Association shall be the sole owner of the
 1324 resolution which shall constitute “work made for
 1325 hire” under copyright laws. This Association shall
 1326 have the exclusive right to seek copyright
 1327 registration for the resolution and to secure
 1328 copyrights and retain ownership of such copyrights
 1329 in its own name.

1330 B. ADDITIONAL RULES. The rules contained in the
 1331 current edition of *The Standard Code of*
 1332 *Parliamentary Procedure* by Alice Sturgis shall
 1333 govern the deliberations of the House of Delegates in
 1334 all cases in which they are applicable and not in
 1335 conflict with the standing rules or these *Bylaws*.

1336 *Section 140. COMMITTEES:* The committees of the
 1337 House of Delegates shall be:

1338 A. COMMITTEE ON CONSTITUTION AND
 1339 BYLAWS.

1340 a. COMPOSITION. The Committee shall consist of
 1341 not more than eight (8) nor less than six (6)
 1342 members of the Council on Ethics, Bylaws and
 1343 Judicial Affairs of this Association appointed by the
 1344 President in consultation with the Speaker of the
 1345 House of Delegates and the Council Chairman.

1346 b. DUTIES: Prior to the first meeting of each new
 1347 session of the House of Delegates, the Committee
 1348 shall review all resolutions proposing amendments
 1349 to the *Constitution and Bylaws* and shall either
 1350 approve the text of the amendment as written or
 1351 shall redraft the resolution to accomplish the intent
 1352 of the maker in the form currently used by the
 1353 House of Delegates. The Committee shall file a
 1354 report of its findings and actions at the first meeting
 1355 of the House of Delegates and then shall adjourn.
 1356 Thereafter until the House of Delegates adjourns
 1357 *sine die*, the Speaker of the House and the Chairman
 1358 of the Council on Ethics, Bylaws and Judicial
 1359 Affairs shall be responsible for reviewing any new
 1360 resolutions or changes to resolutions that propose
 1361 amendments to the *Constitution and Bylaws*, and
 1362 they shall either approve the text of the amendment
 1363 as written or shall redraft the resolution to
 1364 accomplish the intent of the maker in the form
 1365 currently used by the House of Delegates.

1366 B. COMMITTEE ON CREDENTIALS, RULES
 1367 AND ORDER.

1368 a. COMPOSITION. The Committee, consisting of
 1369 eight (8) members from the officially certified
 1370 delegates and alternate delegates, shall be appointed
 1371 by the President at least sixty (60) days in advance
 1372 of each session.

1373 b. DUTIES. It shall be the duty of the Committee (1)
 1374 to record and report the roll call of the House of
 1375 Delegates at each meeting; (2) to conduct a hearing
 1376 on any contest regarding the certification of a
 1377 delegate or alternate delegate and to report its
 1378 recommendations to the House of Delegates; (3) to
 1379 prepare a report, in consultation with the Speaker
 1380 and Secretary of the House of Delegates, on matters
 1381 relating to the order of business and special rules of
 1382 order; (4) to consider all matters referred to
 1383 it and report its recommendations to the House of
 1384 Delegates.

1385 C. RESOLUTIONS COMMITTEE.

1386 a. COMPOSITION. The Resolutions Committee
 1387 shall consist of the Speaker and the Secretary of the
 1388 House of Delegates and the chairmen of the
 1389 reference committees authorized by Subsection D of
 1390 this Chapter.

1391 b. DUTIES. The duties of the Resolutions
 1392 Committee shall be to examine resolutions after
 1393 action by the reference committees and arrange a
 1394 sequence for House action based upon the
 1395 importance of the resolutions' subject matter.

1396 D. REFERENCE COMMITTEES.

1397 a. COMPOSITION. Reference committees,
 1398 consisting of eight (8) members from the officially
 1399 certified delegates and alternate delegates, shall be
 1400 appointed by the President at least sixty (60) days in
 1401 advance of each annual session.

1402 b. DUTIES. It shall be the duty of a reference
 1403 committee to consider reports referred to it, to
 1404 conduct open hearings and to report its
 1405 recommendations to the House of Delegates.

1406 E. SPECIAL COMMITTEES. The Speaker, with the
 1407 consent of the House of Delegates, shall appoint
 1408 special committees to perform duties not otherwise
 1409 assigned by these *Bylaws*, to serve until adjournment
 1410 *sine die* of the session at which they were appointed.

1411 *Section 150. ELECTION PROCEDURE:* Elective
 1412 officers, members of the Board of Trustees and
 1413 members of councils and committees shall be elected
 1414 by the House of Delegates except as otherwise
 1415 provided in these *Bylaws*. Voting shall be by ballot,
 1416 except that when there is only one candidate for an
 1417 office, council or committee, such candidate may be
 1418 declared elected by the Speaker. The Secretary shall
 1419 provide facilities for voting. The polls shall be open
 1420 for at least one and one-half (1-1/2) hours.

1421 a. When one is to be elected, and more than one has
1422 been nominated, the majority of the ballots cast shall
1423 elect. In the event no candidate receives a majority
1424 of the votes cast on the first ballot, the two (2)
1425 candidates receiving the greatest number of votes
1426 shall be balloted upon again.
1427 b. When more than one is to be elected, and the
1428 nominees exceed the number to be elected, the votes
1429 cast shall be non-cumulative, and the candidates
1430 receiving the greatest number of votes shall be
1431 elected.

CHAPTER VI • CONFLICT OF INTEREST

1432 It is the policy of this Association that individuals
1433 who serve in elective, appointive or employed offices
1434 or positions do so in a representative or fiduciary
1435 capacity that requires loyalty to the Association. At
1436 all times while serving in such offices or
1437 positions, these individuals shall further the interests
1438 of the Association as a whole. In addition, they shall
1439 avoid:
1440 a. placing themselves in a position where personal
1441 or professional interests may conflict with their duty
1442 to this Association.
1443 b. using information learned through such office or
1444 position for personal gain or advantage.
1445 c. obtaining by a third party an improper gain or
1446 advantage.
1447 As a condition for selection, each nominee,
1448 candidate and applicant shall disclose any situation
1449 which might be construed as placing the individual in
1450 a position of having an interest that may conflict with
1451 his or her duty to the Association. While serving, the
1452 individual shall comply with the conflict of interest
1453 policy applicable to his or her office or position, and
1454 shall report any situation in which a potential conflict
1455 of interest may arise. The Board of Trustees shall
1456 approve the compliance activities that will implement
1457 the requirements of this chapter. The Board
1458 of Trustees shall render a final judgment on what
1459 constitutes a conflict of interest.

CHAPTER VII • BOARD OF TRUSTEES

1460 *Section 10. COMPOSITION:* The Board of Trustees
1461 shall consist of one (1) trustee from each of the
1462 seventeen (17) trustee districts. Such seventeen (17)
1463 trustees, the President-elect and the two Vice
1464 Presidents shall constitute the voting membership of
1465 the Board of Trustees. In addition, the President, the
1466 Treasurer and the Executive Director of the
1467 Association, except as otherwise provided in the
1468 *Bylaws* shall be *ex officio* members of the Board
1469 without the right to vote.

1470 *Section 20. QUALIFICATIONS:* A trustee must be
1471 an active, life or retired member, in good standing, of
1472 this Association and an active, life, or retired member

1473 of one of the constituent societies of the trustee
1474 district which the trustee is elected to represent.
1475 Should the status of any trustee change in regard to
1476 the preceding qualifications during the trustee's term
1477 of office, that office shall be declared vacant by the
1478 President and the President shall fill such vacancy as
1479 provided in Chapter VII, Section 90, of these *Bylaws*.

1480 *Section 30. TERM OF OFFICE:* The term of office of
1481 a trustee shall be four (4) years. The tenure of a
1482 trustee shall be limited to one (1) term of four (4)
1483 years.

1484 *Section 40. NOMINATION:*

1485 A. SINGLE CONSTITUENT DISTRICT. In trustee
1486 districts consisting of a single constituent dental
1487 society, the trustee nomination procedures shall be
1488 determined by an elective process established by the
1489 constituent dental society which shall produce a
1490 single nominee for trustee. Until such time as the
1491 Speaker declares the nominee elected pursuant to
1492 Paragraph A of Section 60 of this Chapter, the
1493 nomination may be reconsidered by the duly
1494 constituted caucus of the trustee district during the
1495 appropriate annual session, provided that at no time
1496 shall more than one nominee be presented by the
1497 trustee district for election. The House of Delegates
1498 may vote to reject any such nominee and thereby
1499 compel the trustee district caucus to select a different
1500 nominee.

1501 B. MULTIPLE CONSTITUENT DISTRICTS. In
1502 multiple constituent districts, the delegates from the
1503 constituent societies of the trustee district in which
1504 the term of the trustee is to terminate, shall hold a
1505 caucus to select a nominee or nominees for the office
1506 of trustee. Such caucus shall be called by the trustee
1507 whose term is about to expire, or by the trustee's
1508 designee. The notice of the time and place of such
1509 caucus shall be reported to the Secretary of the
1510 House.

1511 At the caucus the delegates shall nominate one (1)
1512 or two (2) candidates for the office of trustee, whose
1513 name or names shall be presented to the House of
1514 Delegates in accordance with the following rules. An
1515 action taken at a duly constituted caucus of the trustee
1516 district to nominate or select a trustee may be
1517 reconsidered at a later caucus during the appropriate
1518 annual session.

1519 a. A person receiving the unanimous vote of the
1520 delegates present and voting at the caucus shall be
1521 the only nominee presented by the district.

1522 b. In the event that one (1) candidate receives a
1523 majority vote, one (1) or more of the delegates
1524 voting in the minority may select another nominee
1525 and the names of both nominees shall be presented
1526 to the House of Delegates as the nominees of that
1527 district.

1528 c. The number of votes received by each nominee in
1529 the caucus shall be reported to the House of
1530 Delegates.

1531 C. NOMINATING PROCEDURE. Candidates for the
1532 office of trustee shall be nominated from the floor of
1533 the House of Delegates by a simple declaratory
1534 statement, which may be followed by an acceptance
1535 speech not to exceed four (4) minutes by the
1536 candidate from the podium, according to the protocol
1537 established by the Speaker of the House of Delegates.
1538 Seconding a nomination is not permitted.

1539 *Section 50. CONFLICT OF INTEREST:* Each person
1540 nominated for the office of trustee shall complete a
1541 conflict of interest statement as prescribed by the
1542 Board of Trustees and shall file such statement with
1543 the Secretary of the House of Delegates to be made
1544 available to the delegates prior to election.

1545 *Section 60. ELECTION:* The trustee shall be elected
1546 by the House of Delegates according to the following
1547 rules:

1548 A. If there is only one (1) nominee from a trustee
1549 district, the Speaker shall declare such nominee
1550 elected.

1551 B. If there are two (2) nominees from a trustee
1552 district, the election shall be by ballot in accordance
1553 with Chapter V, Section 150. The nominee receiving
1554 the larger number of votes cast shall be declared
1555 elected. The method of election set forth in this
1556 paragraph shall not be used for any trustee district
1557 consisting of a single constituent dental society. A
1558 trustee district consisting of a single constituent
1559 dental society may present a single nominee to be
1560 elected pursuant to Paragraph A of this Section.

1561 *Section 70. INSTALLATION:* The trustee shall be
1562 installed by the President or by the President's
1563 designee.

1564 *Section 80. REMOVAL FOR CAUSE:* The House of
1565 Delegates may remove a trustee for cause in
1566 accordance with procedures established by the House
1567 of Delegates, which procedures shall provide for
1568 notice of the charges and an opportunity for the
1569 accused to be heard in his or her defense. The
1570 affirmative vote of two-thirds (2/3) of the delegates
1571 present and voting is required to remove a trustee
1572 from office. If the House of Delegates elects to
1573 remove the trustee, that action shall create a vacancy
1574 on the Board of Trustees which shall be filled in
1575 accordance with Chapter VII Section 90.

1576 *Section 90. VACANCY:* In the event of a vacancy in
1577 the office of trustee, an active, life or retired member
1578 may be appointed by the President to fill the
1579 unexpired term of the vacancy. The appointment shall

1580 be made by the President with the advice and consent
1581 of the former trustee's district. A trustee district may
1582 file rules with the Association's Executive Director
1583 setting forth how its nominee shall be chosen. In the
1584 event an appointment to fill the vacancy has not been
1585 made by the time of the next meeting of the House of
1586 Delegates following the occurrence of the vacancy,
1587 then a successor trustee shall be elected for the
1588 remainder of the unexpired term by the House of
1589 Delegates pursuant to the provisions of Chapter VII,
1590 Sections 40 and 60 of these *Bylaws*. If the term of the
1591 vacated trustee position has less than fifty percent
1592 (50%) of a full four-year term remaining at the time
1593 the successor trustee is appointed or elected, the
1594 successor trustee shall be eligible for election to a
1595 new, consecutive four-year term. If fifty percent
1596 (50%) or more of the vacated term remains to be
1597 served at the time of the appointment or election, the
1598 successor trustee shall not be eligible for another
1599 term.

1600 *Section 100. POWERS:*

1601 A. The Board of Trustees shall be the managing body
1602 of the Association, vested with full power to conduct
1603 all business of the Association, subject to the laws of
1604 the State of Illinois, the *Articles of Incorporation*, the
1605 *Constitution and Bylaws* and the mandates of the
1606 House of Delegates. The power of the Board of
1607 Trustees to act as the managing body of the
1608 Association shall not be construed as limiting the
1609 power of the House of Delegates to establish policy
1610 with respect to the governance of this Association in
1611 all its activities, except for areas expressly
1612 reserved in these *Bylaws* as powers and/or duties of
1613 the Board of Trustees, as the same may be amended
1614 by the House of Delegates from time to time in
1615 accordance with these *Bylaws*.

1616 B. It shall have the power to establish rules and
1617 regulations not inconsistent with these *Bylaws* to
1618 govern its organization and procedure.

1619 C. It shall have the power to direct the President to
1620 call a special session of the House of Delegates as
1621 provided in Chapter V, Section 80, of the *Bylaws*.

1622 D. It shall have full discretionary power to cause to be
1623 published in, or to be omitted from, any official
1624 publication of the Association any article in whole or
1625 in part.

1626 E. It shall have the power to establish *ad interim*
1627 policies when the House of Delegates is not in session
1628 and when such policies are essential to the
1629 management of the Association provided, however,
1630 that all such policies must be presented for review
1631 and consideration by the House of Delegates at its
1632 next session.

1633 F. It shall have the power to remove a council
1634 member for cause in accordance with procedures
1635 established by the Board of Trustees in its *Rules*.

1636 G. It shall have the power to elect honorary members.

1637 H. It shall have the power to appoint its members to
1638 committees that shall have the power to perform any
1639 duty that the Board of Trustees may lawfully
1640 delegate.

1641 I. It shall have the interim power to supervise,
1642 monitor and guide the activities of all councils and
1643 special committees in order to ensure the fulfillment
1644 of initiatives and directives assigned to each council
1645 or special committee by the House of Delegates or
1646 Board of Trustees subject to the requirement that all
1647 interim actions of the Board must be approved by the
1648 House of Delegates.

1649 J. In accordance with the laws of the State of Illinois,
1650 it shall have the power to transact its business by
1651 unanimous consent via mail ballot, including
1652 electronic mail; to authorize the councils,
1653 commissions and committees of this Association to
1654 transact their business by mail ballot; and to establish
1655 rules and procedures for itself and for councils,
1656 commissions and committees of this Association to
1657 govern the use of ballots circulated and returned by
1658 U.S. mail, overnight courier, facsimile transmission
1659 or electronic mail.

1660 K. It shall have the power to appoint agents and/or
1661 other representatives for the purpose of supervising,
1662 managing and otherwise conducting business under
1663 its direction and in accordance with these *Bylaws* and
1664 the laws of the State of Illinois. No such appointment
1665 shall relieve the Board of Trustees of its fiduciary
1666 duties as the managing body of the Association as
1667 provided in these *Bylaws*.

1668 *Section 110. DUTIES:* It shall be the duty of the
1669 Board of Trustees:

1670 A. To provide for the purchase, sale, mortgage,
1671 maintenance and supervision of the Headquarters
1672 Office and all other property or offices owned or
1673 operated by this Association.

1674 B. To appoint the Executive Director of the
1675 Association.

1676 C. To determine the date and place for convening
1677 each annual session and provide for the management
1678 and general arrangements for each annual session as
1679 provided in Chapter XV, Section 30.

1680 D. To cause to be bonded by a surety company the
1681 Treasurer, the Executive Director and employees of
1682 the Association entrusted with Association funds.

1683 E. To provide guidelines and directives to govern the
1684 Treasurer's custody, investment and disbursement of
1685 Association funds and other property as provided in
1686 Chapter VIII, Section 100F, of these *Bylaws*; and to
1687 cause all accounts of the Association to be audited by
1688 a certified public accountant at least once a year.

1689 F. To prepare a budget for carrying on the activities
1690 of the Association for each ensuing fiscal year.

1691 G. To establish rules to govern its procedures in
1692 serving as the nominating committee for the office of
1693 Treasurer, and as provided in Chapter VIII of these
1694 *Bylaws*, to submit in printed form the name(s) and
1695 curriculum vitae of the Board's nominee(s) to the
1696 House of Delegates in the first mailing to the House
1697 in the year that the incumbent Treasurer's term is
1698 about to end.

1699 H. To submit to the House of Delegates at the
1700 opening meeting of the annual session, in printed
1701 form, nominations for membership to the councils,
1702 except as otherwise provided in these *Bylaws*.

1703 I. To appoint annually the chairman of each council,
1704 except as otherwise provided in these *Bylaws*, and to
1705 act upon council, commission, and bureau
1706 nominations for consultants and advisers except as
1707 otherwise provided in these *Bylaws*.

1708 J. To provide interim guidance and supervision to all
1709 councils and special committees in order to ensure the
1710 fulfillment of initiatives and directives assigned to
1711 each council or special committee by the House of
1712 Delegates or Board of Trustees.

1713 K. To review the reports of councils and special
1714 committees of the Association and to make
1715 recommendations concerning such reports to the
1716 House of Delegates.

1717 L. To act upon applications for active membership
1718 from applicants practicing in dependencies of the
1719 United States in which no constituent society exists or
1720 in federal dental services.

1721 M. To submit an annual report to the House of
1722 Delegates of its activities and those of the Treasurer
1723 and Executive Director.

1724 N. To elect associate members.

1725 O. To establish other funds as divisions of the
1726 General Fund in accordance with the provisions of
1727 Chapter XVII, Section 30.

1728 P. To appoint special committees of the Association
1729 in accordance with Chapter XI, Section 10 of these
1730 *Bylaws*.

1731 Q. To perform such other duties as are prescribed by
1732 these *Bylaws*.

- 1733 R. To establish such administrative agencies of this
1734 Association as may be necessary to implement the
1735 Association's programs, to assign the duties of such
1736 agencies through the Executive Director of the
1737 Association under whose jurisdiction each shall
1738 operate, and to require reports of such agencies
1739 through the same channels.
- 1740 *Section 120. SESSIONS:*
- 1741 A. REGULAR SESSIONS. The Board of Trustees
1742 shall hold a minimum of three regular sessions each
1743 year. The number of actual regular meetings to be
1744 held in excess of three for the ensuing year shall be
1745 determined in advance by the Board of Trustees.
- 1746 B. SPECIAL SESSIONS. Special sessions of the
1747 Board of Trustees may be called at any time either by
1748 the President or at the request of five voting members
1749 of the Board, provided notice is given to each
1750 member in advance of the session.
- 1751 C. PLACE OF MEETINGS: Regular or special
1752 meetings may be held in a single geographic location
1753 within or outside the state of Illinois or from multiple
1754 remote locations through the use of a conference
1755 telephone or other communications equipment with
1756 means of which all members can communicate with
1757 each other; provided, however, special meetings held
1758 through the use of a conference telephone or other
1759 communications equipment may be called by the
1760 President or at the request of five voting members of
1761 the Board of Trustees for matters of the Association
1762 requiring immediate attention. Such meetings shall be
1763 conducted in accordance with rules and procedures
1764 established by the Board of Trustees.
- 1765 *Section 130. QUORUM:* A majority of the voting
1766 members of the Board of Trustees shall constitute a
1767 quorum.
- 1768 *Section 140. OFFICERS:*
- 1769 A. CHAIRMAN AND SECRETARY. The officers of
1770 the Board of Trustees shall be the President of the
1771 Association who shall be the Chairman, and the
1772 Executive Director of the Association who shall be
1773 the Secretary.
1774 In the absence of the President, the office of
1775 Chairman shall be filled by the President-elect and, in
1776 his or her absence, by the First or Second Vice
1777 President in that order and, in their absence, a voting
1778 member of the Board shall be elected Chairman *pro*
1779 *tem*.
1780 In the absence of the Secretary, the Chairman shall
1781 appoint a Secretary *pro tem*.
- 1782 B. DUTIES.
- 1783 a. CHAIRMAN. The Chairman shall preside at all
1784 meetings of the Board of Trustees. The Chairman
1785 shall cast the deciding vote in case of a tie.
1786 b. SECRETARY. The Secretary shall serve as the

- 1787 recording officer of the Board of Trustees and as the
1788 custodian of its records. The Secretary shall cause a
1789 factual record of the proceedings to be published as the
1790 official transactions of the Board.
- 1791 *Section 150. COMMITTEES:* The Board of Trustees
1792 shall have a standing Committee on the New Dentist.
1793 The Committee shall consist of one (1) member from
1794 each trustee district who are active members selected
1795 by the Board of Trustees and confirmed by the House
1796 of Delegates. Members of the Committee shall have
1797 received their D.D.S. or D.M.D. degree less than ten
1798 (10) years before the time of selection. The chairman
1799 of the Committee shall be appointed annually by the
1800 Board of Trustees.
- 1801 Members of the Committee shall serve one (1) term
1802 of four (4) years and shall not be eligible for
1803 appointment to a council or commission for a period
1804 of two (2) years after completing service on the
1805 Committee. However, the Board of Trustees shall
1806 stagger the terms of the members of the Committee in
1807 a manner so four (4) members will complete their
1808 terms each year, except every fourth year when five
1809 (5) members shall complete their terms.
- 1810 The Board of Trustees shall have the power to
1811 remove a Committee member for cause in accordance
1812 with procedures established by the Board in its *Rules*.
1813 In the event of any vacancy on the Committee, the
1814 Board of Trustees shall select a member of this
1815 Association possessing the same qualifications as
1816 established by these *Bylaws* for the previous member,
1817 to fill such vacancy for the remainder of the
1818 unexpired term. If the term of the vacated Committee
1819 position has less than fifty percent (50%) of a full
1820 four-year term remaining at the time the successor
1821 member is selected, the successor member shall be
1822 eligible for selection to a new, consecutive four-year
1823 term. If fifty percent (50%) or more of the vacated
1824 term remains to be served at the time of selection, the
1825 successor member shall not be eligible for another
1826 term.
- 1827 The Committee's work shall be assigned by the
1828 Board of Trustees, and reports and proposals
1829 formulated by the Committee shall be referred to the
1830 Board for decision and action. The duties of the
1831 Committee shall be:
- 1832 a. To provide the Board of Trustees with expertise
1833 on issues affecting new dentists less than ten years
1834 following graduation from dental school.
- 1835 b. To advocate to the Board of Trustees and other
1836 agencies of this Association the perspectives of the
1837 new dentist in the development of policies,
1838 programs, benefits and services of the Association.
- 1839 c. To identify the needs and concerns of new
1840 graduate dentists and make recommendations for
1841 any programs to assist with their transition to
1842 practice.
- 1843 d. To stimulate the increased involvement and active
1844 participation of new dentists in organized dentistry.

- 1845 e. To serve as *ex officio* members, without the power
1846 to vote, of councils and commissions of this
1847 Association on issues affecting new dentists; these
1848 appointments will be recommended by the
1849 Committee and assigned by the Board of Trustees.
1850 f. To enhance communications with constituent and
1851 component new/young dentist networks.

CHAPTER VIII • ELECTIVE OFFICERS

- 1852 *Section 10. TITLE:* The elective officers of this
1853 Association shall be President, President-elect, First
1854 Vice President, Second Vice President, Treasurer and
1855 Speaker of the House of Delegates, as provided in
1856 Article V of the *Constitution*.
- 1857 *Section 20. ELIGIBILITY:* Only an active, life or
1858 retired member, in good standing, of this Association
1859 shall be eligible to serve as an elective officer.
1860 Trustees and elective officers may not apply for the
1861 office of Treasurer while serving in any of those
1862 offices.
- 1863 *Section 30. NOMINATIONS:*
- 1864 A. Nominations for the offices of President-elect,
1865 Second Vice President and Speaker of the House shall
1866 be made in accordance with the order of business.
1867 Candidates for these elective offices shall be
1868 nominated from the floor of the House of Delegates
1869 by a simple declaratory statement, which may be
1870 followed by an acceptance speech not to exceed four
1871 (4) minutes by the candidate from the podium,
1872 according to the protocol established by the Speaker
1873 of the House of Delegates. Seconding a nomination is
1874 not permitted.
- 1875 B. Nominations for the office of Treasurer shall be
1876 made in accordance with the order of business. If
1877 there is only one (1) eligible candidate for the office
1878 of Treasurer, the Board of Trustees shall nominate
1879 that individual from the floor of the House of
1880 Delegates by a simple declaratory statement, which
1881 may be followed by an acceptance speech not to
1882 exceed four (4) minutes by the candidate from the
1883 podium, according to the protocol established by the
1884 Speaker of the House of Delegates. If there are two
1885 (2) or more eligible candidates for the office of
1886 Treasurer, the Board of Trustees shall nominate at
1887 least two (2) and not more than three (3) candidates
1888 from the floor of the House of Delegates by a simple
1889 declaratory statement for each nominee, which may
1890 be followed by an acceptance speech not to exceed
1891 four (4) minutes by the candidate from the podium,
1892 according to the protocol established by the Speaker
1893 of the House of Delegates. Seconding a nomination is
1894 not permitted.
- 1895 *Section 40. CONFLICT OF INTEREST:* Each person
1896 nominated for the offices of President-elect, Second
1897 Vice President, Treasurer and Speaker of the House
1898 shall complete a conflict of interest statement as

- 1899 prescribed by the Board of Trustees and shall file
1900 such statement with the Secretary of the House of
1901 Delegates to be made available to the delegates prior
1902 to election.
- 1903 *Section 50. ELECTIONS:* The elective officers shall
1904 be elected in accordance with Chapter V, Section 150.
- 1905 *Section 60. TERM OF OFFICE:* The President,
1906 President-elect, First Vice President, Second Vice
1907 President and Speaker of the House of Delegates shall
1908 serve for a term of one (1) year, except as otherwise
1909 provided in this chapter of the *Bylaws*, or until their
1910 successors are elected and installed. The term of
1911 office of the Treasurer shall be three (3) years, or
1912 until a successor is elected and installed. The
1913 Treasurer shall be limited to two (2) consecutive
1914 terms of three (3) years each.
- 1915 *Section 70. INSTALLATION:* The elective officers
1916 shall be installed at the last meeting of the annual
1917 session of the House of Delegates. The President-
1918 elect shall be installed as President at the next annual
1919 session of the House following election. The Second
1920 Vice President shall be installed as First Vice
1921 President at the next annual session of the House
1922 following election.
- 1923 *Section 80. REMOVAL FOR CAUSE:* The House of
1924 Delegates may remove an elective officer for cause in
1925 accordance with procedures established by the House
1926 of Delegates, which shall include notice of the
1927 charges and an opportunity for the accused to be
1928 heard in his or her defense. The affirmative vote of
1929 two-thirds of the majority of delegates present and
1930 voting is required to remove an elective officer from
1931 office. If the House of Delegates elects to remove the
1932 elective officer, that action shall create a vacancy
1933 which shall be filled in accordance with Chapter VIII,
1934 Section 90.
- 1935 *Section 90. VACANCIES:*
- 1936 A. VACANCY OF ELECTIVE OFFICE: In the event
1937 the office of President becomes vacant, the President-
1938 elect shall become President for the unexpired portion
1939 of the term. In the event the office of President
1940 becomes vacant for the second time in the same term
1941 or at a time when the office of President-elect is also
1942 vacant, the First Vice President shall become
1943 President for the unexpired portion of the term. In the
1944 event the office of First Vice President becomes
1945 vacant, the Second Vice President shall become the
1946 First Vice President for the unexpired portion of the
1947 term. A vacancy in the office of the Second Vice
1948 President shall be filled by a majority vote of the
1949 Board of Trustees. In the event of a vacancy in the
1950 office of Speaker of the House of Delegates, the
1951 President, with approval of the Board of Trustees,
1952 shall appoint a Speaker *pro tem*. In the event
1953 the office of President-elect becomes vacant by
1954 reason other than the President-elect succeeding to

1955 the office of the President earlier than the next annual
 1956 session, the office of President for the ensuing year
 1957 shall be filled at the next annual session of the House
 1958 of Delegates in the same manner as that provided for
 1959 the nomination and election of elective officers,
 1960 except that the ballot shall read "President for the
 1961 Ensuing Year." A vacancy in the office of Treasurer
 1962 shall be filled by a majority vote of the Board of
 1963 Trustees until the process of inviting applications,
 1964 screening and nominating candidates and electing a
 1965 new Treasurer has been completed by the Board of
 1966 Trustees and the House of Delegates. The Treasurer
 1967 *pro tem* shall be eligible for election to a new
 1968 consecutive three (3) year term. The newly elected
 1969 Treasurer shall be limited to two (2) consecutive
 1970 terms of three (3) years each.

1971 B. TEMPORARY INCAPACITY OF THE
 1972 PRESIDENT: Whenever the President notifies the
 1973 Board of Trustees that he or she is unable to discharge
 1974 the duties of the office of President due to temporary
 1975 incapacity, the President-elect shall assume the duties
 1976 of the office of President, as Acting President, until
 1977 the President notifies the Board of Trustees that he or
 1978 she is prepared to resume the duties of the office of
 1979 President. Whenever the voting members of the
 1980 Board of Trustees of this Association determine by
 1981 majority vote that the President is unable to discharge
 1982 the duties of his or her office due to temporary
 1983 incapacity, the President-elect shall assume the duties
 1984 of the office of President, as Acting President, until
 1985 the President satisfies the voting members of the
 1986 Board of Trustees that he or she is prepared to resume
 1987 the duties of the office of President.

1988 *Section 100. DUTIES:*

1989 A. PRESIDENT. It shall be the duty of the President:
 1990 a. To serve as the primary official representative of
 1991 this Association in its contacts with governmental,
 1992 civic, business and professional organizations for
 1993 the purpose of advancing the objectives and policies
 1994 of this Association.
 1995 b. To serve as Chairman and *ex officio* member of
 1996 the Board of Trustees and to perform such duties as
 1997 are provided in Chapters V and VII of these *Bylaws*.
 1998 c. To call special sessions of the House of Delegates
 1999 and the Board of Trustees as provided in Chapters V
 2000 and VII of these *Bylaws*.
 2001 d. To appoint the members of all committees of the
 2002 House of Delegates except as otherwise provided in
 2003 these *Bylaws*.
 2004 e. To fill vacancies in the office of trustee as
 2005 provided in Chapter VII, Section 90, of these *Bylaws*
 2006 and to fill other vacancies in accordance with these
 2007 *Bylaws*.
 2008 f. To submit an annual report to the House of
 2009 Delegates.
 2010 g. To perform such other duties as may be provided
 2011 in these *Bylaws*.

2012 B. PRESIDENT-ELECT. It shall be the duty of the
 2013 President-elect:
 2014 a. To assist the President as requested.
 2015 b. To serve as an *ex officio* member of the House of
 2016 Delegates without the right to vote.
 2017 c. To serve as an *ex officio* member of the Board of
 2018 Trustees.
 2019 d. To succeed to the office of President at the next
 2020 annual session of the House of Delegates following
 2021 election as President-elect.
 2022 e. To succeed immediately to the office of President
 2023 in the event of vacancy not only for the unexpired
 2024 term but also for the succeeding year.

2025 C. FIRST VICE PRESIDENT. It shall be the duty of
 2026 the First Vice President:
 2027 a. To assist the President as requested.
 2028 b. To serve as an *ex officio* member of the House of
 2029 Delegates without the right to vote.
 2030 c. To serve as an *ex officio* member of the Board of
 2031 Trustees.
 2032 d. To succeed to the office of President, as provided
 2033 in this chapter of the *Bylaws*.

2034 D. SECOND VICE PRESIDENT. It shall be the duty
 2035 of the Second Vice President:
 2036 a. To assist the President as requested.
 2037 b. To serve as an *ex officio* member of the House of
 2038 Delegates without the right to vote.
 2039 c. To serve as an *ex officio* member of the Board of
 2040 Trustees.
 2041 d. To succeed to the office of First Vice President at
 2042 the next annual session of the House of Delegates
 2043 following election as Second Vice President.
 2044 e. To succeed immediately to the office of First Vice
 2045 President in the event of vacancy not only for the
 2046 unexpired term but also for the succeeding term.

2047 E. SPEAKER OF THE HOUSE OF DELEGATES.
 2048 The Speaker shall preside at the meetings of the
 2049 House of Delegates and shall perform such duties as
 2050 custom and parliamentary procedure require. The
 2051 Speaker shall cast the deciding vote in case of a tie.
 2052 The Speaker shall not be a member of the Board of
 2053 Trustees.

2054 F. TREASURER. It shall be the duty of the
 2055 Treasurer:
 2056 a. To serve as custodian of all monies, securities and
 2057 deeds belonging to the Association which may come
 2058 into the Treasurer's possession.
 2059 b. To hold, invest and disburse all monies, securities
 2060 and deeds, subject to the direction of the Board of
 2061 Trustees.
 2062 c. To design a budgetary process in concert with the
 2063 Board of Trustees.
 2064 d. To oversee Association finances and budget
 2065 development.
 2066 e. To serve as the principal resource person for the
 2067 budget reference committee in the House of
 2068 Delegates and to help interpret the Association's
 2069 finances for the membership.

2070 f. To review all financial information and data and
2071 report on financial matters to the Board of Trustees
2072 on a quarterly basis.
2073 g. To review travel reimbursement for the elective
2074 officers, trustees and Executive Director.
2075 h. To perform such other duties as may be provided
2076 in these *Bylaws*.

CHAPTER IX • APPOINTIVE OFFICER

2077 Section 10. TITLE: The appointive officer of this
2078 Association shall be an Executive Director, as
2079 provided in Article V of the *Constitution*.

2080 Section 20. CONFLICT OF INTEREST: The
2081 appointive officer of this Association and each person
2082 seeking that office shall comply with Chapter VI,
2083 Conflict of Interest, of these *Bylaws*.

2084 Section 30. APPOINTMENTS: While any active, life
2085 or retired member in good standing may be appointed
2086 to the office of Executive Director, the Board of
2087 Trustees may appoint a qualified individual who is
2088 not eligible for membership in this Association.

2089 Section 40. TERM OF OFFICE AND SALARY: The
2090 Board of Trustees shall determine the salary, if any,
2091 and the tenure of the Executive Director, which shall
2092 not exceed three (3) years. The completion of the full
2093 term of any appointment shall be at the discretion of
2094 the Board of Trustees.

2095 Section 50. DUTIES: The Executive Director shall be
2096 the principal agent of the Board of Trustees and
2097 elective officers. As agent and under the direction of
2098 the Board of Trustees and elective officers, the
2099 Executive Director shall be the chief operating officer
2100 of this Association and all its branches. In this
2101 capacity, the Executive Director shall (a) preserve and
2102 protect the *Constitution and Bylaws* and the standing
2103 rules of this Association; (b) facilitate the activities of
2104 the officers and trustees of this Association in
2105 carrying out their respective administrative
2106 responsibilities under these *Bylaws*; (c) engage the
2107 staff of this Association and direct and coordinate
2108 their activities; (d) provide leadership in the
2109 formulation and recommendation of new
2110 policies to the Board of Trustees and elective officers;
2111 (e) oversee the management of Association policies
2112 that have been adopted by the Board of Trustees
2113 and/or the House of Delegates; (f) assist the Board of
2114 Trustees in supervising, monitoring and providing
2115 guidance to all Association councils, commissions
2116 and committees in regard to their administrative
2117 functions and specific assignments, and to
2118 systematize the preparation of their reports, and to
2119 encourage the exchange of information concerning
2120 mutual interests and issues between councils,
2121 committees and commissions; (g) maintain effective
2122 internal and external relationships through frequent
2123 and comprehensive communication with all officers

2124 and trustees of this Association, the leadership of
2125 related dental organizations, and representatives from
2126 other leading public and private organizations that
2127 interact with this Association; and (h) perform such
2128 other duties as are prescribed by these *Bylaws*.

CHAPTER X • COUNCILS

2129 Section 10. NAME: The councils of this Association
2130 shall be:

2131 Council on Access, Prevention and Interprofessional
2132 Relations
2133 Council on ADA Sessions
2134 Council on Communications
2135 Council on Dental Benefit Programs
2136 Council on Dental Education and Licensure
2137 Council on Dental Practice
2138 Council on Ethics, Bylaws and Judicial Affairs
2139 Council on Government Affairs
2140 Council on Members Insurance and Retirement
2141 Programs
2142 Council on Membership
2143 Council on Scientific Affairs

2144 Section 20. MEMBERS, SELECTIONS,
2145 NOMINATIONS AND ELECTIONS:

2146 A. The composition of the councils of this
2147 Association shall be as follows:

2148 Council on Access, Prevention and Interprofessional
2149 Relations shall be composed of one (1) member from
2150 each trustee district whose terms of office shall be
2151 staggered in such a manner that four (4) members will
2152 complete their terms each year except every fourth
2153 year when five (5) members shall complete their
2154 terms. In addition, there shall be one (1) member who
2155 is a physician and one (1) member who is a health
2156 care facility administrator nominated by the Board of
2157 Trustees.

2158 Council on ADA Sessions shall be composed of one
 2159 (1) member from each trustee district* whose terms
 2160 of office shall be staggered in such a manner that four
 2161 (4) members will complete their terms each year
 2162 except every fourth year when five (5) members shall
 2163 complete their terms. In addition, the General
 2164 Chairman of the Local Arrangements Committee for
 2165 the current year and the General Chairman-elect for
 2166 the succeeding year shall serve as *ex officio* members
 2167 with the right to vote and shall not be eligible to serve
 2168 as Council Chairman.

* Council on ADA Sessions — The membership of the Council shall be increased beginning immediately following adjournment *sine die* of the 1997 House of Delegates. In order to increase the size of the Council to sixteen members, and to establish the required pattern of four (4) members retiring from the Council each year, members of the Council who are in office at the time this footnote becomes effective shall finish their terms in accordance with their scheduled term completion dates. The three Council members selected from nominations open to all trustee districts shall be considered representatives from their respective trustee districts, and any two or more members so selected or selected on the rotational system who are from the same trustee district shall be allowed to complete their appointed terms.

In order to achieve a new four-year rotational schedule for the Council with the adjournment of the 1997 House of Delegates, the following district appointments will be necessary. The 2nd and 11th districts will each nominate an individual to serve on the Council for a one-year term. These individuals will be eligible for election to a single four-year term at the 1998 House of Delegates meeting. A lottery including the 7th and 14th districts will be required, with the winning district nominating an individual to serve on the Council for a two-year term. This individual will be eligible for election to a single four-year term at the 1999 House of Delegates meeting. The remaining district participating in the lottery will nominate an individual to serve as a Council member for three years with no reelection option. The 4th, 6th, 8th and 12th districts will each nominate an individual to serve on the Council for a single four-year term. With the exception of the 10th district representative scheduled to complete his/her term in 1998, all remaining district representatives serving on the Council will be replaced by a nominee from the corresponding district upon completion of their established terms. The Council member representing the 10th district completing his/her term in 1998 will not be replaced. This footnote shall expire at adjournment *sine die* House of Delegates in the year 2003.

2169 Council on Communications shall be composed of
 2170 one (1) member from each trustee district whose
 2171 terms of office shall be staggered in such a manner
 2172 that four (4) members will complete their terms each
 2173 year except every fourth year when five (5) members
 2174 shall complete their terms.

2175 Council on Dental Benefit Programs shall be
 2176 composed of one (1) member from each trustee
 2177 district whose terms of office shall be staggered in
 2178 such a manner that four (4) members will complete
 2179 their terms each year except every fourth year when
 2180 five (5) members shall complete their terms.

2181 Council on Dental Education and Licensure shall be
 2182 composed of sixteen (16) members selected as
 2183 follows:

2184 a. Nominations and Selection.

2185 (1) Eight (8) members shall be nominated by the
 2186 Board of Trustees on a rotational system by trustee
 2187 district from the active, life or retired members of
 2188 this Association, no one of whom shall be a full-
 2189 time member of a faculty of a school of dentistry or
 2190 a member of a state board of dental examiners or
 2191 jurisdictional dental licensing agency. A person
 2192 shall be considered to be a full-time member of a
 2193 faculty if he or she works for the school of dentistry
 2194 more than two (2) days or sixteen (16) hours per
 2195 week.

2196 (2) Four (4) members who are active, life or retired
 2197 members of this Association shall be selected by the
 2198 American Association of Dental Examiners from the
 2199 active membership of that body, no one of whom
 2200 shall be a member of a faculty of a school of
 2201 dentistry.

2202 (3) Four (4) members who are active, life or retired
 2203 members of this Association shall be selected by the
 2204 American Dental Education Association from its
 2205 active membership. These members shall hold
 2206 positions of professorial rank in dental schools
 2207 accredited by the Commission on Dental
 2208 Accreditation and shall not be members of any state
 2209 board of dental examiners or jurisdictional dental
 2210 licensing agency.

2211 b. Election. The eight (8) members of the Council on
 2212 Dental Education and Licensure nominated by the
 2213 Board of Trustees shall be elected by the House of
 2214 Delegates from nominees selected in accordance with
 2215 this section.

2216 c. Committees. The Council on Dental Education and
 2217 Licensure shall establish a standing Committee on
 2218 Dental Education and Educational Measurements and
 2219 a standing Committee on Licensure, each consisting
 2220 of eight (8) members selected by the Council. The
 2221 Council may establish additional committees when
 2222 they are deemed essential to carry out the duties of
 2223 this Council.

2224 Council on Dental Practice shall be composed of one
 2225 (1) member from each trustee district whose terms of
 2226 office shall be staggered in such a manner that four
 2227 (4) members will complete their terms each year
 2228 except every fourth year when five (5) members shall
 2229 complete their terms.

2230 Council on Ethics, Bylaws and Judicial Affairs shall
 2231 be composed of one (1) member from each trustee
 2232 district whose terms of office shall be staggered in
 2233 such a manner that four (4) members will complete
 2234 their terms each year except every fourth year when
 2235 five (5) members shall complete their terms.

2236 Council on Government Affairs shall be composed of
 2237 one (1) member from each trustee district whose
 2238 terms of office shall be staggered in such a manner
 2239 that four (4) members will complete their terms each
 2240 year except every fourth year when five (5) members
 2241 shall complete their terms. In addition, the chairman
 2242 of the political action committee shall be an *ex officio*
 2243 member of the Council without the power to vote.
 2244 Consideration shall be given to a candidate's
 2245 experience in the military or other federal dental
 2246 services. Members of the Council shall not be in the
 2247 full-time employ of the federal government.
 2248 Individuals called to active duty from the military
 2249 reserves or national guard forces, providing such
 2250 active duty has not been requested by the individual,
 2251 shall not be considered to be in the full-time employ
 2252 of the federal government.

2253 Council on Members Insurance and Retirement
 2254 Programs shall be composed of one (1) member from
 2255 each trustee district whose terms of office shall be
 2256 staggered in such a manner that four (4) members will
 2257 complete their terms each year except every fourth
 2258 year when five (5) members shall complete their
 2259 terms.

2260 Council on Membership shall be composed of one (1)
 2261 member from each trustee district whose terms of
 2262 office shall be staggered in such a manner that four
 2263 (4) members will complete their terms each year
 2264 except every fourth year when five (5) members shall
 2265 complete their terms.

2266 Council on Scientific Affairs shall be composed of
 2267 sixteen (16) members who shall be selected from
 2268 nominations open to all trustee districts, and the
 2269 current recipient of the Gold Medal Award for
 2270 Excellence in Dental Research.

2271 B. Nominations for all councils shall be made by the
 2272 Board of Trustees except as otherwise provided in
 2273 these *Bylaws*. The Board of Trustees shall adhere to
 2274 the systems of nominations provided in Chapter X,

2275 Section 20A of these *Bylaws**. The House of
 2276 Delegates may make additional nominations pursuant
 2277 to the systems for council nominations provided in
 2278 Chapter X, Section 20A of these *Bylaws*. The elective
 2279 and appointive officers and the trustees of this
 2280 Association shall not serve as members of councils.
 2281 Each person nominated shall complete a conflict of
 2282 interest statement as prescribed by the Board of
 2283 Trustees and shall file such statement with the
 2284 Secretary of the House of Delegates to be made
 2285 available to the delegates prior to election. Members
 2286 of councils shall be elected by the House of Delegates
 2287 in accordance with Chapter V, Section 150 except as
 2288 otherwise provided in these *Bylaws*.

2289 C. REMOVAL FOR CAUSE. The Board of Trustees
 2290 may remove a council member for cause in
 2291 accordance with procedures established by the Board
 2292 of Trustees, which procedures shall provide for notice
 2293 of the charges, including allegations of the conduct
 2294 purported to constitute each violation, and a decision
 2295 in writing which shall specify the findings of fact
 2296 which substantiate any and all of the charges, and that
 2297 prior to issuance of the decision of the Board of
 2298 Trustees, no council member shall be excused from
 2299 attending any meeting of a council unless there is an
 2300 opportunity to be heard or compelling reasons exist
 2301 which are specified in writing by the Board of
 2302 Trustees.

2303 Section 30. ELIGIBILITY:

2304 A. All members of councils must be active, life or
 2305 retired members in good standing of this Association
 2306 except as otherwise provided in these *Bylaws*.

2307 B. No member of a council may serve concurrently as
 2308 a member of another council or commission.

2309 C. A member of the Council on Dental Education and
 2310 Licensure who was selected by the American
 2311 Association of Dental Examiners and who is no

* 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.

2312 longer an active member of the American Association
2313 of Dental Examiners, may continue as a member of
2314 the Council for the balance of that member's term.

2315 D. When a member of the Council on Dental Education
2316 and Licensure who was selected by the American
2317 Dental Education Association, shall cease to be a
2318 member of the faculty of a member school of that
2319 Association, such membership on either council shall
2320 terminate, and the President of the Association shall
2321 declare the position vacant.

2322 E. To be eligible to serve on the Council on Scientific
2323 Affairs, the current recipient of the Gold Medal
2324 Award for Excellence in Dental Research shall be an
2325 active, life or retired member in good standing of this
2326 Association if the current recipient qualifies for such
2327 membership.

2328 *Section 40. CHAIRMEN:* One member of each
2329 council shall be appointed annually by the Board of
2330 Trustees to serve as chairman with exception of the
2331 Council on Dental Education and Licensure. The
2332 Chairman of the Council on Dental Education and
2333 Licensure shall be appointed from nominations
2334 submitted by the Council.

2335 *Section 50. CONSULTANTS, ADVISERS AND*
2336 *STAFF:*

2337 A. CONSULTANTS AND ADVISERS. Each council
2338 shall have the authority to nominate consultants and
2339 advisers in conformity with rules and regulations
2340 established by the Board of Trustees except as
2341 otherwise provided in these *Bylaws*.

2342 B. STAFF. The Executive Director shall employ the
2343 staff of councils, in the event they are employees, and
2344 shall select the titles for council staff positions.

2345 C. CONFLICT OF INTEREST. Consultants, advisers
2346 and staff, and each person nominated or seeking such
2347 positions, shall comply with Chapter VI, Conflict of
2348 Interest, of these *Bylaws*.

2349 *Section 60. TERM OF OFFICE:* The term of office of
2350 members of councils shall be four (4) years except as
2351 otherwise provided in these *Bylaws*. The tenure of a
2352 member of a council shall be limited to one (1) term
2353 of four (4) years except as otherwise provided in
2354 these *Bylaws*. A member shall not be eligible for
2355 appointment to another council or commission for a
2356 period of two (2) years after completing a previous
2357 council appointment. The physician and the health
2358 care facility administrator, nominated by the Board of
2359 Trustees for membership on the Council on Access,
2360 Prevention and Interprofessional Relations, shall be
2361 elected for a one (1) year term; however, such
2362 member shall not be limited as to the number of
2363 consecutive one (1) year terms that he or she may
2364 serve. The current recipient of the Gold Medal Award
2365 for Excellence in Dental Research shall serve on the

2366 Council on Scientific Affairs until the award is
2367 bestowed on the next honoree.

2368 *Section 70. VACANCY:* In the event of a vacancy in
2369 the membership of any council, the President shall
2370 appoint a member of the Association possessing the
2371 same qualifications as established by these *Bylaws* for
2372 the previous member, to fill such vacancy until a
2373 successor is elected by the next House of Delegates
2374 for the remainder of the unexpired term. In the event
2375 such vacancy involves the chairman of the council,
2376 the President shall have the power to appoint an *ad*
2377 *interim* chairman. In the event it is the current
2378 recipient of the Gold Medal Award for Excellence in
2379 Dental Research who cannot serve on the Council on
2380 Scientific Affairs, the President, in consultation with
2381 the Board of Trustees, shall have the power to appoint
2382 a prominent research scientist who shall serve until
2383 the award is bestowed on the next honoree.

2384 If the term of the vacated council position has less
2385 than fifty percent (50%) of a full four-year term
2386 remaining at the time the successor member is
2387 appointed or elected, the successor member shall be
2388 eligible for election to a new, consecutive four-year
2389 term. If fifty percent (50%) or more of the vacated
2390 term remains to be served at the time of the
2391 appointment or election, the successor member shall
2392 not be eligible for another term.

2393 *Section 80. MEETINGS OF COUNCILS.* Each
2394 council shall hold at least one regular meeting
2395 annually, provided that funds are available in the
2396 budget for that purpose and unless otherwise directed
2397 by the Board of Trustees. Meetings may be held in
2398 the Headquarters Building, the Washington Office or
2399 from multiple remote locations through the use of a
2400 conference telephone or other communications
2401 equipment by means of which all members can
2402 communicate with each other. Such meetings shall be
2403 conducted in accordance with rules and procedures
2404 established by the Board of Trustees.

2405 *Section 90. QUORUM:* Except as otherwise provided
2406 in these *Bylaws*, a majority of the members of any
2407 council shall constitute a quorum.

2408 *Section 100. PRIVILEGE OF THE FLOOR:*
2409 Chairmen and members of councils who are not
2410 members of the House of Delegates shall have the
2411 right to participate in the debate on their respective
2412 reports but shall not have the right to vote.

2413 *Section 110. ANNUAL REPORT AND BUDGET:*

2414 A. ANNUAL REPORT. Each council shall submit,
2415 through the Executive Director, an annual report to
2416 the House of Delegates and a copy thereof to the
2417 Board of Trustees.

2418 B. PROPOSED BUDGET. Each council shall submit
2419 to the Board of Trustees, through the Executive
2420 Director, a proposed itemized budget for the ensuing
2421 fiscal year.

2422 Section 120. DUTIES:

- 2423 A. COUNCIL ON ACCESS, PREVENTION AND
2424 INTERPROFESSIONAL RELATIONS. The duties
2425 of the Council shall be:
2426 a. To recommend policies and formulate programs
2427 relating to community oral health, including oral
2428 health planning, dental health personnel resources,
2429 preventive dentistry, fluoridation and nutrition
2430 issues.
2431 b. To assist constituent and component societies,
2432 public health agencies and others in the management
2433 and coordination of local resources or programs for
2434 oral health planning, preventive dentistry and other
2435 community health programs.
2436 c. To maintain liaison with oral health agencies and
2437 special interest organizations on community oral
2438 health and dental health personnel resource issues.
2439 d. To serve as liaison for the Association with the
2440 Joint Commission on Accreditation of Healthcare
2441 Organizations and with JCAHO corporate members
2442 and other national health care organizations.
2443 e. To recommend policy on issues pertaining to the
2444 relationship of dentistry and medicine, including
2445 interdisciplinary patient management, dentist-
2446 physician relations, the oral health needs of
2447 medically compromised patients and the role of
2448 physical evaluation and medical risk management in
2449 dental practice.
2450 f. To conduct activities to improve the health
2451 outcomes of patients requiring cooperative dental-
2452 medical management.
2453 g. To conduct activities to increase patient access to
2454 dental care and to increase access to the benefits of
2455 cooperative dental-medical management in
2456 hospitals, ambulatory care centers, long-term care
2457 facilities and other interdisciplinary health care
2458 settings.
2459 h. To foster dentistry's role in the hospital, including
2460 active medical staff membership and clinical
2461 privileges.
- 2462 B. COUNCIL ON ADA SESSIONS. The duties of
2463 the Council shall be:
2464 a. To have responsibility for conducting the annual
2465 session of this Association, except the House of
2466 Delegates, subject to approval by the Board of
2467 Trustees as provided in these *Bylaws*.
2468 b. To plan and coordinate other Association sessions
2469 or regional meetings.
- 2470 C. COUNCIL ON COMMUNICATIONS. The duties
2471 of the Council shall be:
2472 a. To identify, review and recommend, prior to
2473 implementation, programs to educate the public
2474 about oral health, including national media relations
2475 programs, patient communications and materials for
2476 use in the dental office.
2477 b. To identify public and media relations issues and
2478 to review existing programs and to utilize these
2479 programs, or, if appropriate, oversee the

- 2480 development and recommend communications
2481 programs to address such issues.
2482 c. To maintain liaison with national health
2483 organizations and the dental industry to promote
2484 cooperative oral health public education initiatives.
2485 d. To assist dental editors and to support constituent
2486 and component dental societies with their media and
2487 community relations programs and communications
2488 with members.
2489 e. To review communication messages to the public
2490 and to the members concerning the public and
2491 private image of dentistry.
2492 f. To assist constituent and component dental society
2493 communications committees or appropriate staff
2494 with their media and communications programs.
2495 g. To assist other Association agencies and
2496 constituent and component dental societies, upon
2497 request, in their communications efforts regarding
2498 Association products and services.
- 2499 D. COUNCIL ON DENTAL BENEFIT
2500 PROGRAMS. The duties of the Council shall be:
2501 a. To formulate and recommend policies relating to
2502 the planning, administration and financing of dental
2503 benefit programs.
2504 b. To study, evaluate and disseminate information on
2505 the planning, administration and financing of dental
2506 benefit programs.
2507 c. To assist the constituent societies and other
2508 agencies in developing programs for the planning,
2509 administration and financing of dental benefit
2510 programs.
2511 d. To provide assistance, guidance and support to
2512 constituent and component societies in the
2513 development and management of professional
2514 review systems.
2515 e. To encourage the inclusion of dental benefits in
2516 health benefit plans and to promote dental benefit
2517 plans in accordance with Association policy.
2518 f. To conduct activities and formulate and
2519 recommend policies concerning the assessment and
2520 improvement of the quality of dental care relating to
2521 dental benefit plans.
2522 g. To formulate procedural and diagnostic codes in
2523 conjunction with national dental organizations and the
2524 dental benefits industry that dentists can use to report
2525 patient care on dental benefit claim forms.
- 2526 E. COUNCIL ON DENTAL EDUCATION AND
2527 LICENSURE. The duties of the Council shall be:
2528 a. To act as the agency of the Association in matters
2529 related to the evaluation and accreditation of all
2530 dental educational, dental auxiliary educational and
2531 associated subjects and as liaison to the Commission
2532 on Dental Accreditation.
2533 b. To study and make recommendations including
2534 the formulation and recommendation of policy on:
2535 (1) Dental education and dental auxiliary education.
2536 (2) The recognition of special areas of dental
2537 practice.

- 2538 (3) The recognition of categories of dental
2539 auxiliaries.
2540 (4) The approval or disapproval of national
2541 certifying boards for special areas of dental practice
2542 and for dental auxiliaries.
2543 (5) The educational and administrative standards of
2544 the certifying boards for special areas of dental
2545 practice and for dental auxiliaries.
2546 (6) Associated subjects that affect all dental, dental
2547 auxiliary and related education.
2548 (7) Dental licensure and dental auxiliary
2549 credentialing.
2550 c. To act on behalf of this Association in
2551 maintaining effective liaison with certifying boards
2552 and related agencies for special areas of dental
2553 practice and for dental auxiliaries.
2554 d. To monitor and disseminate information on
2555 continuing dental education and to encourage the
2556 provision of and participation in continuing dental
2557 education.

2558 F. COUNCIL ON DENTAL PRACTICE. The duties
2559 of the Council shall be:

- 2560 a. To formulate and recommend policies relating to
2561 dental practice.
2562 b. To study, evaluate and disseminate information
2563 concerning various forms of business organization
2564 of a dental practice, economic factors related to
2565 dental practice, practice management techniques,
2566 auxiliary utilization and dental laboratory services to
2567 the end that dentists may continue to improve
2568 services to the public.
2569 c. To develop educational and other programs to
2570 assist dentists in improved practice management,
2571 including practice marketing materials and
2572 continuing education seminars, and to assist
2573 constituent and component societies and other dental
2574 organizations in the development of such programs
2575 so that dentists may continue to improve the
2576 delivery of their services to the public.
2577 d. To encourage and develop satisfactory relations
2578 with the various organizations representing the
2579 dental laboratory industry and craft.
2580 e. To formulate programs for establishing and
2581 maintaining the greatest efficiency, quality and
2582 service of the dental laboratory industry and craft in
2583 their relation to the dental profession.
2584 f. To encourage and develop satisfactory relations
2585 with the various organizations representing dental
2586 auxiliaries.
2587 g. To gather, formulate and disseminate information
2588 related to auxiliary utilization, management and
2589 employment practices.
2590 h. To serve in a consultative capacity to those
2591 educational and promotional activities directed to
2592 the public and the profession and to assess their
2593 impact on dental practice.
2594 i. To provide assistance, education and information
2595 on issues related to dentists' well being.

- 2596 G. COUNCIL ON ETHICS, BYLAWS AND
2597 JUDICIAL AFFAIRS. The duties of the Council shall
2598 be:
2599 a. To consider proposals for amending the
2600 *Principles of Ethics and Code of Professional*
2601 *Conduct*.
2602 b. To provide advisory opinions regarding the
2603 interpretation of the *Principles of Ethics and Code*
2604 *of Professional Conduct*.
2605 c. To consider appeals from members of the
2606 Association, or from component societies subject to
2607 the requirements of Chapter XII, Section 20 of these
2608 *Bylaws*.
2609 d. To hold hearings and render decisions in disputes
2610 arising between constituent societies or between
2611 constituent and component societies.
2612 e. To discipline any of the direct members of this
2613 Association (members in good standing who
2614 pursuant to Chapter I of these *Bylaws* do not hold
2615 membership in any constituent society of this
2616 Association) in accordance with the requirements
2617 and procedures of Chapter XII of these *Bylaws*,
2618 using hearing panels composed of not less than three
2619 (3) of its elected members selected by the Council
2620 chairman. The Council may adopt procedures
2621 governing the discipline of direct members of this
2622 Association (members in good standing who
2623 pursuant to Chapter I of these *Bylaws* do not hold
2624 membership in any constituent society of this
2625 Association) consistent with Chapter XII of these
2626 *Bylaws*, which may include the use of an
2627 investigating committee or individual to investigate
2628 any complaint made against such member and report
2629 findings to the hearing panel concerning whether
2630 charges should issue.
2631 f. To review the articles of the *Constitution and*
2632 *Bylaws* in order to keep them consistent with the
2633 Association's program.
2634 g. To recommend editorial changes in the *Bylaws* to
2635 improve their consistency, clarity and style.
2636 h. Notwithstanding paragraph g of this subsection,
2637 the Council shall have the authority to make
2638 corrections in punctuation, grammar and spelling in
2639 the *Bylaws* which do not alter its context or
2640 meaning. Such corrections shall be made only by a
2641 unanimous vote of the Council members present and
2642 voting.
2643 i. To review the rules and bylaws of all commissions
2644 of the Association in order to keep such rules and
2645 bylaws consistent with the *Constitution and Bylaws*
2646 of this Association.
2647 j. To act as the Standing Committee on Constitution
2648 and Bylaws of the House of Delegates, with the
2649 composition of such committee to be determined in
2650 accordance with Chapter V, Section 140A of these
2651 *Bylaws*, and to conduct other business it deems
2652 necessary.
2653 k. To provide guidance and advice on ethical and
2654 professional issues to constituent and component

- 2655 societies.
- 2656 1. To formulate and disseminate materials related to
- 2657 ethical and professional conduct in the practice and
- 2658 promotion of dentistry.
- 2659 H. COUNCIL ON GOVERNMENT AFFAIRS. The
- 2660 duties of the Council shall be:
- 2661 a. To encourage the improvement of the health of
- 2662 the public and to promote the art and science of
- 2663 dentistry in matters of legislation and regulations by
- 2664 appropriate activities.
- 2665 b. To formulate and recommend policies related to
- 2666 legislative and regulatory issues and to
- 2667 governmental agency programs.
- 2668 c. To formulate proposed legislation, approved by
- 2669 the Board of Trustees, that may be submitted to
- 2670 Congress and which will promote the art and science
- 2671 of dentistry in accordance with Association policies.
- 2672 d. To disseminate information which will assist the
- 2673 constituent and component societies involving
- 2674 legislation and regulation affecting the dental health
- 2675 of the public.
- 2676 e. To serve and assist the American Dental
- 2677 Association as a liaison with agencies of the federal
- 2678 government.
- 2679 f. To advise other Association agencies charged with
- 2680 developing, recommending and/or implementing
- 2681 legislative policies adopted by the House of
- 2682 Delegates.
- 2683 g. To serve as liaison for the American Dental
- 2684 Association with those agencies of the federal
- 2685 government which employ dental personnel in direct
- 2686 dental care delivery programs and the dentists in
- 2687 those services.
- 2688 h. To recommend programs and policies which will
- 2689 ensure that eligible beneficiaries of federal dental
- 2690 service programs have access to quality dental care.
- 2691 i. To recommend programs and policies which
- 2692 promote an efficient and effective dental care
- 2693 delivery system within the federal dental services.
- 2694 j. To assist in the development of dental manpower
- 2695 requirements and appropriate mobilization programs
- 2696 in times of emergency.
- 2697 k. To formulate and recommend policies which are
- 2698 designed to advance the professional status of
- 2699 federally employed dentists.
- 2700 1. To monitor dental training programs conducted by
- 2701 the federal dental services.
- 2702 I. COUNCIL ON MEMBERS INSURANCE AND
- 2703 RETIREMENT PROGRAMS. The duties of the
- 2704 Council shall be:
- 2705 a. To evaluate on a continuing basis all Association
- 2706 sponsored insurance programs.
- 2707 b. To examine and evaluate other insurance
- 2708 programs that might be of benefit to the
- 2709 membership.
- 2710 c. To advise and recommend courses of action on
- 2711 insurance programs.
- 2712 d. To assist constituent societies in matters related to

- 2713 insurance programs.
- 2714 e. To serve as Trustees for the American Dental
- 2715 Association Members' Retirement Fund.
- 2716 f. To formulate and recommend policies related to
- 2717 professional liability and other insurance programs.
- 2718 J. COUNCIL ON MEMBERSHIP. Except as
- 2719 otherwise provided in these *Bylaws*, the duties of the
- 2720 Council shall be:
- 2721 a. To formulate and recommend policies related to
- 2722 membership recruitment and retention and other
- 2723 related issues.
- 2724 b. To identify and monitor trends and issues that
- 2725 affect membership recruitment and retention,
- 2726 particularly among under-represented segments, and
- 2727 to encourage membership involvement throughout
- 2728 organized dentistry.
- 2729 c. To support, monitor and encourage membership
- 2730 activities of constituent and component dental
- 2731 societies and to enhance cooperation and
- 2732 communication on tripartite recruitment and
- 2733 retention efforts.
- 2734 d. To recommend, monitor and support the
- 2735 development of membership benefits and services
- 2736 that respond to identified needs of members.
- 2737 e. To act as an advocate for membership benefits.
- 2738 K. COUNCIL ON SCIENTIFIC AFFAIRS. The
- 2739 duties of the Council shall be:
- 2740 a. To develop and promote an annual research
- 2741 agenda with appropriate means for funding.
- 2742 b. To identify emergent issues and areas of research
- 2743 that require response from the research community.
- 2744 c. To report results on the latest scientific
- 2745 developments to practicing dentists.
- 2746 d. To evaluate and issue statements to the profession
- 2747 regarding the efficacy of concepts, procedures and
- 2748 techniques for use in the treatment of patients.
- 2749 e. To guide, assist and act as liaison to the American
- 2750 Dental Association Foundation and serve as its peer
- 2751 review body.
- 2752 f. To represent the Association on scientific and
- 2753 research matters and maintain liaison with related
- 2754 regulatory, research and professional organizations.
- 2755 g. To encourage the development and improvement
- 2756 of materials, instruments and equipment for use in
- 2757 dental practice, and to coordinate development of
- 2758 national and international standardization programs.
- 2759 h. To determine the safety and effectiveness of, and
- 2760 disseminate information on, materials, instruments
- 2761 and equipment that are offered to the public or the
- 2762 profession and further critically evaluate statements
- 2763 of efficacy and advertising claims.
- 2764 i. To study, evaluate and disseminate information
- 2765 with regard to the proper use of dental therapeutic
- 2766 agents, their adjuncts and dental cosmetic agents
- 2767 that are offered to the public or the profession.
- 2768 j. To award the American Dental Association Seal to
- 2769 dental products that meet the Association's

CHAPTER X • COUNCILS
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2770 requirements for acceptance.
2771 k. To promote efforts to develop dental research
2772 manpower and to involve students in dental
2773 research.
2774 l. To study, evaluate and disseminate information on
2775 those aspects of the dental practice environment
2776 related to the health of the public, dentists and dental
2777 auxiliaries.
2778 m. To serve as the primary resource for scientific
2779 inquiries from the public and the profession.

CHAPTER XI • SPECIAL COMMITTEES

2780 *Section 10. APPOINTMENT AND TERM.* Special
2781 committees of this Association may be created at any
2782 session of the House of Delegates or, when the House
2783 is not in session, by the Board of Trustees, for the
2784 purpose of performing duties not otherwise assigned
2785 by these *Bylaws*. Duties otherwise assigned by these
2786 *Bylaws* solely to one (1) council, commission or other
2787 agency should be assigned to that council,
2788 commission or other agency with the necessary
2789 funding to accomplish the task. If duties are assigned
2790 to a special committee that are assigned under these
2791 *Bylaws* to more than one (1) council, commission or
2792 other agency, members of the relevant councils,
2793 commissions or other agencies shall be appointed to
2794 serve on the special committee. Such special
2795 committees may serve until adjournment *sine die* of
2796 the next annual session of the House of Delegates.
2797 The authority for appointing the members of a special
2798 committee and their number shall be set forth in the
2799 resolution creating such committee.

2800 *Section 20. CONFLICT OF INTEREST:* Members of
2801 special committees and each person considered for
2802 such appointment shall comply with Chapter VI,
2803 Conflict of Interest, of these *Bylaws*.

2804 *Section 30. PRIVILEGE OF THE FLOOR:* Chairmen
2805 and members of special committees who are not
2806 members of the House of Delegates shall have the
2807 right to participate in the debate on their respective
2808 reports but shall not have the right to vote.

2809 CHAPTER XII • PRINCIPLES OF ETHICS AND
2810 CODE OF PROFESSIONAL CONDUCT AND
2811 JUDICIAL PROCEDURE

2812 *Section 10. PROFESSIONAL CONDUCT OF*
2813 *MEMBERS:* The professional conduct of a member
2814 of this Association shall be governed by the
2815 *Principles of Ethics and Code of Professional*
2816 *Conduct* of this Association and by the codes of
2817 ethics of the constituent and component societies
2818 within whose jurisdiction the member practices, or
2819 conducts or participates in other professional dental
2820 activities.

CHAPTER XII • PRINCIPLES OF ETHICS AND
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2821 *Section 20. DISCIPLINE OF MEMBERS:*

2822 A. CONDUCT SUBJECT TO DISCIPLINE. A
2823 member may be disciplined for (1) having been found
2824 guilty of a felony, (2) having been found guilty of
2825 violating the dental practice act of a state or other
2826 jurisdiction of the United States, (3) having been
2827 discharged or dismissed from practicing dentistry
2828 with one of the federal dental services under
2829 dishonorable circumstances, or (4) violating the
2830 *Bylaws*, the *Principles of Ethics and Code of*
2831 *Professional Conduct*, or the bylaws or code of ethics
2832 of the constituent or component society of which the
2833 accused is a member. For a member of a constituent
2834 society, disciplinary proceedings may be instituted by
2835 either the member's component or constituent
2836 society. Disciplinary proceedings against a direct
2837 member of this Association (a member in good
2838 standing who pursuant to Chapter I of these *Bylaws*
2839 does not hold membership in any constituent society
2840 of this Association) may be instituted by the Council
2841 on Ethics, Bylaws and Judicial Affairs of this
2842 Association.

2843 B. DISCIPLINARY PENALTIES. A member may be
2844 placed under a sentence of censure or suspension or
2845 may be expelled from membership for any of the
2846 offenses enumerated in Section 20A of this Chapter.

2847 Censure is a disciplinary sentence expressing in
2848 writing severe criticism or disapproval of a particular
2849 type of conduct or act.

2850 Suspension, subject to Chapter I, Section 30 of these
2851 *Bylaws*, means all membership privileges except
2852 continued entitlement to coverages under insurance
2853 programs are lost during the suspension period.
2854 Suspension shall be unconditional and for a specified
2855 period at the termination of which full membership
2856 privileges are automatically restored. A subsequent
2857 violation shall require a new disciplinary procedure
2858 before additional discipline may be imposed.

2859 Expulsion is an absolute discipline and may not be
2860 imposed conditionally except as otherwise provided
2861 herein.

2862 Probation, to be imposed for a specified period and
2863 without loss of privileges, may be administratively
2864 and conditionally imposed when circumstances
2865 warrant in lieu of a suspended disciplinary penalty.
2866 Probation shall be conditioned on good behavior.
2867 Additional reasonable conditions may be set forth in
2868 the decision for the continuation of probation. In the
2869 event that the conditions for probation are found by
2870 the society which preferred charges to have been
2871 violated, after a hearing on the probation violation
2872 charges in accordance with Chapter XII, Section 20C,
2873 the original disciplinary penalty shall be
2874 automatically reinstated; except that when
2875 circumstances warrant the original disciplinary
2876 penalty may be reduced to a lesser penalty. There
2877 shall be no right of appeal from a finding that the
2878 conditions of probation have been violated.

2879 After all appeals are exhausted or after the time for
2880 filing an appeal has expired, a sentence of censure,
2881 suspension or expulsion meted out to any member,
2882 including those instances when the disciplined
2883 member has been placed on probation, shall be
2884 promulgated by such member's component and
2885 constituent societies, if such exist, and this
2886 Association.

2887 C. DISCIPLINARY PROCEEDINGS. Before a
2888 disciplinary penalty is invoked against a member, the
2889 following procedures shall be followed by the agency
2890 preferring charges:

2891 a. HEARING. The accused member shall be entitled
2892 to a hearing at which the accused shall be given the
2893 opportunity to present a defense to all charges
2894 brought against the accused. The agency preferring
2895 charges shall permit the accused member to be
2896 represented by legal counsel.

2897 b. NOTICE. The accused member shall be notified
2898 in writing of charges brought against the accused
2899 and of the time and place of the hearing, such notice
2900 to be sent by certified—return receipt requested
2901 letter addressed to the accused's last known address
2902 and mailed not less than twenty-one (21) days prior
2903 to the date set for the hearing. An accused member,
2904 upon request, shall be granted one postponement for
2905 a period not to exceed thirty (30) days.

2906 c. CHARGES. The written charges shall include an
2907 officially certified copy of the alleged conviction or
2908 determination of guilt, or a specification of the
2909 bylaw or ethical provisions alleged to have been
2910 violated, as the case may be, and a description of the
2911 conduct alleged to constitute each violation.

2912 d. DECISION. Every decision which shall result in
2913 censure, suspension or expulsion or in probation
2914 shall be reduced to writing and shall specify the
2915 charges made against the member, the facts which
2916 substantiate any or all of the charges, the verdict
2917 rendered, the penalty imposed or when appropriate
2918 the suspended penalty imposed and the conditions
2919 for probation, and a notice shall be mailed to the
2920 accused member informing the accused of the right
2921 to appeal. Within ten (10) days of the date on which
2922 the decision is rendered a copy thereof shall be sent
2923 by certified—return receipt requested mail to the last
2924 known address of each of the following parties: the
2925 accused member; the secretary of the component
2926 society of which the accused is a member, if
2927 applicable; the secretary of the constituent society of
2928 which the accused is a member, if applicable; the
2929 Chairman of the Council on Ethics, Bylaws and
2930 Judicial Affairs of this Association and the
2931 Executive Director of this Association.

2932 D. APPEALS. The accused member under sentence
2933 of censure, suspension or expulsion shall have the
2934 right to appeal from a decision of the accused's
2935 component society to the accused's constituent
2936 society by filing an appeal in affidavit form with the

2937 secretary of the constituent society. Such an accused
2938 member, or the component society concerned, shall
2939 have the right to appeal from a decision of the
2940 constituent society to the Council on Ethics, Bylaws
2941 and Judicial Affairs of this Association by filing an
2942 appeal in affidavit form with the Chairman of the
2943 Council on Ethics, Bylaws and Judicial Affairs.
2944 Where the accused is a direct member of this
2945 Association (a member in good standing who
2946 pursuant to Chapter I of these *Bylaws* does not hold
2947 membership in any constituent society of this
2948 Association), the accused member shall have the right
2949 of appeal from a disciplinary decision of a hearing
2950 panel of the Council on Ethics, Bylaws and Judicial
2951 Affairs to the Council by filing an appeal in affidavit
2952 form with the Chairman of the Council on Ethics,
2953 Bylaws and Judicial Affairs. Members of the hearing
2954 panel shall not have the right to vote on the Council's
2955 decision on such an appeal.

2956 An appeal from any decision shall not be valid
2957 unless notice of appeal is filed within thirty (30) days
2958 and the supporting brief, if one is to be presented, is
2959 filed within sixty (60) days after such decision has
2960 been rendered. A reply brief, if one is to be presented,
2961 shall be filed within ninety (90) days after such
2962 decision is rendered. A rejoinder brief, if one is to be
2963 presented, shall be filed within one hundred five
2964 (105) days after such decision is rendered. After all
2965 briefs have been filed, a minimum of forty-five (45)
2966 days shall elapse before the hearing date. Omission of
2967 briefs will not alter the briefing schedule or hearing
2968 date unless otherwise agreed to by the parties and the
2969 chairman of the appropriate appellate agency.

2970 No decision shall become final while an appeal
2971 therefrom is pending or until the thirty (30) day
2972 period for filing notice of appeal has elapsed. In the
2973 event of a sentence of expulsion and no notice of
2974 appeal is received within the thirty (30) day period,
2975 the constituent society shall notify all parties of the
2976 failure of the accused member to file an appeal. The
2977 sentence of expulsion shall take effect on the date the
2978 parties are notified. The component and constituent
2979 societies shall each determine what portion of their
2980 current dues and their special assessments, if any,
2981 shall be returned to the expelled member. Dues and
2982 special assessments paid to this Association shall not
2983 be refundable in the event of expulsion. The
2984 following procedure shall be used in processing
2985 appeals:

2986 a. HEARINGS ON APPEAL. The accused member
2987 or the society (or societies) concerned shall be
2988 entitled to a hearing on an appeal, provided that
2989 such appeal is taken in accordance with, and
2990 satisfies the requirements of, Section 20D of this
2991 Chapter. The appellate agency hearing the appeal
2992 shall permit the accused member to be represented
2993 by legal counsel. A party need not appear for the
2994 appeal to be heard by an appellate agency.

2995 b. NOTICE. The appellate agency receiving an

2996 appeal shall notify the society (or societies)
2997 concerned, or where applicable the hearing panel of
2998 the Council on Ethics, Bylaws and Judicial Affairs,
2999 and the accused member of the time and place of
3000 the hearing, such notice to be sent by certified—
3001 return receipt requested letter to the last known
3002 address of the parties to the appeal and mailed not
3003 less than thirty (30) days prior to the date set for the
3004 hearing. Granting of continuances shall be at the
3005 option of the agency hearing the appeal.
3006 c. PREHEARING MATTERS. Prehearing requests
3007 shall be granted at the discretion of the appellate
3008 agency. In appeals to this Association's Council on
3009 Ethics, Bylaws and Judicial Affairs, the Council
3010 chairman has the authority to rule on motions from
3011 the parties for continuances and other prehearing
3012 procedural matters with advice from legal counsel
3013 of this Association. The Council chairman may
3014 consult with the Council before rendering
3015 prehearing decisions.
3016 d. BRIEFS. Every party to an appeal shall be
3017 entitled to submit a brief in support of the party's
3018 position. The briefs of the parties shall be submitted
3019 to the secretary of the constituent society or the
3020 Chairman of the Council on Ethics, Bylaws and
3021 Judicial Affairs of this Association, as the case may
3022 be, and to the opposing party(ies) in accordance
3023 with the prescribed briefing schedule. The party
3024 initiating the appeal may choose to rely on the
3025 record and/or on an oral presentation and not file a
3026 brief.
3027 e. RECORD OF DISCIPLINARY
3028 PROCEEDINGS. Upon notice of an appeal the
3029 agency which preferred charges shall furnish to the
3030 appellate agency which has received the appeal and
3031 to the accused member a transcript of, or an
3032 officially certified copy of the minutes of the
3033 hearing accorded the accused member. The
3034 transcript or minutes shall be accompanied by
3035 certified copies of any affidavits or other
3036 documents submitted as evidence to support the
3037 charges against the accused member or submitted
3038 by the accused member as part of the accused's
3039 defense. Where the agency preferring the charges
3040 does not provide for transcription of the hearing,
3041 the accused member, at the accused's own expense,
3042 shall be entitled to arrange for the services of a
3043 court reporter to transcribe the hearing.
3044 f. APPEALS JURISDICTION. The agency to
3045 which a decision has been appealed shall be
3046 required to review the decision appealed from to
3047 determine whether the evidence before the society
3048 or agency which preferred charges against the
3049 accused member supports that decision or warrants
3050 the penalty imposed. The appellate agency shall not
3051 be required to consider additional evidence unless
3052 there is a clear showing that either party to the
3053 appeal will be unreasonably harmed by failure to
3054 consider the additional evidence. The parties to an

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ASSOCIATION FOUNDATION

3055 appeal are the accused member and the society or
3056 agency which preferred charges. In appeals to the
3057 Council on Ethics, Bylaws and Judicial Affairs of
3058 this Association, the society which heard the first
3059 appeal may, at its option, participate in the appeal.
3060 g. DECISION ON APPEALS. Every decision on
3061 appeal shall be reduced to writing and shall state
3062 clearly the conclusion of the appellate agency and
3063 the reasons for reaching that conclusion. The
3064 appellate agency shall have the discretion (1) to
3065 uphold the decision of the agency which preferred
3066 charges against the accused member; (2) to reverse
3067 the decision of the agency which preferred charges
3068 and thereby exonerate the accused member; (3) to
3069 deny an appeal which fails to satisfy the
3070 requirements of Section 20D of this Chapter; (4) to
3071 refer the case back to the agency which preferred
3072 charges for new proceedings, if the rights of the
3073 accused member under all applicable bylaws were
3074 not accorded the accused; (5) to remand the case
3075 back to the agency which preferred charges for
3076 further proceedings when the appellate record is
3077 insufficient in the opinion of the appellate agency to
3078 enable it to render a decision; or (6) to uphold the
3079 decision of the agency which preferred charges
3080 against the accused member and reduce the penalty
3081 imposed.
3082 Within thirty (30) days of the date on which a
3083 decision on appeal is rendered, a copy thereof shall
3084 be sent by certified—return receipt requested mail
3085 to the last known address of each of the following
3086 parties: the accused member, the secretary of the
3087 component society of which the accused is a
3088 member, if applicable, the secretary of the
3089 constituent society of which the accused is a
3090 member, if applicable, the Chairman of the Council
3091 on Ethics, Bylaws and Judicial Affairs of this
3092 Association and the Executive Director of this
3093 Association.
3094 E. NON-COMPLIANCE. In the event of a failure of
3095 technical conformance to the procedural requirements
3096 of Chapter XII, the agency hearing the appeal shall
3097 determine the effect of non-conformance.

CHAPTER XIII • AMERICAN DENTAL
ASSOCIATION FOUNDATION

3098 *Section 10. AGENCIES AND PERSONNEL:* The
3099 Research Institute and the Paffenbarger Research
3100 Center at the National Institute of Standards and
3101 Technology will be agencies of the American Dental
3102 Association Foundation and the personnel of these
3103 agencies shall be employees of the Foundation.
3104 *Section 20. FINANCIAL SUPPORT:* The Association shall
3105 annually furnish sufficient financial support, as an
3106 addition to generated non-Association funding, to

- 3107 assure the continued viability of the Foundation's
3108 research activities.
- 3109 *Section 30. DUTIES:*
- 3110 A. The Foundation, through its agencies, the Research
3111 Institute and the Paffenbarger Research Center at the
3112 National Institute of Standards and Technology shall:
3113 a. Conduct basic and applied research for the
3114 utilization in and development of oral health.
3115 b. Conduct training programs in research disciplines
3116 that relate to the basic and applied problems of oral
3117 health.
- 3118 B. In addition, the Foundation shall submit, either
3119 through or in cooperation with the Council on
3120 Scientific Affairs, an annual report to the House of
3121 Delegates, interim reports on request to the Board of
3122 Trustees, and an annual budget to the Board of
3123 Trustees for such financial support allocations as the
3124 Board may deem necessary.
- 3125 C. In addition, the Foundation's Administrative/
3126 Charitable group shall submit, through the ADA
3127 Board of Trustees acting as the Member, an annual
3128 report to the House of Delegates, interim reports on
3129 request to the Member, and an annual budget to the
3130 Board of Trustees for such financial support
3131 allocations as the Board may deem necessary.
- 3132 D. The Foundation also may perform such other
3133 charitable and research functions as permitted under
3134 its articles of incorporation and bylaws and the laws
3135 of the State of Illinois.

CHAPTER XIV • COMMISSIONS

- 3136 *Section 10. NAME:* The commissions of this
3137 Association shall be:
3138 Commission on Dental Accreditation
3139 Joint Commission on National Dental Examinations
- 3140 *Section 20. MEMBERS, SELECTIONS,
3141 NOMINATIONS AND ELECTIONS:*
- 3142 A. COMMISSION ON DENTAL
3143 ACCREDITATION. The number of members and the
3144 method of selection of the members of the
3145 Commission on Dental Accreditation shall be
3146 governed by the *Rules of the Commission on Dental
3147 Accreditation* and these *Bylaws*.
3148 Twelve (12) of the members of the Commission on
3149 Dental Accreditation shall be selected as follows:
3150 (1) Four (4) members shall be nominated by the
3151 Board of Trustees on a rotational system by trustee
3152 district from the active, life or retired members of
3153 this Association, no one of whom shall be a
3154 member of a faculty of a school of dentistry or a
3155 member of a state board of dental examiners or
3156 jurisdictional dental licensing agency. The members
3157 nominated by the Board of Trustees shall be elected
3158 by the House of Delegates.

- 3159 (2) Four (4) members who are active, life or
3160 retired members of this Association shall be
3161 selected by the American Association of Dental
3162 Examiners from the active membership of that
3163 body, no one of whom shall be a member of a
3164 faculty of a school of dentistry.
- 3165 (3) Four (4) members who are active, life or retired
3166 members of this Association shall be selected by the
3167 American Dental Education Association from its
3168 active membership. These members shall hold
3169 positions of professorial rank in dental schools
3170 accredited by the Commission on Dental Accreditation
3171 and shall not be members of any state board of dental
3172 examiners or jurisdictional dental licensing agency.
- 3173 B. JOINT COMMISSION ON NATIONAL
3174 DENTAL EXAMINATIONS. The Joint Commission
3175 on National Dental Examinations shall be composed
3176 of fifteen (15) members selected as follows:
3177 a. Three (3) members shall be nominated by the
3178 Board of Trustees from the active, life or retired
3179 members of this Association and additional
3180 nominations may be made by the House of
3181 Delegates but no one of such nominees shall be a
3182 member of a faculty of a school of dentistry or a
3183 member of a state board of dental examiners or
3184 jurisdictional dental licensing agency. The House of
3185 Delegates shall elect the three (3) members from
3186 those nominated by the Board of Trustees and the
3187 House of Delegates.
- 3188 b. Six (6) members who are active, life or retired
3189 members of this Association shall be selected by the
3190 American Association of Dental Examiners from the
3191 active membership of that body, no one of whom
3192 shall be a member of a faculty of a dental school.
- 3193 c. Three (3) members who are active, life or retired
3194 members of this Association shall be selected by the
3195 American Dental Education Association from its
3196 active membership. These members shall hold
3197 positions of professorial rank in the dental schools
3198 accredited by this Association and shall not be
3199 members of any state board of dental examiners or
3200 jurisdictional dental licensing agency.
- 3201 d. One (1) member who is a dental hygienist shall be
3202 selected by the American Dental Hygienists'
3203 Association.
- 3204 e. One (1) member who is a public representative
3205 shall be selected by the Joint Commission on
3206 National Dental Examinations.
- 3207 f. One (1) member who is a dental student shall be
3208 selected annually by the American Student Dental
3209 Association.
- 3210 C. CONFLICT OF INTEREST. Each person
3211 nominated for election by the House of Delegates
3212 shall complete a conflict of interest statement as
3213 prescribed by the Board of Trustees and shall file
3214 such statement with the Secretary of the House of
3215 Delegates to be made available to the delegates prior

3216 to election.

3217 *Section 30. REMOVAL FOR CAUSE:* The Board of
3218 Trustees may remove a commission member for
3219 cause in accordance with procedures established by
3220 the Board of Trustees, which procedures shall provide
3221 for notice of the charges, including allegations of the
3222 conduct purported to constitute each violation, and a
3223 decision in writing which shall specify the findings of
3224 fact which substantiate any and all of the charges, and
3225 that prior to issuance of the decision of the Board of
3226 Trustees, no commission member shall be excused
3227 from attending any meeting of a commission unless
3228 there is an opportunity to be heard or compelling
3229 reasons exist which are specified in writing by the
3230 Board of Trustees.

3231 *Section 40. ELIGIBILITY:*

3232 A. All members of commissions who are dentists
3233 must be active, life or retired members in good
3234 standing of this Association except as otherwise
3235 provided in these *Bylaws*.

3236 B. A member of the Joint Commission on National
3237 Dental Examinations, who was selected by the
3238 American Association of Dental Examiners and who
3239 is no longer an active member of that Association,
3240 may continue as a member of the Commission for the
3241 balance of that member's term.

3242 C. When a member of the Joint Commission on
3243 National Dental Examinations, who was selected by
3244 the American Dental Education Association, shall
3245 cease to be a member of the faculty of a member
3246 school of that Association, such membership on the
3247 Commission shall terminate, and the President of the
3248 American Dental Association shall declare the
3249 position vacant.

3250 D. No member of a commission may serve
3251 concurrently as a member of a council or another
3252 commission.

3253 E. CHAIRMEN. The Commissions of this
3254 Association shall elect their own chairmen who shall
3255 be active, life or retired members of this Association.

3256 *Section 50. CONSULTANTS, ADVISERS AND*
3257 *STAFF:*

3258 A. CONSULTANTS AND ADVISERS. Each
3259 commission shall have the authority to nominate
3260 consultants and advisers in conformity with rules and
3261 regulations established by the Board of Trustees
3262 except as otherwise provided in these *Bylaws*. The
3263 Joint Commission on National Dental Examinations
3264 also shall select consultants to serve on the
3265 Commission's test construction committees. The
3266 Commission on Dental Accreditation shall have the
3267 power to appoint consultants to assist in developing
3268 requirements and guidelines for the conducting of
3269 accreditation evaluations, including site visitations, of
3270 predoctoral, advanced dental educational, and dental

3271 auxiliary educational programs.

3272 B. STAFF. The Executive Director shall employ the
3273 staff of Commissions, in the event they are
3274 employees, and shall select the titles for commission
3275 staff positions.

3276 C. CONFLICT OF INTEREST. Consultants, advisers
3277 and staff, and each person nominated or seeking such
3278 positions, shall comply with Chapter VI, Conflict of
3279 Interest, of these *Bylaws*.

3280 *Section 60. TERM OF OFFICE:* The term of office
3281 of members of the commissions shall be four (4)
3282 years except that (a) the term of office of members of
3283 the Commission on Dental Accreditation selected
3284 pursuant to the *Rules of the Commission on Dental*
3285 *Accreditation* shall be governed by those *Rules* and
3286 (b) the term of office of the dental student selected by
3287 the American Student Dental Association for
3288 membership on the Joint Commission on National
3289 Dental Examinations shall be one (1) year.

3290 The tenure of a member of a commission shall be
3291 limited to one (1) term of four (4) years except that
3292 (a) the consecutive tenure of members of the
3293 Commission on Dental Accreditation selected
3294 pursuant to the *Rules of the Commission on Dental*
3295 *Accreditation* shall be governed by those *Rules* and
3296 (b) tenure in office of the dental student selected by
3297 the American Student Dental Association for
3298 membership on the Joint Commission on National
3299 Dental Examinations shall be one (1) term. As of
3300 1990, a member shall not be eligible for appointment
3301 to another commission or council for a period of two
3302 (2) years after completing a previous commission
3303 appointment.

3304 *Section 70. VACANCY:* In the event of a vacancy in
3305 the office of a commissioner, the following procedure
3306 shall be followed:

3307 A. In the event the member of a commission, whose
3308 office is vacant, is or was a member of and was
3309 appointed or elected by this Association, the President
3310 of this Association shall appoint a member of this
3311 Association possessing the same qualifications as
3312 established by these *Bylaws* for the previous member,
3313 to fill such vacancy until a successor is elected by the
3314 next House of Delegates of this Association for the
3315 remainder of the unexpired term.

3316 B. In the event the member of a commission whose
3317 office is vacant was selected by an organization other
3318 than this Association, such other organization shall
3319 appoint a successor possessing the same
3320 qualifications as those possessed by the previous
3321 member of the commission.

3322 C. In the event such vacancy involves the chairman of
3323 the commission, the President of this Association
3324 shall have the power to appoint an *ad interim*
3325 chairman, except as otherwise provided in these
3326 *Bylaws*.

3327 D. If the term of the vacated commission position has
 3328 less than fifty percent (50%) of a full four-year term
 3329 remaining at the time the successor member is
 3330 appointed or elected, the successor member shall be
 3331 eligible for election to a new, consecutive four-year
 3332 term. If fifty percent (50%) or more of the vacated
 3333 term remains to be served at the time of the
 3334 appointment or election, the successor member shall
 3335 not be eligible for another term.

3336 *Section 80. MEETINGS OF COMMISSIONS.* Each
 3337 commission shall hold at least one regular meeting
 3338 annually, provided that funds are available in the
 3339 budget for that purpose and unless otherwise directed
 3340 by the Board of Trustees. Meetings may be held at the
 3341 Headquarters Building, the Washington Office or
 3342 from multiple remote locations through the use of a
 3343 conference telephone or other communications
 3344 equipment by means of which all members can
 3345 communicate with each other. Such meetings shall be
 3346 conducted in accordance with rules and procedures
 3347 established by the Board of Trustees.

3348 *Section 90. QUORUM:* A majority of the members of
 3349 any commission shall constitute a quorum.

3350 *Section 100. PRIVILEGE OF THE FLOOR:*
 3351 Chairmen and members of the commissions who are
 3352 not members of the House of Delegates shall have the
 3353 right to participate in the debate on their respective
 3354 reports but shall not have the right to vote.

3355 *Section 110. ANNUAL REPORT AND BUDGET:*

3356 A. ANNUAL REPORT. Each commission shall
 3357 submit, through the Executive Director, an annual
 3358 report to the House of Delegates and a copy thereof to
 3359 the Board of Trustees.

3360 B. PROPOSED BUDGET. Each commission shall
 3361 submit to the Board of Trustees, through the
 3362 Executive Director, a proposed itemized budget for
 3363 the ensuing fiscal year.

3364 *Section 120. POWER TO ADOPT RULES:* Any
 3365 commission of this Association shall have the power
 3366 to adopt rules for such commission and amendments
 3367 thereto, provided such rules and amendments thereto
 3368 do not conflict with or limit the *Constitution and*
 3369 *Bylaws* of this Association. Rules and amendments
 3370 thereto, adopted by any commission of this
 3371 Association, shall not be effective until submitted in
 3372 writing to and approved by majority vote of the
 3373 House of Delegates of this Association, except the
 3374 Joint Commission on National Dental Examinations
 3375 shall have such bylaws and amendments thereto as
 3376 the House of Delegates of this Association may adopt
 3377 by majority vote for the conduct of the purposes and
 3378 management of the Joint Commission on National
 3379 Dental Examinations.

3380 *Section 130. DUTIES:*

3381 A. COMMISSION ON DENTAL ACCREDITATION. The
 3382 duties of the Commission on Dental Accreditation
 3383 shall be:

3384 a. To formulate and adopt requirements and
 3385 guidelines for the accreditation of dental educational
 3386 and dental auxiliary educational programs.

3387 b. To accredit dental educational and dental
 3388 auxiliary educational programs.

3389 c. To provide a means for appeal from an adverse
 3390 decision of the accrediting body of the Commission
 3391 to a separate and distinct body of the Commission
 3392 whose membership shall be totally different from
 3393 that of the accrediting body of the Commission.

3394 d. To submit an annual report to the House of Delegates
 3395 of this Association and interim reports, on request, and
 3396 the Commission's annual budget to the Board of
 3397 Trustees of the Association.

3398 e. To submit the Commission's articles of
 3399 incorporation and rules and amendments thereto to
 3400 this Association's House of Delegates for approval
 3401 by majority vote either through or in cooperation
 3402 with the Council on Dental Education and
 3403 Licensure.

3404 B. JOINT COMMISSION ON NATIONAL
 3405 DENTAL EXAMINATIONS. The duties of the Joint
 3406 Commission on National Dental Examinations shall
 3407 be:

3408 a. To provide and conduct written examinations,
 3409 exclusive of clinical demonstrations for the purpose
 3410 of assisting state boards of dental examiners in
 3411 determining qualifications of dentists who seek
 3412 license to practice in any state or other jurisdiction
 3413 of the United States. Dental licensure is subject to
 3414 the laws of the state or other jurisdiction of the
 3415 United States and the conduct of all clinical
 3416 examinations for licensure is reserved to the
 3417 individual board of dental examiners.

3418 b. To provide and conduct written examinations,
 3419 exclusive of clinical demonstrations for the purpose
 3420 of assisting state boards of dental examiners in
 3421 determining qualifications of dental hygienists who
 3422 seek license to practice in any state or other
 3423 jurisdiction of the United States. Dental hygiene
 3424 licensure is subject to the laws of the state or other
 3425 jurisdiction of the United States and the conduct of
 3426 all clinical examinations for licensure is reserved to
 3427 the individual board of dental examiners.

3428 c. To make rules and regulations for the conduct of
 3429 examinations and the certification of successful
 3430 candidates.

3431 d. To serve as a resource of the dental profession in
 3432 the development of written examinations.

CHAPTER XV • SCIENTIFIC SESSION

- 3433 *Section 10. OBJECT:* The scientific session of this
3434 Association is established to foster the presentation
3435 and discussion of subjects pertaining to the
3436 improvement of the health of the public and the
3437 science and art of dentistry.
- 3438 *Section 20. TIME AND PLACE:* The scientific
3439 session of the Association shall be held annually at a
3440 time and place selected by the Board of Trustees.
3441 Such selection shall be made at least one (1) year in
3442 advance.
- 3443 *Section 30. MANAGEMENT AND GENERAL*
3444 *ARRANGEMENTS:* The Board of Trustees shall
3445 provide for the management of, and make all
3446 arrangements for, each scientific session unless
3447 otherwise provided in these *Bylaws*.
- 3448 *Section 40. TRADE AND LABORATORY*
3449 *EXHIBITS:* Products of the dental trade and dental
3450 laboratories and other products may be exhibited at
3451 each scientific session under the direction of the
3452 Board of Trustees and in accordance with rules and
3453 regulations established by that body.
- 3454 *Section 50. ADMISSION:* Admission to meetings of
3455 the scientific sessions shall be limited to members of
3456 this Association who are in good standing and to
3457 others admitted in accordance with rules and
3458 regulations established by the Board of Trustees.

CHAPTER XVI • PUBLICATIONS

- 3459 *Section 10. OFFICIAL JOURNAL:*
- 3460 A. TITLE. This Association shall publish or cause to
3461 be published an official journal under the title of *The*
3462 *Journal of the American Dental Association*,
3463 hereinafter referred to as *The Journal*.
- 3464 B. OBJECT. The object of *The Journal* shall be to
3465 report, chronicle and evaluate activities of scientific
3466 and professional interest to members of the dental
3467 profession.
- 3468 C. FREQUENCY OF ISSUE AND SUBSCRIPTION
3469 RATE. The frequency of issue and the subscription
3470 rate of *The Journal* shall be determined by the Board
3471 of Trustees.
- 3472 *Section 20. OTHER JOURNALS:* The Association
3473 may publish or cause to be published other journals in
3474 the field of dentistry subject to the direction and
3475 regulations of the Board of Trustees.
- 3476 *Section 30. OFFICIAL TRANSACTIONS:* The
3477 official transactions of the House of Delegates and the
3478 Board of Trustees and the reports of officers, councils
3479 and committees shall be published under the direction
3480 of the Executive Director.
- 3481 *Section 40. AMERICAN DENTAL DIRECTORY:* This

- 3482 Association shall cause to be published an *American*
3483 *Dental Directory*.

CHAPTER XVII • FINANCES

- 3484 *Section 10. FISCAL YEAR:* The fiscal year of the
3485 Association shall begin January 1 of each calendar
3486 year and end December 31 of the same year.
- 3487 *Section 20. GENERAL FUND:* The General Fund
3488 shall consist of all monies received other than those
3489 specifically allocated to other funds by these *Bylaws*.
3490 This fund shall be used for defraying all expenses
3491 incurred by this Association not otherwise provided
3492 for in these *Bylaws*. The General Fund may be
3493 divided into Operating and Reserve Divisions at the
3494 direction of the Board of Trustees.
- 3495 *Section 30. OTHER FUNDS:* The Association may
3496 establish other funds, at the direction of the Board of
3497 Trustees, for activities and programs requiring
3498 separate accounting records to meet governmental
3499 and administrative requirements. Such funds shall
3500 consist of monies and other assets received or
3501 allocated in accordance with the purpose for which
3502 they are established. Such funds shall be used for
3503 defraying all expenses incurred in their operation,
3504 shall serve only as separate accounting entities and
3505 continue to be held in the name of the American
3506 Dental Association as divisions of the General Fund.
- 3507 *Section 40. SPECIAL ASSESSMENTS:* In addition
3508 to the payment of dues required in Chapter I, Section
3509 20 of these *Bylaws*, a special assessment may be
3510 levied by the House of Delegates upon active, active
3511 life, retired, affiliate and associate members of this
3512 Association as provided in Chapter I, Section 20 of
3513 these *Bylaws*, for the purpose of funding a specific
3514 project of limited duration. Such an assessment may
3515 be levied at any annual or special session of the
3516 House of Delegates by a two-thirds (2/3) majority
3517 vote of the delegates present and voting, provided
3518 notice of the proposed assessment has been presented
3519 in writing at least ninety (90) days prior to the first
3520 day of the session of the House of Delegates at which
3521 it is to be considered. Notice of such a resolution shall
3522 be sent by a certifiable method of delivery to each
3523 constituent society not less than ninety (90) days
3524 before such session to permit prompt, adequate notice
3525 by each constituent society to its delegates and
3526 alternate delegates to the House of Delegates of this
3527 Association, and shall be announced to the general
3528 membership in an official publication of this
3529 Association at least sixty (60) days in advance of the
3530 session. The specific project to be funded by the
3531 proposed assessment, the time frame of the project,
3532 and the amount and duration of the proposed
3533 assessment shall be clearly presented in giving notice
3534 to the members of this Association. Revenue from a
3535 special assessment and any earnings thereon shall be
3536 deposited in a separate fund as provided in Chapter

CHAPTER XVII • FINANCES
CHAPTER XVIII • ALLIANCE OF THE
AMERICAN DENTAL ASSOCIATION
CHAPTER XIX • INDEMNIFICATION

3537 XVII, Section 30 of these *Bylaws*. The House of
3538 Delegates may amend the main motion to levy a
3539 special assessment only if the amendment is germane
3540 and adopted by a two-thirds (2/3) majority vote of the
3541 delegates present and voting. The House of Delegates
3542 may consider only one (1) specific project to be
3543 funded by a proposed assessment at a time. However,
3544 if properly adopted by the House of Delegates, two
3545 (2) or more special assessments may be in force at the
3546 same time. Any resolution to levy a special
3547 assessment that does not meet the notice requirements
3548 set forth in the previous paragraph also may be
3549 adopted by a unanimous vote of the House of
3550 Delegates, provided the resolution has been presented
3551 in writing at a previous meeting of the same session.

CHAPTER XVIII • ALLIANCE OF THE
AMERICAN DENTAL ASSOCIATION

3552 *Section 10. RECOGNITION:* The Association
3553 recognizes the Alliance of the American Dental
3554 Association as an organization of the spouses of
3555 active, life, retired or student members in good
3556 standing of this Association, and of spouses of such
3557 deceased members who were in good standing at the
3558 time of death.

3559 *Section 20. CONSTITUTION AND BYLAWS:* No
3560 provision in the constitution and bylaws of the
3561 Alliance shall be in conflict with the *Constitution and*
3562 *Bylaws* of this Association.

CHAPTER XIX • INDEMNIFICATION

3563 Each trustee, officer, council member, committee
3564 member, employee and other agent of the Association
3565 shall be held harmless and indemnified by the
3566 Association against all claims and liabilities and all
3567 costs and expenses, including attorney's fees,
3568 reasonably incurred or imposed upon such person in
3569 connection with or resulting from any action, suit or
3570 proceeding, or the settlement or compromise thereof,
3571 to which such person may be made a party by reason
3572 of any action taken or omitted to be taken by such
3573 person as a trustee, officer, council member,
3574 committee member, employee or agent of the
3575 Association, in good faith. This right of
3576 indemnification shall inure to such person whether or
3577 not such person is a trustee, officer, council member,
3578 committee member, employee or agent at the time
3579 such liabilities, costs or expenses are imposed or
3580 incurred and, in the event of such person's death,
3581 shall extend to such person's legal representatives. To
3582 the extent available, the Association shall insure
3583 against any potential liability hereunder.

CHAPTER XX • CONSTRUCTION
CHAPTER XXI • AMENDMENTS

CHAPTER XX • CONSTRUCTION

3584 Where the context or construction requires, all titles
3585 and personal pronouns used in the *Bylaws*, whether
3586 used in the masculine, feminine or neutral gender,
3587 shall include all genders.

CHAPTER XXI • AMENDMENTS

3588 *Section 10. PROCEDURE:* These *Bylaws* may be
3589 amended at any session of the House of Delegates by
3590 a two-thirds (2/3) majority vote of the members
3591 present and voting, provided the proposed
3592 amendments shall have been presented in writing at a
3593 previous session or a previous meeting of the same
3594 session.

3595 *Section 20. AMENDMENT RELATING TO DUES:*
3596 An amendment of these *Bylaws* effecting a change in
3597 the dues of active members or affecting the procedure
3598 for changing the dues of active members may be
3599 adopted only if the proposed amendment has been
3600 presented in writing at least ninety (90) days prior to
3601 the first day of the session of the House of Delegates
3602 at which it is to be considered. Notice of such a
3603 resolution shall be sent by a certifiable method of
3604 delivery to each constituent society not less than
3605 ninety (90) days before such session to permit
3606 prompt, adequate notice by each constituent society to
3607 its delegates and alternate delegates to the House of
3608 Delegates of this Association, and shall be announced
3609 to the general membership in an official publication
3610 of the Association at least sixty (60) days in advance
3611 of the annual session.

3612 Amendments affecting dues may also be adopted by
3613 a unanimous vote provided that the proposed
3614 amendment has been presented in writing at a
3615 previous meeting of the same session.

ARTICLES OF
Incorporation

.....

- 3616 1. NAME. The name of this corporation is
3617 AMERICAN DENTAL ASSOCIATION.
- 3618 2. DURATION. The duration of the corporation is
3619 perpetual.
- 3620 3. PURPOSE AND OBJECT. The purpose and object
3621 of this corporation are to encourage the improvement
3622 of the health of the public and to promote the art and
3623 science of dentistry.
- 3624 4. OFFICE. The principal office of the corporation
3625 shall be in the City of Chicago, Cook County, Illinois.
- 3626 5. BYLAWS. The bylaws of the corporation shall be
3627 divided into two categories designated, respectively,
3628 "Constitution" and "Bylaws" and each category shall
3629 be amendable from time to time in the manner and by
3630 the method therein set forth, but in case of any
3631 conflict between the Constitution and the Bylaws the
3632 provisions of the Constitution shall control.
- 3633 6. MEMBERSHIP. The qualifications, the method of
3634 election, designation or selection, the privileges and
3635 obligations, and the voting rights, if any, of the
3636 various classes of members which are established by
3637 the Constitution and Bylaws of the corporation from
3638 time to time shall be set forth in and governed by
3639 such Constitution and Bylaws.
- 3640 7. EXERCISE OF CORPORATE POWERS. Except
3641 as otherwise provided by law, the affairs of this
3642 corporation shall be governed and the corporate
3643 powers of the corporation shall be exercised by a
3644 Board of Directors (to be known as the Board of
3645 Trustees), House of Delegates, officers, councils,
3646 committees, members, agents and employees as set
3647 forth in the Constitution and Bylaws and the titles,
3648 duties, powers, and methods of electing, designating
3649 or selecting all of the foregoing shall be as provided
3650 therein.
- 3651 8. VOTING RIGHTS WITH RESPECT TO
3652 ARTICLES OF INCORPORATION. Only those
3653 members of the corporation shall have voting rights in
3654 respect to amendments to the Articles of
3655 Incorporation who shall have a right to vote on
3656 amendments to the Constitution of the corporation.