American Dental Association

Constitution and Bylaws

Revised to January 1, 2013

ADA American Dental Association®
America’s leading advocate for oral health
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Constitution

ARTICLE I • NAME
The name of this organization shall be the American Dental Association, hereinafter referred to as “the Association” or “this Association.”

ARTICLE II • OBJECT
The object of this Association shall be to encourage the improvement of the health of the public and to promote the art and science of dentistry.

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

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

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

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

Section 50. CONSTITUENT SOCIETIES: Constituent societies of this Association shall be those dental societies or dental associations chartered in conformity with Chapter II of the Bylaws.
Section 60. COMPONENT SOCIETIES: Component societies of this Association shall be those dental societies or dental associations organized in conformity with Chapter III of the Bylaws of this Association and in conformity with the bylaws of their respective constituent societies.

Section 70. TRUSTEE DISTRICTS: The constituent societies of the Association and the federal dental services shall be grouped into seventeen (17) trustee districts.

ARTICLE IV • GOVERNMENT

Section 10. LEGISLATIVE BODY: The legislative and governing body of this Association shall be a House of Delegates which may be referred to as “the House” or “this House.”

Section 20. ADMINISTRATIVE BODY: The administrative body of this Association shall be a Board of Trustees, which may be referred to as “the Board” or “this Board.”

ARTICLE V • OFFICERS

Section 10. ELECTIVE OFFICERS: The elective officers of this Association shall be a President, a President-elect, a First Vice President, a Second Vice President, a Treasurer and a Speaker of the House of Delegates, each of whom shall be elected by the House of Delegates.

Section 20. APPOINTIVE OFFICER: The appointive officer of this Association shall be an Executive Director who shall be appointed by the Board of Trustees.

ARTICLE VI • ANNUAL SESSION

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

ARTICLE VII • PRINCIPLES OF ETHICS AND CODE OF PROFESSIONAL CONDUCT

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

ARTICLE VIII • AMENDMENTS

This Constitution may be amended by a two-thirds (2/3) affirmative vote of the delegates present and voting, provided that the proposed amendments have been presented in writing at any previous session of the House of Delegates.

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

CHAPTER I • MEMBERSHIP

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

A. ACTIVE MEMBER.

a. QUALIFICATIONS. An active member shall be a dentist who is licensed to practice dentistry (or medicine provided the physician has a D.D.S. or D.M.D. or equivalent dental degree) in a state or other jurisdiction of the United States and shall be a member in good standing of this Association as that is defined in these Bylaws. In addition, a dentist shall be a member in good standing of this Association’s constituent and component societies, unless:

(1) the dentist is in the exclusive employ of, or is serving on active duty in, one of the federal dental services. A dentist is considered to be in the exclusive employ of one of the federal dental services when the dentist is under contract to provide dental services to the beneficiaries of the federal agency on a full-time basis and does not engage in private practice within the jurisdiction of a constituent or component society;

(2) the dentist is practicing in a country other than the United States and consequently is ineligible for membership in a constituent or component society;

(3) the dentist is working as a dental school faculty member, dental administrator or consultant within the territorial jurisdiction of a

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

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

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

The term “direct member” as used in this Constitution and Bylaws shall mean a member in good standing who pursuant to Chapter I of these Bylaws does not hold membership in any constituent society of this Association.

b. PRIVILEGES.

(1) An active 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 active member shall be entitled to attend any scientific session of this Association and receive such other services as are provided by the Association.

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

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

c. DUES AND SPECIAL ASSESSMENTS.

Beginning January 1, 2006, and each year thereafter, the dues of active members shall be the amount established annually by the House of Delegates in accordance with the procedure set forth in Chapter V, Section 130Ad of these Bylaws. In addition to their annual dues, active members shall pay any special assessment, due January 1 of each year. Any
dentist who satisfies the eligibility requirements for active membership and any of the following conditions shall be entitled to pay the reduced active member dues and any special assessment stated under such satisfied condition so long as that dentist maintains continuous membership, subject to the further reductions permitted under the provisions of Chapter I, Section 20Ad of these Bylaws:

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

(2) Dentists who are engaged full-time in (a) an advanced training course of not less than one (1) academic year’s duration in an accredited school or a residency program in areas neither recognized by this Association nor accredited by the Commission on Dental Accreditation or (b) a residency program or advanced education program in areas recognized by this Association and in a program accredited by the Commission on Dental Accreditation shall be exempt from the payment of active member dues and any special assessment for the remaining period of the year in which the license was obtained, fifty percent (50%) of active member dues and any special assessment the second calendar year following the year in which the license was obtained, fifty percent (50%) of active member dues and any special assessment in the third year, seventy-five percent (75%) of active member dues and any special assessment in the fourth year and one hundred percent (100%) in the fifth year and thereafter.

(3) A graduate of a non-accredited dental school who has recently been licensed to practice dentistry in a jurisdiction in which there is a constituent dental society of the American Dental Association shall be exempt from payment of active member dues and any special assessment for the remaining period of the year in which the license was issued and the following first full calendar year. The newly licensed graduate of a non-accredited school shall pay twenty-five percent (25%) of active member dues and any special assessment the second calendar year following the year in which the license was obtained, fifty percent (50%) of active member dues and any special assessment in the third year, seventy-five percent (75%) of active member dues and any special assessment in the fourth year and one hundred percent (100%) in the fifth year and thereafter.

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

(5) The Board of Trustees may authorize limited dues reduction, up to fifty percent (50%) of active member dues and any special assessment for the purposes of promoting active membership in target U.S. markets through marketing campaigns recommended by the Council on Membership. This reduction of active member dues and any special assessments shall be on a one-time only basis for these members.

d. ACTIVE MEMBERS SELECTED AFTER JULY 1 AND OCTOBER 1. Those members selected to active membership in this Association after July 1, except for those whose membership has lapsed for failure to pay the current year’s dues and/or any special assessment, shall pay fifty percent (50%) of the current year’s dues and fifty percent (50%) of any active member special assessment then in effect, and those selected after October 1, shall be exempt from the payment of the current year’s dues and any active member special assessment then in effect on a one-time only basis.

a. QUALIFICATIONS. A life member shall be a member in good standing of this Association who (1) has been an active and/or retired member in good
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standing of this Association for thirty (30) consecutive years or a total of forty (40) years of active and/or retired membership or has been a member of the National Dental Association for twenty-five (25) years and subsequently held at least ten (10) years of membership in the American Dental Association; (2) has attained the age of sixty-five (65) years in the previous calendar year; and (3) has submitted an affidavit attesting to the qualifications for this category through said component and constituent societies, if such exist. A dentist who immigrated to the United States may receive credit for up to twenty-five (25) consecutive or total years of membership in a foreign dental association in order to qualify for the requirements for life membership. Years of student membership shall not be counted as active membership for purposes of establishing eligibility for life membership unless the dentist was an active member in good standing prior to becoming a student member.

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

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

A life member under a disciplinary sentence of suspension or probation shall not be privileged to hold office, either elective or appointive, including delegate and alternate delegate, in such member’s component and constituent societies and this Association. A life member under a disciplinary sentence of suspension shall also not be privileged to vote or otherwise participate in the selection of officials of such member’s component and constituent societies and this Association.

c. DUES AND SPECIAL ASSESSMENTS.

(1) ACTIVE LIFE MEMBERS. The dues of life members who have not fulfilled the qualifications of retired membership pursuant to Chapter I, Section 20C of these Bylaws with regard to income related to dentistry shall be seventy-five percent (75%) of the dues of active members, due January 1 of each year. In addition to their annual dues, active life members shall pay seventy-five percent (75%) of any active member special assessment, due January 1 of each year.

(2) RETIRED LIFE MEMBERS. Life members who have fulfilled the qualifications of Chapter I, Section 20C of these Bylaws with regard to income related to dentistry shall be exempt from payment of dues and any special assessment.

(3) ACCEPTANCE OF BACK DUES AND SPECIAL ASSESSMENTS. For the purpose of establishing continuity of active membership to qualify for life membership, back dues and any special assessment, except as otherwise provided in these Bylaws, shall be accepted for not more than the three (3) years of delinquency prior to the date of application for such payment. The rate of such dues and/or any special assessment, except as otherwise provided in these Bylaws, shall be in accordance with Chapter I, Section 40 of these Bylaws.

For the purpose of establishing continuity of active membership in order to qualify for life membership, an active member, who had been such when entering upon active duty in one of the federal dental services but who, during such federal dental service, interrupted the continuity of active membership because of failure to pay dues and/or any special assessment and who, within one year after separation from such military or equivalent duty, resumed active membership, may pay back dues and any special assessment for any missing period of active membership at the rate of dues and/or any special assessment current during the missing years of membership.

C. RETIRED MEMBER.

a. QUALIFICATIONS. A retired member shall be an active member in good standing of this Association who is now a retired member of a constituent society, if such exists, and is no longer earning income from the performance of any dentally related activity. An affidavit attesting to qualifications for this category must be submitted through said component and constituent society, if such exists. Maintenance of active or retired membership in good standing in the member’s component society and retired membership in good standing in the member’s constituent, if such exist, entitling such member to all the privileges of an active member, shall be requisite for entitlement to and continuance of retired membership in this Association.

b. PRIVILEGES. A retired member in good standing shall be entitled to all the privileges of an active member. A retired member under a disciplinary sentence of suspension or probation shall not be privileged to hold office, either elective or appointive, including delegate and alternate delegate, in such member’s component and constituent societies and this Association. A retired member under a disciplinary sentence of suspension or probation shall not be privileged to vote or otherwise participate in the selection of officials of such member’s component and constituent societies and this Association. A retired member under a disciplinary sentence of suspension or probation shall not be privileged to vote or otherwise participate in the selection of officials of such member’s component and constituent societies and this Association.
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D. NONPRACTICING DENTIST MEMBER.

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

(1) has a dental degree from any country;
(2) resides in the United States or its territories;
(3) does not hold a dental license in the United States nor has a revoked U.S. dental license;
(4) is not delivering patient care as a dentist for remuneration; and
(5) is a member in good standing of this Association, and the Association’s constituent and component societies, if such exists.

b. PRIVILEGES. A nonpracticing dentist member in good standing shall be entitled to attend any scientific session of this Association and receive such other services as are authorized by the Association.

(2) A nonpracticing dentist member in good standing shall be eligible for election to any council.

(3) A nonpracticing dentist member shall also be eligible for appointment as an additional member to any council, provided the council requests such additional nonpracticing membership representation and the Board of Trustees approves the council’s request. Such members shall be appointed by the Board of Trustees. The tenure of an additional council member shall be one (1) term of four (4) years.

(4) A nonpracticing dentist member under a disciplinary sentence of suspension shall not be privileged to serve as a member of any council.

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

E. STUDENT MEMBER.

a. QUALIFICATIONS. A student member shall be a postdoctoral student of a dental school accredited by the Commission on Dental Accreditation of this Association, a postdoctoral student of a dental school listed in the World Directory of Dental Schools compiled by the Fédération Dentaire Internationale or a dentist eligible for membership in this Association who is engaged full time in an advanced training course of not less than one academic year’s duration in an accredited school or residency program.

b. PRIVILEGES. A student member in good standing of this Association 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. A student member shall be entitled to attend any scientific session of this Association.

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

c. DUES AND SPECIAL ASSESSMENTS.

(1) PREDOCTORAL STUDENT MEMBERS: The dues of predoctoral student members shall be five dollars ($5.00) due January 1 of each year. Such student members shall be exempt from the payment of any special assessment.

(2) POSTDOCTORAL STUDENTS AND RESIDENTS: The dues of dentists who are student members pursuant to Chapter I, Section 20E shall be thirty dollars ($30.00) due January 1 of each year. Such student members shall be exempt from the payment of any special assessment.

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

F. HONORARY MEMBER.

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

b. PRIVILEGES. An honorary member shall receive a membership card and The Journal of the American Dental Association. An honorary 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. Honorary members shall be exempt from payment of dues and any special assessment.

G. PROVISIONAL MEMBER.

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

(1) has received a D.D.S. or D.M.D. degree from a
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508 dental school accredited by the Commission on
509 Dental Accreditation of the American Dental
510 Association or shall be a graduate of an unaccredited
511 dental school who has recently been licensed to
512 practice dentistry in a jurisdiction in which there is a
513 constituent dental society;
514 (2) has not established a place of practice; and
515 (3) shall have applied for provisional membership
516 within 12 months of graduation or licensure.
517 Provisional membership shall terminate December
518 31 of the second full calendar year following the year
519 in which the degree was awarded.
520 b. PRIVILEGES. A provisional member in good
521 standing shall be entitled to all the privileges of an
522 active member except that a provisional member shall
523 have no right to appeal from a denial of active
524 membership in the Association.
525 A provisional member under a disciplinary sentence
526 of suspension shall not be privileged to hold office,
527 either elective or appointive, including delegate and
528 alternate delegate, in such member’s component and
529 constituent societies and this Association, or to vote
530 or otherwise participate in the selection of officials of
531 such member’s component and constituent societies
532 and this Association.
533 c. DUES AND SPECIAL ASSESSMENTS. The dues
534 and/or any special assessment of provisional members
535 shall be the same as the dues and/or any special
536 assessment of active members.

537 H. ASSOCIATE MEMBER.
538 a. QUALIFICATIONS. An associate member shall be
539 a person ineligible for any other type of membership
540 in this Association, who contributes to the
541 advancement of the objectives of this Association, is
542 employed in dental-related education or research,
543 does not hold a dental license in the United States;
544 and has applied to and been approved by the Board of
545 Trustees.*
546 b. PRIVILEGES. An associate member in good
547 standing shall receive annually a membership card
548 and The Journal of the American Dental Association,
549 the subscription price of which shall be included in
550 the annual dues. An associate member shall be
551 entitled to attend any scientific session of this
552 Association and receive such other services as are

553 authorized by the Board of Trustees.
554 c. DUES AND SPECIAL ASSESSMENTS. The dues
555 of associate members shall be twenty-five percent
556 (25%) of the dues of active members, due January 1
557 of each year. In addition to their annual dues,
558 associate members shall pay twenty-five percent
559 (25%) of any active member special assessment, due
560 January 1 of each year.

561 I. AFFILIATE MEMBER.
562 a. QUALIFICATIONS. An affiliate member shall be
563 a dentist who is ineligible for any other classification
564 of membership and:
565 (1) is practicing in a country other than the United
566 States;
567 (2) has been classified as an affiliate member upon
568 application to and approval by the Board of Trustees;
569 and
570 (3) is a member in good standing of this Association.
571 b. PRIVILEGES. An affiliate member in good
572 standing shall receive a set of products and services
573 as are authorized by the Board of Trustees.

574 c. DUES AND SPECIAL ASSESSMENTS. The dues
575 of affiliate members shall be established by the Board
576 of Trustees. The Board of Trustees shall be
577 authorized to deviate from the established affiliate
578 member dues rate to: (1) promote affiliate
579 memberships in a selected jurisdiction, and (2) to
580 recognize economic circumstances in least developed
581 countries eligible for special fee criteria as established
582 by the FDI World Dental Federation. Affiliate
583 member dues shall due January 1 each year. Affiliate
584 members shall be exempt from the payment of any
585 special assessment.

586 Section 30. DEFINITION OF “IN GOOD
587 STANDING.” A member of this Association whose
588 dues and any special assessment for the current year
589 have been paid shall be in good standing. In addition,
590 a member who elects to pay dues and any special
591 assessments via an approved installment payment
592 plan shall be in good standing provided that the
593 installment payments are current. To remain in good
594 standing, a member may be required under the bylaws
595 of the member’s constituent or component society, to
596 meet standards of continuing education, pay any
597 special assessment, cooperate with peer review bodies
598 or committees on ethics, or attend, if a newly
599 admitted active member, a stated number of
600 membership meetings between the date of admission
601 and the completion of the first calendar year of active
602 membership. If under a disciplinary sentence of
603 suspension, such member shall be designated as “in
604 good standing temporarily under suspension” until the
605 disciplinary sentence has terminated.

* 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 dental-related education or research by an accredited institution of higher education, may maintain their associate membership so long as other eligibility requirements are met and current dues and any special assessment are paid.
The requirement of paying current dues does not apply to retired life, honorary and those members of this Association who pursuant to Section 50 of this Chapter have been granted dues waivers for the purpose of determining their good standing. The requirement of paying any special assessment does not apply to retired life, honorary, affiliate, student and those members of this Association who pursuant to Section 50 of this Chapter have been granted any special assessment waivers for purposes of determining their good standing.

Section 40. LAPSE OF MEMBERSHIP AND REINSTATMENT.

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

B. REINSTATMENT. Reinstatement of active, life, retired, nonpracticing dentist, student or affiliate membership may be secured on payment of appropriate dues and any special assessment of this Association and on compliance with the pertinent bylaws and regulations of the constituent and component societies involved and this Association.

Section 50. DUES OR SPECIAL ASSESSMENT RELATED ISSUES.

A. PAYMENT DATE AND INSTALLMENT PAYMENTS. Dues and any special assessment of all members are payable January 1 of each year, except for active and active life members who may participate in an installment payment plan. Such plan shall be sponsored by the members’ respective constituent or component dental societies, or by this Association if the active or active life members are in the exclusive employ of, or are serving on active duty in, one of the federal dental services. The plan shall require monthly installment payments that conclude with the current dues and any special assessment amount fully paid by December 15. Transactional costs may be imposed, prorated to this Association and the constituent or component dental society. The installment plan shall provide for the expeditious transfer of member dues and any special assessment to this Association and the applicable constituent or component dental society.

B. FINANCIAL HARDSHIP WAIVERS. Those members who have suffered a significant financial hardship that prohibits them from payment of their full dues and/or any special assessment may be excused from the payment of twenty-five percent (25%), fifty percent (50%), seventy-five percent (75%) or all of the current year’s dues and/or any special assessment as determined by their constituent and component dental societies. The constituent and component societies shall certify the reason for the waiver, and the constituent and component societies shall provide the same proportionate waiver of their dues as that provided by this Association.*

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

D. WAIVERS FOR ACTIVE MEMBERS WORKING FOR A HUMANITARIAN ORGANIZATION. An active member who is serving the profession by working full-time for a humanitarian organization and is receiving neither income nor a salary for such humanitarian service other than a subsistence amount which approximates a cost of living allowance shall be exempt from the payment of dues and any special assessment then in effect through December 31 following completion of such service provided that such humanitarian service is being performed continuously for not less than one (1) year and provided further that such member does not supplement such subsistence income by the performance of services as a member of the faculty of a dental or dental auxiliary school, as a dental administrator or consultant, or as a practitioner of any activity for which a license to practice dentistry or dental hygiene is required.

E. CALCULATING PERCENTAGE DUES OR SPECIAL ASSESSMENTS. In establishing the dollar rate of dues or special assessments in this chapter

* Members with disabilities who were granted dues and any special assessment disability waivers prior to the 2007 House of Delegates may continue to receive such waivers provided they are unable to practice dentistry within the definition of these Bylaws and they submit through the member’s component and constituent societies, if such exist, to this Association, a medical certificate attesting to the disability and a certificate from said component and constituent societies, if such exist, attesting to the disability, upon request of the Association, during the exemption period.
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CHAPTER II•CONSTITUENT SOCIETIES

expressed as a percentage of active member dues or
special assessments. Computations resulting in
fractions of a dollar shall be rounded up to the next
whole dollar.

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

CHAPTER II•CONSTITUENT SOCIETIES

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

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

Section 30. POWERS AND DUTIES:

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

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

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

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

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

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

Section 40. MEMBERSHIP:

A. The active, life and retired membership of each
constituent society, except as otherwise provided in
these Bylaws, shall consist solely of dentists
practicing within the territorial jurisdiction of the
constituent society; dentists retired from active
practice; dentists engaged in activities furthering the
object of this Association; dentists serving on the
faculty of a dental school or receiving compensation
d as a dental administrator or consultant within the
jurisdiction of the constituent society but are licensed
in another jurisdiction; and dentists in a federal dental
service (provided that the federal dentist is either
licensed in or serving within the confines of the
constituent society’s jurisdiction), provided that such
dentists are active, life or retired members in good
standing of a component of the constituent (except for
the federal dentists), if such exists, and this
Association.

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

B. REMOVAL FROM ONE JURISDICTION TO
ANOTHER. A member who has changed the location
of the member’s practice from the jurisdiction of one
constituent society to that of another constituent
society may maintain active membership in the
constituent society in which membership is being
held for the calendar year following that of the
member’s removal from the jurisdiction of such
society. The same privilege shall apply to a member
who is separated from a federal dental service and
who enters practice in an area under the jurisdiction
of a constituent society or a member who is retired
from a federal dental service and who is serving on a
faculty of a dental school, or is receiving
compensation as a dental administrator or consultant,
or is engaged in any activity in the area under the
jurisdiction of a constituent society for which a
license to practice dentistry or dental hygiene is
required by the state or other jurisdiction of the
United States wherein the activity is conducted. A
dentist who retires from active practice and
establishes residence in an area outside of the
CHAPTER II • CONSTITUENT SOCIETIES

jurisdiction of the constituent society in which the dentist holds membership shall be permitted to continue membership in such constituent society for the period of retirement. A member who is unsuccessful in transferring membership from one constituent society to another shall be entitled to a hearing (by either the component or constituent society), on the decision denying the member’s application for transfer of membership and to appeal to the constituent society to which transfer is sought, if applicable, and thereafter to the Council on Ethics, Bylaws and Judicial Affairs of this Association in accordance with the procedures in Chapter XII, Section 20C and D of these Bylaws even though a disciplinary penalty is not involved.

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

D. MULTIPLE JURISDICTIONS. A member may hold membership in more than one constituent society with the consent of the constituent society involved. A member is required to maintain active membership in the constituent society, if accepted therein, in whose jurisdiction the member maintains or practices dentistry at a secondary or “branch” office. In order to meet the requirement of tripartite membership, a member must also maintain active membership in one component society of each constituent society into which the member is accepted, if such exist. If such a member is accused of unethical conduct and disciplinary proceedings are brought, then those proceedings shall be instituted in the component or constituent society where the alleged unethical conduct occurred. A disciplinary ruling affecting membership in one constituent society shall affect membership in both societies and in the Association. A member shall have the right of appeal as provided in Chapter XII of the Bylaws. Such member shall pay dues in this Association only through the constituent society in whose jurisdiction the member conducts the major part of the member’s practice.

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

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

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

Section 80. “PRINCIPLES OF ETHICS AND CODE OF PROFESSIONAL CONDUCT”: The Principles of Ethics and Code of Professional Conduct of this Association and the code of ethics adopted by the constituent society shall be the code of ethics of that constituent society for governing the professional conduct of its members.

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

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

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

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

Alabama Dental Association
Alaska Dental Society
Arizona Dental Association
Arkansas State Dental Association
California Dental Association
Colorado Dental Association
Connecticut State Dental Association, The
Delaware State Dental Society
District of Columbia Dental Society, The
CHAPTER II • CONSTITUENT SOCIETIES

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909 Florida Dental Association
910 Georgia Dental Association
911 Hawaii Dental Association
912 Idaho State Dental Association
913 Illinois State Dental Society
914 Indiana Dental Association
915 Iowa Dental Association
916 Kansas Dental Association
917 Kentucky Dental Association
918 Louisiana Dental Association, The
919 Maine Dental Association
920 Maryland State Dental Association
921 Massachusetts Dental Society
922 Michigan Dental Association
923 Minnesota Dental Association
924 Mississippi Dental Association, The
925 Missouri Dental Association
926 Montana Dental Association
927 Nebraska Dental Association, The
928 Nevada Dental Association
929 New Hampshire Dental Society
930 New Jersey Dental Association
931 New Mexico Dental Association
932 New York State Dental Association
933 North Carolina Dental Society, The
934 North Dakota Dental Association
935 Ohio Dental Association
936 Oklahoma Dental Association
937 Oregon Dental Association
938 Pennsylvania Dental Association
939 Puerto Rico, Colegio de Cirujanos Dentistas de
940 Rhode Island Dental Association
941 South Carolina Dental Association
942 South Dakota Dental Association
943 Tennessee Dental Association
944 Texas Dental Association
945 Utah Dental Association
946 Vermont State Dental Society
947 Virgin Islands Dental Association
948 Virginia Dental Association
949 Washington State Dental Association
950 West Virginia Dental Association
951 Wisconsin Dental Association
952 Wyoming Dental Association

CHAPTER III • COMPONENT SOCIETIES

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

Section 20. POWER AND DUTIES:

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

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

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

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

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

Section 40. TRANSFER FROM ONE COMPONENT TO ANOTHER: A member who has changed residence or location of practice within the jurisdiction of a constituent society so that the member no longer fulfills the membership requirements of the component society of which he or she is a member may maintain active membership in that component society for the calendar year following such change of residence or practice location.

A member who is required to transfer membership from one component society to another and whose application for transfer of membership is denied shall be entitled to a hearing (by either the component or constituent society), on the decision denying the member’s application for transfer of membership and to appeal to the member’s constituent society, if
applicable, and the Council on Ethics, Bylaws and
Judicial Affairs of this Association in accordance
with the procedures in Chapter XII, Section 20C and
D of these Bylaws even though a disciplinary penalty
is not involved. A component society which receives
an application for transfer of membership from a
dentist who has moved from the jurisdiction of
another constituent society is governed by Chapter II,
Section 40B of these Bylaws.

CHAPTER IV • TRUSTEE DISTRICTS

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

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

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

DISTRICT 1
Connecticut State Dental Association, The
Maine Dental Association
Massachusetts Dental Society
New Hampshire Dental Society
Rhode Island Dental Association
Vermont State Dental Society

DISTRICT 2
New York State Dental Association

DISTRICT 3
Pennsylvania Dental Association

DISTRICT 4
Air Force Dental Corps
Army Dental Corps
Delaware State Dental Society
District of Columbia Dental Society, The
Maryland State Dental Association
Navy Dental Corps
New Jersey Dental Association
Public Health Service
Puerto Rico, Colegio de Cirujanos Dentistas de
Veterans Affairs
Virgin Islands Dental Association

DISTRICT 5*
Alabama Dental Association
Georgia Dental Association
Mississippi Dental Association, The

DISTRICT 6
Kentucky Dental Association
Missouri Dental Association

DISTRICT 7
Tennessee Dental Association
West Virginia Dental Association

DISTRICT 8
Indiana Dental Association
Ohio Dental Association

DISTRICT 9
Illinois State Dental Society

DISTRICT 10
Iowa Dental Association
Minnesota Dental Association
Nebraska Dental Association, The
North Dakota Dental Association
South Dakota Dental Association

DISTRICT 11
Alabama Dental Association
Georgia Dental Association
Mississippi Dental Association

DISTRICT 12
Arkansas State Dental Association

DISTRICT 13
California Dental Association

DISTRICT 14
Arizona Dental Association
Colorado Dental Association
Hawaii Dental Association
Nevada Dental Association
New Mexico Dental Association
Utah Dental Association
Wyoming Dental Association

DISTRICT 15
Texas Dental Association

DISTRICT 16
North Carolina Dental Society, The
South Carolina Dental Association
Virginia Dental Association

DISTRICT 17*

* 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
CHAPTER V • HOUSE OF DELEGATES

Section 10. COMPOSITION.

A. VOTING MEMBERS. The House of Delegates shall be limited to four hundred sixty (460) voting members for the two years 2004 to 2005 inclusive. Thereafter, the number of voting members shall be determined by the methodologies set forth in Section 10C of this Chapter. It shall be composed of the officially certified delegates of the constituent dental societies, who shall be active, life or retired members, two (2) officially certified delegates from each of the five (5) federal dental services, who shall be active, life or retired members and five (5) student members of the American Student Dental Association who are officially certified delegates from the American Student Dental Association. Proxy voting is explicitly prohibited; however, an alternate delegate may vote when substituted for a voting member in accordance with procedures established by the Committee on Credentials, Rules and Order.

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

C. REPRESENTATIONAL REQUIREMENTS AND GOALS. Each constituent society shall be entitled to two (2) delegates, except that one (1) delegate shall be allocated to the Virgin Islands Dental Association, The Air Force Dental Corps, the Army Dental Corps, the Navy Dental Corps, the Public Health Service and the Department of Veteran Affairs shall each be entitled to two (2) delegates, one of which shall be elected by the respective service, without regard to the number of members. For the two years 2004-2005 inclusive, the remaining number of delegates shall be allocated to the constituent societies, through their trustee districts based on the representational goals that each trustee district's representation in the House of Delegates shall vary by no more or less than 0.3% from its active, life or retired membership share in this Association, based on the Association's December 31, 2002 membership records, and that no district or constituent shall lose a delegate from its 2003 allocation. Thereafter, to allow for changes in the delegate allocation due to membership fluctuations, the Board of Trustees shall use this variance method of district delegate allocation (a variance of no more than 0.3% of its active, life and retired membership share in the Association) at subsequent intervals of three (3) years, with the first such review occurring for the 2006 House of Delegates. Such reviews shall be based on the Association's year-end membership records for the calendar year preceding the review period in question. No district shall lose a delegate unless their membership numbers are at least one percent less than their membership numbers of the prior three years. Any changes deemed necessary shall be presented to the House of Delegates in the form of a Bylaws' amendment to Section 10D of this Chapter.

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

DISTRICT 1
Connecticut State Dental Association, The, 7 delegates
Maine Dental Association, 3 delegates
Massachusetts Dental Society, 13 delegates
New Hampshire Dental Society, 3 delegates
Rhode Island Dental Association, 3 delegates
Vermont State Dental Society, 2 delegates
District Total: 31 delegates

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

DISTRICT 3
Pennsylvania Dental Association, 18 delegates
District Total: 18 delegates

DISTRICT 4
Air Force Dental Corps, 2 delegates
Army Dental Corps, 2 delegates
Delaware State Dental Society, 2 delegates
District of Columbia Dental Society, The, 2 delegates
Maryland State Dental Association, 7 delegates
Navy Dental Corps, 2 delegates
New Jersey Dental Association, 12 delegates
Public Health Service, 2 delegates
Puerto Rico, Colegio de Cirujanos Dentistas de,
2 delegates
By the membership at large of that constituent society;

2. By the constituent society’s governing legislative body;

or, in the case of officially certified alternate delegates, selected by

ELECTION OF DELEGATES AND ALTERNATE DELEGATES.
The term of a delegate or alternate delegate elected or selected pursuant to Section 20 of this Chapter commences from the time such delegate or alternate delegate is certified pursuant to Section 30 of this Chapter until another delegate or alternate delegate elected or selected in place of such delegate or alternate delegate is so certified.

Section 20. ELECTION OF DELEGATES AND ALTERNATE DELEGATES: The officially certified delegates of each constituent society shall be elected or, in the case of officially certified alternate delegates, elected or selected, by one or more of the following methods:

1. By the membership at large of that constituent society;

2. By the constituent society’s governing legislative body or in the case of alternate delegates, selected by
the constituent society’s board of directors, at the
discretion of the constituent society; and
3. By a component with respect to the delegates
representing that component.
Each federal dental service and the American Student
Dental Association may establish its own method for
selecting delegates.
Section 30. CERTIFICATION OF DELEGATES
AND ALTERNATE DELEGATES: The executive
director or equivalent chief executive officer of each
constituent society, the ranking administrative officer
of each federal dental service, and the secretary of the
American Student Dental Association shall file with
the Executive Director of this Association, at least
sixty (60) days prior to the first day of the annual
session of the House of Delegates, the names of the
delegates and alternate delegates designated by the
society, service or association. The Executive
Director of this Association shall provide each
delegate and alternate delegate with credentials which
shall be presented to the Committee on Credentials,
Rules and Order of the House of Delegates. In the
event of a contest over the credentials of any delegate
or alternate delegate, the Committee on Credentials,
Rules and Order shall hold a hearing and report its
findings and recommendations to the House of
Delegates for final action.
Section 40. POWERS: The House of Delegates shall
be the supreme authoritative body. In addition to
possessing legislative power, it shall have the power
to:
A. Determine the policies which shall govern this
Association in all of its activities.
B. Enact, amend and repeal the Constitution and
Bylaws.
C. Adopt and amend the Principles of Ethics and
Code of Professional Conduct for governing the
professional conduct of the members.
D. Grant, amend, suspend or revoke charters of
constituent societies. It shall also have the power by a
two-thirds (2/3) affirmative vote of the delegates
present and voting to suspend the representation of a
constituent society in the House of Delegates upon a
determination by the House that the bylaws of the
constituent society violate the Constitution or Bylaws
of this Association providing, however, such
suspension shall not be in effect until the House of
Delegates has voted that the constituent society is in
violation and has one year after notification of the
specific violation in which to correct its constitution
or bylaws.
E. Create special committees of the Association.
F. Establish branch offices of the Association.
G. Approve all memorials, resolutions or opinions
issued in the name of the American Dental
Association.
Section 50. DUTIES: It shall be the duty of the House
of Delegates to:
A. Elect the elective officers.
B. Elect the members of the Board of Trustees.
C. Elect the members of the councils and
commissions except as otherwise provided by these
Bylaws.
D. Receive and act upon reports of the committees of
the House of Delegates.
E. Adopt an annual budget and establish the dues of
active members for the following year.
F. Serve as the court of appeal from decisions of the
Council on Ethics, Bylaws and Judicial Affairs
involving disputes arising between constituent
societies or between constituent and component
societies, and as provided in Chapter XIII of these
Bylaws.
Section 60. TRANSFER OF POWERS AND
DUTIES OF THE HOUSE OF DELEGATES: The
powers and duties of the House of Delegates, except
the power to amend, enact and repeal the Constitution
and Bylaws, and the duty of electing the elective
officers and the members of the Board of Trustees,
may be transferred to the Board of Trustees of this
Association in time of extraordinary emergency. The
existence of a time of extraordinary emergency may
be determined by unanimous consent of the members
of the Board of Trustees present and voting at a
regular or special session. Such extraordinary
emergency may also be determined by mail vote of
the current members of the House of Delegates on
recommendation of at least four (4) of the elective
officers. A mail vote to be valid shall consist of
ballots received from not less than twenty-five
percent (25%) of the current members of the House of
Delegates. A majority of the votes cast within thirty
(30) days after the mailing of the ballot shall decide
the vote.
Section 70. ANNUAL SESSION: The House of
Delegates shall meet annually.
Section 80. SPECIAL SESSIONS: A special session
of the House of Delegates shall be called by the
President on a three-fourths (3/4) affirmative vote of
the members of the Board of Trustees or on written
request of delegates representing at least one-third
(1/3) of the constituent societies and not less than
one-fifth (1/5) of the number of officially certified
delegates of the last House of Delegates. The time
and place of a special session shall be determined by
the President, provided the time selected shall be not
more than forty-five (45) days after the request was
received. The business of a special session shall be
limited to that stated in the official call except by
unanimous consent.
Section 90. OFFICIAL CALL:
A. ANNUAL SESSION. The Executive Director of
the Association shall direct that an official notice of
the time and place of each annual session be
published in The Journal of the American Dental
Association. The Executive Director of the
Association shall also send an official notice of the
time and place of the annual session to each member
of the House of Delegates at least thirty (30) days
before the opening of such session.
B. SPECIAL SESSION. The Executive Director of
the Association shall send an official notice of the
time and place of each special session and a statement
of the business to be considered to every officially
certified delegate and alternate delegate of the last
House, not less than fifteen (15) days before
the opening of such session.
Section 100. QUORUM: Twenty-five percent (25%)
of the voting members of the House of Delegates,
representing at least twenty-five percent (25%) of the
constituent societies, the American Student Dental
Association and the federal dental services, shall
constitute a quorum for the transaction of business at
any meeting.
Section 110. OFFICERS:
A. SPEAKER AND SECRETARY. The officers of
the House shall be the Speaker of the House of
Delegates and the Secretary of the House of
Delegates. The Executive Director of this Association
shall serve as Secretary of the House of Delegates.
In the absence of the Speaker the office shall be filled
by the President. In the absence of the Secretary of
the House of Delegates the Speaker shall appoint a
Secretary of the House of Delegates pro tem.
B. DUTIES.
a. SPEAKER. The Speaker shall preside at all
meetings of the House of Delegates and, in
accordance with Chapter V, Section 140Bb,
determine the order of business for all meetings
subject to the approval of the House of Delegates,
appoint tellers to assist in determining the result of
any action taken by vote and perform such other
duties as custom and parliamentary procedure require.
The decision of the Speaker shall be final unless an
appeal from such decision shall be made by a member
of the House, in which case final decision shall be by
majority vote. In addition, following adjournment of
the Standing Committee on Constitution and Bylaws,
the Speaker and the Chair of the Council on Ethics,
Bylaws and Judicial Affairs shall be responsible for
reviewing and either approving or redrafting any new
resolutions or changes to resolutions that propose
amendments to the Constitution and Bylaws, in
accordance with Chapter V, Section 140Ab.
b. SECRETARY. The Secretary of the House of
Delegates shall serve as the recording officer of the
House and the custodian of its records, and shall
cause a record of the proceedings of the House to be
published as the official transactions of the House.
Section 120. ORDER OF BUSINESS: The order of
business shall be that order of business adopted by the
House of Delegates in conformity with Chapter V,
Section 110Bb and Chapter V, Section 140Bb.
Section 130. RULES OF ORDER:
A. STANDING RULES AND REPORTS.
a. REPORTS. All reports of elective officers, councils
and committees, except supplemental reports, shall be
sent to each delegate and alternate delegate at least
fourteen (14) days in advance of the opening of the
annual session. All supplemental reports shall be
distributed to each delegate before such report is
considered by the House of Delegates.
b. APPROPRIATION OF FUNDS. Any resolution
proposing an appropriation of funds, except those
relating to the annual budget, shall be referred to the
Board of Trustees for a report at the same session on
the availability of funds for the purpose specified.
c. APPROVAL OF ANNUAL BUDGET. The
proposed annual budget shall be submitted by the
Board of Trustees to the members of the House of
Delegates at least thirty (30) days prior to the opening
meeting of the annual session, shall be referred to a
special reference committee on budget for hearings at
the annual session and then shall be considered for
approval as a special order of business at the second
meeting of the House of Delegates. In the event the
budget as submitted is not approved, all
recommendations for changes shall be referred to the
Board of Trustees to prepare and present a revised
budget. This procedure shall be repeated until a
budget for the ensuing fiscal year shall be adopted.
d. APPROVAL OF THE DUES OF ACTIVE
MEMBERS. The dues of active members of this
Association shall be established by the House of
Delegates as the last item of business at each annual
session. The resolution to establish the dues of active
members for the following year shall be proposed at
each annual session by the Board of Trustees in
conformity with Chapter VII, Section 100F of these
Bylaws, may be amended to any amount and/or
reconsidered by the House of Delegates until a
resolution establishing the dues of active members is
adopted by a sixty percent (60%) affirmative vote of
the delegates present and voting.

e. INTRODUCTION OF NEW BUSINESS. No new
business shall be introduced into the House of
Delegates less than 15 days prior to the opening of the
annual session, unless submitted by a Trustee District.
No new business shall be introduced into the House
of Delegates at the last meeting of a session except
when such new business is submitted by a Trustee
District and is permitted to be introduced by a two-
thirds (2/3) affirmative vote of the delegates present
and voting. The motion introducing such new
business shall not be debatable. Approval of such new
business shall require a majority vote except new
business introduced at the last meeting of a session
that would require a bylaw amendment cannot be
adopted at such last meeting. Reference committee
recommendations shall not be deemed new business.

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

B. ADDITIONAL RULES. The rules contained in the
current edition of the American Institute of
Parliamentarians Standard Code of Parliamentary
Procedure shall govern the deliberations of the House
of Delegates in all cases in which they are applicable
and not in conflict with the standing rules or these
Bylaws.

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

A. COMMITTEE ON CONSTITUTION AND
BYLAWS.
a. COMPOSITION. The Committee shall consist of
not more than eight (8) nor less than six (6) members
of the Council on Ethics, Bylaws and Judicial Affairs
of this Association appointed by the President in
consultation with the Speaker of the House of
Delegates and the Council Chair.
b. DUTIES. Prior to the first meeting of each new
session of the House of Delegates, the Committee
shall review all resolutions proposing amendments to
the Constitution and Bylaws and shall either approve
the text of the amendment as written or shall redraft
the resolution to accomplish the intent of the maker in
the form currently used by the House of Delegates.

The Committee shall file a report of its findings and
actions at the first meeting of the House of Delegates
and then shall adjourn. Thereafter until the House of
Delegates adjourns sine die, the Speaker of the House
and the Chair of the Council on Ethics, Bylaws and
Judicial Affairs shall be responsible for reviewing any
new resolutions or changes to resolutions that propose
amendments to the Constitution and Bylaws, and they
shall either approve the text of the amendment as
written or shall redraft the resolution to accomplish
the intent of the maker in the form currently used by
the House of Delegates.

B. COMMITTEE ON CREDENTIALS, RULES
AND ORDER.
a. COMPOSITION. The Committee, consisting of
nine (9) members from the officially certified
delegates and alternate delegates, shall be appointed
by the President at least sixty (60) days in advance of
each session.
b. DUTIES. It shall be the duty of the Committee (1)
to record and report the roll call of the House of
Delegates at each meeting; (2) to conduct a hearing
on any contest regarding the certification of a
delegate or alternate delegate and to report its
recommendations to the House of Delegates; (3) to
prepare a report, in consultation with the Speaker and
Secretary of the House of Delegates, on matters
relating to the order of business and special rules of
order; (4) to consider all matters referred to it and report its recommendations to the House of
Delegates.

C. RESOLUTIONS COMMITTEE.
a. COMPOSITION. The Resolutions Committee shall
consist of the Speaker and the Secretary of the House
of Delegates and the chairs of the reference
committees authorized by Subsection D of this
Chapter.
b. DUTIES. The duties of the Resolutions Committee
shall be to examine resolutions after action by the
reference committees and arrange a sequence for
House action based upon the importance of the
resolutions’ subject matter.

D. REFERENCE COMMITTEES.
a. COMPOSITION. Reference committees,
consisting of nine (9) members from the officially
certified delegates and alternate delegates, shall be
appointed by the President at least sixty (60) days in
advance of each annual session.
b. DUTIES. It shall be the duty of a reference
committee to consider reports referred to it, to
conduct open hearings and to report its
recommendations to the House of Delegates.
CHAPTER V • HOUSE OF DELEGATES
CHAPTER VI • CONFLICT OF INTEREST

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

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

a. When one is to be elected, and more than one has been nominated, the majority of the ballots cast shall elect. In the event no candidate receives a majority on the first ballot, the candidate with the fewest votes shall be removed from the ballot and the remaining candidates shall be balloted upon again. This process shall be repeated until one (1) candidate receives a majority of the votes cast.

b. When more than one is to be elected, and the nominees exceed the number to be elected, the votes cast shall be non-cumulative, and the candidates receiving the greatest number of votes shall be elected.

CHAPTER VI • CONFLICT OF INTEREST

It is the policy of this Association that individuals who serve in elective, appointive or employed offices or positions do so in a representative or fiduciary capacity that requires loyalty to the Association. At all times while serving in such offices or positions, these individuals shall further the interests of the Association as a whole. In addition, they shall avoid:

a. placing themselves in a position where personal or professional interests may conflict with their duty to this Association.

b. using information learned through such office or position for personal gain or advantage.

c. obtaining by a third party an improper gain or advantage.

As a condition for selection, each nominee, candidate and applicant shall complete a conflict of interest statement as prescribed by the Board of Trustees, disclosing any situation which might be construed as placing the individual in a position of having an interest that may conflict with his or her duty to the Association. Candidates for offices of President-elect, Second Vice President, Treasurer, Speaker of the House, nominees for office of trustee, and nominees to councils and commissions shall file such

CHAPTER VII • BOARD OF TRUSTEES

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

Section 20. QUALIFICATIONS: A trustee must be an active, life or retired member, in good standing, of this Association and an active, life or retired member of one of the constituent societies of the trustee district which the trustee is elected to represent. Should the status of any trustee change in regard to the preceding qualifications during the trustee’s term of office, that office shall be declared vacant by the President and the President shall fill such vacancy as provided in Chapter VII, Section 80, of these Bylaws.

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

Section 40. NOMINATION:

A. SINGLE CONSTITUENT DISTRICT. In trustee districts consisting of a single constituent dental society, the trustee nomination procedures shall be determined by an elective process established by the constituent dental society which shall produce a single nominee for trustee. Until such time as the
B. MULTIPLE CONSTITUENT DISTRICTS. In multiple constituent districts, the delegates from the constituent societies of the trustee district in which the term of the trustee is to terminate, shall hold a caucus to select a nominee or nominees for the office of trustee. Such caucus shall be called by the trustee whose term is about to expire, or by the trustee’s designee. The notice of the time and place of such caucus shall be reported to the Secretary of the House.

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

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

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

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

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

Section 50. ELECTION: The trustee shall be elected by the House of Delegates according to the following rules:

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

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

Section 60. INSTALLATION: The trustee shall be installed by the President or by the President’s designee.

Section 70. REMOVAL FOR CAUSE: The House of Delegates may remove a trustee for cause in accordance with procedures established by the House of Delegates, which procedures shall provide for notice of the charges and an opportunity for the accused to be heard in his or her defense. A two-thirds (2/3) affirmative vote of the delegates present and voting is required to remove a trustee from office. If the House of Delegates elects to remove the trustee, that action shall create a vacancy on the Board of Trustees which shall be filled in accordance with Chapter VII, Section 80.

Section 80. VACANCY: In the event of a vacancy in the office of trustee, an active, life or retired member may be appointed by the President to fill the unexpired term of the vacancy. The appointment shall be made by the President with the advice and consent of the former trustee’s district. A trustee district may file rules with the Association’s Executive Director setting forth how its nominee shall be chosen. In the event an appointment to fill the vacancy has not been made by the time of the next meeting of the House of Delegates following the occurrence of the vacancy, then a successor trustee shall be elected for the remainder of the unexpired term by the House of Delegates pursuant to the provisions of Chapter VII, Sections 40 and 50 of these Bylaws. If the term of the vacated trustee position has less than fifty percent (50%) of a full four-year term remaining at the time the successor trustee is appointed or elected, the successor trustee shall be eligible for election to a new, consecutive four-year term. If fifty percent (50%) or more of the vacated term remains to be served at the time of the appointment or election, the successor trustee shall not be eligible for another term.

Section 90. POWERS: The Board of Trustees shall be the managing body of the Association, vested with full power to:

A. Conduct all business of the Association, subject to
the laws of the State of Illinois, the Articles of Incorporation, the Constitution and Bylaws and the mandates of the House of Delegates. The power of the Board of Trustees to act as the managing body of the Association shall not be construed as limiting the power of the House of Delegates to establish policy with respect to the governance of this Association in all its activities, except for areas expressly reserved in these Bylaws as powers and/or duties of the Board of Trustees, as the same may be amended by the House of Delegates from time to time in accordance with these Bylaws.

B. Establish rules and regulations not inconsistent with these Bylaws to govern its organization and procedure.

C. Direct the President to call a special session of the House of Delegates as provided in Chapter V, Section 80, of the Bylaws.

D. Cause to be published in, or to be omitted from, any official publication of the Association any article in whole or in part relating to ADA policies, advocacy efforts and legislative agendas.

E. Appoint an editor of The Journal of the American Dental Association.

F. Appoint an editorial board whose members have been nominated by the editor of The Journal of the American Dental Association.

G. Establish ad interim policies when the House of Delegates is not in session and when such policies are essential to the management of the Association provided, however, that all such policies must be presented for review and consideration by the House of Delegates at its next session.

H. Remove a council member for cause in accordance with procedures established by the Board of Trustees in its Rules.

I. Elect honorary members.

J. Appoint its members to committees that shall have the power to perform any duty that the Board of Trustees may lawfully delegate.

K. Supervise, monitor and guide, on an interim basis, the activities of all councils and special committees in order to ensure the fulfillment of initiatives and directives assigned to each council or special committee by the House of Delegates or Board of Trustees subject to the requirement that all interim actions of the Board must be approved by the House of Delegates.

L. Establish rules and procedures authorizing the councils, commissions and committees of this Association to transact business by ballot without a meeting.

M. Appoint agents and/or other representatives for the purpose of supervising, managing and otherwise conducting business under its direction and in accordance with these Bylaws and the laws of the State of Illinois. No such appointment shall relieve the Board of Trustees of its fiduciary duties as the managing body of the Association as provided in these Bylaws.

Section 100. DUTIES: It shall be the duty of the Board of Trustees to:

A. Provide for the purchase, sale, mortgage, maintenance and supervision of the Headquarters Office and all other property or offices owned or operated by this Association.

B. Appoint the Executive Director and an interim Executive Director of the Association.

C. Determine the date and place for convening each annual session and provide for the management and general arrangements for each annual session as provided in Chapter XV, Section 30.

D. Cause to be bonded by a surety company the Treasurer, the Executive Director and employees of the Association entrusted with Association funds.

E. Provide guidelines and directives to govern the Treasurer’s custody, investment and disbursement of Association funds and other property as provided in Chapter VIII, Section 90F, of these Bylaws; and to cause all accounts of the Association to be audited by a certified public accountant at least once a year.

F. Prepare a budget for carrying on the activities of the Association for each ensuing fiscal year, and present for action by each House of Delegates a resolution setting forth the proposed dues of active members for the following year. Notice of such a resolution shall be sent by a certifiable method of delivery to each constituent society, federal dental service and the American Student Dental Association not less than ninety (90) days before such session to permit prompt, adequate notice by each constituent society, federal dental service and the American Student Dental Association to their delegates and alternate delegates to the House of Delegates of this Association, and shall be announced to the general membership in an official publication of the Association at least sixty (60) days in advance of the annual session.

G. Establish recommended qualifications for the office of Treasurer.

H. Submit to the House of Delegates at the opening
CHAPTER VII • BOARD OF TRUSTEES

1930 meeting of the annual session, in printed form, nominations for membership to the councils, except as otherwise provided in these Bylaws.

1931 I. Appoint annually the chair of each council, except as otherwise provided in these Bylaws, and to act upon council, commission, and bureau nominations for consultants and advisers except as otherwise provided in these Bylaws.

1932 J. Provide interim guidance and supervision to all councils and special committees in order to ensure the fulfillment of initiatives and directives assigned to each council or special committee by the House of Delegates or Board of Trustees.

1933 K. Review the reports of councils and special committees of the Association and to make recommendations concerning such reports to the House of Delegates.

1934 L. Act upon applications for active membership from applicants practicing in dependencies of the United States in which no constituent society exists or in federal dental services.

1935 M. Submit an annual report to the House of Delegates of its activities and those of the Treasurer and Executive Director.

1936 N. Review the delegate allocations to the House of Delegates as provided in Chapter V, Section 10C, of these Bylaws.

1937 O. Elect associate members.

1938 P. Establish other funds as divisions of the General Fund in accordance with the provisions of Chapter XVII, Section 30.

1939 Q. Appoint special committees of the Association in accordance with Chapter XI, Section 10 of these Bylaws.

1940 R. Perform such other duties as are prescribed by these Bylaws.

1941 S. Establish such administrative agencies of this Association as may be necessary to implement the Association’s programs, to assign the duties of such agencies through the Executive Director of the Association under whose jurisdiction each shall operate, and to require reports of such agencies through the same channels.

1942 Section 110. SESSIONS:

1943 A. REGULAR SESSIONS. The Board of Trustees shall hold a minimum of three regular sessions each year. The number of actual regular meetings to be held in excess of three for the ensuing year shall be determined in advance by the Board of Trustees.

1944 B. SPECIAL SESSIONS. Special sessions of the Board of Trustees may be called at any time either by the President or at the request of five voting members of the Board, provided notice is given to each member in advance of the session.

1945 C. PLACE OF MEETINGS: Regular or special meetings may be held in a single geographic location or from multiple remote locations through the use of a conference telephone or other communications equipment. Special meetings held through the use of a conference telephone or other communications equipment may be called by the President or at the request of five voting members of the Board of Trustees for matters of the Association requiring immediate attention. Such meetings shall be conducted in accordance with rules and procedures established by the Board of Trustees.

1946 Section 120. QUORUM: A majority of the voting members of the Board of Trustees shall constitute a quorum.

1947 Section 130. OFFICERS:

1948 A. CHAIR AND SECRETARY. The officers of the Board of Trustees shall be the President of the Association who shall be the Chair, and the Executive Director of the Association who shall be the Secretary.

1949 In the absence of the President, the office of Chair shall be filled by the President-elect and, in his or her absence, by the First or Second Vice President in that order and, in their absence, a voting member of the Board shall be elected Chair pro tem.

1950 In the absence of the Secretary, the Chair shall appoint a Secretary pro tem.

1951 B. DUTIES.

1952 a. CHAIR. The Chair shall preside at all meetings of the Board of Trustees. The Chair shall cast the deciding vote in case of a tie.

1953 b. SECRETARY. The Secretary shall serve as the recording officer of the Board of Trustees and as the custodian of its records. The Secretary shall cause a factual record of the proceedings to be published as the official transactions of the Board.

1954 Section 140. COMMITTEES: The Board of Trustees shall have a standing New Dentist Committee. The Committee shall consist of one (1) member from each trustee district who are active members selected by the Board of Trustees and confirmed by the House of Delegates. Members of the Committee shall have received their D.D.S. or D.M.D. degree less than ten (10) years before the time of selection. The chair of the Committee shall be appointed annually by the Board of Trustees.

1955 Members of the Committee shall serve one (1) term.
Section 10. TITLE: The elective officers of this Association shall be President, President-elect, First Vice President, Second Vice President, Treasurer and Speaker of the House of Delegates, as provided in Article V of the Constitution.

Section 20. ELIGIBILITY: Only an active, life or retired member, in good standing, of this Association shall be eligible to serve as an elective officer. Trustees and elective officers may not apply for the office of Treasurer while serving in any of those offices, except that the Treasurer may apply for a second term pursuant to Chapter VIII, Section 50 of these Bylaws.

Section 30. NOMINATIONS:

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

B. Nominations for the office of Treasurer shall be made in accordance with the order of business. The search for Treasurer shall be announced in an official publication of the Association in November of the final year of the incumbent Treasurer’s term, together with the recommended qualifications for that position as provided in Chapter VII, Section 100G of these Bylaws. Candidates for the office of Treasurer shall apply by submitting a standardized Treasurer Curriculum Vitae form to the Executive Director at least one hundred twenty (120) days prior to the convening of the House of Delegates. Each candidate’s application shall be reviewed by the Board of Trustees. The Executive Director shall provide all members of the House of Delegates, at least sixty (60) days prior to the convening of the House of Delegates, with each candidate’s standardized Treasurer Curriculum Vitae and the determination of the Board of Trustees as to whether the candidate meets the recommended qualifications for the office of Treasurer. Only those candidates shall be nominated from the floor of the House of Delegates. The nominations may be followed by an acceptance speech not to exceed four (4) minutes by each candidate from the podium, according to the protocol established by the Speaker of the House of Delegates. Seconding a nomination is not permitted. No further nominations for the office of Treasurer shall be accepted from the floor of the House of Delegates. If there are no eligible candidates for the office of Treasurer when the House of Delegates...
meets, the term of the incumbent Treasurer shall be extended by one (1) year. Should the incumbent Treasurer be unwilling or unable to serve an additional one (1) year term, the office of Treasurer shall be filled in the same manner as provided in Chapter VIII, Section 80 of these Bylaws. Under these circumstances, former Treasurers of this Association would be eligible to serve as Treasurer pro tem for one (1) additional year.

C. Nominations for the office of Speaker of the House shall be made in accordance with the order of business. The search for Speaker of the House shall be announced in an official publication of the Association in January. Candidates for the office of Speaker of the House shall apply by submitting curriculum vitae along with a statement supporting their qualifications to the Executive Director at least one hundred twenty (120) days prior to the convening of the House of Delegates. The Executive Director shall provide all members of the House of Delegates, at least sixty (60) days prior to the convening of the House of Delegates, with each candidate’s curriculum vitae and statement of qualifications for the office of Speaker of the House. If no candidate has applied, or if there is no remaining eligible candidate for election, then the Association shall inform all delegates of this circumstance and the period to apply shall be extended to thirty (30) days prior to the convening of the House of Delegates. If thirty (30) days prior to the convening of the House of Delegates there is no remaining candidate for election then the Association shall inform all delegates of this circumstance and also inform them that nominations shall be permitted from the floor of the House of Delegates. Only those candidates shall be nominated from the floor of the House of Delegates. The nominations may be followed by an acceptance speech not to exceed four (4) minutes by each candidate from the podium, according to the protocol established by the Election Commission. Seconed a nomination is not permitted. No further nominations for the office of Speaker of the House shall be accepted from the floor of the House of Delegates. If there are no eligible candidates for the office of Speaker of the House when the House of Delegates meets, the office of Speaker of the House shall be filled in the same manner as provided in Chapter VIII, Section 80 of these Bylaws.

Section 40. ELECTIONS: The elective officers shall be elected in accordance with Chapter V, Section 150.

Section 50. TERM OF OFFICE: The President, President-elect, First Vice President and Second Vice President shall serve for a term of one (1) year, except as otherwise provided in this chapter of the Bylaws, or until their successors are elected and installed. The Speaker of the House of Delegates shall be limited to two (2) terms of three (3) years each in total, consecutive or otherwise. The term of office of the Treasurer shall be three (3) years, or until a successor is elected and installed. The Treasurer shall be limited to two (2) consecutive terms of three (3) years each, excepting the case of a former Treasurer who has been elected Treasurer pro tem as provided in Chapter VIII, Section 30 of these Bylaws, who may serve one (1) additional year.

Section 60. INSTALLATION: The elective officers shall be installed at the last meeting of the annual session of the House of Delegates. The President-elect shall be installed as President at the next annual session of the House following election. The Second Vice President shall be installed as First Vice President at the next annual session of the House following election.

Section 70. REMOVAL FOR CAUSE: The House of Delegates may remove an elective officer for cause in accordance with procedures established by the House of Delegates, which shall include notice of the charges and an opportunity for the accused to be heard in his or her defense. A two-thirds (2/3) affirmative vote of the delegates present and voting is required to remove an elective officer from office. If the House of Delegates elects to remove the elective officer, that action shall create a vacancy which shall be filled in accordance with Chapter VIII, Section 80.

Section 80. VACANCIES:

A. VACANCY OF ELECTIVE OFFICE: In the event the office of President becomes vacant, the President-elect shall become President for the unexpired portion of the term. In the event the office of President becomes vacant for the second time in the same term or at a time when the office of President-elect is also vacant, the First Vice President shall become President for the unexpired portion of the term. In the event the office of First Vice President becomes vacant, the Second Vice President shall become the First Vice President for the unexpired portion of the term. A vacancy in the office of the Second Vice President shall be filled by a majority vote of the Board of Trustees. In the event of a vacancy in the office of Speaker of the House of Delegates, the President, with approval of the Board of Trustees, shall appoint a Speaker pro tem. In the event the office of President-elect becomes vacant by reason other than the President-elect succeeding to the office of the President earlier than the next annual session, the office of President for the ensuing year shall be filled at the next annual session of the House of Delegates in the same manner as that provided for
the nomination and election of elective officers, except that the ballot shall read “President for the ensuing Year.” A vacancy in the office of Treasurer shall be filled by a majority vote of the Board of Trustees until the process of inviting applications, screening and nominating candidates and electing a new Treasurer has been completed by the Board of Trustees and the House of Delegates. The Treasurer pro tem shall be eligible for election to a new consecutive three (3) year term. The newly elected Treasurer shall be limited to two (2) consecutive terms of three (3) years each, excepting the case of a former Treasurer who has been elected Treasurer pro tem as provided in Chapter VIII, Section 30 of these Bylaws, who may serve one (1) additional year.

CHAPTER VIII • ELECTIVE OFFICERS

B. TEMPORARY INCAPACITY OF THE PRESIDENT: Whenever the President notifies the Board of Trustees that he or she is unable to discharge the duties of the office of President due to temporary incapacity, the President-elect shall assume the duties of the office of President, as Acting President, until the President notifies the Board of Trustees that he or she is prepared to resume the duties of the office of President. Whenever the voting members of the Board of Trustees of this Association determine by majority vote that the President is unable to discharge the duties of his or her office due to temporary incapacity, the President-elect shall assume the duties of the office of President, as Acting President, until the President satisfies the voting members of the Board of Trustees that he or she is prepared to resume the duties of the office of President.

Section 90. DUTIES:

A. PRESIDENT. It shall be the duty of the President to:

a. Serve as the primary official representative of this Association in its contacts with governmental, civic, business and professional organizations for the purpose of advancing the objectives and policies of this Association.

b. Serve as Chair and ex officio member of the Board of Trustees and to perform such duties as are provided in Chapters V and VII of these Bylaws.

c. Call special sessions of the House of Delegates and the Board of Trustees as provided in Chapters V and VII of these Bylaws.

d. Appoint the members of all committees of the House of Delegates except as otherwise provided in these Bylaws.

e. Fill vacancies in the office of trustee as provided in Chapter VII, Section 80, of these Bylaws and to fill other vacancies in accordance with these Bylaws.

f. Submit an annual report to the House of Delegates.

g. Perform such other duties as may be provided in these Bylaws.

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

a. Assist the President as requested.

b. Serve as an ex officio member of the House of Delegates without the right to vote.

c. Serve as an ex officio member of the Board of Trustees.

d. Succeed to the office of President at the next annual session of the House of Delegates following election as President-elect.

e. Succeed immediately to the office of President in the event of vacancy not only for the unexpired term but also for the succeeding year.

C. FIRST VICE PRESIDENT. It shall be the duty of the First Vice President to:

a. Assist the President as requested.

b. Serve as an ex officio member of the House of Delegates.

c. Serve as an ex officio member of the Board of Trustees.

d. Succeed to the office of President, as provided in this chapter of the Bylaws.

D. SECOND VICE PRESIDENT. It shall be the duty of the Second Vice President to:

a. Assist the President as requested.

b. Serve as an ex officio member of the House of Delegates without the right to vote.

c. Serve as an ex officio member of the Board of Trustees.

d. Succeed to the office of First Vice President at the next annual session of the House of Delegates following election as Second Vice President.

e. Succeed immediately to the office of First Vice President in the event of vacancy not only for the unexpired term but also for the succeeding term.

E. SPEAKER OF THE HOUSE OF DELEGATES. The Speaker shall preside at the meetings of the House of Delegates and shall perform such duties as custom and parliamentary procedure require. The Speaker shall not be a member of the Board of Trustees.

F. TREASURER. It shall be the duty of the Treasurer to:

a. Serve as custodian of all monies, securities and deeds belonging to the Association which may come into the Treasurer’s possession.

b. Hold, invest and disburse all monies, securities and deeds, subject to the direction of the Board of Trustees.

c. Design a budgetary process in concert with the Board of Trustees. d. Oversee Association finances and budget development.
CHAPTER IX • APPOINTIVE OFFICER

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

Section 20. APPOINTMENTS: While any active, life or retired member in good standing may be appointed to the office of Executive Director, the Board of Trustees may appoint a qualified individual who is not eligible for membership in this Association.

Section 30. TERM OF OFFICE AND SALARY: The Board of Trustees shall determine the salary, if any, and the tenure of the Executive Director, which shall not exceed three (3) years. The completion of the full term of any appointment shall be at the discretion of the Board of Trustees.

Section 40. DUTIES: The Executive Director shall be the principal agent of the Board of Trustees and elective officers. As agent and under the direction of the Board of Trustees and elective officers, the Executive Director shall be the chief operating officer of this Association and all its branches. In this capacity, the Executive Director shall (a) preserve and protect the Constitution and Bylaws and the standing rules of this Association; (b) facilitate the activities of the officers and trustees of this Association in carrying out their respective administrative responsibilities under these Bylaws; (c) engage the staff of this Association and direct and coordinate their activities; (d) provide leadership in the formulation and recommendation of new policies to the Board of Trustees and elective officers; (e) oversee the management of Association policies that have been adopted by the Board of Trustees and/or the House of Delegates; (f) assist the Board of Trustees in supervising, monitoring and providing guidance to all Association councils, commissions and committees in regard to their administrative functions and specific assignments, and to systematize the preparation of their reports, and to encourage the exchange of information concerning mutual interests and issues between councils, committees and commissions; (g) maintain effective internal and external relationships through frequent and comprehensive communication with all officers and trustees of this Association, the leadership of related dental organizations, and representatives from other leading public and private organizations that interact with this Association; and (h) perform such other duties as are prescribed by these Bylaws.

Section 50. VACANCY: Upon the occurrence of a vacancy in the office of Executive Director, an interim Executive Director, whose duties shall be as defined in Section 40 of this Chapter, shall be appointed by the Board of Trustees within forty-five (45) days of such vacancy occurring. Any active, life or retired member in good standing may be appointed to serve as interim Executive Director. But, the Board of Trustees may appoint any qualified individual who is not eligible for membership in the Association, except that any current officer or member of the Board of Trustees shall not be eligible for such appointment. The interval of service and salary, if any, of the interim Executive Director shall be at the discretion of the Board of Trustees.

CHAPTER X • COUNCILS

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

- Council on Access, Prevention and Interprofessional Relations
- Council on ADA Sessions
- Council on Communications
- Council on Dental Benefit Programs
- Council on Dental Education and Licensure
- Council on Dental Practice
- Council on Ethics, Bylaws and Judicial Affairs
- Council on Government Affairs
- Council on Members Insurance and Retirement Programs
- Council on Membership
- Council on Scientific Affairs

Section 20. MEMBERS, SELECTIONS, NOMINATIONS AND ELECTIONS:

A. The composition of the councils of this Association shall be as follows: In addition, a council may request an additional member who shall be a nonpracticing dentist member appointed in accordance with Chapter I, Section 20Db of these Bylaws.

- Council on Access, Prevention and Interprofessional Relations shall be composed of nineteen (19)
members, one (1) member from each trustee district whose terms of office shall be staggered in such a manner that four (4) members will complete their terms each year except every fourth year when five (5) members shall complete their terms. In addition, there shall be one (1) member who is a physician and one (1) member who is a health care facility administrator nominated by the Board of Trustees. Council on ADA Sessions shall be composed of nineteen (19) members, one (1) member from each trustee district whose terms of office shall be staggered in such a manner that four (4) members will complete their terms each year except every fourth year when five (5) members shall complete their terms. In addition, the General Chair of the Local Arrangements Committee for the current year and the General Chair-elect for the succeeding year shall serve as ex officio members with the right to vote and shall not be eligible to serve as Council Chair.

Council on Communications shall be composed of seventeen (17) members, one (1) member from each trustee district whose terms of office shall be staggered in such a manner that four (4) members will complete their terms each year except every fourth year when five (5) members shall complete their terms.

Council on Dental Benefit Programs shall be composed of seventeen (17) members, one (1) member from each trustee district whose terms of office shall be staggered in such a manner that four (4) members will complete their terms each year except every fourth year when five (5) members shall complete their terms.

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

a. Nominations and Selection.

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

(2) Four members who are active, life or retired members of this Association shall be elected by the American Association of Dental Boards from the active membership of that body, no one of whom shall be a member of a faculty of a school of dentistry.

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

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

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

Council on Dental Practice shall be composed of seventeen (17) members, one (1) member from each trustee district whose terms of office shall be staggered in such a manner that four (4) members will complete their terms each year except every fourth year when five (5) members shall complete their terms.

Council on Ethics, Bylaws and Judicial Affairs shall be composed of seventeen (17) members, one (1) member from each trustee district whose terms of office shall be staggered in such a manner that four (4) members will complete their terms each year except every fourth year when five (5) members shall complete their terms.

Council on Government Affairs shall be composed of eighteen (18) members, one (1) member from each trustee district whose terms of office shall be staggered in such a manner that four (4) members will complete their terms each year except every fourth year when five (5) members shall complete their terms. In addition, the chair of the political action committee shall be an ex officio member of the Council without the power to vote. Consideration

scheduled completion dates. This footnote shall expire at the adjournment sine die of the 2014 House of Delegates.
shall be given to a candidate’s experience in the military or other federal dental services. Members of the Council shall not be in the full-time employ of the federal government. Individuals called to active duty from the military reserves or national guard forces, providing such active duty has not been requested by the individual, shall not be considered to be in the full-time employ of the federal government.

Council on Members Insurance and Retirement

Programs shall be composed of seventeen (17) members, one (1) member from each trustee district whose terms of office shall be staggered in such a manner that four (4) members will complete their terms each year except every fourth year when five (5) members shall complete their terms.

Council on Membership shall be composed of seventeen (17) members, one (1) member from each trustee district whose terms of office shall be staggered in such a manner that four (4) members will complete their terms each year except every fourth year when five (5) members shall complete their terms.

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

B. Nominations for all councils shall be made by the Board of Trustees except as otherwise provided in these Bylaws. The Board of Trustees shall adhere to the systems of nominations provided in Chapter X, Section 20A of these Bylaws. The House of Delegates may make additional nominations pursuant to the systems for council nominations provided in Chapter X, Section 20A of these Bylaws. The elective and appointive officers and the trustees of this Association shall not serve as members of councils.

Members of councils shall be elected by the House of Delegates in accordance with Chapter V, Section 150 except as otherwise provided in these Bylaws.

* 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.

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

Section 30. ELIGIBILITY:

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

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

C. A member of the Council on Dental Education and Licensure who was selected by the American Association of Dental Boards and who is no longer an active member of the American Association of Dental Boards, may continue as a member of the Council for the balance of that member’s term.

D. When a member of the Council on Dental Education and Licensure was selected by the American Dental Education Association, shall cease to be a member of the faculty of a member school of that Association, such membership on the council shall terminate, and the President of the Association shall declare the position vacant.

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

Section 40. CHAIRS: One member of each council shall be appointed annually by the Board of Trustees to serve as chair with exception of the Council on Dental Education and Licensure. The Chair of the Council on Dental Education and Licensure shall be appointed from nominations submitted by the Council, provided that every other year, the nominee shall be a member of the Council elected by the House of Delegates in accordance with Section 20. Members, Selections, Nominations and Elections, of this Chapter of the Bylaws.

Section 50. CONSULTANTS, ADVISERS AND
A. CONSULTANTS AND ADVISERS. Each council shall have the authority to nominate consultants and advisers in conformity with rules and regulations established by the Board of Trustees except as otherwise provided in these Bylaws.

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

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

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

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

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

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

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

Section 110. ANNUAL REPORT AND BUDGET:

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

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

Section 120. DUTIES:

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

1. Evaluate for the ADA trends in dental public health and access to care that enhance community oral health.
2. Recommend policies, advise other ADA agencies and develop programs relating to access to care; population-based prevention, including community water fluoridation; and interprofessional relations.
3. Provide advice and technical assistance to constituencies and communities to assess community oral health needs; develop coalitions and partnerships; and design, implement and evaluate programs to meet community oral health needs.
4. Recommend policies, advise constituencies and communities, provide technical assistance and develop programs focused on building community oral health infrastructure and capacity, reducing oral health disparities and increasing access to care.
5. Collaborate with internal and external stakeholders to create advocacy strategies regarding access to care,
population-based prevention and interprofessional relations.

f. Promote community outreach, cultural competence and oral health literacy.

g. Foster and maintain liaisons with external stakeholders regarding population-based prevention and intervention strategies to improve oral health.

h. Serve as liaison for the ADA with The Joint Commission and with The Joint Commission’s corporate members and other national health care organizations.

i. Recommend policies and formulate programs on issues pertaining to the relationship of dentistry to medicine, including interdisciplinary patient management, dentist-physician relations, oral health needs of patients with complex medical conditions and the oral-systemic relationship.

j. Conduct activities to improve the health outcomes of patients requiring cooperative dental-medical management in hospitals, including active medical staff membership and clinical privileges, in ambulatory care centers, long-term care facilities and other interdisciplinary health care settings.

k. Plan, develop, implement and evaluate programs that support the ADA’s commitment to optimal oral health for all.

B. COUNCIL ON ADA SESSIONS. The duties of the Council shall be to:

a. Have responsibility for conducting the annual session of this Association, except the House of Delegates, subject to approval by the Board of Trustees as provided in these Bylaws.

b. Plan and coordinate other Association sessions or regional meetings.

C. COUNCIL ON COMMUNICATIONS. The duties of the Council shall be to:

a. Identify, recommend, and maintain a strategic communications plan for the Association.

b. Advise on the reputation management of the Association, provide strategic oversight and advise the Association on the image and brand implications of Association plans, programs, services and activities.

c. Provide counsel to the Association on the priority and allocation of communication resources, to advise on their implications, and to identify the areas where the greatest strategic communications impact can be achieved.

d. Identify, recommend, articulate and maintain strategies for significant communications campaigns across the Association.

e. Serve as a strategic communications and brand management resource to other Association agencies.

f. Serve as a resource and to support communications and reputation management strategies for constituent organizations.

g. Serve as a resource and to support communications and reputation management strategies for constituent agencies.

h. Serve as a strategic communications and brand management resource to other Association agencies.

i. Provide counsel to the Association on the priority and allocation of communication resources, to advise on their implications, and to identify the areas where the greatest strategic communications impact can be achieved.

d. Identify, recommend, articulate and maintain strategies for significant communications campaigns across the Association.

h. Serve as a strategic communications and brand management resource to other Association agencies.

i. Provide counsel to the Association on the priority and allocation of communication resources, to advise on their implications, and to identify the areas where the greatest strategic communications impact can be achieved.

d. Identify, recommend, articulate and maintain strategies for significant communications campaigns across the Association.

h. Serve as a strategic communications and brand management resource to other Association agencies.

i. Provide counsel to the Association on the priority and allocation of communication resources, to advise on their implications, and to identify the areas where the greatest strategic communications impact can be achieved.
CHAPTER X • COUNCILS

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

a. Formulate and recommend policies relating to dental practice.

b. Study, evaluate and disseminate information concerning various forms of business organization of a dental practice, economic factors related to dental practice, practice management techniques, auxiliary utilization and dental laboratory services to the end that dentists may continue to improve services to the public.

c. Develop educational and other programs to assist dentists in improved practice management, including practice marketing materials and continuing education seminars, and to assist constituent and component societies and other dental organizations in the development of such programs so that dentists may continue to improve the delivery of their services to the public.

d. Encourage and develop satisfactory relations with the various organizations representing the dental laboratory industry and craft.

e. Formulate programs for establishing and maintaining the greatest efficiency, quality and service of the dental laboratory industry and craft in their relation to the dental profession.

f. Encourage and develop satisfactory relations with the various organizations representing dental auxiliaries.

g. Gather, formulate and disseminate information related to auxiliary utilization, management and employment practices.

h. Serve in a consultative capacity to those educational and promotional activities directed to the public and the profession and to assess their impact on dental practice.

i. Provide assistance, education and information on issues related to dentists’ well being.

j. Encourage and coordinate the development and improvement of national and international standardization programs for dental informatics.

G. COUNCIL ON ETHICS, BYLAWS AND JUDICIAL AFFAIRS. The duties of the Council shall be to:


b. Provide advisory opinions regarding the

CHAPTER X • COUNCILS

interpretation of the Principles of Ethics and Code of Professional Conduct.

c. Consider appeals from members of the Association, or from component societies subject to the requirements of Chapter XII, Section 20 of these Bylaws.

d. Hold hearings and render decisions in disputes arising between constituent societies or between constituent and component societies.

e. Hold hearings, render decisions and impose discipline in matters involving alleged violations of the Association’s Member Conduct Policy as provided in Chapter XIII of these Bylaws.

f. Discipline any of the direct members of this Association in accordance with the requirements and procedures of Chapter XII of these Bylaws, using hearing panels composed of not less than three (3) of its elected members selected by the Council chair.

The Council may adopt procedures governing the discipline of direct members of this Association consistent with Chapter XII of these Bylaws, which may include the use of an investigating committee or individual to investigate any complaint made against such member and report findings to the hearing panel concerning whether charges should issue.

g. Review the articles of the Constitution and Bylaws in order to keep them consistent with the Association’s program.

h. Recommend editorial changes in the Constitution and Bylaws to improve their consistency, clarity and style.

i. Notwithstanding paragraph g of this subsection, the Council shall have the authority to make corrections in punctuation, grammar, spelling, name changes, gender references, and similar editorial corrections in the Bylaws which do not alter its context or meaning. Such corrections shall be made only by a unanimous vote of the Council members present and voting.

j. Review the rules and bylaws of all commissions of the Association in order to keep such rules and bylaws consistent with the Constitution and Bylaws of this Association.

k. Act as the Standing Committee on Constitution and Bylaws of the House of Delegates, with the composition of such committee to be determined in accordance with Chapter V, Section 140A of these Bylaws, and to conduct other business it deems necessary.

l. Provide guidance and advice on ethical and professional issues to constituent and component societies.

m. Formulate and disseminate materials related to ethical and professional conduct in the practice and promotion of dentistry.

H. COUNCIL ON GOVERNMENT AFFAIRS. The
duties of the Council shall be to:

a. Encourage the improvement of the health of the public and to promote the art and science of dentistry in matters of legislation and regulations by appropriate activities.

b. Formulate and recommend policies related to legislative and regulatory issues and to governmental agency programs.

c. Formulate proposed legislation, approved by the Board of Trustees, that may be submitted to Congress and which will promote the art and science of dentistry in accordance with Association policies.

d. Disseminate information which will assist the constituent and component societies involving legislation and regulation affecting the dental health of the public.

e. Serve and assist the American Dental Association as a liaison with agencies of the federal government.

f. Advise other Association agencies charged with developing, recommending and/or implementing legislative policies adopted by the House of Delegates.

g. Serve as liaison for the American Dental Association with those agencies of the federal government which employ dental personnel in direct dental care delivery programs and the dentists in those services.

h. Recommend programs and policies which will ensure that eligible beneficiaries of federal dental service programs have access to quality dental care.

i. Recommend programs and policies which promote an efficient and effective dental care delivery system within the federal dental services.

j. Assist in the development of dental workforce requirements and appropriate mobilization programs in times of emergency.

k. Formulate and recommend policies which are designed to advance the professional status of federally employed dentists.

l. Monitor dental training programs conducted by the federal dental services.

I. COUNCIL ON MEMBERS INSURANCE AND RETIREMENT PROGRAMS. The duties of the Council shall be to:

a. Evaluate on a continuing basis all Association sponsored insurance programs.

b. Examine and evaluate other insurance programs that might be of benefit to the membership.

c. Advise and recommend courses of action on insurance programs.

d. Assist constituent societies in matters related to insurance programs.

e. Advise and recommend courses of action on retirement programs.

f. Aid dentists in the management of their personal and professional risks through educational activities, informational programs and services.

J. COUNCIL ON MEMBERSHIP. Except as otherwise provided in these Bylaws, the duties of the Council shall be to:

a. Formulate and recommend policies related to membership recruitment and retention and other related issues.

b. Identify and monitor trends and issues that affect membership recruitment and retention, particularly among under-represented segments, and to encourage membership involvement throughout organized dentistry.

c. Support, monitor and encourage membership activities of constituent and component dental societies and to enhance cooperation and communication on tripartite recruitment and retention efforts.

d. Recommend, monitor and support the development of membership benefits and services that respond to identified needs of members.

e. Act as an advocate for membership benefits.

K. COUNCIL ON SCIENTIFIC AFFAIRS. The duties of the Council shall be to:

a. Develop and promote a biennial research agenda and propose an appropriate budget for studies that are recommended by the Council to be conducted by the ADA.

b. Identify emergent issues and areas of research that require response from the research community.

c. Report results on the latest scientific developments to practicing dentists.

d. Evaluate and issue statements to the profession regarding the efficacy of concepts, procedures and techniques for use in the treatment of patients.

e. Represent the Association on scientific and research matters, promote evidence-based practice, and maintain liaison with related regulatory, research and professional organizations.

f. Encourage the development and improvement of materials, instruments and equipment for use in dental practice, and to coordinate development of national and international standardization programs for dental products.

g. Determine the safety and effectiveness of, and disseminate information on, materials, instruments and equipment that are offered to the public or the profession and further critically evaluate statements of efficacy and advertising claims.

h. Study, evaluate and disseminate information with regard to the proper use of dental therapeutic agents, their adjuncts and dental cosmetic agents that are offered to the public or the profession.

i. Award the American Dental Association Seal of Acceptance to dental products that meet the
CHAPTER XI • SPECIAL COMMITTEES

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

Section 20. PRIVILEGE OF THE FLOOR: Chairs and members of special committees who are not members of the House of Delegates shall have the right to participate in the debate on their respective reports but shall not have the right to vote.
CHAPTER XII • PRINCIPLES OF ETHICS AND CODE OF PROFESSIONAL CONDUCT AND JUDICIAL PROCEDURE

which the accused is a member, if applicable; the secretary of the constituent society of which the accused is a member, if applicable; the Chair of the Council on Ethics, Bylaws and Judicial Affairs of this Association; and the Executive Director of this Association.

D. APPEALS. The accused member under sentence of censure, suspension or expulsion shall have the right to appeal from a decision of the accused’s component society to the accused’s constituent society by filing an appeal in affidavit form with the secretary of the constituent society. Such an accused member, or the component society concerned, shall have the right to appeal from a decision of the constituent society to the Council on Ethics, Bylaws and Judicial Affairs of this Association by filing an appeal in affidavit form with the Chair of the Council on Ethics, Bylaws and Judicial Affairs. Where the accused is a direct member of this Association, the accused member shall have the right of appeal from a disciplinary decision of a hearing panel of the Council on Ethics, Bylaws and Judicial Affairs to the Council by filing an appeal in affidavit form with the Chair of the Council on Ethics, Bylaws and Judicial Affairs. Members of the hearing panel shall not have the right to vote on the Council’s decision on such an appeal.

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

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

appontive office, may be administratively and conditionally imposed when circumstances warrant in lieu of a suspended disciplinary penalty. Probation shall be conditioned on good behavior. Additional reasonable conditions may be set forth in the decision for the continuation of probation. In the event that the conditions for probation are found by the society which preferred charges to have been violated, after a hearing on the probation violation charges in accordance with Chapter XII, Section 20C, the original disciplinary penalty shall be automatically reinstated; except that when circumstances warrant the original disciplinary penalty may be reduced to a lesser penalty. There shall be no right of appeal from a finding that the conditions of probation have been violated.

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

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

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

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

d. DECISION. Every decision which shall result in censure, suspension, expulsion, or probation shall be reduced to writing and shall specify the charges made against the member. The facts which substantiate any or all of the charges, the verdict rendered, the penalty imposed or when appropriate the suspended penalty imposed and the conditions for probation, and a notice shall be mailed to the accused member informing the accused of the right to appeal. Within ten (10) days of the date on which the decision is rendered a copy thereof shall be sent by certified—return receipt requested mail to the last known address of each of the following parties: the accused member; the secretary of the component society of
a. HEARINGS ON APPEAL. The accused member or the society (or societies) concerned shall be entitled to a hearing on an appeal, provided that such appeal is taken in accordance with, and satisfies the requirements of, Section 20D of this Chapter. The appellate agency hearing the appeal shall permit the accused member to be represented by legal counsel. A party need not appear for the appeal to be heard by an appellate agency.

b. NOTICE. The appellate agency receiving an appeal shall notify the society (or societies) concerned, or where applicable the hearing panel of the Council on Ethics, Bylaws and Judicial Affairs, and the accused member of the time and place of the hearing, such notice to be sent by certified—return receipt requested letter to the last known address of the parties to the appeal and mailed not less than thirty (30) days prior to the date set for the hearing. Granting of continuances shall be at the option of the agency hearing the appeal.

c. PREHEARING MATTERS. Prehearing requests shall be granted at the discretion of the appellate agency. In appeals to this Association’s Council on Ethics, Bylaws and Judicial Affairs, the Council chair has the authority to rule on motions from the parties for continuances and other prehearing procedural matters with advice from legal counsel of this Association. The Council chair may consult with the Council before rendering prehearing decisions.

d. BRIEFS. Every party to an appeal shall be entitled to submit a brief in support of the party’s position. The briefs of the parties shall be submitted to the secretary of the constituent society or the Chair of the Council on Ethics, Bylaws and Judicial Affairs of this Association, as the case may be, and to the opposing party(ies) in accordance with the prescribed briefing schedule. The party initiating the appeal may choose to rely on the record and/or on an oral presentation and not file a brief.

e. RECORD OF DISCIPLINARY PROCEEDINGS. Upon notice of an appeal the agency which preferred charges shall furnish to the appellate agency which has received the appeal and to the accused member a transcript of, or an officially certified copy of the minutes of the hearing accorded the accused member. The transcript or minutes shall be accompanied by certified copies of any affidavits or other documents submitted as evidence to support the charges against the accused member or submitted by the accused member as part of the accused’s defense. Where the agency preferring the charges does not provide for transcription of the hearing, the accused member, at the accused’s own expense, shall be entitled to arrange for the services of a court reporter to transcribe the hearing.

f. APPEALS JURISDICTION. The agency to which a decision has been appealed shall be required to review the decision appealed from to determine whether the evidence before the society or agency which preferred charges against the accused member supports that decision or warrants the penalty imposed. The appellate agency shall not be required to consider additional evidence unless there is a clear showing that either party to the appeal will be unreasonably harmed by failure to consider the additional evidence. The parties to an appeal are the accused member and the society or agency which preferred charges. In appeals to the Council on Ethics, Bylaws and Judicial Affairs of this Association, the society which heard the first appeal may, at its option, participate in the appeal.

g. DECISION ON APPEALS. Every decision on appeal shall be reduced to writing and shall state clearly the conclusion of the appellate agency and the reasons for reaching that conclusion. The appellate agency shall have the discretion to (1) uphold the decision of the agency which preferred charges against the accused member; (2) reverse the decision of the agency which preferred charges and thereby exonerate the accused member; (3) deny an appeal which fails to satisfy the requirements of Section 20D of this Chapter; (4) refer the case back to the agency which preferred charges for new proceedings, if the rights of the accused member under all applicable bylaws were not accorded the accused; (5) remand the case back to the agency which preferred charges for further proceedings when the appellate record is insufficient in the opinion of the appellate agency to enable it to render a decision; or (6) uphold the decision of the agency which preferred charges against the accused member and reduce the penalty imposed.

Within thirty (30) days of the date on which a decision on appeal is rendered, a copy thereof shall be sent by certified—return receipt requested mail to the last known address of each of the following parties: the accused member, the secretary of the component society of which the accused is a member, if applicable, the secretary of the constituent society of which the accused is a member, if applicable, the Chair of the Council on Ethics, Bylaws and Judicial Affairs of this Association and the Executive Director of this Association.

E. SENTENCE. After all appeals are exhausted or after the time for filing an appeal has expired, a sentence of censure, suspension or expulsion meted out to any member, including those instances when the disciplined member has been placed on probation, shall be enforced by such individual’s component and constituent societies, if such exist, and this
Association.

F. NON-COMPLIANCE. In the event of a failure of technical compliance with the procedural requirements of this Chapter, the agency hearing the appeal shall determine the effect of non-compliance.

CHAPTER XIII • PROCEDURES AND HEARINGS RELATING TO MEMBER CONDUCT POLICY

Section 10. CONDUCT SUBJECT TO REVIEW:

Each member of this Association shall be subject to the provisions of the Association’s Member Conduct Policy.

Section 20. DISCIPLINARY PROCEDURES AND HEARINGS:

A. MEMBER CONDUCT SUBJECT TO DISCIPLINE. Any member charged with violating the Association’s Member Conduct Policy shall be afforded a fair and impartial hearing conducted in accordance with Chapter XIII, Section 20C.

B. DISCIPLINARY PENALTIES. Members may be disciplined for violating the Association’s Member Conduct Policy as follows:

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

b. SUSPENSION. Suspension, subject to Chapter I, Section 30 of these Bylaws, means all membership privileges except continued entitlement to coverage under insurance programs are lost during the suspension period. Suspension shall be unconditional and for a specified period at the termination of which full membership privileges are automatically restored.

A subsequent violation shall require a new disciplinary procedure before additional discipline may be imposed.

c. EXPULSION. Expulsion is an absolute discipline and may not be imposed conditionally except as otherwise provided herein.

d. PROBATION. Probation, to be imposed for a specified period and without loss of privileges with the exception of holding or seeking an elective or appointive office, may be administratively and conditionally imposed when circumstances warrant in lieu of a suspended disciplinary penalty. Probation shall be conditioned on good behavior. Additional reasonable conditions may be set forth in the decision for the continuation of probation. In the event that the conditions for probation are found by the Council on Ethics, Bylaws and Judicial Affairs to have been violated, after a hearing on the probation violation charges in accordance with Chapter XIII, Section 20C, the original disciplinary penalty shall be automatically reinstated, except that when circumstances warrant the original disciplinary penalty may be reduced to a lesser penalty. There shall be no right of appeal from a finding that the conditions of probation have been violated.

e. REMOVAL FROM OFFICE. Removal from office as a trustee, delegate, alternate delegate or elective officer for the remaining term may be imposed in addition to, or in lieu of, any of the penalties enumerated in this Section of these Bylaws.

C. DISCIPLINARY PROCEEDINGS. Before a disciplinary penalty is invoked against a member for violating the Association’s Member Conduct Policy, the following procedures shall be followed by the Council on Ethics, Bylaws and Judicial Affairs and, as applicable, in the case of a trustee or an elective officer, reviewed by the House of Delegates:

a. CHARGES. Any member of the Association or the Association’s staff shall be entitled to prefer charges alleging a violation of the Association’s Member Conduct Policy. Charges shall be directed to the Chair of the Council on Ethics, Bylaws and Judicial Affairs and shall be in writing. Such written charges shall include a specification of the provision(s) of the Association’s Member Conduct Policy alleged to have been violated, and a description of the conduct alleged to constitute the violation.

b. PRELIMINARY INVESTIGATION. A panel of three (3) sitting members of the Council on Ethics, Bylaws and Judicial Affairs selected by the Council’s chair, which shall not include the Council member from the accused’s trustee district, shall conduct a preliminary investigation into the charges and shall determine whether the allegations made in the charge sufficiently state a violation of the Member Conduct Policy.

c. NOTICE. If upon preliminary investigation the three-member investigatory panel concludes that the charge does not sufficiently state a violation of the Member Conduct Policy, the Association member or Association staff member preferring the charges shall be advised in writing of the investigatory panel’s decision and the investigatory panel’s decision shall be final. If the investigatory panel determines that the charge does sufficiently state a violation of the Member Conduct Policy, the accused member shall be notified in writing of the charges brought against him or her and of the time and place of the hearing, such notice to be sent by certified-return receipt requested letter addressed to the accused’s last known address and mailed not less than twenty-one (21) days prior to the date set for the hearing. An accused member, upon request, shall be granted one postponement for a period not to exceed thirty (30) days.

d. HEARING. The accused member shall be entitled to a hearing before a panel of three (3) sitting
members of the Council on Ethics, Bylaws and Judicial Affairs, which shall not include members of the investigatory panel or the Council member from the accused’s trustee district, at which the accused shall be given the opportunity to present a defense to all charges brought against him or her. The Council on Ethics, Bylaws and Judicial Affairs shall permit the accused member to be represented by legal counsel.

c. DECISION. Every decision rendered by a hearing panel shall be reduced to writing and shall specify the charges made against the member, the relevant facts presented by the parties, the verdict rendered or recommended, any penalty imposed or recommended, or when appropriate any suspended penalty imposed or recommended, and the conditions for, any probation. Within ten (10) days of the date on which the decision or recommendation is rendered, a copy thereof shall be sent by certified-return receipt requested mail to the last known address of each of the following parties, together with, where applicable, a notice to the accused member informing him or her of the right to appeal: the accused member; the Association member or staff member preferring the charge; the secretary of the component society of which the accused is a member, if applicable; the secretary of the constituent society of which the accused is a member, if applicable; the chair of the Council on Ethics, Bylaws and Judicial Affairs of this Association; the Election Commission; and the Executive Director of this Association.

D. APPEALS TO FULL COUNCIL. The accused member under sentence or recommended sentence of censure, suspension, expulsion, probation and/or removal from office shall have the right to appeal from a hearing panel decision to the full Council on Ethics, Bylaws and Judicial Affairs by filing an appeal in affidavit form with the chair of the Council on Ethics, Bylaws and Judicial Affairs of this Association. Members of the investigatory and hearing panels, and the Council representative from the accused’s trustee district, shall be excused from the appeal.

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

No decision shall become final while an appeal therefrom is pending or until the thirty (30) day period for filing notice of appeal has elapsed. In the event of a sentence of expulsion and no notice of appeal is received within the thirty (30) day period, the Council on Ethics, Bylaws and Judicial Affairs shall notify all parties of the failure of the accused member to file an appeal. The following procedure shall be used in processing appeals to the full Council on Ethics, Bylaws and Judicial Affairs:

a. HEARINGS ON APPEAL TO FULL COUNCIL. The accused member shall be entitled to a hearing on an appeal, provided that such appeal is taken in accordance with, and satisfies the requirements of, this Section. The Council on Ethics, Bylaws and Judicial Affairs shall permit the accused member to be represented by legal counsel. A party need not appear for the appeal to be heard by the Council on Ethics, Bylaws and Judicial Affairs.

b. NOTICE. The Council on Ethics, Bylaws and Judicial Affairs shall notify the accused member, the Association member or Association staff member preferring charges, the secretary of the component society of which the accused is a member, if applicable; and the secretary of the constituent society of which the accused is a member, if applicable of the time and place of the appeal hearing, such notice to be sent by certified—return receipt requested letter to the last known address of the parties to the appeal and mailed not less than thirty (30) days prior to the date set for the hearing. Granting of continuances shall be at the option of the Council on Ethics, Bylaws and Judicial Affairs.

c. PREHEARING MATTERS. Prehearing requests shall be granted at the discretion of the Council on Ethics, Bylaws and Judicial Affairs. The Council chair has the authority to rule on motions from the parties for continuances and other prehearing procedural matters with advice from legal counsel. The Council chair may consult with the Council before rendering prehearing decisions.

d. BRIEFS. Every party to an appeal shall be entitled to submit a brief in support of the party’s position. The briefs of the parties shall be submitted to the Chair of the Council on Ethics, Bylaws and Judicial Affairs of this Association, and to the opposing party(ies) in accordance with the prescribed briefing schedule. The party initiating the appeal may choose to rely on the record and/or on an oral presentation and not file a brief.

e. RECORD OF DISCIPLINARY PROCEEDINGS. Upon notice of an appeal, the three-member hearing panel shall be granted at the discretion of the Council on Ethics, Bylaws and Judicial Affairs.

The accused member under sentence or recommended sentence of censure, suspension, expulsion, probation and/or removal from office shall have the right to appeal from a hearing panel decision to the full Council on Ethics, Bylaws and Judicial Affairs by filing an appeal in affidavit form with the chair of the Council on Ethics, Bylaws and Judicial Affairs of this Association. Members of the investigatory and hearing panels, and the Council representative from the accused’s trustee district, shall be excused from the appeal. An appeal from any decision shall not be valid unless notice of appeal is filed within thirty (30) days and the supporting brief, if one is to be presented, is filed within sixty (60) days after such decision has been rendered. A reply brief, if one is to be presented, shall be filed by the Association member or Association staff member within ninety (90) days after such decision is rendered. A rejoinder brief, if one is to be presented, shall be filed within one hundred five (105) days after such decision is rendered. After all briefs have been filed, a minimum of forty-five (45) days shall elapse before the hearing date. Omission of briefs will not alter the briefing schedule or hearing date unless otherwise agreed to by the parties and the chair of the appropriate appellate agency.

No decision shall become final while an appeal therefrom is pending or until the thirty (30) day period for filing notice of appeal has elapsed. In the event of a sentence of expulsion and no notice of appeal is received within the thirty (30) day period, the Council on Ethics, Bylaws and Judicial Affairs shall notify all parties of the failure of the accused member to file an appeal. The following procedure shall be used in processing appeals to the full Council on Ethics, Bylaws and Judicial Affairs:

a. HEARINGS ON APPEAL TO FULL COUNCIL. The accused member shall be entitled to a hearing on an appeal, provided that such appeal is taken in accordance with, and satisfies the requirements of, this Section. The Council on Ethics, Bylaws and Judicial Affairs shall permit the accused member to be represented by legal counsel. A party need not appear for the appeal to be heard by the Council on Ethics, Bylaws and Judicial Affairs.

b. NOTICE. The Council on Ethics, Bylaws and Judicial Affairs shall notify the accused member, the Association member or Association staff member preferring charges, the secretary of the component society of which the accused is a member, if applicable; and the secretary of the constituent society of which the accused is a member, if applicable of the time and place of the appeal hearing, such notice to be sent by certified—return receipt requested letter to the last known address of the parties to the appeal and mailed not less than thirty (30) days prior to the date set for the hearing. Granting of continuances shall be at the option of the Council on Ethics, Bylaws and Judicial Affairs.

c. PREHEARING MATTERS. Prehearing requests shall be granted at the discretion of the Council on Ethics, Bylaws and Judicial Affairs. The Council chair has the authority to rule on motions from the parties for continuances and other prehearing procedural matters with advice from legal counsel. The Council chair may consult with the Council before rendering prehearing decisions.

d. BRIEFS. Every party to an appeal shall be entitled to submit a brief in support of the party’s position. The briefs of the parties shall be submitted to the Chair of the Council on Ethics, Bylaws and Judicial Affairs of this Association, and to the opposing party(ies) in accordance with the prescribed briefing schedule. The party initiating the appeal may choose to rely on the record and/or on an oral presentation and not file a brief.

e. RECORD OF DISCIPLINARY PROCEEDINGS. Upon notice of an appeal, the three-member hearing panel shall be granted at the discretion of the Council on Ethics, Bylaws and Judicial Affairs. The accused member under sentence or recommended sentence of censure, suspension, expulsion, probation and/or removal from office shall have the right to appeal from a hearing panel decision to the full Council on Ethics, Bylaws and Judicial Affairs by filing an appeal in affidavit form with the chair of the Council on Ethics, Bylaws and Judicial Affairs of this Association. Members of the investigatory and hearing panels, and the Council representative from the accused’s trustee district, shall be excused from the appeal. An appeal from any decision shall not be valid unless notice of appeal is filed within thirty (30) days and the supporting brief, if one is to be presented, is filed within sixty (60) days after such decision has been rendered. A reply brief, if one is to be presented, shall be filed by the Association member or Association staff member within ninety (90) days after such decision is rendered. A rejoinder brief, if one is to be presented, shall be filed within one hundred five (105) days after such decision is rendered. After all briefs have been filed, a minimum of forty-five (45) days shall elapse before the hearing date. Omission of briefs will not alter the briefing schedule or hearing date unless otherwise agreed to by the parties and the chair of the appropriate appellate agency.

No decision shall become final while an appeal therefrom is pending or until the thirty (30) day period for filing notice of appeal has elapsed. In the event of a sentence of expulsion and no notice of appeal is received within the thirty (30) day period, the Council on Ethics, Bylaws and Judicial Affairs shall notify all parties of the failure of the accused member to file an appeal. The following procedure shall be used in processing appeals to the full Council on Ethics, Bylaws and Judicial Affairs:

a. HEARINGS ON APPEAL TO FULL COUNCIL. The accused member shall be entitled to a hearing on an appeal, provided that such appeal is taken in accordance with, and satisfies the requirements of, this Section. The Council on Ethics, Bylaws and Judicial Affairs shall permit the accused member to be represented by legal counsel. A party need not appear for the appeal to be heard by the Council on Ethics, Bylaws and Judicial Affairs.

b. NOTICE. The Council on Ethics, Bylaws and Judicial Affairs shall notify the accused member, the Association member or Association staff member preferring charges, the secretary of the component society of which the accused is a member, if applicable; and the secretary of the constituent society of which the accused is a member, if applicable of the time and place of the appeal hearing, such notice to be sent by certified—return receipt requested letter to the last known address of the parties to the appeal and mailed not less than thirty (30) days prior to the date set for the hearing. Granting of continuances shall be at the option of the Council on Ethics, Bylaws and Judicial Affairs.

c. PREHEARING MATTERS. Prehearing requests shall be granted at the discretion of the Council on Ethics, Bylaws and Judicial Affairs. The Council chair has the authority to rule on motions from the parties for continuances and other prehearing procedural matters with advice from legal counsel. The Council chair may consult with the Council before rendering prehearing decisions.

d. BRIEFS. Every party to an appeal shall be entitled to submit a brief in support of the party’s position. The briefs of the parties shall be submitted to the Chair of the Council on Ethics, Bylaws and Judicial Affairs of this Association, and to the opposing party(ies) in accordance with the prescribed briefing schedule. The party initiating the appeal may choose to rely on the record and/or on an oral presentation and not file a brief.

e. RECORD OF DISCIPLINARY PROCEEDINGS. Upon notice of an appeal, the three-member hearing
panel of the Council on Ethics, Bylaws and Judicial Affairs that presided over the initial hearing shall furnish to the full Council on Ethics, Bylaws and Judicial Affairs and to the accused member a transcript of, or an officially certified copy of the minutes of, the hearing accorded the accused. The transcript or minutes shall be accompanied by certified copies of any affidavits or other documents submitted as evidence to support the charges against the accused member or submitted by the accused as part of the accused’s defense. Where the three-member hearing panel of the Council on Ethics, Bylaws and Judicial Affairs does not provide for transcription of the hearing, the accused member shall be entitled to arrange for the services of a court reporter to transcribe the hearing.

f. APPEALS JURISDICTION. The Council on Ethics, Bylaws and Judicial Affairs shall be required to review the decision appealed from to determine whether the evidence before the three-member hearing panel supports that decision or warrants the penalty(ies) imposed. The Council on Ethics, Bylaws and Judicial Affairs shall not be required to consider additional evidence unless there is a clear showing that a party to the appeal will be unreasonably harmed by failure to consider the additional evidence. The parties to an appeal are the accused member and the Association member or Association staff member that preferred charges.

g. DECISION ON APPEALS NOT INVOLVING RECOMMENDED PROBATION, SUSPENSION, EXPULSION AND/OR REMOVAL OF A TRUSTEE OR ELECTIVE OFFICER. In each appeal that does not involve the recommended probation, suspension, expulsion or removal from office of a trustee or elective officer, the decision of the Council on Ethics, Bylaws and Judicial Affairs shall be reduced to writing and shall state clearly the conclusion of the Council and the reasons for reaching that conclusion. The Council shall have the discretion to (1) uphold the decision of the three-member hearing panel; (2) reverse the decision of the three-member hearing panel and thereby exonerate the accused; (3) recommend denying an appeal which fails to satisfy the requirements of Section 20Eg of this Chapter; (4) refer the case back to the three-member hearing panel for new proceedings, if the rights of the accused member under all applicable bylaws were not accorded the accused; (5) remand the case back to the three-member hearing panel for further proceedings when the appellate record is insufficient in the opinion of the Council on Ethics, Bylaws and Judicial Affairs to enable it to render a decision; or (6) uphold the decision of the three-member hearing panel but reduce the penalty imposed. The decision of the Council on Ethics, Bylaws and Judicial Affairs under this Section 20Eg of Chapter XIII shall be final and non-appealable.

Within thirty (30) days of the date on which a final decision on appeal is rendered, a copy thereof shall be sent by certified—return receipt requested mail to the last known address of each of the following parties:

The accused member, the Association member or Association staff member preferring charges, the secretary of the component society of which the accused is a member, if applicable, the secretary of the constituent society of which the accused is a member, if applicable, the Election Commission and the Executive Director of this Association.

h. DECISION ON APPEALS INVOLVING RECOMMENDED PROBATION, SUSPENSION, EXPULSION AND/OR REMOVAL OF A TRUSTEE OR ELECTIVE OFFICER. In each appeal that involves the recommended probation, suspension, expulsion or removal of a trustee or elective officer, the decision of the Council on Ethics, Bylaws and Judicial Affairs shall be reduced to writing and shall state clearly the conclusion of the Council and the reasons for reaching that conclusion. In such appeals, the Council shall have the discretion to (1) recommend upholding the decision of the three-member hearing panel; (2) reverse the recommended decision of the three-member hearing panel and thereby exonerate the accused; (3) recommend denying an appeal which fails to satisfy the requirements of Section 20E of this Chapter; (4) refer the case back to the three-member hearing panel for new proceedings, if the rights of the accused member under all applicable bylaws were not accorded the accused; (5) remand the case back to the three-member hearing panel for further proceedings when the appellate record is insufficient in the opinion of the Council on Ethics, Bylaws and Judicial Affairs to enable it to render a decision; or (6) uphold the decision of the three-member hearing panel but reduce the penalty imposed, except in cases in which the reduced penalty is probation, suspension and/or removal from office, in which case the Council’s decision shall be a recommendation. The decision of the Council on Ethics, Bylaws and Judicial Affairs under this Section 20Eh of Chapter XIII shall be final and non-appealable in such cases only if the Council’s decision does not result in a recommendation of probation, suspension, expulsion and/or removal from office.

In cases not involving recommended probation, suspension, expulsion and/or removal from office, within thirty (30) days of the date on which a final decision on appeal is rendered, a copy thereof shall be sent by certified-return receipt requested mail to the last known address of each of the following parties:
CHAPTER XIII • PROCEDURES AND HEARINGS
RELATING TO MEMBER CONDUCT POLICY

3718 the accused trustee or elective officer; the Association
3719 member or Association staff member preferring
3720 charges; the secretary of the component society of
3721 which the trustee is a member, if applicable; the
3722 secretary of the constituent society of which the
3723 trustee or elective officer is a member, if applicable;
3724 the Election Commission and the Executive Director
3725 of this Association.
3726 In cases involving the recommended probation,
3727 suspension, expulsion and/or removal from office of a
3728 trustee or elective officer, within thirty (30) days of
3729 the date on which a recommended decision on appeal
3730 is rendered, a copy thereof shall be sent by certified-
3731 return receipt requested mail to the last known
3732 address of each of the following parties: the accused
3733 trustee or elective officer; the Association member or
3734 Association staff member preferring charges; the
3735 Election Commission, the secretary of the component
3736 society of which the trustee or elective officer is a
3737 member, if applicable; the secretary of the constituent
3738 society of which the trustee or elective officer is a
3739 member, if applicable; and the Executive Director of
3740 this Association. Trustees or elective officers
3741 recommended to be sentenced to probation,
3742 suspension, expulsion and/or removal from office
3743 shall have the right to respond in writing to the
3744 recommendation, which response shall be delivered
3745 to the chair of the Council on Ethics, Bylaws and
3746 Judicial Affairs within thirty (30) days from the date
3747 of the recommended decision. The chair of the
3748 Council on Ethics, Bylaws and Judicial Affairs shall
3749 forward its recommendation, along with any
3750 response, to the Speaker of the House of Delegates,
3751 the Election Commission and the Association’s
3752 Executive Director.
3753 E. CONSIDERATION OF RECOMMENDED
3754 PROBATION, SUSPENSION, EXPULSION
3755 AND/OR REMOVAL FROM OFFICE OF
3756 TRUSTEES OR ELECTIVE OFFICERS BY
3757 HOUSE OF DELEGATES. The House of Delegates
3758 shall decide whether to accept or reject the
3759 recommendation of the Council on Ethics, Bylaws
3760 and Judicial Affairs. Members, and as applicable,
3761 former members, of the Council on Ethics, Bylaws
3762 and Judicial Affairs who were sitting on the Council
3763 at any time during which charges were pending
3764 against an accused shall be recused from
3765 deliberations under this Section 20F. A two-thirds
3766 (2/3) affirmative vote of the delegates present and
3767 voting is required to impose a disciplinary sentence of
3768 expulsion from membership or removal from office,
3769 suspension or probation.
3770 F. SENTENCE. After all appeals are exhausted or
3771 after the time for filing an appeal has expired, a
3772 sentence of censure, suspension, expulsion and/or
3773 removal from office meted out to any member,
3774 including those instances when the disciplined
3775 member has been placed on probation, shall be
3776 enforced by such individual’s component and
3777 constituent societies, if such exist, and this
3778 Association.
3779 G. NON-COMPLIANCE. In the event of a failure of
3780 technical compliance with the procedural
3781 requirements of this Chapter, the Council on Ethics,
3782 Bylaws and Judicial Affairs shall determine the effect
3783 of non-compliance.

CHAPTER XIV • AMERICAN DENTAL ASSOCIATION FOUNDATION

3784 Section 10. FINANCIAL SUPPORT: The
3785 Association is the sole Member of the American
3786 Dental Association Foundation. The Association shall
3787 annually furnish sufficient financial support, as an
3788 addition to generated non-Association funding, to
3789 assure the continued viability of the Foundation’s
3790 research activities.
3791 Section 20. DUTIES:
3792 In addition, the Foundation’s Administrative/
3793 Charitable group shall submit, through the ADA
3794 Board of Trustees acting as the Member, an annual
3795 report to the House of Delegates, interim reports on
3796 request to the Member, and an annual budget to the
3797 Board of Trustees for such financial support
3798 allocations as the Board may deem necessary.

CHAPTER XV • COMMISSIONS

3799 Section 10. NAME: The commissions of this
3800 Association shall be:
3801 Commission on Dental Accreditation
3802 Joint Commission on National Dental Examinations
3803 Section 20. MEMBERS, SELECTIONS,
3804 NOMINATIONS AND ELECTIONS:
3805 A. COMMISSION ON DENTAL
3806 ACCREDITATION. The number of members and the
3807 method of selection of the members of the
3808 Commission on Dental Accreditation shall be
governed by the Rules of the Commission on Dental
3809 Accreditation and these Bylaws.
3810 Twelve (12) of the members of the Commission on
3811 Dental Accreditation shall be selected as follows:
3812 (1) Four (4) members shall be selected from
3813 nominations open to all trustee districts from the
3814 active, life or retired members of this Association, no
3815 one of whom shall be a faculty member working for a
3816 school of dentistry more than one day per week or a
3817 member of a state board of dental examiners or
Bylaws 79

Section 30. Association.

One (1) member who is a dental student shall be selected by the Joint Commission on National Dental Examinations. The Joint Commission on National Dental Examinations, who was selected by the American Association of Dental Boards and who is no longer an active member of that Association, may continue as a member of the Commission for the balance of that member’s term.

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

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

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

Section 50. CONSULTANTS, ADVISERS AND STAFF:

A. CONSULTANTS AND ADVISERS. Each commission shall have the authority to nominate consultants and advisers in conformity with rules and regulations established by the Board of Trustees except as otherwise provided in these Bylaws. The Joint Commission on National Dental Examinations also shall select consultants to serve on the Commission’s test construction committees. The Commission on Dental Accreditation shall have the power to appoint consultants to assist in developing requirements and guidelines for the conducting of accreditation evaluations, including site visitations, of...
CHAPTER XV • COMMISSIONS

3926 predoctoral, advanced dental educational, and dental
3927 auxiliary educational programs.
3928
3929 B. STAFF. The Executive Director shall employ the
3930 staff of Commissions, in the event they are
3931 employees, and shall select the titles for commission
3932 staff positions.
3933
3934 Section 60. TERM OF OFFICE: The term of office
3935 of members of the commissions shall be four (4)
3936 years except that (a) the term of office of members of
3937 the Commission on Dental Accreditation selected
3938 pursuant to the Rules of the Commission on Dental
3939 Accreditation shall be governed by those Rules and
3940 (b) the term of office of the dental student selected by
3941 the American Student Dental Association for
3942 membership on the Joint Commission on National
3943 Dental Examinations shall be one (1) year.
3944
3945 The tenure of a member of a commission shall be
3946 limited to one (1) term of four (4) years except that
3947 (a) the consecutive tenure of members of the
3948 Commission on Dental Accreditation selected
3949 pursuant to the Rules of the Commission on Dental
3950 Accreditation shall be governed by those Rules and
3951 (b) tenure in office of the dental student selected by
3952 the American Student Dental Association for
3953 membership on the Joint Commission on National
3954 Dental Examinations shall be one (1) term. A
3955 member shall not be eligible for appointment to
3956 another commission or council for a period of two (2)
3957 years after completing a previous commission
3958 appointment.
3959
3960 Section 70. VACANCY: In the event of a vacancy in
3961 the office of a commissioner, the following procedure
3962 shall be followed:
3963
3964 A. In the event the member of a commission, whose
3965 office is vacant, is or was a member of and was
3966 appointed or elected by this Association, the President
3967 of this Association shall appoint a member of this
3968 Association possessing the same qualifications as
3969 established by these Bylaws for the previous member,
3970 to fill such vacancy until a successor is elected by the
3971 next House of Delegates of this Association for the
3972 remainder of the unexpired term.
3973
3974 B. In the event the member of a commission whose
3975 office is vacant was selected by an organization other
3976 than this Association, such other organization shall
3977 appoint a successor possessing the same
3978 qualifications as those possessed by the previous
3979 member of the commission.
3980
3981 C. In the event such vacancy involves the chair of the
3982 commission, the President of this Association shall
3983 have the power to appoint an ad interim chair, except
3984 as otherwise provided in these Bylaws.
3985
3986 D. If the term of the vacated commission position has
3987 less than fifty percent (50%) of a full four-year term
3988 remaining at the time the successor member is
3989 appointed or elected, the successor member shall be
3990 eligible for election to a new, consecutive four-year
3991 term. If fifty percent (50%) or more of the vacated
3992 term remains to be served at the time of the
3993 appointment or election, the successor member shall
3994 not be eligible for another term.
3995
3996 Section 80. MEETINGS OF COMMISSIONS: Each
3997 commission shall hold at least one regular meeting
3998 annually, provided that funds are available in the
3999 budget for that purpose and unless otherwise directed
4000 by the Board of Trustees. Meetings may be held at the
4001 Headquarters Building, the Washington Office or
4002 from multiple remote locations through the use of a
4003 conference telephone or other communications
4004 equipment by means of which all members can
4005 communicate with each other. Such meetings shall be
4006 conducted in accordance with rules and procedures
4007 established by the Board of Trustees.
4008
4009 Section 90. QUORUM: A majority of the members of
4010 any commission shall constitute a quorum.
4011
4012 Section 100. PRIVILEGE OF THE FLOOR: Chairs
4013 and members of the commissions who are not
4014 members of the House of Delegates shall have the
4015 right to participate in the debate on their respective
4016 reports but shall not have the right to vote.
4017
4018 Section 110. ANNUAL REPORT AND BUDGET:
4019
4020 A. ANNUAL REPORT. Each commission shall
4021 submit, through the Executive Director, an annual
4022 report to the House of Delegates and a copy thereof to
4023 the Board of Trustees.
4024
4025 B. PROPOSED BUDGET. Each commission shall
4026 submit to the Board of Trustees, through the
4027 Executive Director, a proposed itemized budget for
4028 the ensuing fiscal year.
4029
4030 Section 120. POWER TO ADOPT RULES: Any
4031 commission of this Association shall have the power
4032 to adopt rules for such commission and amendments
4033 thereto, provided such rules and amendments thereto
4034 do not conflict with or limit the Constitution and
4035 Bylaws of this Association. Rules and amendments
4036 thereto, adopted by any commission of this
4037 Association, shall not be effective until submitted in
4038 writing to and approved by majority vote of the
4039 House of Delegates of this Association, except the
4040 Joint Commission on National Dental Examinations
4041 shall have such bylaws and amendments thereto as
4042 the House of Delegates of this Association may adopt
4043 by majority vote for the conduct of the purposes and
4044 management of the Joint Commission on National
CHAPTER XV • COMMISSIONS

Dental Examinations.

Section 130. DUTIES:
A. COMMISSION ON DENTAL ACCREDITATION. The duties of the Commission on Dental Accreditation shall be to:
a. Formulate and adopt requirements and guidelines for the accreditation of dental educational and dental auxiliary educational programs.
b. Accredit dental educational and dental auxiliary educational programs.
c. Provide a means for appeal from an adverse decision of the accrediting body of the Commission to a separate and distinct body of the Commission whose membership shall be totally different from that of the accrediting body of the Commission.
d. Submit an annual report to the House of Delegates of this Association and interim reports, on request, and the Commission’s annual budget to the Board of Trustees of the Association.
e. Submit the Commission’s articles of incorporation and rules and amendments thereto to this Association’s House of Delegates for approval by majority vote either through or in cooperation with the Council on Dental Education and Licensure.
B. JOINT COMMISSION ON NATIONAL DENTAL EXAMINATIONS. The duties of the Joint Commission on National Dental Examinations shall be to:
a. Provide and conduct written examinations, exclusive of clinical demonstrations for the purpose of assisting state boards of dental examiners in determining qualifications of dentists who seek license to practice in any state or other jurisdiction of the United States. Dental licensure is subject to the laws of the state or other jurisdiction of the United States, and the conduct of all clinical examinations for licensure is reserved to the individual board of dental examiners.
b. Provide and conduct written examinations, exclusive of clinical demonstrations for the purpose of assisting state boards of dental examiners in determining qualifications of dental hygienists who seek license to practice in any state or other jurisdiction of the United States. Dental hygiene licensure is subject to the laws of the state or other jurisdiction of the United States, and the conduct of all clinical examinations for licensure is reserved to the individual board of dental examiners.
c. Make rules and regulations for the conduct of examinations and the certification of successful candidates.
d. Serve as a resource of the dental profession in the development of written examinations.

CHAPTER XVI • SCIENTIFIC SESSION

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

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

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

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

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

CHAPTER XVII • PUBLICATIONS

Section 10. OFFICIAL JOURNAL:

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

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

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

D. EDITOR OF THE JOURNAL. Except as otherwise provided in the powers of the Board of Trustees under these Bylaws, as provided in Chapter VII, Section 90D, the editor of The Journal of the American Dental Association shall have the authority to determine the editorial content of The Journal, including scientific-based content, and shall, with the assistance of an editorial board nominated by the editor and appointed by the Board of Trustees,
CHAPTER XVII • PUBLICATIONS
CHAPTER XVIII • FINANCES
CHAPTER XIX • ALLIANCE OF THE AMERICAN DENTAL ASSOCIATION
CHAPTER XX • INDEMNIFICATION

Bylaws

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

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

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

Section 40. SPECIAL ASSESSMENTS: In addition to the payment of dues required in Chapter I, Section 20 of these Bylaws, a special assessment may be levied by the House of Delegates upon active, active life, retired and associate members of this Association as provided in Chapter I, Section 20 of these Bylaws, for the purpose of funding a specific project of limited duration. Such an assessment may be levied at any annual or special session of the House of Delegates by a two-thirds (2/3) affirmative vote of the delegates present and voting, provided notice of the proposed assessment has been presented in writing at least ninety (90) days prior to the first day of the session of such session. The specific project to be funded by the proposed assessment, the time frame of the project, and the amount and duration of the proposed assessment shall be clearly presented in giving notice to the members of this Association. Revenue from a special assessment and any earnings thereon shall be deposited in a separate fund as provided in Chapter XVII, Section 30 of these Bylaws. The House of Delegates may amend the main motion to levy a special assessment only if the amendment is germane and adopted by a two-thirds (2/3) affirmative vote of the delegates present and voting. The House of Delegates may consider only one (1) specific project to be funded by a proposed assessment at a time. However, if properly adopted by the House of Delegates, two (2) or more special assessments may be in force at the same time. Any resolution to levy a special assessment that does not meet the notice requirements set forth in the previous paragraph also may be adopted by a unanimous vote of the House of Delegates, provided the resolution has been presented in writing at a previous meeting of the same session.

CHAPTER XIX • ALLIANCE OF THE AMERICAN DENTAL ASSOCIATION

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

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

CHAPTER XX • INDEMNIFICATION

Each trustee, officer, council member, committee member, employee and other agent of the Association shall be held harmless and indemnified by the
CHAPTER XX • INDEMNIFICATION

CHAPTER XXI • CONSTRUCTION

CHAPTER XXII • AMENDMENTS

4230 Association against all claims and liabilities and all
4231 costs and expenses, including attorney’s fees,
4232 reasonably incurred or imposed upon such person in
4233 connection with or resulting from any action, suit or
4234 proceeding, or the settlement or compromise thereof,
4235 to which such person may be made a party by reason
4236 of any action taken or omitted to be taken by such
4237 person as a trustee, officer, council member,
4238 committee member, employee or agent of the
4239 Association, in good faith. This right of
4240 indemnification shall inure to such person whether or
4241 not such person is a trustee, officer, council member,
4242 committee member, employee or agent at the time
4243 such liabilities, costs or expenses are imposed or
4244 incurred and, in the event of such person’s death,
4245 shall extend to such person’s legal representatives. To
4246 the extent available, the Association shall insure
4247 against any potential liability hereunder.

CHAPTER XXI • CONSTRUCTION

4248 Where the context or construction requires, all titles
4249 and personal pronouns used in the Bylaws, whether
4250 used in the masculine, feminine or neutral gender,
4251 shall include all genders.

CHAPTER XXII • AMENDMENTS

4252 Section 10. PROCEDURE: These Bylaws may be
4253 amended at any session of the House of Delegates by
4254 a two-thirds (2/3) affirmative vote of the delegates
4255 present and voting, provided the proposed
4256 amendments shall have been presented in writing at a
4257 previous session or a previous meeting of the same
4258 session.

4259 Section 20. AMENDMENT AFFECTING THE
4260 PROCEDURE FOR CHANGING THE DUES OF
4261 ACTIVE MEMBERS: An amendment of these
4262 Bylaws affecting the procedure for changing the dues
4263 of active members may be adopted only if the
4264 proposed amendment has been presented in writing at
4265 least ninety (90) days prior to the first day of the
4266 session of the House of Delegates at which it is to be
4267 considered. Notice of such a resolution shall be sent
4268 by a certifiable method of delivery to each constituent
4269 society, federal dental service and the American
4270 Student Dental Association not less than ninety (90)
4271 days before such session to permit prompt, adequate
4272 notice by each constituent society, federal dental
4273 service and the American Student Dental Association
4274 to their delegates and alternate delegates to the House
4275 of Delegates of this Association, and shall be
4276 announced to the general membership in an official
4277 publication of the Association at least sixty (60) days
4278 in advance of the annual session.

4279 Amendments affecting the procedure for changing the
1. NAME. The name of this corporation is AMERICAN DENTAL ASSOCIATION.

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

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

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

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

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

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

8. VOTING RIGHTS WITH RESPECT TO ARTICLES OF INCORPORATION. Only those members of the corporation shall have voting rights in respect to amendments to the Articles of Incorporation who shall have a right to vote on amendments to the Constitution of the corporation.
American Dental Association

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