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American Dental Association

**Constitution
and
Bylaws**

Revised to
January 1, 2005



American Dental Association
www.ada.org

Constitution



ARTICLE I • NAME

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

ARTICLE II • OBJECT

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

ARTICLE III • ORGANIZATION

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

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

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

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

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

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

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

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

ARTICLE IV • GOVERNMENT

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

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

ARTICLE V • OFFICERS

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

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

ARTICLE VI • ANNUAL SESSION

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

ARTICLE VII • PRINCIPLES OF ETHICS AND CODE OF PROFESSIONAL CONDUCT

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

ARTICLE VIII • AMENDMENTS

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

81 This *Constitution* may also be amended at any
82 session of the House of Delegates by a unanimous
83 vote, provided the proposed amendments have been
84 presented in writing at a previous meeting of such
85 session.

Bylaws

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CHAPTER I • MEMBERSHIP

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

123		or consultant within the territorial jurisdiction of a	
124		constituent society and is ineligible for active	
125		membership in the constituent or component	
126		society because the dentist is not licensed in the	
127		territorial jurisdiction of that constituent.	
128		<i>Explanatory Notes:</i> The term "other jurisdiction of	
129		the United States" as used in this <i>Constitution and</i>	
130		<i>Bylaws</i> shall mean the District of Columbia, the	
131		Commonwealth of Puerto Rico, the Commonwealth	
132		of the Northern Mariana Islands and the territories	
133		of the United States Virgin Islands, Guam and	
134		American Samoa.	
135		The term "federal dental services" as used in this	
136		<i>Constitution and Bylaws</i> shall mean the dental	
137		departments of the Air Force, the Army, the Navy,	
138		the Public Health Service, the department of	
139		Veterans Affairs and other federal agencies.	
140		b. PRIVILEGES.	
141		(1) An active member in good standing shall	
142		receive annually a membership card and <i>The</i>	
143		<i>Journal of the American Dental Association</i> , the	
144		subscription price of which shall be included in the	
145		annual dues. An active member shall be entitled to	
146		attend any scientific session of this Association and	
147		receive such other services as are provided by the	
148		Association.	
149		(2) An active member in good standing shall be	
150		eligible for election as a delegate or alternate	
151		delegate to the House of Delegates and for election	
152		or appointment to any office or agency of this	
153		Association, except as otherwise provided in these	
154		<i>Bylaws</i> .	
155		(3) An active member under a disciplinary sentence	
156		of suspension shall not be privileged to hold office,	
157		either elective or appointive, including delegate and	
158		alternate delegate, in such member's component	
159		and constituent societies and this Association, or to	
160		vote or otherwise participate in the selection of	
161		officials of such member's component and	
162		constituent societies and this Association.	
163		c. DUES AND SPECIAL ASSESSMENTS.	
164		The dues of active members shall be four hundred	
165		thirty-five dollars (\$435.00) due January 1, 2005.	
166		Beginning January 1, 2006, and each year	
167		thereafter, the dues of active members shall be the	
168		amount established annually by the House of	
169		Delegates in accordance with the procedure set	
170		forth in Chapter V, Section 130Ad of these <i>Bylaws</i> .	
171		In addition to their annual dues, active members	
172		shall pay any special assessments levied by the	
173		House of Delegates, due January 1 of each year.	
174		However, any dentist, who satisfies the eligibility	

175 requirements for active membership and any of the
 176 following conditions shall be entitled to pay the
 177 reduced active member dues and any special
 178 assessment stated under such satisfied condition so
 179 long as that dentist maintains continuous
 180 membership, subject to the further reductions
 181 permitted under the provisions of Chapter I, Section
 182 20Ad of these *Bylaws*:

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

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

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

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

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

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

293 B. LIFE MEMBER.

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

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

313 Years of student membership shall not be counted
314 as active membership for purposes of establishing
315 eligibility for life membership unless the dentist was

dental schools, fifty percent (50%) of active member
dues and special assessment in the second year,
seventy-five (75%) in the third year and one hundred
percent (100%) in the fourth year and thereafter.
Such reductions are conditioned on maintenance of
continuous membership or payment of dues and
special assessment(s) for the years not previously
paid at the rates current during the missing years.
This footnote shall expire at adjournment *sine die* of
the 2007 House of Delegates.

316 an active member in good standing prior to
317 becoming a student member.

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

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

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

340 c. DUES AND SPECIAL ASSESSMENTS.

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

352 (2) RETIRED LIFE MEMBERS. Life members who
353 have fulfilled the qualifications of Chapter I, Section
354 20C of these *Bylaws* with regard to income related
355 to dentistry shall be exempt from payment of dues
356 and any special assessment levied by the House of
357 Delegates.

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

369 For the purpose of establishing continuity of active
370 membership in order to qualify for life membership,

371 an active member, who had been such when entering
 372 upon active duty in one of the federal dental services
 373 but who, during such federal dental service,
 374 interrupted the continuity of active membership
 375 because of failure to pay dues and/or special
 376 assessments and who, within one year after
 377 separation from such military or equivalent duty,
 378 resumed active membership, may pay back dues and
 379 special assessments for any missing period of active
 380 membership at the rate of dues and/or special
 381 assessments current during the missing years of
 382 membership.

383 C. RETIRED MEMBER.

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

400 b. PRIVILEGES. A retired member in good
 401 standing shall receive annually a membership card.
 402 A retired member shall be entitled to all the
 403 privileges of an active member.

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

412 c. DUES AND SPECIAL ASSESSMENTS. The
 413 dues of retired members shall be twenty-five
 414 percent (25%) of the dues of active members, due
 415 January 1 of each year. In addition to their annual
 416 dues, retired members shall pay twenty-five percent
 417 (25%) of any active member special assessment
 418 levied by the House of Delegates, due January 1 of
 419 each year.

420 D. STUDENT MEMBER.

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

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

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

441 c. DUES AND SPECIAL ASSESSMENTS.

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

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

455 (3) Student membership terminates on December
 456 31 after graduation or after completion of a
 457 residency or graduate work.

458 E. HONORARY MEMBER.

459 a. QUALIFICATIONS: An individual who has
 460 made outstanding contributions to the advancement
 461 of the art and science of dentistry, upon election by
 462 the Board of Trustees, shall be classified as an
 463 honorary member of this Association.

464 b. PRIVILEGES. An honorary member shall
 465 receive a membership card and *The Journal of the*
 466 *American Dental Association*. An honorary member
 467 shall be entitled to attend any scientific session of
 468 this Association and receive such other services as
 469 are authorized by the Board of Trustees.

470 c. DUES AND SPECIAL ASSESSMENTS.
 471 Honorary members shall be exempt from payment
 472 of dues and any special assessment levied by the
 473 House of Delegates.

474 F. PROVISIONAL MEMBER.

475 a. QUALIFICATIONS. A provisional member
476 shall be a dentist who:

477 (1) has received a D.D.S. or D.M.D. degree from a
478 dental school accredited by the Commission on
479 Dental Accreditation of the American Dental
480 Association or shall be a graduate of an
481 unaccredited dental school who has recently been
482 licensed to practice dentistry in a jurisdiction in
483 which there is a constituent dental society;

484 (2) has not established a place of practice; and

485 (3) shall have applied for provisional membership
486 within 12 months of graduation or licensure.

487 Provisional membership shall terminate December
488 31 of the second full calendar year following the
489 year in which the degree was awarded.

490 b. PRIVILEGES. A provisional member in good
491 standing shall be entitled to all the privileges of an
492 active member except that, notwithstanding
493 anything in these *Bylaws* to the contrary, a
494 provisional member shall have no right to appeal
495 from a denial of active membership in the
496 Association.

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

506 c. DUES AND SPECIAL ASSESSMENTS. The
507 dues and/or special assessments of provisional
508 members shall be the same as the dues and/or
509 special assessments of active members.

510 G. ASSOCIATE MEMBER.

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

* 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

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

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

H. AFFILIATE MEMBER.

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

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

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

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

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

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

Section 30. DEFINITION OF "IN GOOD STANDING". A member of this Association whose dues and special assessments for the current year have been paid shall be in good standing; provided, however, that a member, to remain in good standing

requirements are met and current dues and special assessments are paid.

566 may be required under the bylaws of the member's
 567 constituent or component society, to meet standards
 568 of continuing education, pay special assessments,
 569 cooperate with peer review bodies or committees on
 570 ethics, or attend, if a newly admitted active member, a
 571 stated number of membership meetings between the
 572 date of admission and the completion of the first
 573 calendar year of active membership. If under a
 574 disciplinary sentence of suspension, such member
 575 shall be designated as a "member in good standing
 576 temporarily under suspension" until the member's
 577 disciplinary sentence has terminated.

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

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

602 *Section 40. LAPSE OF MEMBERSHIP AND*
 603 *REINSTATEMENT.*

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

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

620 *Section 50. DUES OR SPECIAL ASSESSMENT*
 621 *RELATED ISSUES.*

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

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

652 and component societies shall provide the same
653 proportionate waiver of their dues as that provided by
654 this Association.

655 C. WAIVERS FOR ACTIVE MEMBERS
656 TEMPORARILY ACTIVATED TO FEDERAL
657 SERVICE. An active member in good standing who
658 pursuant to Chapter I of these *Bylaws* holds
659 membership in a constituent and component society
660 and is temporarily called to active duty with a federal
661 dental service on a non-career basis shall be exempt
662 from the payment of dues to this Association during
663 such military duty, but not to exceed a period of three
664 years.

665 D. CALCULATING PERCENTAGE DUES OR
666 SPECIAL ASSESSMENTS. In establishing the dollar
667 rate of dues or special assessments in this chapter
668 expressed as a percentage of active member dues or
669 special assessments, computations resulting in
670 fractions of a dollar shall be rounded up to the next
671 whole dollar.

672 *Section 60.* INTERIM SERVICES FOR
673 APPLICANTS. A dentist who has submitted a
674 complete application for active membership in this
675 Association and the appropriate constituent and
676 component societies, if such exist, may on an interim
677 basis: receive complimentary copies of the *Journal of*
678 *the American Dental Association* and the *ADA News*,
679 have access to the ADA.org member-only content
680 areas and purchase items at a member rate through
681 the ADA Catalog. Such interim services shall
682 terminate when the membership application has been
683 processed or within six (6) months of the application
684 submission, whichever is sooner. Applicants shall
685 have no right of appeal from a denial of membership
686 in the Association.

CHAPTER II • CONSTITUENT SOCIETIES

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

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

700 *Section 30.* POWERS AND DUTIES:

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

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

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

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

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

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

725 *Section 40.* MEMBERSHIP:

726 A. The active, life, and retired membership of each
727 constituent society, except as otherwise provided in
728 these *Bylaws*, shall consist solely of dentists
729 practicing within the territorial jurisdiction of the
730 constituent society; dentists retired from active
731 practice; dentists engaged in activities furthering the
732 object of this Association; dentists serving on the
733 faculty of a dental school or receiving compensation
734 as a dental administrator or consultant within the
735 jurisdiction of the constituent society but are licensed
736 in another jurisdiction; and dentists in a federal dental
737 service (provided that the federal dentist is either
738 licensed in or serving within the confines of the
739 constituent society's jurisdiction), provided that such
740 dentists are active, life or retired members in good
741 standing of a component of the constituent (except for
742 the federal dentists), if such exists, and this
743 Association.

744 *Explanatory Note:* A dentist who has retired from
745 active practice or who is engaged in activities
746 furthering the object of this Association shall be
747 considered to be practicing dentistry within the
748 meaning of this section.

749 B. REMOVAL FROM ONE JURISDICTION TO
750 ANOTHER. A member who has changed the location
751 of the member's practice from the jurisdiction of one
752 constituent society to that of another constituent
753 society may maintain active membership in the
754 constituent society in which membership is being
755 held for the calendar year following that of the
756 member's removal from the jurisdiction of such
757 society. The same privilege shall apply to a member
758 who is separated from a federal dental service and
759 who enters practice in an area under the jurisdiction
760 of a constituent society or a member who is retired
761 from a federal dental service and who is serving on a
762 faculty of a dental school, or is receiving
763 compensation as a dental administrator or consultant,
764 or is engaged in any activity in the area under the
765 jurisdiction of a constituent society for which a
766 license to practice dentistry or dental hygiene is
767 required by the state or other jurisdiction of the
768 United States wherein the activity is conducted. A
769 dentist who retires from active practice and
770 establishes residence in an area outside of the
771 jurisdiction of the constituent society in which the
772 dentist holds membership shall be permitted to
773 continue membership in such constituent society for
774 the period of retirement.

775 A member who is unsuccessful in transferring
776 membership from one constituent society to another
777 shall be entitled to a hearing (by either the component
778 or constituent society), on the decision denying the
779 member's application for transfer of membership and
780 to appeal to the constituent society to which transfer
781 is sought, if applicable, and thereafter to the Council
782 on Ethics, Bylaws and Judicial Affairs of this
783 Association in accordance with the procedures in
784 Chapter XII, Section 20C and D of these *Bylaws* even
785 though a disciplinary penalty is not involved.

786 C. PRIVILEGES. An active, life, or retired member
787 in good standing shall enjoy all privileges of
788 constituent society membership except as otherwise
789 provided by these *Bylaws*.

790 D. MULTIPLE JURISDICTIONS. A member may
791 hold membership in more than one constituent society
792 with the consent of the constituent society involved.

793 A member is required to maintain active membership
794 in the constituent society, if accepted therein, in
795 whose jurisdiction the member maintains or practices
796 dentistry at a secondary or "branch" office. In order to
797 meet the requirement of tripartite membership, a
798 member must also maintain active membership in one
799 component society of each constituent society into
800 which the member is accepted, if such exist. If such a
801 member is accused of unethical conduct and
802 disciplinary proceedings are brought, then those
803 proceedings shall be instituted in the component or
804 constituent society where the alleged unethical
805 conduct occurred. A disciplinary ruling affecting
806 membership in one constituent society shall affect
807 membership in both societies and in the Association.
808 A member shall have the right of appeal as provided
809 in Chapter XII of the *Bylaws*. Such member shall pay
810 dues in this Association only through the constituent
811 society in whose jurisdiction the member conducts
812 the major part of the member's practice.

813 *Section 50. OFFICERS:* The officers of a
814 constituent society shall be president, secretary,
815 treasurer and such others as may be prescribed in its
816 bylaws.

817 *Section 60. SESSIONS:* A constituent society shall
818 hold a business session at least once each calendar
819 year.

820 *Section 70. CONSTITUTION AND BYLAWS:* Each
821 constituent society shall adopt and maintain a
822 constitution and bylaws which shall not be in conflict
823 with, or limit, the *Constitution and Bylaws*
824 of this Association and shall file a copy thereof and
825 any changes which may be made thereafter, with the
826 Executive Director of this Association.

827 *Section 80. "PRINCIPLES OF ETHICS AND CODE
828 OF PROFESSIONAL CONDUCT":* The *Principles of
829 Ethics and Code of Professional Conduct* of this
830 Association and the code of ethics adopted by the
831 constituent society shall be the code of ethics of that
832 constituent society for governing the professional
833 conduct of its members.

834 *Section 90. RIGHT OF HEARING AND APPEAL:*
835 Disputes arising between constituent societies or
836 between a constituent society and one or more of its
837 component societies may be referred to the Council
838 on Ethics, Bylaws and Judicial Affairs of this
839 Association for hearing and decision as provided in
840 Chapter X, Section 120Gd in accordance with the

841 procedure of Chapter XII, Section 20C and D of these
842 *Bylaws* even though a disciplinary penalty is not
843 involved.

844 *Section 100. PRIVILEGE OF REPRESENTATION:*

845 Each constituent society shall be entitled to two (2)
846 delegates in the House of Delegates, except that one
847 (1) delegate shall be allocated to the Virgin Islands
848 Dental Association. The Air Force Dental Corps, the
849 Army Dental Corps, the Navy Dental Corps, the
850 Public Health Service and the Department of
851 Veterans Affairs shall each be entitled to two
852 delegates, one of which shall be elected by the
853 respective service, without regard to the number of
854 members. The remaining number of delegates shall
855 be allocated as provided in Chapter V, Sections 10C
856 and 10D.

857 Each constituent society and each federal dental
858 service may select from among its active, life and
859 retired members the same number of alternate
860 delegates as delegates and shall designate the
861 alternate delegate who shall replace an absent
862 delegate.

863 *Section 110. CHARTERED CONSTITUENT*
864 *SOCIETIES:* The Executive Director of the
865 Association is authorized to issue a charter to each
866 constituent society denoting its name and territorial
867 jurisdiction. The following societies are chartered as
868 constituent societies of this Association:

869 Alabama Dental Association
870 Alaska Dental Society
871 Arizona State Dental Association
872 Arkansas State Dental Association
873 California Dental Association
874 Colorado Dental Association
875 Connecticut State Dental Association, The
876 Delaware State Dental Society
877 District of Columbia Dental Society, The
878 Florida Dental Association
879 Georgia Dental Association
880 Hawaii Dental Association
881 Idaho State Dental Association
882 Illinois State Dental Society
883 Indiana Dental Association
884 Iowa Dental Association
885 Kansas Dental Association
886 Kentucky Dental Association
887 Louisiana Dental Association, The
888 Maine Dental Association
889 Maryland State Dental Association
890 Massachusetts Dental Society

891 Michigan Dental Association
892 Minnesota Dental Association
893 Mississippi Dental Association, The
894 Missouri Dental Association
895 Montana Dental Association
896 Nebraska Dental Association, The
897 Nevada Dental Association
898 New Hampshire Dental Society
899 New Jersey Dental Association
900 New Mexico Dental Association
901 New York State Dental Association
902 North Carolina Dental Society, The
903 North Dakota Dental Association
904 Ohio Dental Association
905 Oklahoma Dental Association
906 Oregon Dental Association
907 Pennsylvania Dental Association
908 Puerto Rico, Colegio de Cirujanos Dentistas de
909 Rhode Island Dental Association
910 South Carolina Dental Association
911 South Dakota Dental Association
912 Tennessee Dental Association
913 Texas Dental Association
914 Utah Dental Association
915 Vermont State Dental Society
916 Virgin Islands Dental Association
917 Virginia Dental Association
918 Washington State Dental Association
919 West Virginia Dental Association
920 Wisconsin Dental Association
921 Wyoming Dental Association

CHAPTER III • COMPONENT SOCIETIES

922 *Section 10. ORGANIZATION:* Component societies
923 may be organized in conformity with a plan approved
924 by the constituent society of which they shall be
925 recognized entities provided, however, that the active,
926 life or retired members of each component society
927 shall consist of dentists who are members in good
928 standing of their respective constituent societies and
929 of this Association. The plan adopted by the
930 constituent society may or may not limit active
931 membership in a component society to dentists who
932 reside or practice within the geographic area of that
933 component society. Each component society shall
934 adopt and maintain a constitution and bylaws, which
935 shall not be in conflict with, or limit, the *Constitution*
936 *and Bylaws* of this Association or that of its
937 constituent society, and shall file a copy thereof and
938 any changes which may be made thereafter with the
939 Executive Director of this Association.

940 *Section 20. POWER AND DUTIES:*

941 A. A component society shall have the power to

942 select its active, life, and retired members as active

943 members of the constituent society in accordance

944 with Chapter II, Section 40, of these *Bylaws*.

945 B. It shall have the power to provide for its financial

946 support, to establish bylaws, rules and regulations, not

947 in conflict with, or limiting, the *Constitution and*

948 *Bylaws* of this Association or that of its constituent

949 society and to adopt a code of ethics not in conflict

950 with the *Principles of Ethics and Code of*

951 *Professional Conduct* of this Association or code of

952 ethics of its constituent society.

953 C. It shall have the power to discipline any of its

954 members subject to the provisions in Chapter XII,

955 Section 20 of these *Bylaws*.

956 D. It shall have the power to establish committees,

957 councils and commissions of the component society;

958 to designate their powers and duties; and to adopt

959 reasonable eligibility requirements for service

960 thereon.

961 *Section 30. PRIVILEGES OF MEMBERSHIP:* An

962 active, life, or retired member in good standing shall

963 have the opportunity of enjoying all privileges of

964 component society membership except as otherwise

965 provided by these *Bylaws*.

966 *Section 40. TRANSFER FROM ONE COMPONENT*

967 *TO ANOTHER:*

968 A member who has changed residence or location of

969 practice within the jurisdiction of a constituent

970 society so that the member no longer fulfills the

971 membership requirements of the component society

972 of which he or she is a member may maintain active

973 membership in that component society for the

974 calendar year following such change of residence or

975 practice location.

976 A member who is required to transfer membership

977 from one component society to another and whose

978 application for transfer of membership is denied shall

979 be entitled to a hearing (by either the component or

980 constituent society), on the decision denying the

981 member's application for transfer of membership and

982 to appeal to the member's constituent society, if

983 applicable, and the Council on Ethics, Bylaws and

984 Judicial Affairs of this Association in accordance

985 with the procedures in Chapter XII, Section 20C and

986 D of these *Bylaws* even though a disciplinary

987 penalty is not involved. A component society which

988 receives an application for transfer of membership

989 from a dentist who has moved from the jurisdiction of

990 another constituent society is governed by Chapter II,

991 Section 40B of these *Bylaws*.

CHAPTER IV • TRUSTEE DISTRICTS

992 *Section 10. ORGANIZATION:* The constituent

993 societies and the federal dental services shall be

994 organized into seventeen (17) trustee districts.

995 *Section 20. PURPOSE:* The purpose of establishing

996 trustee districts is to provide representation of the

997 members of the constituent societies and the federal

998 dental services on the Board of Trustees.

999 *Section 30. COMPOSITION:* The trustee districts are

1000 numbered and composed as follows:

1001 DISTRICT 1

1002 Connecticut State Dental Association, The

1003 Maine Dental Association

1004 Massachusetts Dental Society

1005 New Hampshire Dental Society

1006 Rhode Island Dental Association

1007 Vermont State Dental Society

1008 DISTRICT 2

1009 New York State Dental Association

1010 DISTRICT 3

1011 Pennsylvania Dental Association

1012 DISTRICT 4

1013 Air Force Dental Corps

1014 Army Dental Corps

1015 Delaware State Dental Society

1016 District of Columbia Dental Society, The

1017 Maryland State Dental Association

1018 Navy Dental Corps

1019 New Jersey Dental Association

1020 Public Health Service

1021 Puerto Rico, Colegio de Cirujanos Dentistas de

1022 Veterans Affairs

1023 Virgin Islands Dental Association

1024 DISTRICT 5*

1025 Alabama Dental Association

1026 Georgia Dental Association

1027 Mississippi Dental Association, The

1028 DISTRICT 6

1029 Kentucky Dental Association

1030 Missouri Dental Association
 1031 Tennessee Dental Association
 1032 West Virginia Dental Association
 1033 DISTRICT 7
 1034 Indiana Dental Association
 1035 Ohio Dental Association
 1036 DISTRICT 8
 1037 Illinois State Dental Society
 1038 DISTRICT 9
 1039 Michigan Dental Association
 1040 Wisconsin Dental Association
 1041 DISTRICT 10
 1042 Iowa Dental Association
 1043 Minnesota Dental Association
 1044 Nebraska Dental Association, The
 1045 North Dakota Dental Association
 1046 South Dakota Dental Association
 1047 DISTRICT 11
 1048 Alaska Dental Society
 1049 Idaho State Dental Association
 1050 Montana Dental Association
 1051 Oregon Dental Association
 1052 Washington State Dental Association
 1053 DISTRICT 12
 1054 Arkansas State Dental Association
 1055 Kansas Dental Association
 1056 Louisiana Dental Association, The
 1057 Oklahoma Dental Association
 1058 DISTRICT 13
 1059 California Dental Association
 1060 DISTRICT 14
 1061 Arizona State Dental Association
 1062 Colorado Dental Association
 1063 Hawaii Dental Association
 1064 Nevada Dental Association
 1065 New Mexico Dental Association
 1066 Utah Dental Association
 1067 Wyoming Dental Association
 1068 DISTRICT 15
 1069 Texas Dental Association

1070 DISTRICT 16
 1071 North Carolina Dental Society, The
 1072 South Carolina Dental Association
 1073 Virginia Dental Association
 1074 DISTRICT 17*
 1075 Florida Dental Association

CHAPTER V • HOUSE OF DELEGATES

1076 *Section 10. COMPOSITION.*

1077 A. VOTING MEMBERS. The House of Delegates
 1078 shall be limited to four hundred sixty (460) voting
 1079 members for the two years 2004 to 2005 inclusive.
 1080 Thereafter, the number of voting members shall be
 1081 determined by the methodologies set forth in Section
 1082 10C of this Chapter. It shall be composed of the
 1083 officially certified delegates of the constituent dental
 1084 societies, two (2) officially certified delegates from
 1085 each of the five (5) federal dental services and five (5)
 1086 student members of the American Student Dental
 1087 Association who are officially certified delegates
 1088 from the American Student 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.

1089 B. EX OFFICIO MEMBERS. The elective and
 1090 appointive officers and trustees of this Association
 1091 shall be *ex officio* members of the House of Delegates
 1092 without the power to vote. They shall not serve as
 1093 delegates. Past presidents of this Association shall be
 1094 *ex officio* members of the House of Delegates without
 1095 the power to vote unless designated as delegates.

1096 C. REPRESENTATIONAL REQUIREMENTS AND
 1097 GOALS. Each constituent society shall be entitled to
 1098 two (2) delegates, except that one (1) delegate shall
 1099 be allocated to the Virgin Islands Dental Association.
 1100 The Air Force Dental Corps, the Army Dental Corps,
 1101 the Navy Dental Corps, the Public Health Service and
 1102 the Department of Veteran Affairs shall each be
 1103 entitled to two (2) delegates, one of which shall be
 1104 elected by the respective service, without regard to
 1105 the number of members.

1106 For the two years 2004-2005 inclusive, the
 1107 remaining number of delegates shall be allocated to
 1108 the constituent societies, through their trustee districts
 1109 based on the representational goals that each trustee
 1110 district's representation in the House of Delegates
 1111 shall vary by no more or less than 0.3% from its
 1112 active, life or retired membership share in this
 1113 Association, based on the Association's December 31,
 1114 2002 membership records, and that no district or
 1115 constituent shall lose a delegate from its 2003
 1116 allocation. Thereafter, to allow for changes in the
 1117 delegate allocation due to membership fluctuations,
 1118 the Board of Trustees shall use this variance method
 1119 of district delegate allocation (a variance of no more
 1120 than 0.3% of its active, life and retired membership
 1121 share in the Association) at subsequent intervals of
 1122 three (3) years, with the first such review occurring
 1123 for the 2006 House of Delegates. Such reviews shall
 1124 be based on the Association's year-end membership
 1125 records for the calendar year preceding the review
 1126 period in question. No district shall lose a delegate
 1127 unless their membership numbers are at least one
 1128 percent less than their membership numbers of the
 1129 prior three years. Any changes deemed necessary
 1130 shall be presented to the House of Delegates in the
 1131 form of a *Bylaws'* amendment to Section 10D of this
 1132 Chapter.

1133 D. DELEGATE ALLOCATION. Based on the
 1134 representational requirements and goals set forth in
 1135 Section 10C, the delegates are allocated as follows:

1136 DISTRICT 1
 1137 Connecticut State Dental Association, The,
 1138 7 delegates
 1139 Maine Dental Association, 3 delegates
 1140 Massachusetts Dental Society, 13 delegates
 1141 New Hampshire Dental Society, 3 delegates
 1142 Rhode Island Dental Association, 3 delegates
 1143 Vermont State Dental Society, 2 delegates
 1144 District Total: 31 delegates

1145 DISTRICT 2
 1146 New York State Dental Association, 41 delegates
 1147 District Total: 41 delegates

1148 DISTRICT 3
 1149 Pennsylvania Dental Association, 18 delegates
 1150 District Total: 18 delegates

1151 DISTRICT 4
 1152 Air Force Dental Corps, 2 delegates
 1153 Army Dental Corps, 2 delegates
 1154 Delaware State Dental Society, 2 delegates
 1155 District of Columbia Dental Society, The,
 1156 2 delegates
 1157 Maryland State Dental Association, 7 delegates
 1158 Navy Dental Corps, 2 delegates
 1159 New Jersey Dental Association, 12 delegates
 1160 Public Health Service, 2 delegates
 1161 Puerto Rico, Colegio de Cirujanos Dentistas de,
 1162 2 delegates
 1163 Veterans Affairs, 2 delegates
 1164 Virgin Islands Dental Association, 1 delegate
 1165 District Total: 36 delegates

1166 DISTRICT 5
 1167 Alabama Dental Association, 5 delegates
 1168 Georgia Dental Association, 9 delegates
 1169 Mississippi Dental Association, The, 3 delegates
 1170 District Total: 17 delegates

1171 DISTRICT 6
 1172 Kentucky Dental Association, 6 delegates
 1173 Missouri Dental Association, 7 delegates
 1174 Tennessee Dental Association, 7 delegates
 1175 West Virginia Dental Association, 3 delegates
 1176 District Total: 23 delegates

1177 DISTRICT 7
 1178 Indiana Dental Association, 9 delegates
 1179 Ohio Dental Association, 16 delegates
 1180 District Total: 25 delegates

1181	DISTRICT 8
1182	Illinois State Dental Society, 19 delegates
1183	<u>District Total</u> : 19 delegates
1184	DISTRICT 9
1185	Michigan Dental Association, 17 delegates
1186	Wisconsin Dental Association, 9 delegates
1187	<u>District Total</u> : 26 delegates
1188	DISTRICT 10
1189	Iowa Dental Association, 5 delegates
1190	Minnesota Dental Association, 9 delegates
1191	Nebraska Dental Association, The, 3 delegates
1192	North Dakota Dental Association, 2 delegates
1193	South Dakota Dental Association, 2 delegates
1194	<u>District Total</u> : 21 delegates
1195	DISTRICT 11
1196	Alaska Dental Society, 2 delegates
1197	Idaho State Dental Association, 3 delegates
1198	Montana Dental Association, 2 delegates
1199	Oregon Dental Association, 6 delegates
1200	Washington State Dental Association, 10 delegates
1201	<u>District Total</u> : 23 delegates
1202	DISTRICT 12
1203	Arkansas State Dental Association, 4 delegates
1204	Kansas Dental Association, 4 delegates
1205	Louisiana Dental Association, The, 6 delegates
1206	Oklahoma Dental Association, 5 delegates
1207	<u>District Total</u> : 19 delegates
1208	DISTRICT 13
1209	California Dental Association, 60 delegates
1210	<u>District Total</u> : 60 delegates
1211	DISTRICT 14
1212	Arizona State Dental Association, 6 delegates
1213	Colorado Dental Association, 8 delegates
1214	Hawaii Dental Association, 3 delegates
1215	Nevada Dental Association, 3 delegates
1216	New Mexico Dental Association, 3 delegates
1217	Utah Dental Association, 4 delegates
1218	Wyoming Dental Association, 2 delegates
1219	<u>District Total</u> : 29 delegates
1220	DISTRICT 15
1221	Texas Dental Association, 23 delegates
1222	<u>District Total</u> : 23 delegates
1223	DISTRICT 16
1224	North Carolina Dental Society, The, 9 delegates
1225	South Carolina Dental Association, 5 delegates
1226	Virginia Dental Association, 10 delegates

1227	<u>District Total</u> : 24 delegates
1228	DISTRICT 17
1229	Florida Dental Association, 20 delegates
1230	<u>District Total</u> : 20 delegates
1231	AMERICAN STUDENT DENTAL
1232	ASSOCIATION, 5 delegates
1233	E. ALTERNATE DELEGATES. Each constituent
1234	dental society and each federal dental service may
1235	select from among its active, life and retired members
1236	the same number of alternate delegates as delegates.
1237	The American Student Dental Association may select
1238	from among its active members the same number of
1239	alternate delegates as delegates.
1240	F. SELECTION OF AMERICAN STUDENT
1241	DENTAL ASSOCIATION DELEGATES AND
1242	ALTERNATE DELEGATES. The American Student
1243	Dental Association shall select its five (5) delegates
1244	from its even numbered regions in even numbered
1245	years, and the odd numbered regions in odd
1246	numbered years, with their alternate delegates
1247	selected from the opposite groups of regions.
1248	<i>Section 20.</i> ELECTION OF DELEGATES AND
1249	ALTERNATE DELEGATES: The officially certified
1250	delegates and the alternate delegates of each
1251	constituent society shall be elected by one or more of
1252	the following methods:
1253	1. By the membership at large of that constituent
1254	society
1255	2. By the constituent society's governing legislative
1256	body
1257	3. By a component with respect to the delegates
1258	representing that component
1259	Each federal dental service and the American Student
1260	Dental Association may establish its own method for
1261	selecting delegates.
1262	<i>Section 30.</i> CERTIFICATION OF DELEGATES
1263	AND ALTERNATE DELEGATES: The secretary of
1264	each constituent society, the ranking administrative
1265	officer of each federal dental service, and the
1266	secretary of the American Student Dental Association
1267	shall file with the Executive Director of this
1268	Association, at least sixty (60) days prior to the first
1269	day of the annual session of the House of Delegates,
1270	the names of the delegates and alternate delegates
1271	designated by the society, service or association. The
1272	Executive Director of this Association shall provide
1273	each delegate and alternate delegate with credentials

1274 which shall be presented to the Committee on
 1275 Credentials, Rules and Order of the House of
 1276 Delegates. In the event of a contest over the
 1277 credentials of any delegate or alternate delegate, the
 1278 Committee on Credentials, Rules and Order shall hold
 1279 a hearing and report its findings and
 1280 recommendations to the House of Delegates for final
 1281 action.

1282 *Section 40. POWERS:*

1283 A. The House of Delegates shall be the supreme
 1284 authoritative body of this Association.

1285 B. It shall possess the legislative powers.

1286 C. It shall determine the policies which shall govern
 1287 this Association in all of its activities.

1288 D. It shall have the power to enact, amend and repeal
 1289 the *Constitution and Bylaws*.

1290 E. It shall have the power to adopt and amend the
 1291 *Principles of Ethics and Code of Professional*
 1292 *Conduct* for governing the professional conduct of the
 1293 members.

1294 F. It shall have the power to grant, amend, suspend or
 1295 revoke charters of constituent societies. It shall also
 1296 have the power by a two-thirds (2/3) majority to
 1297 suspend the representation of a constituent society in
 1298 the House of Delegates upon a determination by the
 1299 House that the bylaws of the constituent society
 1300 violate the *Constitution* or *Bylaws* of this Association
 1301 providing, however, such suspension shall not be in
 1302 effect until the House of Delegates has voted that the
 1303 constituent society is in violation and has one year
 1304 after notification of the specific violation in which to
 1305 correct its constitution or bylaws.

1306 G. It shall have the power to create special
 1307 committees of the Association.

1308 H. It shall have the power to establish branch offices
 1309 of the Association.

1310 I. It shall have the power to approve all memorials,
 1311 resolutions or opinions issued in the name of the
 1312 American Dental Association.

1313 *Section 50. DUTIES:* It shall be the duty of the House
 1314 of Delegates:

1315 A. To elect the elective officers.

1316 B. To elect the members of the Board of Trustees.

1317 C. To elect the members of the councils and

1318 commissions except as otherwise provided by these
 1319 *Bylaws*.

1320 D. To receive and act upon reports of the committees
 1321 of the House of Delegates.

1322 E. To adopt an annual budget and establish the dues
 1323 of active members for the following year.

1324 F. To serve as the court of appeal from decisions of
 1325 the Council on Ethics, Bylaws and Judicial Affairs
 1326 except those decisions involving discipline of
 1327 members.

1328 *Section 60. TRANSFER OF POWERS AND*
 1329 *DUTIES OF THE HOUSE OF DELEGATES:* The
 1330 powers and duties of the House of Delegates, except
 1331 the power to amend, enact and repeal the *Constitution*
 1332 *and Bylaws*, and the duty of electing the elective
 1333 officers and the members of the Board of Trustees,
 1334 may be transferred to the Board of Trustees of this
 1335 Association in time of extraordinary emergency. The
 1336 existence of a time of extraordinary emergency may
 1337 be determined by unanimous consent of the members
 1338 of the Board of Trustees present and voting at a
 1339 regular or special session. Such extraordinary
 1340 emergency may also be determined by mail vote of
 1341 the last House of Delegates on recommendation of at
 1342 least four (4) of the elective officers. A mail vote to
 1343 be valid shall consist of ballots received from not less
 1344 than one-fourth (1/4) of the members of the last
 1345 House of Delegates. A majority of the votes cast
 1346 within thirty (30) days after the mailing of the ballot
 1347 shall decide the vote.

1348 *Section 70. ANNUAL SESSION:* The House of
 1349 Delegates shall meet annually.

1350 *Section 80. SPECIAL SESSIONS:* A special session
 1351 of the House of Delegates shall be called by the
 1352 President on a three-fourths (3/4) affirmative vote of
 1353 the members of the Board of Trustees or on written
 1354 request of delegates representing at least one-third
 1355 (1/3) of the constituent societies and not less than
 1356 one-fifth (1/5) of the number of officially certified
 1357 delegates of the last House of Delegates. The time
 1358 and place of a special session shall be determined by
 1359 the President, provided the time selected shall be not
 1360 more than forty-five (45) days after the request was
 1361 received. The business of a special session shall be
 1362 limited to that stated in the official call except by
 1363 unanimous consent.

1364 *Section 90. OFFICIAL CALL:*

1365 A. ANNUAL SESSION. The Executive Director of

1366 the Association shall cause to be published in *The*

1367 *Journal of the American Dental Association* an

1368 official notice of the time and place of each annual

1369 session, and shall send to each member of the House

1370 of Delegates an official notice of the time and place

1371 of the annual session at least thirty (30) days before

1372 the opening of such session.

1373 B. SPECIAL SESSION. The Executive Director of

1374 the Association shall send an official notice of the

1375 time and place of each special session and a statement

1376 of the business to be considered to every officially

1377 certified delegate and alternate delegate of the last

1378 House, not less than fifteen (15) days before

1379 the opening of such session.

1380 *Section 100. QUORUM:* One-fourth (1/4) of the

1381 voting members of the House of Delegates,

1382 representing at least one-fourth (1/4) of the

1383 constituent societies and federal dental services, shall

1384 constitute a quorum for the transaction of business at

1385 any meeting.

1386 *Section 110. OFFICERS:*

1387 A. SPEAKER AND SECRETARY. The officers of

1388 the House shall be the Speaker of the House of

1389 Delegates and the Secretary of the House of

1390 Delegates. The Executive Director of this Association

1391 shall serve as Secretary of the House of Delegates.

1392 In the absence of the Speaker the office shall be

1393 filled by the President. In the absence of the Secretary

1394 of the House of Delegates the Speaker shall appoint a

1395 Secretary of the House of Delegates *pro tem*.

1396 B. DUTIES.

1397 a. SPEAKER. The Speaker shall preside at all

1398 meetings of the House of Delegates and, in

1399 accordance with Chapter V, Section 140Bb,

1400 determine the order of business for all meetings

1401 subject to the approval of the House of Delegates,

1402 appoint tellers to assist in determining the result of

1403 any action taken by vote and perform such other

1404 duties as custom and parliamentary procedure

1405 require. The decision of the Speaker shall be final

1406 unless an appeal from such decision shall be made

1407 by a member of the House, in which case final

1408 decision shall be by majority vote. In addition,

1409 following adjournment of the Standing Committee

1410 on Constitution and Bylaws, the Speaker and the

1411 Chair of the Council on Ethics, Bylaws and Judicial

1412 Affairs shall be responsible for reviewing and either

1413 approving or redrafting any new resolutions or

1414 changes to resolutions that propose amendments to

1415 the *Constitution and Bylaws*, in accordance with

1416 Chapter V, Section 140Ab.

1417 b. SECRETARY. The Secretary of the House of

1418 Delegates shall serve as the recording officer of the

1419 House and the custodian of its records, and shall

1420 cause a record of the proceedings of the House to be

1421 published as the official transactions of the House.

1422 *Section 120. ORDER OF BUSINESS:* The order of

1423 business shall be that order of business adopted by the

1424 House of Delegates in conformity with Chapter V,

1425 Section 110Ba and Chapter V, Section 140Bb.

1426 *Section 130. RULES OF ORDER:*

1427 A. STANDING RULES AND REPORTS.

1428 a. REPORTS. All reports of elective officers,

1429 councils and committees, except supplemental

1430 reports, shall be sent to each delegate and alternate

1431 delegate at least fourteen (14) days in advance of the

1432 opening of the annual session. All supplemental

1433 reports shall be distributed to each delegate before

1434 such report is considered by the House of Delegates.

1435 b. APPROPRIATION OF FUNDS. Any resolution

1436 proposing an appropriation of funds, except those

1437 relating to the annual budget, shall be referred to the

1438 Board of Trustees for a report at the same session on

1439 the availability of funds for the purpose specified.

1440 c. APPROVAL OF ANNUAL BUDGET. The

1441 proposed annual budget shall be submitted by the

1442 Board of Trustees to the members of the House of

1443 Delegates at least fourteen (14) days prior to the

1444 opening meeting of the annual session, shall be

1445 referred to a special reference committee on budget

1446 for hearings at the annual session and then shall be

1447 considered for approval as a special order of

1448 business at the second meeting of the House of

1449 Delegates. In the event the budget as submitted is

1450 not approved, all recommendations for changes shall

1451 be referred to the Board of Trustees to prepare and

1452 present a revised budget. This procedure shall be

1453 repeated until a budget for the ensuing fiscal year

1454 shall be adopted.

1455 d. APPROVAL OF THE DUES OF ACTIVE MEMBERS.

1456 The dues of active members of this Association shall

1457 be established by the House of Delegates as the last

1458 item of business at each annual session. The

1459 resolution to establish the dues of active members

1460 for the following year shall be proposed at each

1461 annual session by the Board of Trustees in
 1462 conformity with Chapter VII, Section 110F of these
 1463 *Bylaws* and may be amended to any amount by the
 1464 House of Delegates. The resolution shall be adopted
 1465 by a two-thirds (2/3) majority vote of the members
 1466 present and voting.

1467 e. INTRODUCTION OF NEW BUSINESS. No new
 1468 business shall be introduced into the House of
 1469 Delegates less than 15 days prior to the opening of
 1470 the annual session, unless submitted by a Trustee
 1471 District. No new business shall be introduced into
 1472 the House of Delegates at the last meeting of a
 1473 session except when such new business is submitted
 1474 by a trustee district and is permitted to be introduced
 1475 by a two-thirds (2/3) vote of the House of Delegates.
 1476 The motion introducing such new business shall not
 1477 be debatable. Approval of such new business shall
 1478 require a majority vote except new business
 1479 introduced at the last meeting of a session that
 1480 would require a bylaw amendment cannot be
 1481 adopted at such last meeting. Reference committee
 1482 recommendations shall not be deemed new business.

1483 f. RESOLUTIONS. A resolution becomes the
 1484 property of the American Dental Association when
 1485 submitted to the ADA House of Delegates for
 1486 consideration. If adopted by the House of Delegates,
 1487 this Association shall be the sole owner of the
 1488 resolution which shall constitute “work made for
 1489 hire” under copyright laws. This Association shall
 1490 have the exclusive right to seek copyright
 1491 registration for the resolution and to secure
 1492 copyrights and retain ownership of such copyrights
 1493 in its own name.

1494 B. ADDITIONAL RULES. The rules contained in the
 1495 current edition of *The Standard Code of*
 1496 *Parliamentary Procedure* by Alice Sturgis shall
 1497 govern the deliberations of the House of Delegates in
 1498 all cases in which they are applicable and not in
 1499 conflict with the standing rules or these *Bylaws*.

1500 *Section 140.* COMMITTEES: The committees of the
 1501 House of Delegates shall be:

1502 A. COMMITTEE ON CONSTITUTION AND
 1503 BYLAWS.

1504 a. COMPOSITION. The Committee shall consist of
 1505 not more than eight (8) nor less than six (6)
 1506 members of the Council on Ethics, Bylaws and
 1507 Judicial Affairs of this Association appointed by the
 1508 President in consultation with the Speaker of the
 1509 House of Delegates and the Council Chair.

1510 b. DUTIES: Prior to the first meeting of each new
 1511 session of the House of Delegates, the Committee
 1512 shall review all resolutions proposing amendments
 1513 to the *Constitution and Bylaws* and shall either
 1514 approve the text of the amendment as written or
 1515 shall redraft the resolution to accomplish the intent
 1516 of the maker in the form currently used by the
 1517 House of Delegates. The Committee shall file a
 1518 report of its findings and actions at the first meeting
 1519 of the House of Delegates and then shall adjourn.
 1520 Thereafter until the House of Delegates adjourns
 1521 *sine die*, the Speaker of the House and the Chair of
 1522 the Council on Ethics, Bylaws and Judicial Affairs
 1523 shall be responsible for reviewing any new
 1524 resolutions or changes to resolutions that propose
 1525 amendments to the *Constitution and Bylaws*, and
 1526 they shall either approve the text of the amendment
 1527 as written or shall redraft the resolution to
 1528 accomplish the intent of the maker in the form
 1529 currently used by the House of Delegates.

1530 B. COMMITTEE ON CREDENTIALS, RULES
 1531 AND ORDER.

1532 a. COMPOSITION. The Committee, consisting of
 1533 nine (9) members from the officially certified
 1534 delegates and alternate delegates, shall be appointed
 1535 by the President at least sixty (60) days in advance
 1536 of each session.

1537 b. DUTIES. It shall be the duty of the Committee (1)
 1538 to record and report the roll call of the House of
 1539 Delegates at each meeting; (2) to conduct a hearing
 1540 on any contest regarding the certification of a
 1541 delegate or alternate delegate and to report its
 1542 recommendations to the House of Delegates; (3) to
 1543 prepare a report, in consultation with the Speaker
 1544 and Secretary of the House of Delegates, on matters
 1545 relating to the order of business and special rules of
 1546 order; (4) to consider all matters referred to
 1547 it and report its recommendations to the House of
 1548 Delegates.

1549 C. RESOLUTIONS COMMITTEE.

1550 a. COMPOSITION. The Resolutions Committee
 1551 shall consist of the Speaker and the Secretary of the
 1552 House of Delegates and the chairs of the reference
 1553 committees authorized by Subsection D of this
 1554 Chapter.

1555 b. DUTIES. The duties of the Resolutions
 1556 Committee shall be to examine resolutions after
 1557 action by the reference committees and arrange a
 1558 sequence for House action based upon the

1559 importance of the resolutions' subject matter.
1560 D. REFERENCE COMMITTEES.
1561 a. COMPOSITION. Reference committees,
1562 consisting of nine (9) members from the officially
1563 certified delegates and alternate delegates, shall be
1564 appointed by the President at least sixty (60) days in
1565 advance of each annual session.
1566 b. DUTIES. It shall be the duty of a reference
1567 committee to consider reports referred to it, to
1568 conduct open hearings and to report its
1569 recommendations to the House of Delegates.
1570 E. SPECIAL COMMITTEES. The Speaker, with the
1571 consent of the House of Delegates, shall appoint
1572 special committees to perform duties not otherwise
1573 assigned by these *Bylaws*, to serve until adjournment
1574 *sine die* of the session at which they were appointed.
1575 *Section 150. ELECTION PROCEDURE:* Elective
1576 officers, members of the Board of Trustees and
1577 members of councils and committees shall be elected
1578 by the House of Delegates except as otherwise
1579 provided in these *Bylaws*. Voting shall be by ballot,
1580 except that when there is only one candidate for an
1581 office, council or committee, such candidate may be
1582 declared elected by the Speaker. The Secretary shall
1583 provide facilities for voting. The polls shall be open
1584 for at least one and one-half (1-1/2) hours.
1585 a. When one is to be elected, and more than one has
1586 been nominated, the majority of the ballots cast shall
1587 elect. In the event no candidate receives a majority
1588 of the votes cast on the first ballot, the two (2)
1589 candidates receiving the greatest number of votes
1590 shall be balloted upon again.
1591 b. When more than one is to be elected, and the
1592 nominees exceed the number to be elected, the votes
1593 cast shall be non-cumulative, and the candidates
1594 receiving the greatest number of votes shall be
1595 elected.

CHAPTER VI • CONFLICT OF INTEREST

1596 It is the policy of this Association that individuals
1597 who serve in elective, appointive or employed offices
1598 or positions do so in a representative or fiduciary
1599 capacity that requires loyalty to the Association. At
1600 all times while serving in such offices or
1601 positions, these individuals shall further the interests
1602 of the Association as a whole. In addition, they shall
1603 avoid:
1604 a. placing themselves in a position where personal or
1605 professional interests may conflict with their duty to

1606 this Association.
1607 b. using information learned through such office or
1608 position for personal gain or advantage.
1609 c. obtaining by a third party an improper gain or
1610 advantage.
1611 As a condition for selection, each nominee,
1612 candidate and applicant shall disclose any situation
1613 which might be construed as placing the individual in
1614 a position of having an interest that may conflict with
1615 his or her duty to the Association. While serving, the
1616 individual shall comply with the conflict of interest
1617 policy applicable to his or her office or position, and
1618 shall report any situation in which a potential conflict
1619 of interest may arise. The Board of Trustees shall
1620 approve the compliance activities that will implement
1621 the requirements of this chapter. The Board
1622 of Trustees shall render a final judgment on what
1623 constitutes a conflict of interest.

CHAPTER VII • BOARD OF TRUSTEES

1624 *Section 10. COMPOSITION:* The Board of Trustees
1625 shall consist of one (1) trustee from each of the
1626 seventeen (17) trustee districts. Such seventeen (17)
1627 trustees, the President-elect and the two Vice
1628 Presidents shall constitute the voting membership of
1629 the Board of Trustees. In addition, the President, the
1630 Treasurer and the Executive Director of the
1631 Association, except as otherwise provided in the
1632 *Bylaws* shall be *ex officio* members of the Board
1633 without the right to vote.

1634 *Section 20. QUALIFICATIONS:* A trustee must be
1635 an active, life or retired member, in good standing, of
1636 this Association and an active, life, or retired member
1637 of one of the constituent societies of the trustee
1638 district which the trustee is elected to represent.
1639 Should the status of any trustee change in regard to
1640 the preceding qualifications during the trustee's term
1641 of office, that office shall be declared vacant by the
1642 President and the President shall fill such vacancy as
1643 provided in Chapter VII, Section 90, of these *Bylaws*.

1644 *Section 30. TERM OF OFFICE:* The term of office of
1645 a trustee shall be four (4) years. The tenure of a
1646 trustee shall be limited to one (1) term of four (4)
1647 years.

1648 *Section 40. NOMINATION:*

1649 A. SINGLE CONSTITUENT DISTRICT. In trustee
1650 districts consisting of a single constituent dental
1651 society, the trustee nomination procedures shall be
1652 determined by an elective process established by the
1653 constituent dental society which shall produce a
1654 single nominee for trustee. Until such time as the
1655 Speaker declares the nominee elected pursuant to
1656 Paragraph A of Section 60 of this Chapter, the

1657 nomination may be reconsidered by the duly
 1658 constituted caucus of the trustee district during the
 1659 appropriate annual session, provided that at no time
 1660 shall more than one nominee be presented by the
 1661 trustee district for election. The House of Delegates
 1662 may vote to reject any such nominee and thereby
 1663 compel the trustee district caucus to select a different
 1664 nominee.

1665 B. MULTIPLE CONSTITUENT DISTRICTS. In
 1666 multiple constituent districts, the delegates from the
 1667 constituent societies of the trustee district in which
 1668 the term of the trustee is to terminate, shall hold a
 1669 caucus to select a nominee or nominees for the office
 1670 of trustee. Such caucus shall be called by the trustee
 1671 whose term is about to expire, or by the trustee's
 1672 designee. The notice of the time and place of such
 1673 caucus shall be reported to the Secretary of the
 1674 House.

1675 At the caucus the delegates shall nominate one (1)
 1676 or two (2) candidates for the office of trustee, whose
 1677 name or names shall be presented to the House of
 1678 Delegates in accordance with the following rules. An
 1679 action taken at a duly constituted caucus of the trustee
 1680 district to nominate or select a trustee may be
 1681 reconsidered at a later caucus during the appropriate
 1682 annual session.

1683 a. A person receiving the unanimous vote of the
 1684 delegates present and voting at the caucus shall be
 1685 the only nominee presented by the district.

1686 b. In the event that one (1) candidate receives a
 1687 majority vote, one (1) or more of the delegates
 1688 voting in the minority may select another nominee
 1689 and the names of both nominees shall be presented
 1690 to the House of Delegates as the nominees of that
 1691 district.

1692 c. The number of votes received by each nominee in
 1693 the caucus shall be reported to the House of
 1694 Delegates.

1695 C. NOMINATING PROCEDURE. Candidates for the
 1696 office of trustee shall be nominated from the floor of
 1697 the House of Delegates by a simple declaratory
 1698 statement, which may be followed by an acceptance
 1699 speech not to exceed four (4) minutes by the
 1700 candidate from the podium, according to the protocol
 1701 established by the Speaker of the House of Delegates.
 1702 Seconding a nomination is not permitted.

1703 *Section 50. CONFLICT OF INTEREST:* Each person
 1704 nominated for the office of trustee shall complete a
 1705 conflict of interest statement as prescribed by the
 1706 Board of Trustees and shall file such statement with
 1707 the Secretary of the House of Delegates to be made
 1708 available to the delegates prior to election.

1709 *Section 60. ELECTION:* The trustee shall be elected
 1710 by the House of Delegates according to the following
 1711 rules:

1712 A. If there is only one (1) nominee from a trustee
 1713 district, the Speaker shall declare such nominee
 1714 elected.

1715 B. If there are two (2) nominees from a trustee
 1716 district, the election shall be by ballot in accordance
 1717 with Chapter V, Section 150. The nominee receiving
 1718 the larger number of votes cast shall be declared
 1719 elected. The method of election set forth in this
 1720 paragraph shall not be used for any trustee district
 1721 consisting of a single constituent dental society. A
 1722 trustee district consisting of a single constituent
 1723 dental society may present a single nominee to be
 1724 elected pursuant to Paragraph A of this Section.

1725 *Section 70. INSTALLATION:* The trustee shall be
 1726 installed by the President or by the President's
 1727 designee.

1728 *Section 80. REMOVAL FOR CAUSE:* The House of
 1729 Delegates may remove a trustee for cause in
 1730 accordance with procedures established by the House
 1731 of Delegates, which procedures shall provide for
 1732 notice of the charges and an opportunity for the
 1733 accused to be heard in his or her defense. The
 1734 affirmative vote of two-thirds (2/3) of the delegates
 1735 present and voting is required to remove a trustee
 1736 from office. If the House of Delegates elects to
 1737 remove the trustee, that action shall create a vacancy
 1738 on the Board of Trustees which shall be filled in
 1739 accordance with Chapter VII Section 90.

1740 *Section 90. VACANCY:* In the event of a vacancy in
 1741 the office of trustee, an active, life or retired member
 1742 may be appointed by the President to fill the
 1743 unexpired term of the vacancy. The appointment shall
 1744 be made by the President with the advice and consent
 1745 of the former trustee's district. A trustee district may
 1746 file rules with the Association's Executive Director
 1747 setting forth how its nominee shall be chosen. In the
 1748 event an appointment to fill the vacancy has not been
 1749 made by the time of the next meeting of the House of
 1750 Delegates following the occurrence of the vacancy,
 1751 then a successor trustee shall be elected for the
 1752 remainder of the unexpired term by the House of
 1753 Delegates pursuant to the provisions of Chapter VII,
 1754 Sections 40 and 60 of these *Bylaws*. If the term of the
 1755 vacated trustee position has less than fifty percent
 1756 (50%) of a full four-year term remaining at the time
 1757 the successor trustee is appointed or elected, the
 1758 successor trustee shall be eligible for election to a
 1759 new, consecutive four-year term. If fifty percent
 1760 (50%) or more of the vacated term remains to be
 1761 served at the time of the appointment or election, the
 1762 successor trustee shall not be eligible for another
 1763 term.

1764 *Section 100. POWERS:*
 1765 A. The Board of Trustees shall be the managing body
 1766 of the Association, vested with full power to conduct
 1767 all business of the Association, subject to the laws of
 1768 the State of Illinois, the *Articles of Incorporation*, the
 1769 *Constitution and Bylaws* and the mandates of the
 1770 House of Delegates. The power of the Board of
 1771 Trustees to act as the managing body of the
 1772 Association shall not be construed as limiting the
 1773 power of the House of Delegates to establish policy
 1774 with respect to the governance of this Association in
 1775 all its activities, except for areas expressly
 1776 reserved in these *Bylaws* as powers and/or duties of
 1777 the Board of Trustees, as the same may be amended
 1778 by the House of Delegates from time to time in
 1779 accordance with these *Bylaws*.

1780 B. It shall have the power to establish rules and
 1781 regulations not inconsistent with these *Bylaws* to
 1782 govern its organization and procedure.

1783 C. It shall have the power to direct the President to
 1784 call a special session of the House of Delegates as
 1785 provided in Chapter V, Section 80, of the *Bylaws*.

1786 D. It shall have full discretionary power to cause to be
 1787 published in, or to be omitted from, any official
 1788 publication of the Association any article in whole or
 1789 in part.

1790 E. It shall have the power to establish *ad interim*
 1791 policies when the House of Delegates is not in session
 1792 and when such policies are essential to the
 1793 management of the Association provided, however,
 1794 that all such policies must be presented for review
 1795 and consideration by the House of Delegates at its
 1796 next session.

1797 F. It shall have the power to remove a council
 1798 member for cause in accordance with procedures
 1799 established by the Board of Trustees in its *Rules*.

1800 G. It shall have the power to elect honorary members.

1801 H. It shall have the power to appoint its members to
 1802 committees that shall have the power to perform any
 1803 duty that the Board of Trustees may lawfully
 1804 delegate.

1805 I. It shall have the interim power to supervise,
 1806 monitor and guide the activities of all councils and
 1807 special committees in order to ensure the fulfillment
 1808 of initiatives and directives assigned to each council
 1809 or special committee by the House of Delegates or
 1810 Board of Trustees subject to the requirement that all
 1811 interim actions of the Board must be approved by the
 1812 House of Delegates.

1813 J. In accordance with the laws of the State of Illinois,
 1814 it shall have the power to transact its business by

1815 unanimous consent via mail ballot, including
 1816 electronic mail; to authorize the councils,
 1817 commissions and committees of this Association to
 1818 transact their business by mail ballot; and to establish
 1819 rules and procedures for itself and for councils,
 1820 commissions and committees of this Association to
 1821 govern the use of ballots circulated and returned by
 1822 U.S. mail, overnight courier, facsimile transmission
 1823 or electronic mail.

1824 K. It shall have the power to appoint agents and/or
 1825 other representatives for the purpose of supervising,
 1826 managing and otherwise conducting business under
 1827 its direction and in accordance with these *Bylaws* and
 1828 the laws of the State of Illinois. No such appointment
 1829 shall relieve the Board of Trustees of its fiduciary
 1830 duties as the managing body of the Association as
 1831 provided in these *Bylaws*.

1832 *Section 110. DUTIES:* It shall be the duty of the
 1833 Board of Trustees:

1834 A. To provide for the purchase, sale, mortgage,
 1835 maintenance and supervision of the Headquarters
 1836 Office and all other property or offices owned or
 1837 operated by this Association.

1838 B. To appoint the Executive Director of the
 1839 Association.

1840 C. To determine the date and place for convening
 1841 each annual session and provide for the management
 1842 and general arrangements for each annual session as
 1843 provided in Chapter XV, Section 30.

1844 D. To cause to be bonded by a surety company the
 1845 Treasurer, the Executive Director and employees of
 1846 the Association entrusted with Association funds.

1847 E. To provide guidelines and directives to govern the
 1848 Treasurer's custody, investment and disbursement of
 1849 Association funds and other property as provided in
 1850 Chapter VIII, Section 100F, of these *Bylaws*; and to
 1851 cause all accounts of the Association to be audited by
 1852 a certified public accountant at least once a year.

1853 F. To prepare a budget for carrying on the activities
 1854 of the Association for each ensuing fiscal year, and
 1855 present for action by each House of Delegates a
 1856 resolution setting forth the proposed dues of active
 1857 members for the following year. Notice of such a
 1858 resolution shall be sent by a certifiable method of
 1859 delivery to each constituent society not less than
 1860 ninety (90) days before such session to permit
 1861 prompt, adequate notice by each constituent society to
 1862 its delegates and alternate delegates to the House of
 1863 Delegates of this Association, and shall be announced
 1864 to the general membership in an official publication

- 1865 of the Association at least sixty (60) days in advance
1866 of the annual session.
- 1867 G. To establish rules to govern its procedures in
1868 serving as the nominating committee for the office of
1869 Treasurer, and as provided in Chapter VIII of these
1870 *Bylaws*, to submit in printed form the name(s) and
1871 curriculum vitae of the Board's nominee(s) to the
1872 House of Delegates in the first mailing to the House
1873 in the year that the incumbent Treasurer's term is
1874 about to end.
- 1875 H. To submit to the House of Delegates at the
1876 opening meeting of the annual session, in printed
1877 form, nominations for membership to the councils,
1878 except as otherwise provided in these *Bylaws*.
- 1879 I. To appoint annually the chair of each council,
1880 except as otherwise provided in these *Bylaws*, and to
1881 act upon council, commission, and bureau
1882 nominations for consultants and advisers except as
1883 otherwise provided in these *Bylaws*.
- 1884 J. To provide interim guidance and supervision to all
1885 councils and special committees in order to ensure the
1886 fulfillment of initiatives and directives assigned to
1887 each council or special committee by the House of
1888 Delegates or Board of Trustees.
- 1889 K. To review the reports of councils and special
1890 committees of the Association and to make
1891 recommendations concerning such reports to the
1892 House of Delegates.
- 1893 L. To act upon applications for active membership
1894 from applicants practicing in dependencies of the
1895 United States in which no constituent society exists or
1896 in federal dental services.
- 1897 M. To submit an annual report to the House of
1898 Delegates of its activities and those of the Treasurer
1899 and Executive Director.
- 1900 N. To review the delegate allocations to the House of
1901 Delegates as provided in Chapter V, Section 10C, of
1902 these *Bylaws*.
- 1903 O. To elect associate members.
- 1904 P. To establish other funds as divisions of the General
1905 Fund in accordance with the provisions of Chapter
1906 XVII, Section 30.
- 1907 Q. To appoint special committees of the Association
1908 in accordance with Chapter XI, Section 10 of these
1909 *Bylaws*.
- 1910 R. To perform such other duties as are prescribed by
1911 these *Bylaws*.
- 1912 S. To establish such administrative agencies of this
1913 Association as may be necessary to implement the

- 1914 Association's programs, to assign the duties of such
1915 agencies through the Executive Director of the
1916 Association under whose jurisdiction each shall
1917 operate, and to require reports of such agencies
1918 through the same channels.
- 1919 *Section 120. SESSIONS:*
- 1920 A. REGULAR SESSIONS. The Board of Trustees
1921 shall hold a minimum of three regular sessions each
1922 year. The number of actual regular meetings to be
1923 held in excess of three for the ensuing year shall be
1924 determined in advance by the Board of Trustees.
- 1925 B. SPECIAL SESSIONS. Special sessions of the
1926 Board of Trustees may be called at any time either by
1927 the President or at the request of five voting members
1928 of the Board, provided notice is given to each
1929 member in advance of the session.
- 1930 C. PLACE OF MEETINGS: Regular or special
1931 meetings may be held in a single geographic location
1932 within or outside the state of Illinois or from multiple
1933 remote locations through the use of a conference
1934 telephone or other communications equipment by
1935 means of which all members can communicate with
1936 each other; provided, however, special meetings held
1937 through the use of a conference telephone or other
1938 communications equipment may be called by the
1939 President or at the request of five voting members of
1940 the Board of Trustees for matters of the Association
1941 requiring immediate attention. Such meetings shall be
1942 conducted in accordance with rules and procedures
1943 established by the Board of Trustees.
- 1944 *Section 130. QUORUM:* A majority of the voting
1945 members of the Board of Trustees shall constitute a
1946 quorum.
- 1947 *Section 140. OFFICERS:*
- 1948 A. CHAIR AND SECRETARY. The officers of the
1949 Board of Trustees shall be the President of the
1950 Association who shall be the Chair, and the Executive
1951 Director of the Association who shall be the
1952 Secretary.
- 1953 In the absence of the President, the office of Chair
1954 shall be filled by the President-elect and, in his or her
1955 absence, by the First or Second Vice President in that
1956 order and, in their absence, a voting member of the
1957 Board shall be elected Chair *pro tem*.
- 1958 In the absence of the Secretary, the Chair shall
1959 appoint a Secretary *pro tem*.
- 1960 B. DUTIES.
- 1961 a. CHAIR. The Chair shall preside at all meetings of
1962 the Board of Trustees. The Chair shall cast the
1963 deciding vote in case of a tie.
- 1964 b. SECRETARY. The Secretary shall serve as the
1965 recording officer of the Board of Trustees and as the
1966 custodian of its records. The Secretary shall cause a
1967 factual record of the proceedings to be published as the

1968 official transactions of the Board.

1969 *Section 150. COMMITTEES:* The Board of Trustees

1970 shall have a standing Committee on the New Dentist.

1971 The Committee shall consist of one (1) member from

1972 each trustee district who are active members selected

1973 by the Board of Trustees and confirmed by the House

1974 of Delegates. Members of the Committee shall have

1975 received their D.D.S. or D.M.D. degree less than ten

1976 (10) years before the time of selection. The chair of

1977 the Committee shall be appointed annually by the

1978 Board of Trustees.

1979 Members of the Committee shall serve one (1) term

1980 of four (4) years and shall not be eligible for

1981 appointment to a council or commission for a period

1982 of two (2) years after completing service on the

1983 Committee. However, the Board of Trustees shall

1984 stagger the terms of the members of the Committee in

1985 a manner so four (4) members will complete their

1986 terms each year, except every fourth year when five

1987 (5) members shall complete their terms.

1988 The Board of Trustees shall have the power to

1989 remove a Committee member for cause in accordance

1990 with procedures established by the Board in its *Rules*.

1991 In the event of any vacancy on the Committee, the

1992 Board of Trustees shall select a member of this

1993 Association possessing the same qualifications as

1994 established by these *Bylaws* for the previous member,

1995 to fill such vacancy for the remainder of the

1996 unexpired term. If the term of the vacated Committee

1997 position has less than fifty percent (50%) of a full

1998 four-year term remaining at the time the successor

1999 member is selected, the successor member shall be

2000 eligible for selection to a new, consecutive four-year

2001 term. If fifty percent (50%) or more of the vacated

2002 term remains to be served at the time of selection, the

2003 successor member shall not be eligible for another

2004 term.

2005 The Committee's work shall be assigned by the

2006 Board of Trustees, and reports and proposals

2007 formulated by the Committee shall be referred to the

2008 Board for decision and action. The duties of the

2009 Committee shall be:

2010 a. To provide the Board of Trustees with expertise

2011 on issues affecting new dentists less than ten years

2012 following graduation from dental school.

2013 b. To advocate to the Board of Trustees and other

2014 agencies of this Association the perspectives of the

2015 new dentist in the development of policies,

2016 programs, benefits and services of the Association.

2017 c. To identify the needs and concerns of new

2018 graduate dentists and make recommendations for

2019 any programs to assist with their transition to

2020 practice.

2021 d. To stimulate the increased involvement and active

2022 participation of new dentists in organized dentistry.

2023 e. To serve as *ex officio* members, without the power

2024 to vote, of councils and commissions of this

2025 Association on issues affecting new dentists; these

2026 appointments will be recommended by the

2027 Committee and assigned by the Board of Trustees.

2028 f. To enhance communications with constituent and

2029 component new/young dentist networks.

CHAPTER VIII • ELECTIVE OFFICERS

2030 *Section 10. TITLE:* The elective officers of this

2031 Association shall be President, President-elect, First

2032 Vice President, Second Vice President, Treasurer and

2033 Speaker of the House of Delegates, as provided in

2034 Article V of the *Constitution*.

2035 *Section 20. ELIGIBILITY:* Only an active, life or

2036 retired member, in good standing, of this Association

2037 shall be eligible to serve as an elective officer.

2038 Trustees and elective officers may not apply for the

2039 office of Treasurer while serving in any of those

2040 offices, except that the Treasurer may apply for a

2041 second term pursuant to Chapter VIII, Section 60 of

2042 these *Bylaws*.

2043 *Section 30. NOMINATIONS:*

2044 A. Nominations for the offices of President-elect,

2045 Second Vice President and Speaker of the House shall

2046 be made in accordance with the order of business.

2047 Candidates for these elective offices shall be

2048 nominated from the floor of the House of Delegates

2049 by a simple declaratory statement, which may be

2050 followed by an acceptance speech not to exceed four

2051 (4) minutes by the candidate from the podium,

2052 according to the protocol established by the Speaker

2053 of the House of Delegates. Seconding a nomination is

2054 not permitted.

2055 B. Nominations for the office of Treasurer shall be

2056 made in accordance with the order of business. If

2057 there is only one (1) eligible candidate for the office

2058 of Treasurer, the Board of Trustees shall nominate

2059 that individual from the floor of the House of

2060 Delegates by a simple declaratory statement, which

2061 may be followed by an acceptance speech not to

2062 exceed four (4) minutes by the candidate from the

2063 podium, according to the protocol established by the

2064 Speaker of the House of Delegates. If there are two

2065 (2) or more eligible candidates for the office of

2066 Treasurer, the Board of Trustees shall nominate at

2067 least two (2) and not more than three (3) candidates

2068 from the floor of the House of Delegates by a simple

2069 declaratory statement for each nominee, which may

2070 be followed by an acceptance speech not to exceed

2071 four (4) minutes by the candidate from the podium,

2072 according to the protocol established by the Speaker

2073 of the House of Delegates. Seconding a nomination is

2074 not permitted.

2075 *Section 40. CONFLICT OF INTEREST:* Each person

2076 nominated for the offices of President-elect, Second

2077 Vice President, Treasurer and Speaker of the House

2078 shall complete a conflict of interest statement as

2079 prescribed by the Board of Trustees and shall file

2080 such statement with the Secretary of the House of
2081 Delegates to be made available to the delegates prior
2082 to election.

2083 *Section 50. ELECTIONS:* The elective officers shall
2084 be elected in accordance with Chapter V, Section 150.

2085 *Section 60. TERM OF OFFICE:* The President,
2086 President-elect, First Vice President, Second Vice
2087 President and Speaker of the House of Delegates shall
2088 serve for a term of one (1) year, except as otherwise
2089 provided in this chapter of the *Bylaws*, or until their
2090 successors are elected and installed. The term of
2091 office of the Treasurer shall be three (3) years, or
2092 until a successor is elected and installed. The
2093 Treasurer shall be limited to two (2) consecutive
2094 terms of three (3) years each.

2095 *Section 70. INSTALLATION:* The elective officers
2096 shall be installed at the last meeting of the annual
2097 session of the House of Delegates. The President-
2098 elect shall be installed as President at the next annual
2099 session of the House following election. The Second
2100 Vice President shall be installed as First Vice
2101 President at the next annual session of the House
2102 following election.

2103 *Section 80. REMOVAL FOR CAUSE:* The House of
2104 Delegates may remove an elective officer for cause in
2105 accordance with procedures established by the House
2106 of Delegates, which shall include notice of the
2107 charges and an opportunity for the accused to be
2108 heard in his or her defense. The affirmative vote of
2109 two-thirds of the majority of delegates present and
2110 voting is required to remove an elective officer from
2111 office. If the House of Delegates elects to remove the
2112 elective officer, that action shall create a vacancy
2113 which shall be filled in accordance with Chapter VIII,
2114 Section 90.

2115 *Section 90. VACANCIES:*

2116 A. VACANCY OF ELECTIVE OFFICE: In the event
2117 the office of President becomes vacant, the President-
2118 elect shall become President for the unexpired portion
2119 of the term. In the event the office of President
2120 becomes vacant for the second time in the same term
2121 or at a time when the office of President-elect is also
2122 vacant, the First Vice President shall become
2123 President for the unexpired portion of the term. In the
2124 event the office of First Vice President becomes
2125 vacant, the Second Vice President shall become the
2126 First Vice President for the unexpired portion of the
2127 term. A vacancy in the office of the Second Vice
2128 President shall be filled by a majority vote of the
2129 Board of Trustees. In the event of a vacancy in the
2130 office of Speaker of the House of Delegates, the
2131 President, with approval of the Board of Trustees,
2132 shall appoint a Speaker *pro tem*. In the event
2133 the office of President-elect becomes vacant by
2134 reason other than the President-elect succeeding to
2135 the office of the President earlier than the next annual

2136 session, the office of President for the ensuing year
2137 shall be filled at the next annual session of the House
2138 of Delegates in the same manner as that provided for
2139 the nomination and election of elective officers,
2140 except that the ballot shall read "President for the
2141 Ensuing Year." A vacancy in the office of Treasurer
2142 shall be filled by a majority vote of the Board of
2143 Trustees until the process of inviting applications,
2144 screening and nominating candidates and electing a
2145 new Treasurer has been completed by the Board of
2146 Trustees and the House of Delegates. The Treasurer
2147 *pro tem* shall be eligible for election to a new
2148 consecutive three (3) year term. The newly elected
2149 Treasurer shall be limited to two (2) consecutive
2150 terms of three (3) years each.

2151 B. TEMPORARY INCAPACITY OF THE
2152 PRESIDENT: Whenever the President notifies the
2153 Board of Trustees that he or she is unable to discharge
2154 the duties of the office of President due to temporary
2155 incapacity, the President-elect shall assume the duties
2156 of the office of President, as Acting President, until
2157 the President notifies the Board of Trustees that he or
2158 she is prepared to resume the duties of the office of
2159 President. Whenever the voting members of the
2160 Board of Trustees of this Association determine by
2161 majority vote that the President is unable to discharge
2162 the duties of his or her office due to temporary
2163 incapacity, the President-elect shall assume the duties
2164 of the office of President, as Acting President, until
2165 the President satisfies the voting members of the
2166 Board of Trustees that he or she is prepared to resume
2167 the duties of the office of President.

2168 *Section 100. DUTIES:*

2169 A. PRESIDENT. It shall be the duty of the President:
2170 a. To serve as the primary official representative of
2171 this Association in its contacts with governmental,
2172 civic, business and professional organizations for
2173 the purpose of advancing the objectives and policies
2174 of this Association.
2175 b. To serve as Chair and *ex officio* member of the
2176 Board of Trustees and to perform such duties as are
2177 provided in Chapters V and VII of these *Bylaws*.
2178 c. To call special sessions of the House of Delegates
2179 and the Board of Trustees as provided in Chapters V
2180 and VII of these *Bylaws*.
2181 d. To appoint the members of all committees of the
2182 House of Delegates except as otherwise provided in
2183 these *Bylaws*.
2184 e. To fill vacancies in the office of trustee as
2185 provided in Chapter VII, Section 90, of these *Bylaws*
2186 and to fill other vacancies in accordance with these
2187 *Bylaws*.
2188 f. To submit an annual report to the House of
2189 Delegates.
2190 g. To perform such other duties as may be provided
2191 in these *Bylaws*.

2192 B. PRESIDENT-ELECT. It shall be the duty of the
2193 President-elect:

- 2194 a. To assist the President as requested.
 2195 b. To serve as an *ex officio* member of the House of
 2196 Delegates without the right to vote.
 2197 c. To serve as an *ex officio* member of the Board of
 2198 Trustees.
 2199 d. To succeed to the office of President at the next
 2200 annual session of the House of Delegates following
 2201 election as President-elect.
 2202 e. To succeed immediately to the office of President
 2203 in the event of vacancy not only for the unexpired
 2204 term but also for the succeeding year.
- 2205 C. FIRST VICE PRESIDENT. It shall be the duty of
 2206 the First Vice President:
 2207 a. To assist the President as requested.
 2208 b. To serve as an *ex officio* member of the House of
 2209 Delegates without the right to vote.
 2210 c. To serve as an *ex officio* member of the Board of
 2211 Trustees.
 2212 d. To succeed to the office of President, as provided
 2213 in this chapter of the *Bylaws*.
- 2214 D. SECOND VICE PRESIDENT. It shall be the duty
 2215 of the Second Vice President:
 2216 a. To assist the President as requested.
 2217 b. To serve as an *ex officio* member of the House of
 2218 Delegates without the right to vote.
 2219 c. To serve as an *ex officio* member of the Board of
 2220 Trustees.
 2221 d. To succeed to the office of First Vice President at
 2222 the next annual session of the House of Delegates
 2223 following election as Second Vice President.
 2224 e. To succeed immediately to the office of First Vice
 2225 President in the event of vacancy not only for the
 2226 unexpired term but also for the succeeding term.
- 2227 E. SPEAKER OF THE HOUSE OF DELEGATES.
 2228 The Speaker shall preside at the meetings of the
 2229 House of Delegates and shall perform such duties as
 2230 custom and parliamentary procedure require. The
 2231 Speaker shall cast the deciding vote in case of a tie.
 2232 The Speaker shall not be a member of the Board of
 2233 Trustees.
- 2234 F. TREASURER. It shall be the duty of the
 2235 Treasurer:
 2236 a. To serve as custodian of all monies, securities and
 2237 deeds belonging to the Association which may come
 2238 into the Treasurer's possession.
 2239 b. To hold, invest and disburse all monies, securities
 2240 and deeds, subject to the direction of the Board of
 2241 Trustees.
 2242 c. To design a budgetary process in concert with the
 2243 Board of Trustees.
 2244 d. To oversee Association finances and budget
 2245 development.
 2246 e. To serve as the principal resource person for the
 2247 budget reference committee in the House of
 2248 Delegates and to help interpret the Association's
 2249 finances for the membership.
 2250 f. To review all financial information and data and
 2251 report on financial matters to the Board of Trustees

- 2252 on a quarterly basis.
 2253 g. To review travel reimbursement for the elective
 2254 officers, trustees and Executive Director.
 2255 h. To perform such other duties as may be provided
 2256 in these *Bylaws*.

CHAPTER IX • APPOINTIVE OFFICER

- 2257 *Section 10.* TITLE: The appointive officer of this
 2258 Association shall be an Executive Director, as
 2259 provided in Article V of the *Constitution*.
- 2260 *Section 20.* CONFLICT OF INTEREST: The
 2261 appointive officer of this Association and each person
 2262 seeking that office shall comply with Chapter VI,
 2263 Conflict of Interest, of these *Bylaws*.
- 2264 *Section 30.* APPOINTMENTS: While any active, life
 2265 or retired member in good standing may be appointed
 2266 to the office of Executive Director, the Board of
 2267 Trustees may appoint a qualified individual who is
 2268 not eligible for membership in this Association.
- 2269 *Section 40.* TERM OF OFFICE AND SALARY: The
 2270 Board of Trustees shall determine the salary, if any,
 2271 and the tenure of the Executive Director, which shall
 2272 not exceed three (3) years. The completion of the full
 2273 term of any appointment shall be at the discretion of
 2274 the Board of Trustees.
- 2275 *Section 50.* DUTIES: The Executive Director shall be
 2276 the principal agent of the Board of Trustees and
 2277 elective officers. As agent and under the direction of
 2278 the Board of Trustees and elective officers, the
 2279 Executive Director shall be the chief operating officer
 2280 of this Association and all its branches. In this
 2281 capacity, the Executive Director shall (a) preserve and
 2282 protect the *Constitution and Bylaws* and the standing
 2283 rules of this Association; (b) facilitate the activities of
 2284 the officers and trustees of this Association in
 2285 carrying out their respective administrative
 2286 responsibilities under these *Bylaws*; (c) engage the
 2287 staff of this Association and direct and coordinate
 2288 their activities; (d) provide leadership in the
 2289 formulation and recommendation of new
 2290 policies to the Board of Trustees and elective officers;
 2291 (e) oversee the management of Association policies
 2292 that have been adopted by the Board of Trustees
 2293 and/or the House of Delegates; (f) assist the Board of
 2294 Trustees in supervising, monitoring and providing
 2295 guidance to all Association councils, commissions
 2296 and committees in regard to their administrative
 2297 functions and specific assignments, and to
 2298 systematize the preparation of their reports, and to
 2299 encourage the exchange of information concerning
 2300 mutual interests and issues between councils,
 2301 committees and commissions; (g) maintain effective
 2302 internal and external relationships through frequent
 2303 and comprehensive communication with all officers
 2304 and trustees of this Association, the leadership of
 2305 related dental organizations, and representatives from

2306 other leading public and private organizations that
2307 interact with this Association; and (h) perform such
2308 other duties as are prescribed by these *Bylaws*.

CHAPTER X • COUNCILS

2309 *Section 10.* NAME: The councils of this Association
2310 shall be:

2311 Council on Access, Prevention and Interprofessional
2312 Relations
2313 Council on ADA Sessions
2314 Council on Communications
2315 Council on Dental Benefit Programs
2316 Council on Dental Education and Licensure
2317 Council on Dental Practice
2318 Council on Ethics, Bylaws and Judicial Affairs
2319 Council on Government Affairs
2320 Council on Members Insurance and Retirement
2321 Programs
2322 Council on Membership
2323 Council on Scientific Affairs

2324 *Section 20.* MEMBERS, SELECTIONS,
2325 NOMINATIONS AND ELECTIONS:

2326 A. The composition of the councils of this
2327 Association shall be as follows:

2328 Council on Access, Prevention and Interprofessional
2329 Relations shall be composed of one (1) member from
2330 each trustee district whose terms of office shall be
2331 staggered in such a manner that four (4) members will
2332 complete their terms each year except every fourth
2333 year when five (5) members shall complete their
2334 terms. In addition, there shall be one (1) member who
2335 is a physician and one (1) member who is a health
2336 care facility administrator nominated by the Board of
2337 Trustees.

2338 Council on ADA Sessions shall be composed of one
2339 (1) member from each trustee district whose terms of
2340 office shall be staggered in such a manner that four
2341 (4) members will complete their terms each year
2342 except every fourth year when five (5) members shall
2343 complete their terms. In addition, the General Chair
2344 of the Local Arrangements Committee for the current
2345 year and the General Chair-elect for the succeeding
2346 year shall serve as *ex officio* members with the right
2347 to vote and shall not be eligible to serve as Council
2348 Chair.

2349 Council on Communications shall be composed of
2350 one (1) member from each trustee district whose
2351 terms of office shall be staggered in such a manner
2352 that four (4) members will complete their terms each
2353 year except every fourth year when five (5) members
2354 shall complete their terms.

2355 Council on Dental Benefit Programs shall be
2356 composed of one (1) member from each trustee

2357 district whose terms of office shall be staggered in
2358 such a manner that four (4) members will complete
2359 their terms each year except every fourth year when
2360 five (5) members shall complete their terms.

2361 Council on Dental Education and Licensure shall be
2362 composed of sixteen (16) members selected as
2363 follows:

2364 a. Nominations and Selection.

(1) Eight (8) members shall be nominated by the
2365 Board of Trustees on a rotational system by trustee
2366 district from the active, life or retired members of
2367 this Association, no one of whom shall be a full-
2368 time member of a faculty of a school of dentistry or
2369 a member of a state board of dental examiners or
2370 jurisdictional dental licensing agency. A person
2371 shall be considered to be a full-time member of a
2372 faculty if he or she works for the school of dentistry
2373 more than two (2) days or sixteen (16) hours per
2374 week.

(2) Four (4) members who are active, life or retired
2375 members of this Association shall be selected by the
2376 American Association of Dental Examiners from the
2377 active membership of that body, no one of whom
2378 shall be a member of a faculty of a school of
2379 dentistry.

(3) Four (4) members who are active, life or retired
2382 members of this Association shall be selected by the
2383 American Dental Education Association from its
2384 active membership. These members shall hold
2385 positions of professorial rank in dental schools
2386 accredited by the Commission on Dental
2387 Accreditation and shall not be members of any state
2388 board of dental examiners or jurisdictional dental
2389 licensing agency.

b. Election. The eight (8) members of the Council on
2391 Dental Education and Licensure nominated by the
2392 Board of Trustees shall be elected by the House of
2393 Delegates from nominees selected in accordance with
2394 this section.

c. Committees. The Council on Dental Education and
2396 Licensure shall establish a standing Committee on
2397 Dental Education and Educational Measurements and
2398 a standing Committee on Licensure, each consisting
2399 of eight (8) members selected by the Council. The
2400 Council may establish additional committees when
2401 they are deemed essential to carry out the duties of
2402 this Council.

2404 Council on Dental Practice shall be composed of one
2405 (1) member from each trustee district whose terms of
2406 office shall be staggered in such a manner that four
2407 (4) members will complete their terms each year
2408 except every fourth year when five (5) members shall
2409 complete their terms.

2410 Council on Ethics, Bylaws and Judicial Affairs shall

2411 be composed of one (1) member from each trustee
2412 district whose terms of office shall be staggered in
2413 such a manner that four (4) members will complete
2414 their terms each year except every fourth year when
2415 five (5) members shall complete their terms.

2416 Council on Government Affairs shall be composed of
2417 one (1) member from each trustee district whose
2418 terms of office shall be staggered in such a manner
2419 that four (4) members will complete their terms each
2420 year except every fourth year when five (5) members
2421 shall complete their terms. In addition, the chair of
2422 the political action committee shall be an *ex officio*
2423 member of the Council without the power to vote.
2424 Consideration shall be given to a candidate's
2425 experience in the military or other federal dental
2426 services. Members of the Council shall not be in the
2427 full-time employ of the federal government.
2428 Individuals called to active duty from the military
2429 reserves or national guard forces, providing such
2430 active duty has not been requested by the individual,
2431 shall not be considered to be in the full-time employ
2432 of the federal government.

2433 Council on Members Insurance and Retirement
2434 Programs shall be composed of one (1) member from
2435 each trustee district whose terms of office shall be
2436 staggered in such a manner that four (4) members will
2437 complete their terms each year except every fourth
2438 year when five (5) members shall complete their
2439 terms.

2440 Council on Membership shall be composed of one (1)
2441 member from each trustee district whose terms of
2442 office shall be staggered in such a manner that four
2443 (4) members will complete their terms each year
2444 except every fourth year when five (5) members shall
2445 complete their terms.

2446 Council on Scientific Affairs shall be composed of
2447 sixteen (16) members who shall be selected from
2448 nominations open to all trustee districts, and the
2449 current recipient of the Gold Medal Award for
2450 Excellence in Dental Research.

2451 B. Nominations for all councils shall be made by the
2452 Board of Trustees except as otherwise provided in
2453 these *Bylaws*. The Board of Trustees shall adhere to
2454 the systems of nominations provided in Chapter X,
2455 Section 20A of these *Bylaws**. The House of

* In order to establish the required pattern of four,
four, four and five members respectively retiring from
councils and commissions each year, members of
councils and commissions from the new 5th and 17th
districts who are in office at the time this footnote
becomes effective shall finish their terms in
accordance with their scheduled term completion

2456 Delegates may make additional nominations pursuant
2457 to the systems for council nominations provided in
2458 Chapter X, Section 20A of these *Bylaws*. The elective
2459 and appointive officers and the trustees of this
2460 Association shall not serve as members of councils.
2461 Each person nominated shall complete a conflict of
2462 interest statement as prescribed by the Board of
2463 Trustees and shall file such statement with the
2464 Secretary of the House of Delegates to be made
2465 available to the delegates prior to election. Members
2466 of councils shall be elected by the House of Delegates
2467 in accordance with Chapter V, Section 150 except as
2468 otherwise provided in these *Bylaws*.

2469 C. REMOVAL FOR CAUSE. The Board of Trustees
2470 may remove a council member for cause in
2471 accordance with procedures established by the Board
2472 of Trustees, which procedures shall provide for notice
2473 of the charges, including allegations of the conduct
2474 purported to constitute each violation, and a decision
2475 in writing which shall specify the findings of fact
2476 which substantiate any and all of the charges, and that
2477 prior to issuance of the decision of the Board of
2478 Trustees, no council member shall be excused from
2479 attending any meeting of a council unless there is an
2480 opportunity to be heard or compelling reasons exist
2481 which are specified in writing by the Board of
2482 Trustees.

2483 Section 30. ELIGIBILITY:

2484 A. All members of councils must be active, life or
2485 retired members in good standing of this Association
2486 except as otherwise provided in these *Bylaws*.

2487 B. No member of a council may serve concurrently as
2488 a member of another council or commission.

2489 C. A member of the Council on Dental Education and
2490 Licensure who was selected by the American
2491 Association of Dental Examiners and who is no
2492 longer an active member of the American Association
2493 of Dental Examiners, may continue as a member of
2494 the Council for the balance of that member's term.

2495 D. When a member of the Council on Dental Education
2496 and Licensure who was selected by the American
2497 Dental Education Association, shall cease to be a
2498 member of the faculty of a member school of that
2499 Association, such membership on either council shall

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.

2500 terminate, and the President of the Association shall
2501 declare the position vacant.

2502 E. To be eligible to serve on the Council on Scientific
2503 Affairs, the current recipient of the Gold Medal
2504 Award for Excellence in Dental Research shall be an
2505 active, life or retired member in good standing of this
2506 Association if the current recipient qualifies for such
2507 membership.

2508 *Section 40. CHAIRS:* One member of each council
2509 shall be appointed annually by the Board of Trustees
2510 to serve as chair with exception of the Council on
2511 Dental Education and Licensure. The Chair of the
2512 Council on Dental Education and Licensure shall be
2513 appointed from nominations submitted by the
2514 Council.

2515 *Section 50. CONSULTANTS, ADVISERS AND*
2516 *STAFF:*

2517 A. CONSULTANTS AND ADVISERS. Each council
2518 shall have the authority to nominate consultants and
2519 advisers in conformity with rules and regulations
2520 established by the Board of Trustees except as
2521 otherwise provided in these *Bylaws*.

2522 B. STAFF. The Executive Director shall employ the
2523 staff of councils, in the event they are employees, and
2524 shall select the titles for council staff positions.

2525 C. CONFLICT OF INTEREST. Consultants, advisers
2526 and staff, and each person nominated or seeking such
2527 positions, shall comply with Chapter VI, Conflict of
2528 Interest, of these *Bylaws*.

2529 *Section 60. TERM OF OFFICE:* The term of office of
2530 members of councils shall be four (4) years except as
2531 otherwise provided in these *Bylaws*. The tenure of a
2532 member of a council shall be limited to one (1) term
2533 of four (4) years except as otherwise provided in
2534 these *Bylaws*. A member shall not be eligible for
2535 appointment to another council or commission for a
2536 period of two (2) years after completing a previous
2537 council appointment. The physician and the health
2538 care facility administrator, nominated by the Board of
2539 Trustees for membership on the Council on Access,
2540 Prevention and Interprofessional Relations, shall be
2541 elected for a one (1) year term; however, such
2542 member shall not be limited as to the number of
2543 consecutive one (1) year terms that he or she may
2544 serve. The current recipient of the Gold Medal Award
2545 for Excellence in Dental Research shall serve on the
2546 Council on Scientific Affairs until the award is
2547 bestowed on the next honoree.

2548 *Section 70. VACANCY:* In the event of a vacancy in
2549 the membership of any council, the President shall
2550 appoint a member of the Association possessing the
2551 same qualifications as established by these *Bylaws* for
2552 the previous member, to fill such vacancy until a
2553 successor is elected by the next House of Delegates

2554 for the remainder of the unexpired term. In the event
2555 such vacancy involves the chair of the council, the
2556 President shall have the power to appoint an *ad*
2557 *interim* chair. In the event it is the current recipient of
2558 the Gold Medal Award for Excellence in Dental
2559 Research who cannot serve on the Council on
2560 Scientific Affairs, the President, in consultation with
2561 the Board of Trustees, shall have the power to appoint
2562 a prominent research scientist who shall serve until
2563 the award is bestowed on the next honoree.

2564 If the term of the vacated council position has less
2565 than fifty percent (50%) of a full four-year term
2566 remaining at the time the successor member is
2567 appointed or elected, the successor member shall be
2568 eligible for election to a new, consecutive four-year
2569 term. If fifty percent (50%) or more of the vacated
2570 term remains to be served at the time of the
2571 appointment or election, the successor member shall
2572 not be eligible for another term.

2573 *Section 80. MEETINGS OF COUNCILS.* Each
2574 council shall hold at least one regular meeting
2575 annually, provided that funds are available in the
2576 budget for that purpose and unless otherwise directed
2577 by the Board of Trustees. Meetings may be held in
2578 the Headquarters Building, the Washington Office or
2579 from multiple remote locations through the use of a
2580 conference telephone or other communications
2581 equipment by means of which all members can
2582 communicate with each other. Such meetings shall be
2583 conducted in accordance with rules and procedures
2584 established by the Board of Trustees.

2585 *Section 90. QUORUM:* Except as otherwise provided
2586 in these *Bylaws*, a majority of the members of any
2587 council shall constitute a quorum.

2588 *Section 100. PRIVILEGE OF THE FLOOR:* Chairs
2589 and members of councils who are not members of the
2590 House of Delegates shall have the right to participate
2591 in the debate on their respective reports but shall not
2592 have the right to vote.

2593 *Section 110. ANNUAL REPORT AND BUDGET:*

2594 A. ANNUAL REPORT. Each council shall submit,
2595 through the Executive Director, an annual report to
2596 the House of Delegates and a copy thereof to the
2597 Board of Trustees.

2598 B. PROPOSED BUDGET. Each council shall submit
2599 to the Board of Trustees, through the Executive
2600 Director, a proposed itemized budget for the ensuing
2601 fiscal year.

2602 *Section 120. DUTIES:*

2603 A. COUNCIL ON ACCESS, PREVENTION AND
2604 INTERPROFESSIONAL RELATIONS. The duties
2605 of the Council shall be:

2606 a. To foster improvement in the health of the public
2607 in matters of access to care, prevention of disease and
2608 interprofessional relations by appropriate programs.

2609 b. To recommend policies and formulate programs
 2610 relating to community oral health, including access to
 2611 care, oral health planning, dental health personnel
 2612 resources, preventive dentistry, fluoridation and
 2613 nutrition issues.
 2614 c. To evaluate for the Association trends in dental
 2615 public health and access to care that enhance oral
 2616 health on a community level, including public/private
 2617 partnerships, tobacco use prevention, volunteerism,
 2618 oral cancer prevention and community caries
 2619 prevention.
 2620 d. To assist constituent and component societies,
 2621 public health agencies and others in the management
 2622 and coordination of local resources or programs for
 2623 access to care, preventive dentistry and other
 2624 community health programs.
 2625 e. To promote the Association's position and
 2626 maintain liaison with oral health agencies and special
 2627 interest organizations regarding access to care,
 2628 community oral health and dental health personnel
 2629 issues.
 2630 f. To serve as liaison for the Association with the
 2631 Joint Commission on Accreditation of Healthcare
 2632 Organizations and with JCAHO corporate members
 2633 and other national health care organizations.
 2634 g. To recommend policy on issues pertaining to the
 2635 relationship of dentistry to medicine, including
 2636 interdisciplinary patient management, dentist-
 2637 physician relations, the oral health needs of medically
 2638 compromised patients and the role of physical
 2639 evaluation and medical risk management in dental
 2640 practice.
 2641 h. To conduct activities to improve the health
 2642 outcomes of patients requiring cooperative dental-
 2643 medical management.
 2644 i. To conduct activities to increase patient access to
 2645 dental care, including assessing public and private
 2646 dental access programs and advising other
 2647 Association agencies charged with recommending
 2648 policy and legislation on access to care.
 2649 j. To conduct activities to increase access to the
 2650 benefits of cooperative dental-medical management
 2651 in hospitals, ambulatory care centers, long-term care
 2652 facilities and other interdisciplinary health care
 2653 settings.
 2654 k. To foster dentistry's role in the hospital, including
 2655 active medical staff membership and clinical
 2656 privileges.
 2657 l. To advise other Association agencies charged with
 2658 communications, scientific, legislative and legal
 2659 activities related to community oral health including

2660 tobacco use prevention, dental health personnel
 2661 resources, preventive dentistry, fluoridation and
 2662 nutrition issues.

2663 B. COUNCIL ON ADA SESSIONS. The duties of
 2664 the Council shall be:
 2665 a. To have responsibility for conducting the annual
 2666 session of this Association, except the House of
 2667 Delegates, subject to approval by the Board of
 2668 Trustees as provided in these *Bylaws*.
 2669 b. To plan and coordinate other Association sessions
 2670 or regional meetings.

2671 C. COUNCIL ON COMMUNICATIONS. The duties
 2672 of the Council shall be:
 2673 a. To identify, review and recommend, prior to
 2674 implementation, programs to educate the public
 2675 about oral health, including national media relations
 2676 programs, patient communications and materials for
 2677 use in the dental office.
 2678 b. To identify public and media relations issues and
 2679 to review existing programs and to utilize these
 2680 programs, or, if appropriate, oversee the
 2681 development and recommend communications
 2682 programs to address such issues.
 2683 c. To maintain liaison with national health
 2684 organizations and the dental industry to promote
 2685 cooperative oral health public education initiatives.
 2686 d. To assist dental editors and to support constituent
 2687 and component dental societies with their media and
 2688 community relations programs and communications
 2689 with members.
 2690 e. To review communication messages to the public
 2691 and to the members concerning the public and
 2692 private image of dentistry.
 2693 f. To assist constituent and component dental society
 2694 communications committees or appropriate staff
 2695 with their media and communications programs.
 2696 g. To assist other Association agencies and
 2697 constituent and component dental societies, upon
 2698 request, in their communications efforts regarding
 2699 Association products and services.

2700 D. COUNCIL ON DENTAL BENEFIT
 2701 PROGRAMS. The duties of the Council shall be:
 2702 a. To formulate and recommend policies relating to
 2703 the planning, administration and financing of dental
 2704 benefit programs.
 2705 b. To study, evaluate and disseminate information on
 2706 the planning, administration and financing of dental
 2707 benefit programs.
 2708 c. To assist the constituent societies and other
 2709 agencies in developing programs for the planning,
 2710 administration and financing of dental benefit
 2711 programs.
 2712 d. To provide assistance, guidance and support to
 2713 constituent and component societies in the
 2714 development and management of professional
 2715 review systems.
 2716 e. To encourage the inclusion of dental benefits in
 2717 health benefit plans and to promote dental benefit

- 2718 plans in accordance with Association policy.
 2719 f. To conduct activities and formulate and
 2720 recommend policies concerning the assessment and
 2721 improvement of the quality of dental care relating to
 2722 dental benefit plans.
 2723 g. To formulate procedural and diagnostic codes in
 2724 conjunction with national dental organizations and the
 2725 dental benefits industry that dentists can use to report
 2726 patient care on dental benefit claim forms.
- 2727 E. COUNCIL ON DENTAL EDUCATION AND
 2728 LICENSURE. The duties of the Council shall be:
 2729 a. To act as the agency of the Association in matters
 2730 related to the evaluation and accreditation of all
 2731 dental educational, dental auxiliary educational and
 2732 associated subjects.
 2733 b. To study and make recommendations including
 2734 the formulation and recommendation of policy on:
 2735 (1) Dental education and dental auxiliary education.
 2736 (2) The recognition of special areas of dental
 2737 practice.
 2738 (3) The recognition of categories of dental
 2739 auxiliaries.
 2740 (4) The approval or disapproval of national
 2741 certifying boards for special areas of dental practice
 2742 and for dental auxiliaries.
 2743 (5) The educational and administrative standards of
 2744 the certifying boards for special areas of dental
 2745 practice and for dental auxiliaries.
 2746 (6) Associated subjects that affect all dental, dental
 2747 auxiliary and related education.
 2748 (7) Dental licensure and dental auxiliary
 2749 credentialing.
 2750 c. To act on behalf of this Association in
 2751 maintaining effective liaison with certifying boards
 2752 and related agencies for special areas of dental
 2753 practice and for dental auxiliaries.
 2754 d. To monitor and disseminate information on
 2755 continuing dental education and to encourage the
 2756 provision of and participation in continuing dental
 2757 education.
- 2758 F. COUNCIL ON DENTAL PRACTICE. The duties
 2759 of the Council shall be:
 2760 a. To formulate and recommend policies relating to
 2761 dental practice.
 2762 b. To study, evaluate and disseminate information
 2763 concerning various forms of business organization
 2764 of a dental practice, economic factors related to
 2765 dental practice, practice management techniques,
 2766 auxiliary utilization and dental laboratory services to
 2767 the end that dentists may continue to improve
 2768 services to the public.
 2769 c. To develop educational and other programs to
 2770 assist dentists in improved practice management,
 2771 including practice marketing materials and
 2772 continuing education seminars, and to assist
 2773 constituent and component societies and other dental
 2774 organizations in the development of such programs
 2775 so that dentists may continue to improve the

- 2776 delivery of their services to the public.
 2777 d. To encourage and develop satisfactory relations
 2778 with the various organizations representing the
 2779 dental laboratory industry and craft.
 2780 e. To formulate programs for establishing and
 2781 maintaining the greatest efficiency, quality and
 2782 service of the dental laboratory industry and craft in
 2783 their relation to the dental profession.
 2784 f. To encourage and develop satisfactory relations
 2785 with the various organizations representing dental
 2786 auxiliaries.
 2787 g. To gather, formulate and disseminate information
 2788 related to auxiliary utilization, management and
 2789 employment practices.
 2790 h. To serve in a consultative capacity to those
 2791 educational and promotional activities directed to
 2792 the public and the profession and to assess their
 2793 impact on dental practice.
 2794 i. To provide assistance, education and information
 2795 on issues related to dentists' well being.
- 2796 G. COUNCIL ON ETHICS, BYLAWS AND
 2797 JUDICIAL AFFAIRS. The duties of the Council shall
 2798 be:
 2799 a. To consider proposals for amending the
 2800 *Principles of Ethics and Code of Professional*
 2801 *Conduct*.
 2802 b. To provide advisory opinions regarding the
 2803 interpretation of the *Principles of Ethics and Code*
 2804 *of Professional Conduct*.
 2805 c. To consider appeals from members of the
 2806 Association, or from component societies subject to
 2807 the requirements of Chapter XII, Section 20 of these
 2808 *Bylaws*.
 2809 d. To hold hearings and render decisions in disputes
 2810 arising between constituent societies or between
 2811 constituent and component societies.
 2812 e. To discipline any of the direct members of this
 2813 Association (members in good standing who
 2814 pursuant to Chapter I of these *Bylaws* do not hold
 2815 membership in any constituent society of this
 2816 Association) in accordance with the requirements
 2817 and procedures of Chapter XII of these *Bylaws*,
 2818 using hearing panels composed of not less than three
 2819 (3) of its elected members selected by the Council
 2820 chair. The Council may adopt procedures governing
 2821 the discipline of direct members of this Association
 2822 (members in good standing who pursuant to Chapter
 2823 I of these *Bylaws* do not hold membership in any
 2824 constituent society of this Association) consistent with
 2825 Chapter XII of these *Bylaws*, which may include the
 2826 use of an investigating committee or individual to
 2827 investigate any complaint made against such
 2828 member and report findings to the hearing panel
 2829 concerning whether charges should issue.
 2830 f. To review the articles of the *Constitution and*
 2831 *Bylaws* in order to keep them consistent with the
 2832 Association's program.
 2833 g. To recommend editorial changes in the *Bylaws* to
 2834 improve their consistency, clarity and style.

2835 h. Notwithstanding paragraph g of this subsection,
 2836 the Council shall have the authority to make
 2837 corrections in punctuation, grammar and spelling in
 2838 the *Bylaws* which do not alter its context or
 2839 meaning. Such corrections shall be made only by a
 2840 unanimous vote of the Council members present and
 2841 voting.
 2842 i. To review the rules and bylaws of all commissions
 2843 of the Association in order to keep such rules and
 2844 bylaws consistent with the *Constitution and Bylaws*
 2845 of this Association.
 2846 j. To act as the Standing Committee on Constitution
 2847 and Bylaws of the House of Delegates, with the
 2848 composition of such committee to be determined in
 2849 accordance with Chapter V, Section 140A of these
 2850 *Bylaws*, and to conduct other business it deems
 2851 necessary.
 2852 k. To provide guidance and advice on ethical and
 2853 professional issues to constituent and component
 2854 societies.
 2855 l. To formulate and disseminate materials related to
 2856 ethical and professional conduct in the practice and
 2857 promotion of dentistry.

2858 H. COUNCIL ON GOVERNMENT AFFAIRS. The
 2859 duties of the Council shall be:
 2860 a. To encourage the improvement of the health of
 2861 the public and to promote the art and science of
 2862 dentistry in matters of legislation and regulations by
 2863 appropriate activities.
 2864 b. To formulate and recommend policies related to
 2865 legislative and regulatory issues and to
 2866 governmental agency programs.
 2867 c. To formulate proposed legislation, approved by
 2868 the Board of Trustees, that may be submitted to
 2869 Congress and which will promote the art and science
 2870 of dentistry in accordance with Association policies.
 2871 d. To disseminate information which will assist the
 2872 constituent and component societies involving
 2873 legislation and regulation affecting the dental health
 2874 of the public.
 2875 e. To serve and assist the American Dental
 2876 Association as a liaison with agencies of the federal
 2877 government.
 2878 f. To advise other Association agencies charged with
 2879 developing, recommending and/or implementing
 2880 legislative policies adopted by the House of
 2881 Delegates.
 2882 g. To serve as liaison for the American Dental
 2883 Association with those agencies of the federal
 2884 government which employ dental personnel in direct
 2885 dental care delivery programs and the dentists in
 2886 those services.
 2887 h. To recommend programs and policies which will
 2888 ensure that eligible beneficiaries of federal dental
 2889 service programs have access to quality dental care.
 2890 i. To recommend programs and policies which
 2891 promote an efficient and effective dental care
 2892 delivery system within the federal dental services.
 2893 j. To assist in the development of dental workforce

2894 requirements and appropriate mobilization programs
 2895 in times of emergency.
 2896 k. To formulate and recommend policies which are
 2897 designed to advance the professional status of
 2898 federally employed dentists.
 2899 l. To monitor dental training programs conducted by
 2900 the federal dental services.

2901 I. COUNCIL ON MEMBERS INSURANCE AND
 2902 RETIREMENT PROGRAMS. The duties of the
 2903 Council shall be:
 2904 a. To evaluate on a continuing basis all Association
 2905 sponsored insurance programs.
 2906 b. To examine and evaluate other insurance
 2907 programs that might be of benefit to the
 2908 membership.
 2909 c. To advise and recommend courses of action on
 2910 insurance programs.
 2911 d. To assist constituent societies in matters related to
 2912 insurance programs.
 2913 e. To serve as Trustees for the American Dental
 2914 Association Members Retirement Program.

2915 J. COUNCIL ON MEMBERSHIP. Except as
 2916 otherwise provided in these *Bylaws*, the duties of the
 2917 Council shall be:
 2918 a. To formulate and recommend policies related to
 2919 membership recruitment and retention and other
 2920 related issues.
 2921 b. To identify and monitor trends and issues that
 2922 affect membership recruitment and retention,
 2923 particularly among under-represented segments, and
 2924 to encourage membership involvement throughout
 2925 organized dentistry.
 2926 c. To support, monitor and encourage membership
 2927 activities of constituent and component dental
 2928 societies and to enhance cooperation and
 2929 communication on tripartite recruitment and
 2930 retention efforts.
 2931 d. To recommend, monitor and support the
 2932 development of membership benefits and services
 2933 that respond to identified needs of members.
 2934 e. To act as an advocate for membership benefits.

2935 K. COUNCIL ON SCIENTIFIC AFFAIRS. The
 2936 duties of the Council shall be:
 2937 a. To develop and promote an annual research
 2938 agenda with appropriate means for funding.
 2939 b. To identify emergent issues and areas of research
 2940 that require response from the research community.
 2941 c. To report results on the latest scientific
 2942 developments to practicing dentists.
 2943 d. To evaluate and issue statements to the profession
 2944 regarding the efficacy of concepts, procedures and
 2945 techniques for use in the treatment of patients.
 2946 e. To guide, assist and act as liaison to the American
 2947 Dental Association Foundation and serve as its peer
 2948 review body.
 2949 f. To represent the Association on scientific and

2950 research matters and maintain liaison with related
2951 regulatory, research and professional organizations.
2952 g. To encourage the development and improvement
2953 of materials, instruments and equipment for use in
2954 dental practice, and to coordinate development of
2955 national and international standardization programs.
2956 h. To determine the safety and effectiveness of, and
2957 disseminate information on, materials, instruments
2958 and equipment that are offered to the public or the
2959 profession and further critically evaluate statements
2960 of efficacy and advertising claims.
2961 i. To study, evaluate and disseminate information
2962 with regard to the proper use of dental therapeutic
2963 agents, their adjuncts and dental cosmetic agents
2964 that are offered to the public or the profession.
2965 j. To award the American Dental Association Seal to
2966 dental products that meet the Association's
2967 requirements for acceptance.
2968 k. To promote efforts to develop dental research
2969 workforce and to involve students in dental research.
2970 l. To study, evaluate and disseminate information on
2971 those aspects of the dental practice environment
2972 related to the health of the public, dentists and dental
2973 auxiliaries.
2974 m. To serve as the primary resource for scientific
2975 inquiries from the public and the profession.

CHAPTER XI • SPECIAL COMMITTEES

2976 *Section 10. APPOINTMENT AND TERM.* Special
2977 committees of this Association may be created at any
2978 session of the House of Delegates or, when the House
2979 is not in session, by the Board of Trustees, for the
2980 purpose of performing duties not otherwise assigned
2981 by these *Bylaws*. Duties otherwise assigned by these
2982 *Bylaws* solely to one (1) council, commission or other
2983 agency should be assigned to that council,
2984 commission or other agency with the necessary
2985 funding to accomplish the task. If duties are assigned
2986 to a special committee that are assigned under these
2987 *Bylaws* to more than one (1) council, commission or
2988 other agency, members of the relevant councils,
2989 commissions or other agencies shall be appointed to
2990 serve on the special committee. Such special
2991 committees may serve until adjournment *sine die* of
2992 the next annual session of the House of Delegates.
2993 The authority for appointing the members of a special
2994 committee and their number shall be set forth in the
2995 resolution creating such committee.

2996 *Section 20. CONFLICT OF INTEREST:* Members of
2997 special committees and each person considered for
2998 such appointment shall comply with Chapter VI,
2999 Conflict of Interest, of these *Bylaws*.

3000 *Section 30. PRIVILEGE OF THE FLOOR:* Chairs
3001 and members of special committees who are not
3002 members of the House of Delegates shall have the
3003 right to participate in the debate on their respective
3004 reports but shall not have the right to vote.

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

3005 *Section 10. PROFESSIONAL CONDUCT OF*
3006 *MEMBERS:* The professional conduct of a member
3007 of this Association shall be governed by the
3008 *Principles of Ethics and Code of Professional*
3009 *Conduct* of this Association and by the codes of
3010 ethics of the constituent and component societies
3011 within whose jurisdiction the member practices, or
3012 conducts or participates in other professional dental
3013 activities.

3014 *Section 20. DISCIPLINE OF MEMBERS:*

3015 A. CONDUCT SUBJECT TO DISCIPLINE. A
3016 member may be disciplined for (1) having been found
3017 guilty of a felony, (2) having been found guilty of
3018 violating the dental practice act of a state or other
3019 jurisdiction of the United States, (3) having been
3020 discharged or dismissed from practicing dentistry
3021 with one of the federal dental services under
3022 dishonorable circumstances, or (4) violating the
3023 *Bylaws*, the *Principles of Ethics and Code of*
3024 *Professional Conduct*, or the bylaws or code of ethics
3025 of the constituent or component society of which the
3026 accused is a member. For a member of a constituent
3027 society, disciplinary proceedings may be instituted by
3028 either the member's component or constituent
3029 society. Disciplinary proceedings against a direct
3030 member of this Association (a member in good
3031 standing who pursuant to Chapter I of these *Bylaws*
3032 does not hold membership in any constituent society
3033 of this Association) may be instituted by the Council
3034 on Ethics, Bylaws and Judicial Affairs of this
3035 Association.

3036 B. DISCIPLINARY PENALTIES. A member may be
3037 placed under a sentence of censure or suspension or
3038 may be expelled from membership for any of the
3039 offenses enumerated in Section 20A of this Chapter.

3040 Censure is a disciplinary sentence expressing in
3041 writing severe criticism or disapproval of a particular
3042 type of conduct or act.

3043 Suspension, subject to Chapter I, Section 30 of these
3044 *Bylaws*, means all membership privileges except
3045 continued entitlement to coverages under insurance
3046 programs are lost during the suspension period.
3047 Suspension shall be unconditional and for a specified
3048 period at the termination of which full membership
3049 privileges are automatically restored. A subsequent
3050 violation shall require a new disciplinary procedure
3051 before additional discipline may be imposed.

3052 Expulsion is an absolute discipline and may not be
3053 imposed conditionally except as otherwise provided
3054 herein.

3055 Probation, to be imposed for a specified period and
3056 without loss of privileges, may be administratively

3057 and conditionally imposed when circumstances
3058 warrant in lieu of a suspended disciplinary penalty.
3059 Probation shall be conditioned on good behavior.
3060 Additional reasonable conditions may be set forth in
3061 the decision for the continuation of probation. In the
3062 event that the conditions for probation are found by
3063 the society which preferred charges to have been
3064 violated, after a hearing on the probation violation
3065 charges in accordance with Chapter XII, Section 20C,
3066 the original disciplinary penalty shall be
3067 automatically reinstated; except that when
3068 circumstances warrant the original disciplinary
3069 penalty may be reduced to a lesser penalty. There
3070 shall be no right of appeal from a finding that the
3071 conditions of probation have been violated.
3072 After all appeals are exhausted or after the time for
3073 filing an appeal has expired, a sentence of censure,
3074 suspension or expulsion meted out to any member,
3075 including those instances when the disciplined
3076 member has been placed on probation, shall be
3077 promulgated by such member's component and
3078 constituent societies, if such exist, and this
3079 Association.

3080 C. DISCIPLINARY PROCEEDINGS. Before a
3081 disciplinary penalty is invoked against a member, the
3082 following procedures shall be followed by the agency
3083 preferring charges:

3084 a. HEARING. The accused member shall be entitled
3085 to a hearing at which the accused shall be given the
3086 opportunity to present a defense to all charges
3087 brought against the accused. The agency preferring
3088 charges shall permit the accused member to be
3089 represented by legal counsel.

3090 b. NOTICE. The accused member shall be notified
3091 in writing of charges brought against the accused
3092 and of the time and place of the hearing, such notice
3093 to be sent by certified—return receipt requested
3094 letter addressed to the accused's last known address
3095 and mailed not less than twenty-one (21) days prior
3096 to the date set for the hearing. An accused member,
3097 upon request, shall be granted one postponement for
3098 a period not to exceed thirty (30) days.

3099 c. CHARGES. The written charges shall include an
3100 officially certified copy of the alleged conviction or
3101 determination of guilt, or a specification of the
3102 bylaw or ethical provisions alleged to have been
3103 violated, as the case may be, and a description of the
3104 conduct alleged to constitute each violation.

3105 d. DECISION. Every decision which shall result in
3106 censure, suspension or expulsion or in probation
3107 shall be reduced to writing and shall specify the
3108 charges made against the member, the facts which
3109 substantiate any or all of the charges, the verdict
3110 rendered, the penalty imposed or when appropriate
3111 the suspended penalty imposed and the conditions
3112 for probation, and a notice shall be mailed to the
3113 accused member informing the accused of the right
3114 to appeal. Within ten (10) days of the date on which
3115 the decision is rendered a copy thereof shall be sent

3116 by certified—return receipt requested mail to the last
3117 known address of each of the following parties: the
3118 accused member; the secretary of the component
3119 society of which the accused is a member, if
3120 applicable; the secretary of the constituent society of
3121 which the accused is a member, if applicable; the
3122 Chair of the Council on Ethics, Bylaws and Judicial
3123 Affairs of this Association and the Executive
3124 Director of this Association.

3125 D. APPEALS. The accused member under sentence
3126 of censure, suspension or expulsion shall have the
3127 right to appeal from a decision of the accused's
3128 component society to the accused's constituent
3129 society by filing an appeal in affidavit form with the
3130 secretary of the constituent society. Such an accused
3131 member, or the component society concerned, shall
3132 have the right to appeal from a decision of the
3133 constituent society to the Council on Ethics, Bylaws
3134 and Judicial Affairs of this Association by filing an
3135 appeal in affidavit form with the Chair of the Council
3136 on Ethics, Bylaws and Judicial Affairs. Where the
3137 accused is a direct member of this Association (a
3138 member in good standing who pursuant to Chapter I
3139 of these *Bylaws* does not hold membership in any
3140 constituent society of this Association), the accused
3141 member shall have the right of appeal from a
3142 disciplinary decision of a hearing panel of the Council
3143 on Ethics, Bylaws and Judicial Affairs to the Council
3144 by filing an appeal in affidavit form with the Chair of
3145 the Council on Ethics, Bylaws and Judicial Affairs.
3146 Members of the hearing panel shall not have the right
3147 to vote on the Council's decision on such an appeal.

3148 An appeal from any decision shall not be valid
3149 unless notice of appeal is filed within thirty (30) days
3150 and the supporting brief, if one is to be presented, is
3151 filed within sixty (60) days after such decision has
3152 been rendered. A reply brief, if one is to be presented,
3153 shall be filed within ninety (90) days after such
3154 decision is rendered. A rejoinder brief, if one is to be
3155 presented, shall be filed within one hundred five
3156 (105) days after such decision is rendered. After all
3157 briefs have been filed, a minimum of forty-five (45)
3158 days shall elapse before the hearing date. Omission of
3159 briefs will not alter the briefing schedule or hearing
3160 date unless otherwise agreed to by the parties and the
3161 chair of the appropriate appellate agency.

3162 No decision shall become final while an appeal there
3163 from is pending or until the thirty (30) day period for
3164 filing notice of appeal has elapsed. In the event of a
3165 sentence of expulsion and no notice of appeal is
3166 received within the thirty (30) day period, the
3167 constituent society shall notify all parties of the
3168 failure of the accused member to file an appeal. The
3169 sentence of expulsion shall take effect on the date the
3170 parties are notified. The component and constituent
3171 societies shall each determine what portion of their
3172 current dues and their special assessments, if any,
3173 shall be returned to the expelled member. Dues and
3174 special assessments paid to this Association shall not

3175 be refundable in the event of expulsion. The
3176 following procedure shall be used in processing
3177 appeals:
3178 a. HEARINGS ON APPEAL. The accused member
3179 or the society (or societies) concerned shall be
3180 entitled to a hearing on an appeal, provided that
3181 such appeal is taken in accordance with, and
3182 satisfies the requirements of, Section 20D of this
3183 Chapter. The appellate agency hearing the appeal
3184 shall permit the accused member to be represented
3185 by legal counsel. A party need not appear for the
3186 appeal to be heard by an appellate agency.
3187 b. NOTICE. The appellate agency receiving an
3188 appeal shall notify the society (or societies)
3189 concerned, or where applicable the hearing panel of
3190 the Council on Ethics, Bylaws and Judicial Affairs,
3191 and the accused member of the time and place of
3192 the hearing, such notice to be sent by certified—
3193 return receipt requested letter to the last known
3194 address of the parties to the appeal and mailed not
3195 less than thirty (30) days prior to the date set for the
3196 hearing. Granting of continuances shall be at the
3197 option of the agency hearing the appeal.
3198 c. PREHEARING MATTERS. Prehearing requests
3199 shall be granted at the discretion of the appellate
3200 agency. In appeals to this Association's Council on
3201 Ethics, Bylaws and Judicial Affairs, the Council
3202 chair has the authority to rule on motions from the
3203 parties for continuances and other prehearing
3204 procedural matters with advice from legal counsel
3205 of this Association. The Council chair may consult
3206 with the Council before rendering prehearing
3207 decisions.
3208 d. BRIEFS. Every party to an appeal shall be
3209 entitled to submit a brief in support of the party's
3210 position. The briefs of the parties shall be submitted
3211 to the secretary of the constituent society or the
3212 Chair of the Council on Ethics, Bylaws and Judicial
3213 Affairs of this Association, as the case may be, and
3214 to the opposing party(ies) in accordance with the
3215 prescribed briefing schedule. The party initiating
3216 the appeal may choose to rely on the record and/or
3217 on an oral presentation and not file a brief.
3218 e. RECORD OF DISCIPLINARY
3219 PROCEEDINGS. Upon notice of an appeal the
3220 agency which preferred charges shall furnish to the
3221 appellate agency which has received the appeal and
3222 to the accused member a transcript of, or an
3223 officially certified copy of the minutes of the
3224 hearing accorded the accused member. The
3225 transcript or minutes shall be accompanied by
3226 certified copies of any affidavits or other
3227 documents submitted as evidence to support the
3228 charges against the accused member or submitted
3229 by the accused member as part of the accused's
3230 defense. Where the agency preferring the charges
3231 does not provide for transcription of the hearing,
3232 the accused member, at the accused's own expense,
3233 shall be entitled to arrange for the services of a

3234 court reporter to transcribe the hearing.
3235 f. APPEALS JURISDICTION. The agency to
3236 which a decision has been appealed shall be
3237 required to review the decision appealed from to
3238 determine whether the evidence before the society
3239 or agency which preferred charges against the
3240 accused member supports that decision or warrants
3241 the penalty imposed. The appellate agency shall not
3242 be required to consider additional evidence unless
3243 there is a clear showing that either party to the
3244 appeal will be unreasonably harmed by failure to
3245 consider the additional evidence. The parties to an
3246 appeal are the accused member and the society or
3247 agency which preferred charges. In appeals to the
3248 Council on Ethics, Bylaws and Judicial Affairs of
3249 this Association, the society which heard the first
3250 appeal may, at its option, participate in the appeal.
3251 g. DECISION ON APPEALS. Every decision on
3252 appeal shall be reduced to writing and shall state
3253 clearly the conclusion of the appellate agency and
3254 the reasons for reaching that conclusion. The
3255 appellate agency shall have the discretion (1) to
3256 uphold the decision of the agency which preferred
3257 charges against the accused member; (2) to reverse
3258 the decision of the agency which preferred charges
3259 and thereby exonerate the accused member; (3) to
3260 deny an appeal which fails to satisfy the
3261 requirements of Section 20D of this Chapter; (4) to
3262 refer the case back to the agency which preferred
3263 charges for new proceedings, if the rights of the
3264 accused member under all applicable bylaws were
3265 not accorded the accused; (5) to remand the case
3266 back to the agency which preferred charges for
3267 further proceedings when the appellate record is
3268 insufficient in the opinion of the appellate agency to
3269 enable it to render a decision; or (6) to uphold the
3270 decision of the agency which preferred charges
3271 against the accused member and reduce the penalty
3272 imposed.
3273 Within thirty (30) days of the date on which a
3274 decision on appeal is rendered, a copy thereof shall
3275 be sent by certified—return receipt requested mail
3276 to the last known address of each of the following
3277 parties: the accused member, the secretary of the
3278 component society of which the accused is a
3279 member, if applicable, the secretary of the
3280 constituent society of which the accused is a
3281 member, if applicable, the Chair of the Council on
3282 Ethics, Bylaws and Judicial Affairs of this
3283 Association and the Executive Director of this
3284 Association.
3285 E. NON-COMPLIANCE. In the event of a failure of
3286 technical conformance to the procedural requirements
3287 of Chapter XII, the agency hearing the appeal shall
3288 determine the effect of non-conformance.

CHAPTER XIII • AMERICAN DENTAL
ASSOCIATION FOUNDATION

3289 *Section 10. AGENCIES AND PERSONNEL:* The
3290 Research Institute and the Paffenbarger Research
3291 Center at the National Institute of Standards and
3292 Technology will be agencies of the American Dental
3293 Association Foundation and the personnel of these
3294 agencies shall be employees of the Foundation.

3295 *Section 20. FINANCIAL SUPPORT:* The Association
3296 shall annually furnish sufficient financial support, as
3297 an addition to generated non-Association funding, to
3298 assure the continued viability of the Foundation's
3299 research activities.

3300 *Section 30. DUTIES:*

3301 A. The Foundation, through its agencies, the Research
3302 Institute and the Paffenbarger Research Center at the
3303 National Institute of Standards and Technology shall:
3304 a. Conduct basic and applied research for the
3305 utilization in and development of oral health.
3306 b. Conduct training programs in research disciplines
3307 that relate to the basic and applied problems of oral
3308 health.

3309 B. In addition, the Foundation shall submit, either
3310 through or in cooperation with the Council on
3311 Scientific Affairs, an annual report to the House of
3312 Delegates, interim reports on request to the Board of
3313 Trustees, and an annual budget to the Board of
3314 Trustees for such financial support allocations as the
3315 Board may deem necessary.

3316 C. In addition, the Foundation's Administrative/
3317 Charitable group shall submit, through the ADA
3318 Board of Trustees acting as the Member, an annual
3319 report to the House of Delegates, interim reports on
3320 request to the Member, and an annual budget to the
3321 Board of Trustees for such financial support
3322 allocations as the Board may deem necessary.

3323 D. The Foundation also may perform such other
3324 charitable and research functions as permitted under
3325 its articles of incorporation and bylaws and the laws
3326 of the State of Illinois.

CHAPTER XIV • COMMISSIONS

3327 *Section 10. NAME:* The commissions of this
3328 Association shall be:
3329 Commission on Dental Accreditation
3330 Joint Commission on National Dental Examinations

3331 *Section 20. MEMBERS, SELECTIONS,
3332 NOMINATIONS AND ELECTIONS:*

3333 A. COMMISSION ON DENTAL
3334 ACCREDITATION. The number of members and the
3335 method of selection of the members of the
3336 Commission on Dental Accreditation shall be

3337 governed by the *Rules of the Commission on Dental*
3338 *Accreditation* and these *Bylaws*.

3339 Twelve (12) of the members of the Commission on
3340 Dental Accreditation shall be selected as follows:

3341 (1) Four (4) members shall be selected from
3342 nominations open to all trustee districts from the active,
3343 life or retired members of this Association, no one of
3344 whom shall be a faculty member working for a school
3345 of dentistry more than one day per week or a member
3346 of a state board of dental examiners or jurisdictional
3347 dental licensing agency. These members shall be
3348 nominated by the Board of Trustees and elected by the
3349 House of Delegates.

3350 (2) Four (4) members who are active, life or
3351 retired members of this Association shall be
3352 selected by the American Association of Dental
3353 Examiners from the active membership of that
3354 body, no one of whom shall be a member of a
3355 faculty of a school of dentistry.

3356 (3) Four (4) members who are active, life or retired
3357 members of this Association shall be selected by the
3358 American Dental Education Association from its
3359 active membership. These members shall hold
3360 positions of professorial rank in dental schools
3361 accredited by the Commission on Dental Accreditation
3362 and shall not be members of any state board of dental
3363 examiners or jurisdictional dental licensing agency.

3364 B. JOINT COMMISSION ON NATIONAL
3365 DENTAL EXAMINATIONS. The Joint Commission
3366 on National Dental Examinations shall be composed
3367 of fifteen (15) members selected as follows:

3368 a. Three (3) members shall be nominated by the
3369 Board of Trustees from the active, life or retired
3370 members of this Association and additional
3371 nominations may be made by the House of
3372 Delegates but no one of such nominees shall be a
3373 member of a faculty of a school of dentistry or a
3374 member of a state board of dental examiners or
3375 jurisdictional dental licensing agency. The House of
3376 Delegates shall elect the three (3) members from
3377 those nominated by the Board of Trustees and the
3378 House of Delegates.

3379 b. Six (6) members who are active, life or retired
3380 members of this Association shall be selected by the
3381 American Association of Dental Examiners from the
3382 active membership of that body, no one of whom
3383 shall be a member of a faculty of a dental school.

3384 c. Three (3) members who are active, life or retired
3385 members of this Association shall be selected by the
3386 American Dental Education Association from its
3387 active membership. These members shall hold
3388 positions of professorial rank in the dental schools
3389 accredited by this Association and shall not be
3390 members of any state board of dental examiners or
3391 jurisdictional dental licensing agency.

3392 d. One (1) member who is a dental hygienist shall be
3393 selected by the American Dental Hygienists'

3394 Association.
 3395 e. One (1) member who is a public representative
 3396 shall be selected by the Joint Commission on
 3397 National Dental Examinations.
 3398 f. One (1) member who is a dental student shall be
 3399 selected annually by the American Student Dental
 3400 Association.

3401 C. CONFLICT OF INTEREST. Each person
 3402 nominated for election by the House of Delegates
 3403 shall complete a conflict of interest statement as
 3404 prescribed by the Board of Trustees and shall file
 3405 such statement with the Secretary of the House of
 3406 Delegates to be made available to the delegates prior
 3407 to election.

3408 *Section 30. REMOVAL FOR CAUSE:* The Board of
 3409 Trustees may remove a commission member for
 3410 cause in accordance with procedures established by
 3411 the Board of Trustees, which procedures shall provide
 3412 for notice of the charges, including allegations of the
 3413 conduct purported to constitute each violation, and a
 3414 decision in writing which shall specify the findings of
 3415 fact which substantiate any and all of the charges, and
 3416 that prior to issuance of the decision of the Board of
 3417 Trustees, no commission member shall be excused
 3418 from attending any meeting of a commission unless
 3419 there is an opportunity to be heard or compelling
 3420 reasons exist which are specified in writing by the
 3421 Board of Trustees.

3422 *Section 40. ELIGIBILITY:*

3423 A. All members of commissions who are dentists
 3424 must be active, life or retired members in good
 3425 standing of this Association except as otherwise
 3426 provided in these *Bylaws*.

3427 B. A member of the Joint Commission on National
 3428 Dental Examinations, who was selected by the
 3429 American Association of Dental Examiners and who
 3430 is no longer an active member of that Association,
 3431 may continue as a member of the Commission for the
 3432 balance of that member's term.

3433 C. When a member of the Joint Commission on
 3434 National Dental Examinations, who was selected by
 3435 the American Dental Education Association, shall
 3436 cease to be a member of the faculty of a member
 3437 school of that Association, such membership on the
 3438 Commission shall terminate, and the President of the
 3439 American Dental Association shall declare the
 3440 position vacant.

3441 D. No member of a commission may serve
 3442 concurrently as a member of a council or another
 3443 commission.

3444 E. CHAIRS. The Commissions of this Association
 3445 shall elect their own chairs who shall be active, life or
 3446 retired members of this Association.

3447 *Section 50. CONSULTANTS, ADVISERS AND*
 3448 *STAFF:*

3449 A. CONSULTANTS AND ADVISERS. Each
 3450 commission shall have the authority to nominate
 3451 consultants and advisers in conformity with rules and
 3452 regulations established by the Board of Trustees
 3453 except as otherwise provided in these *Bylaws*. The
 3454 Joint Commission on National Dental Examinations
 3455 also shall select consultants to serve on the
 3456 Commission's test construction committees. The
 3457 Commission on Dental Accreditation shall have the
 3458 power to appoint consultants to assist in developing
 3459 requirements and guidelines for the conducting of
 3460 accreditation evaluations, including site visitations, of
 3461 predoctoral, advanced dental educational, and dental
 3462 auxiliary educational programs.

3463 B. STAFF. The Executive Director shall employ the
 3464 staff of Commissions, in the event they are
 3465 employees, and shall select the titles for commission
 3466 staff positions.

3467 C. CONFLICT OF INTEREST. Consultants, advisers
 3468 and staff, and each person nominated or seeking such
 3469 positions, shall comply with Chapter VI, Conflict of
 3470 Interest, of these *Bylaws*.

3471 *Section 60. TERM OF OFFICE:* The term of office
 3472 of members of the commissions shall be four (4)
 3473 years except that (a) the term of office of members of
 3474 the Commission on Dental Accreditation selected
 3475 pursuant to the *Rules of the Commission on Dental*
 3476 *Accreditation* shall be governed by those *Rules* and
 3477 (b) the term of office of the dental student selected by
 3478 the American Student Dental Association for
 3479 membership on the Joint Commission on National
 3480 Dental Examinations shall be one (1) year.

3481 The tenure of a member of a commission shall be
 3482 limited to one (1) term of four (4) years except that
 3483 (a) the consecutive tenure of members of the
 3484 Commission on Dental Accreditation selected
 3485 pursuant to the *Rules of the Commission on Dental*
 3486 *Accreditation* shall be governed by those *Rules* and
 3487 (b) tenure in office of the dental student selected by
 3488 the American Student Dental Association for
 3489 membership on the Joint Commission on National
 3490 Dental Examinations shall be one (1) term. As of
 3491 1990, a member shall not be eligible for appointment
 3492 to another commission or council for a period of two
 3493 (2) years after completing a previous commission
 3494 appointment.

3495 *Section 70. VACANCY:* In the event of a vacancy in
 3496 the office of a commissioner, the following procedure
 3497 shall be followed:

3498 A. In the event the member of a commission, whose
 3499 office is vacant, is or was a member of and was
 3500 appointed or elected by this Association, the President
 3501 of this Association shall appoint a member of this
 3502 Association possessing the same qualifications as

3503 established by these *Bylaws* for the previous member,
 3504 to fill such vacancy until a successor is elected by the
 3505 next House of Delegates of this Association for the
 3506 remainder of the unexpired term.

3507 B. In the event the member of a commission whose
 3508 office is vacant was selected by an organization other
 3509 than this Association, such other organization shall
 3510 appoint a successor possessing the same
 3511 qualifications as those possessed by the previous
 3512 member of the commission.

3513 C. In the event such vacancy involves the chair of the
 3514 commission, the President of this Association shall
 3515 have the power to appoint an *ad interim* chair, except
 3516 as otherwise provided in these *Bylaws*.

3517 D. If the term of the vacated commission position has
 3518 less than fifty percent (50%) of a full four-year term
 3519 remaining at the time the successor member is
 3520 appointed or elected, the successor member shall be
 3521 eligible for election to a new, consecutive four-year
 3522 term. If fifty percent (50%) or more of the vacated
 3523 term remains to be served at the time of the
 3524 appointment or election, the successor member shall
 3525 not be eligible for another term.

3526 *Section 80. MEETINGS OF COMMISSIONS.* Each
 3527 commission shall hold at least one regular meeting
 3528 annually, provided that funds are available in the
 3529 budget for that purpose and unless otherwise directed
 3530 by the Board of Trustees. Meetings may be held at the
 3531 Headquarters Building, the Washington Office or
 3532 from multiple remote locations through the use of a
 3533 conference telephone or other communications
 3534 equipment by means of which all members can
 3535 communicate with each other. Such meetings shall be
 3536 conducted in accordance with rules and procedures
 3537 established by the Board of Trustees.

3538 *Section 90. QUORUM:* A majority of the members of
 3539 any commission shall constitute a quorum.

3540 *Section 100. PRIVILEGE OF THE FLOOR:* Chairs
 3541 and members of the commissions who are not
 3542 members of the House of Delegates shall have the
 3543 right to participate in the debate on their respective
 3544 reports but shall not have the right to vote.

3545 *Section 110. ANNUAL REPORT AND BUDGET:*

3546 A. ANNUAL REPORT. Each commission shall
 3547 submit, through the Executive Director, an annual
 3548 report to the House of Delegates and a copy thereof to
 3549 the Board of Trustees.

3550 B. PROPOSED BUDGET. Each commission shall
 3551 submit to the Board of Trustees, through the
 3552 Executive Director, a proposed itemized budget for
 3553 the ensuing fiscal year.

3554 *Section 120. POWER TO ADOPT RULES:* Any
 3555 commission of this Association shall have the power
 3556 to adopt rules for such commission and amendments

3557 thereto, provided such rules and amendments thereto
 3558 do not conflict with or limit the *Constitution and*
 3559 *Bylaws* of this Association. Rules and amendments
 3560 thereto, adopted by any commission of this
 3561 Association, shall not be effective until submitted in
 3562 writing to and approved by majority vote of the
 3563 House of Delegates of this Association, except the
 3564 Joint Commission on National Dental Examinations
 3565 shall have such bylaws and amendments thereto as
 3566 the House of Delegates of this Association may adopt
 3567 by majority vote for the conduct of the purposes and
 3568 management of the Joint Commission on National
 3569 Dental Examinations.

3570 *Section 130. DUTIES:*

3571 A. COMMISSION ON DENTAL ACCREDITATION.
 3572 The duties of the Commission on Dental
 3573 Accreditation shall be:

3574 a. To formulate and adopt requirements and
 3575 guidelines for the accreditation of dental educational
 3576 and dental auxiliary educational programs.
 3577 b. To accredit dental educational and dental
 3578 auxiliary educational programs.
 3579 c. To provide a means for appeal from an adverse
 3580 decision of the accrediting body of the Commission
 3581 to a separate and distinct body of the Commission
 3582 whose membership shall be totally different from
 3583 that of the accrediting body of the Commission.
 3584 d. To submit an annual report to the House of Delegates
 3585 of this Association and interim reports, on request, and
 3586 the Commission's annual budget to the Board of
 3587 Trustees of the Association.
 3588 e. To submit the Commission's articles of
 3589 incorporation and rules and amendments thereto to
 3590 this Association's House of Delegates for approval
 3591 by majority vote either through or in cooperation
 3592 with the Council on Dental Education and
 3593 Licensure.

3594 B. JOINT COMMISSION ON NATIONAL
 3595 DENTAL EXAMINATIONS. The duties of the Joint
 3596 Commission on National Dental Examinations shall
 3597 be:

3598 a. To provide and conduct written examinations,
 3599 exclusive of clinical demonstrations for the purpose
 3600 of assisting state boards of dental examiners in
 3601 determining qualifications of dentists who seek
 3602 license to practice in any state or other jurisdiction
 3603 of the United States. Dental licensure is subject to
 3604 the laws of the state or other jurisdiction of the
 3605 United States and the conduct of all clinical
 3606 examinations for licensure is reserved to the
 3607 individual board of dental examiners.
 3608 b. To provide and conduct written examinations,
 3609 exclusive of clinical demonstrations for the purpose
 3610 of assisting state boards of dental examiners in
 3611 determining qualifications of dental hygienists who
 3612 seek license to practice in any state or other
 3613 jurisdiction of the United States. Dental hygiene
 3614 licensure is subject to the laws of the state or other

3615 jurisdiction of the United States and the conduct of
3616 all clinical examinations for licensure is reserved to
3617 the individual board of dental examiners.
3618 c. To make rules and regulations for the conduct of
3619 examinations and the certification of successful
3620 candidates.
3621 d. To serve as a resource of the dental profession in
3622 the development of written examinations.

CHAPTER XV • SCIENTIFIC SESSION

3623 *Section 10. OBJECT:* The scientific session of this
3624 Association is established to foster the presentation
3625 and discussion of subjects pertaining to the
3626 improvement of the health of the public and the
3627 science and art of dentistry.

3628 *Section 20. TIME AND PLACE:* The scientific
3629 session of the Association shall be held annually at a
3630 time and place selected by the Board of Trustees.
3631 Such selection shall be made at least one (1) year in
3632 advance.

3633 *Section 30. MANAGEMENT AND GENERAL*
3634 *ARRANGEMENTS:* The Board of Trustees shall
3635 provide for the management of, and make all
3636 arrangements for, each scientific session unless
3637 otherwise provided in these *Bylaws*.

3638 *Section 40. TRADE AND LABORATORY*
3639 *EXHIBITS:* Products of the dental trade and dental
3640 laboratories and other products may be exhibited at
3641 each scientific session under the direction of the
3642 Board of Trustees and in accordance with rules and
3643 regulations established by that body.

3644 *Section 50. ADMISSION:* Admission to meetings of
3645 the scientific sessions shall be limited to members of
3646 this Association who are in good standing and to
3647 others admitted in accordance with rules and
3648 regulations established by the Board of Trustees.

CHAPTER XVI • PUBLICATIONS

3649 *Section 10. OFFICIAL JOURNAL:*

3650 A. TITLE. This Association shall publish or cause to
3651 be published an official journal under the title of *The*
3652 *Journal of the American Dental Association*,
3653 hereinafter referred to as *The Journal*.

3654 B. OBJECT. The object of *The Journal* shall be to
3655 report, chronicle and evaluate activities of scientific
3656 and professional interest to members of the dental
3657 profession.

3658 C. FREQUENCY OF ISSUE AND SUBSCRIPTION
3659 RATE. The frequency of issue and the subscription
3660 rate of *The Journal* shall be determined by the Board
3661 of Trustees.

3662 *Section 20. OTHER JOURNALS:* The Association
3663 may publish or cause to be published other journals in
3664 the field of dentistry subject to the direction and
3665 regulations of the Board of Trustees.

3666 *Section 30. OFFICIAL TRANSACTIONS:* The
3667 official transactions of the House of Delegates and the
3668 Board of Trustees and the reports of officers, councils
3669 and committees shall be published under the direction
3670 of the Executive Director.

3671 *Section 40. AMERICAN DENTAL DIRECTORY:* This
3672 Association shall cause to be published an *American*
3673 *Dental Directory*.

CHAPTER XVII • FINANCES

3674 *Section 10. FISCAL YEAR:* The fiscal year of the
3675 Association shall begin January 1 of each calendar
3676 year and end December 31 of the same year.

3677 *Section 20. GENERAL FUND:* The General Fund
3678 shall consist of all monies received other than those
3679 specifically allocated to other funds by these *Bylaws*.
3680 This fund shall be used for defraying all expenses
3681 incurred by this Association not otherwise provided
3682 for in these *Bylaws*. The General Fund may be
3683 divided into Operating and Reserve Divisions at the
3684 direction of the Board of Trustees.

3685 *Section 30. OTHER FUNDS:* The Association may
3686 establish other funds, at the direction of the Board of
3687 Trustees, for activities and programs requiring
3688 separate accounting records to meet governmental
3689 and administrative requirements. Such funds shall
3690 consist of monies and other assets received or
3691 allocated in accordance with the purpose for which
3692 they are established. Such funds shall be used for
3693 defraying all expenses incurred in their operation,
3694 shall serve only as separate accounting entities and
3695 continue to be held in the name of the American
3696 Dental Association as divisions of the General Fund.

3697 *Section 40. SPECIAL ASSESSMENTS:* In addition
3698 to the payment of dues required in Chapter I, Section
3699 20 of these *Bylaws*, a special assessment may be
3700 levied by the House of Delegates upon active, active
3701 life, retired, affiliate and associate members of this
3702 Association as provided in Chapter I, Section 20 of
3703 these *Bylaws*, for the purpose of funding a specific
3704 project of limited duration. Such an assessment may
3705 be levied at any annual or special session of the
3706 House of Delegates by a two-thirds (2/3) majority
3707 vote of the delegates present and voting, provided
3708 notice of the proposed assessment has been presented
3709 in writing at least ninety (90) days prior to the first
3710 day of the session of the House of Delegates at which
3711 it is to be considered. Notice of such a resolution shall
3712 be sent by a certifiable method of delivery to each
3713 constituent society not less than ninety (90) days

3714 before such session to permit prompt, adequate notice
3715 by each constituent society to its delegates and
3716 alternate delegates to the House of Delegates of this
3717 Association, and shall be announced to the general
3718 membership in an official publication of this
3719 Association at least sixty (60) days in advance of the
3720 session. The specific project to be funded by the
3721 proposed assessment, the time frame of the project,
3722 and the amount and duration of the proposed
3723 assessment shall be clearly presented in giving notice
3724 to the members of this Association. Revenue from a
3725 special assessment and any earnings thereon shall be
3726 deposited in a separate fund as provided in Chapter
3727 XVII, Section 30 of these *Bylaws*. The House of
3728 Delegates may amend the main motion to levy a
3729 special assessment only if the amendment is germane
3730 and adopted by a two-thirds (2/3) majority vote of the
3731 delegates present and voting. The House of Delegates
3732 may consider only one (1) specific project to be
3733 funded by a proposed assessment at a time. However,
3734 if properly adopted by the House of Delegates, two
3735 (2) or more special assessments may be in force at the
3736 same time. Any resolution to levy a special
3737 assessment that does not meet the notice requirements
3738 set forth in the previous paragraph also may be
3739 adopted by a unanimous vote of the House of
3740 Delegates, provided the resolution has been presented
3741 in writing at a previous meeting of the same session.

CHAPTER XVIII • ALLIANCE OF THE
AMERICAN DENTAL ASSOCIATION

3742 *Section 10. RECOGNITION:* The Association
3743 recognizes the Alliance of the American Dental
3744 Association as an organization of the spouses of
3745 active, life, retired or student members in good
3746 standing of this Association, and of spouses of such
3747 deceased members who were in good standing at the
3748 time of death.

3749 *Section 20. CONSTITUTION AND BYLAWS:* No
3750 provision in the constitution and bylaws of the
3751 Alliance shall be in conflict with the *Constitution and*
3752 *Bylaws* of this Association.

CHAPTER XIX • INDEMNIFICATION

3753 Each trustee, officer, council member, committee
3754 member, employee and other agent of the Association
3755 shall be held harmless and indemnified by the
3756 Association against all claims and liabilities and all
3757 costs and expenses, including attorney's fees,
3758 reasonably incurred or imposed upon such person in
3759 connection with or resulting from any action, suit or
3760 proceeding, or the settlement or compromise thereof,
3761 to which such person may be made a party by reason
3762 of any action taken or omitted to be taken by such
3763 person as a trustee, officer, council member,

3764 committee member, employee or agent of the
3765 Association, in good faith. This right of
3766 indemnification shall inure to such person whether or
3767 not such person is a trustee, officer, council member,
3768 committee member, employee or agent at the time
3769 such liabilities, costs or expenses are imposed or
3770 incurred and, in the event of such person's death,
3771 shall extend to such person's legal representatives. To
3772 the extent available, the Association shall insure
3773 against any potential liability hereunder.

CHAPTER XX • CONSTRUCTION

3774 Where the context or construction requires, all titles
3775 and personal pronouns used in the *Bylaws*, whether
3776 used in the masculine, feminine or neutral gender,
3777 shall include all genders.

CHAPTER XXI • AMENDMENTS

3778 *Section 10. PROCEDURE:* These *Bylaws* may be
3779 amended at any session of the House of Delegates by
3780 a two-thirds (2/3) majority vote of the members
3781 present and voting, provided the proposed
3782 amendments shall have been presented in writing at a
3783 previous session or a previous meeting of the same
3784 session.

3785 *Section 20. AMENDMENT AFFECTING THE*
3786 *PROCEDURE FOR CHANGING THE DUES OF*
3787 *ACTIVE MEMBERS:* An amendment of these
3788 *Bylaws* affecting the procedure for changing the dues
3789 of active members may be adopted only if the
3790 proposed amendment has been presented in writing at
3791 least ninety (90) days prior to the first day of the
3792 session of the House of Delegates at which it is to be
3793 considered. Notice of such a resolution shall be sent
3794 by a certifiable method of delivery to each constituent
3795 society not less than ninety (90) days before such
3796 session to permit prompt, adequate notice by each
3797 constituent society to its delegates and alternate
3798 delegates to the House of Delegates of this
3799 Association, and shall be announced to the general
3800 membership in an official publication of the
3801 Association at least sixty (60) days in advance of the
3802 annual session.

3803 Amendments affecting the procedure for changing
3804 the dues of active members may also be adopted by a
3805 unanimous vote provided that the proposed
3806 amendment has been presented in writing at a
3807 previous meeting of the same session.

Articles of
Incorporation

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3808 1. NAME. The name of this corporation is
3809 AMERICAN DENTAL ASSOCIATION.

3810 2. DURATION. The duration of the corporation is
3811 perpetual.

3812 3. PURPOSE AND OBJECT. The purpose and object
3813 of this corporation are to encourage the improvement
3814 of the health of the public and to promote the art and
3815 science of dentistry.

3816 4. OFFICE. The principal office of the corporation
3817 shall be in the City of Chicago, Cook County, Illinois.

3818 5. BYLAWS. The bylaws of the corporation shall be
3819 divided into two categories designated, respectively,
3820 "Constitution" and "Bylaws" and each category shall
3821 be amendable from time to time in the manner and by
3822 the method therein set forth, but in case of any
3823 conflict between the Constitution and the Bylaws the
3824 provisions of the Constitution shall control.

3825 6. MEMBERSHIP. The qualifications, the method of
3826 election, designation or selection, the privileges and
3827 obligations, and the voting rights, if any, of the
3828 various classes of members which are established by
3829 the Constitution and Bylaws of the corporation from
3830 time to time shall be set forth in and governed by
3831 such Constitution and Bylaws.

3832 7. EXERCISE OF CORPORATE POWERS. Except
3833 as otherwise provided by law, the affairs of this
3834 corporation shall be governed and the corporate
3835 powers of the corporation shall be exercised by a
3836 Board of Directors (to be known as the Board of
3837 Trustees), House of Delegates, officers, councils,
3838 committees, members, agents and employees as set
3839 forth in the Constitution and Bylaws and the titles,
3840 duties, powers, and methods of electing, designating
3841 or selecting all of the foregoing shall be as provided
3842 therein.

3843 8. VOTING RIGHTS WITH RESPECT TO
3844 ARTICLES OF INCORPORATION. Only those
3845 members of the corporation shall have voting rights in
3846 respect to amendments to the Articles of
3847 Incorporation who shall have a right to vote on
3848 amendments to the Constitution of the corporation.

American Dental Association

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