# Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Constitution of American Dental Association</td>
<td>3</td>
</tr>
<tr>
<td>Amendments, Article VIII</td>
<td>5</td>
</tr>
<tr>
<td>Annual Session, Article VI</td>
<td>4</td>
</tr>
<tr>
<td>Government, Article IV</td>
<td>4</td>
</tr>
<tr>
<td>Name, Article I</td>
<td>3</td>
</tr>
<tr>
<td>Object, Article II</td>
<td>3</td>
</tr>
<tr>
<td>Officers, Article V</td>
<td>4</td>
</tr>
<tr>
<td>Organization, Article III</td>
<td>3</td>
</tr>
<tr>
<td>Principles of Ethics and Code of Professional Conduct, Article VII</td>
<td>4</td>
</tr>
<tr>
<td>Bylaws of American Dental Association</td>
<td>7</td>
</tr>
<tr>
<td>Amendments, Chapter XX</td>
<td>78</td>
</tr>
<tr>
<td>American Dental Association Foundation, Chapter XIV</td>
<td>67</td>
</tr>
<tr>
<td>Appointive Officer, Chapter IX</td>
<td>52</td>
</tr>
<tr>
<td>Board of Trustees, Chapter VII</td>
<td>38</td>
</tr>
<tr>
<td>Commissions, Chapter XV</td>
<td>68</td>
</tr>
<tr>
<td>Component Societies, Chapter III</td>
<td>23</td>
</tr>
<tr>
<td>Conflict of Interest, Chapter VI</td>
<td>38</td>
</tr>
<tr>
<td>Constituent Societies, Chapter II</td>
<td>19</td>
</tr>
<tr>
<td>Councils, Chapter X</td>
<td>53</td>
</tr>
<tr>
<td>Elective Officers, Chapter VIII</td>
<td>46</td>
</tr>
<tr>
<td>Finances, Chapter XVIII</td>
<td>76</td>
</tr>
<tr>
<td>House of Delegates, Chapter V</td>
<td>26</td>
</tr>
<tr>
<td>Indemnification, Chapter X</td>
<td>77</td>
</tr>
<tr>
<td>Membership, Chapter I</td>
<td>7</td>
</tr>
<tr>
<td>Principles of Ethics and Code of Professional Conduct and Judicial Procedure, Chapter XII</td>
<td>62</td>
</tr>
<tr>
<td>Procedures and Hearings Relating to Member Conduct Policy, Chapter XIII</td>
<td>65</td>
</tr>
<tr>
<td>Publications, Chapter XVII</td>
<td>75</td>
</tr>
<tr>
<td>Scientific Session, Chapter XVI</td>
<td>75</td>
</tr>
<tr>
<td>Special Committees, Chapter XI</td>
<td>62</td>
</tr>
<tr>
<td>Trustee Districts, Chapter IV</td>
<td>25</td>
</tr>
<tr>
<td>Articles of Incorporation of American Dental Association</td>
<td>79</td>
</tr>
<tr>
<td>Appendix I</td>
<td>80</td>
</tr>
<tr>
<td>Appendix II</td>
<td>95</td>
</tr>
<tr>
<td>Appendix III</td>
<td>100</td>
</tr>
</tbody>
</table>
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.
CHAPTER I • MEMBERSHIP*

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

• Active Members
• Life Members
• Retired Members
• Nonpracticing Dentist Members
• Student Members
• Honorary Members
• Provisional Members
• Associate Members
• International Members

Section 20. QUALIFICATIONS, PRIVILEGES, DUES AND SPECIAL ASSESSMENTS:

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;

* The 2016 House of Delegates adopted Resolution 78H-2016, by which the entirety of Chapter I of the ADA Bylaws was deleted and replaced with a new Chapter I and a Governance and Organizational Manual, with the transition to the new Chapter I to take effect at the conclusion of the 2017 House of Delegates. For convenience, the new Chapter I adopted by the 2016 House of Delegates is reproduced as Appendix II to this pamphlet and the Governance and Organizational Manual is appended as Appendix III. This footnote shall expire at the adjournment sine die of the 2017 House of Delegates.
CHAPTER I • MEMBERSHIP

(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; or

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

(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 pay thirty dollars ($30.00) due on January 1 of each year until December 31 following completion of such program. For dentists who enter such a course or program while eligible for the dues reduction program, the applicable reduced dues rate shall be deferred until completion of that program. Upon completing the program, the dentist shall pay dues and any special assessment for active members at the reduced dues rate where the dentist left off in the progression. The dentist who is engaged full-time in (a) an advanced training course of not less than one (1) academic year’s duration in an accredited school or 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 any active member dues.
special assessment then in effect through December 31 following completion of such course or program. (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.

B. LIFE MEMBER.

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 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 shall also not be privileged to vote or otherwise participate in the selection of
CHAPTER I • MEMBERSHIP

officials of such member’s component and constituent societies and this Association.

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

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.

(1) A nonpracticing dentist 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. A nonpracticing dentist member 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 predoctoral student of a dental school accredited by
the Commission on Dental Accreditation of this Association, a predoctoral student of a dental school listed in the World Directory of Dental Schools compiled by the FDI World Dental Federation 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 dental school accredited by the Commission on
Dental Accreditation of the American Dental Association or shall be a graduate of an unaccredited dental school who has recently been licensed to practice dentistry in a jurisdiction in which there is a constituent dental society; 
(2) has not established a place of practice; and 
(3) shall have applied for provisional membership within 12 months of graduation or licensure. 
Provisional membership shall terminate December 31 of the second full calendar year following the year in which the degree was awarded.

b. PRIVILEGES. A provisional member in good standing shall be entitled to all the privileges of an active member except that a provisional member shall have no right to appeal from a denial of active membership in the Association.

A provisional member under a disciplinary sentence of suspension 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, or 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. The dues and/or any special assessment of provisional members shall be the same as the dues and/or any special assessment of active members.

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

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

c. DUES AND SPECIAL ASSESSMENTS. The dues of associate members shall be twenty-five percent (25%) of the dues of active members, due

* Individuals who are classified as associate members of this Association prior to the 1996 annual session of the House of Delegates but who are not employed full-time in dentally-related education or research by an accredited institution of higher education, may maintain their associate membership so long as other eligibility requirements are met and current dues and any special assessment are paid.
January 1 of each year. In addition to their annual
dues, associate members shall pay twenty-five
percent (25%) of any active member special
assessment, due January 1 of each year.

I. INTERNATIONAL MEMBER.

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

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

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

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

b. PRIVILEGES. An international member in good
standing shall receive a set of products and services
as are authorized by the Board of Trustees in
collaboration with the Council on Membership.

c. DUES AND SPECIAL ASSESSMENTS. The
dues of international members shall be established by
the Board of Trustees. The Board of Trustees shall be
authorized to deviate from the established
international member dues rate to: (1) promote
international memberships in a selected jurisdiction,
and (2) to recognize economic circumstances in least
developed countries eligible for special fee criteria as
established by the FDI World Dental Federation.

International member dues shall be due January 1
each year. International members shall be exempt
from the payment of any special assessment.

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

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, international,
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. LPASE OF MEMBERSHIP AND
REINSTATEMENT.

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. REINSTATEMENT. Reinstatement of active, life,
retired, nonpracticing dentist, student or international
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
CHAPTER I • MEMBERSHIP

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 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

* 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 constituent 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.
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 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 active 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 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 20D and E 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
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 120 in accordance with the procedure of Chapter XII, Section 20D and E of these Bylaws even though a disciplinary penalty is not involved.

Section 100. PRIVILEGE OF REPRESENTATION:
Each state constituent dental society and the District of Columbia Dental Society shall be entitled to a minimum of two (2) delegates in the House of Delegates. Each territorial constituent society and federal service shall be entitled to a minimum of two (2) delegates in the House of Delegates if its total membership is equal to or greater than the size of the smallest state constituent society; otherwise the territorial society or service shall receive one (1) delegate. 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
Florida Dental Association
Georgia Dental Association
Hawaii Dental Association
Idaho State Dental Association
Illinois State Dental Society
Indiana 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
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 20D and E 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...
CHAPTER III • COMPONENT SOCIETIES

CHAPTER IV • TRUSTEE DISTRICTS

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
Tennessee Dental Association
West Virginia Dental Association

DISTRICT 7
Indiana Dental Association
Ohio Dental Association
CHAPTER IV • TRUSTEE DISTRICTS

CHAPTER V • HOUSE OF DELEGATES

Section 10. COMPOSITION.

A. VOTING MEMBERS. The House of Delegates shall be composed of the officially certified delegates of the constituent dental societies and 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. NON-VOTING MEMBERS. The elective and
appointive officers and trustees of this Association
shall be members of the House of Delegates without
the power to vote. They shall not serve as delegates.
Past presidents of this Association shall be members
of the House of Delegates without the power to vote
unless designated as delegates.

C. REPRESENTATIONAL REQUIREMENTS
AND GOALS. Each constituent society and each of
the five (5) federal dental services shall be entitled to
the minimum number of delegates set forth in
CHAPTER II. CONSTITUENT SOCIETIES, Section
100. PRIVILEGE OF REPRESENTATION. The
American Student Dental Association shall be entitled
to the number of delegates set forth in CHAPTER V.
HOUSE OF DELEGATES, Section 10.
COMPOSITION, Subsection A.
The allocation of the remaining delegates shall be
made pursuant to the delegate allocation methodology
set forth in Subsection D. of this Section, with the
goals of (i) achieving as close to proportional
representation of active, life and retired members of
the Association as possible while providing for the
minimum representational requirements set forth in
CHAPTER II. CONSTITUENT SOCIETIES, Section
100. PRIVILEGE OF REPRESENTATION; (ii)
providing for representation of the American Student
Dental Association; and (iii) maintaining the size of
the House of Delegates as close to 473 delegates as
possible while meeting the other goals recited in this
Subsection.

D. DELEGATE ALLOCATION METHODOLOGY.
Commencing in 2014, based on the representational
requirements and goals set forth in Section 10C,
delegates shall be allocated according to the allocation
methodology set forth below. Thereafter, to account
for membership fluctuations, delegate allocations
shall be reviewed and delegates shall be reallocated
by the Secretary of the House of Delegates every four
(4) years among the constituent dental societies, the
five (5) federal dental services and the American
Student Dental Association in accordance with that
same methodology. Delegate allocations shall be
based on the Association's year-end membership
records for the second calendar year preceding the
year in which the delegate allocations become
effective. The review of delegates shall take place as
soon as possible after the membership numbers on
which the delegate allocations are based are available
and the Secretary of the House of Delegates shall
publish the new delegate allocations expeditiously
thereafter to the constituent dental societies, the five
(5) federal dental services and the American Student
Dental Association. The delegate allocations shall
also be published in the Manual of the House of
Delegates. The delegate allocation methodology is as
follows:

a. The Target Delegate Number. For purposes of
allocating delegates, the target number of delegates
to be used in calculating the allocation is four
hundred seventy-three (473). From that target
number two delegates will be deducted for each
constituent society except that only a single delegate
will be deducted from each of the Colegio de
Cirujanos Dentistas de Puerto Rico and the Virgin
Islands Dental Association unless the number of
members in either of those societies is equal to or
greater than the number of members in the smallest
state constituent society, in which case a minimum
of two (2) delegates will be deducted from the target
delegate number for that society. One delegate is
deducted from the target delegate number for each of
the five (5) dental services, except that a minimum of
two (2) delegates will be deducted for any federal
dental service where the number of members is equal
to or greater than the number of members in the
smallest state constituent society. In addition, five
(5) delegates will be deducted from the target
delegate number for the American Student Dental
Association. For purposes of the delegate allocation
methodology set forth in these Bylaws, the remaining
number of delegates in the target number of delegates
following the deductions of delegates listed above
from the target number of delegates shall be referred
to as the net delegate allocation pool.

b. Allocation to the American Student Dental
Association. Five (5) delegates shall be allocated to
the American Student Dental Association regardless
of the number of members.

c. Determination of the True Proportional
Delegate Counts for each Constituent and each
Federal Dental Service. Divide each constituent’s
and each federal dental service’s total membership
by the total membership of the Association. Multiply
the resulting percentage of membership for each
constituent and federal dental service by the target
number of delegates set forth in paragraph a. of this
Subsection less the number of delegates allocated to
the American Student Dental Association in
paragraph b. of this Subsection. The resulting true
proportional delegate numbers will be used later in
the delegate allocation methodology.
d. Determination of Constituents and Federal Dental Services that Qualify to Receive More than the Minimum Delegate Allocation.

i. Divide the total constituent and federal dental service membership of the Association by the target number of delegates set forth in paragraph a. of this Subsection less the number of delegates allocated to the American Student Dental Association in paragraph b. of this Subsection. Compare the resulting number against the membership numbers for the Colugo de Cirujanos Dentistas de Puerto Rico, Virgin Islands Dental Association and Public Health Service if they received a single delegate pursuant to the review performed in paragraph a. of this Subsection. If the membership numbers of any of those entities are less than the result of the calculation, allocate the number of delegates deducted from the target delegate allocation number for each such entity and exclude those entities from the remaining steps of the delegate allocation methodology.

ii. Take the result of the calculation performed in subparagraph i. of this paragraph d. and multiply it by two (2). Compare the resulting number against the membership numbers for each constituent society and each federal dental service for which two (2) delegates were deducted from the target delegate allocation number in paragraph a. of this Subsection. If the membership of any of those constituent societies and federal dental services are less than that number, allocate the number of delegates deducted from the target delegate allocation number for each such entity and exclude those entities from the remaining steps of the delegate allocation methodology.

e. Calculation of Non-Minimum Membership Total.

Subtract the total membership numbers of each constituent society and federal dental service identified as being excluded from the remaining steps of the delegate allocation methodology from the total membership of the Association. The resulting non-minimum membership total will be used in the remaining delegate allocation methodology steps.

f. Allocation of Remaining Delegates.

i. Divide each remaining constituent’s and federal dental service’s membership by the non-minimum membership total determined in paragraph e. of this Subsection to arrive at their percentages of the non-minimum membership total.

ii. Calculate the remaining number of delegates to be allocated by subtracting from the target number of delegates listed in paragraph a. of this Subsection the delegates allocated to the American Student Dental Association in paragraph b. of this Subsection and the delegates allocated by the

Bylaws 29
minimum allocation steps in paragraphs d.i and d.ii. of this Subsection.

iii. For each remaining constituent and federal dental service, multiply its percentage of the non-minimum membership total determined by the calculation in paragraph f.i. of this Subsection and the remaining number of delegates to be allocated as determined by the calculation in paragraph f.ii. of this Subsection. Round the result to the nearest whole number.

iv. For each remaining constituent and federal dental service, multiply the result obtained in paragraph f.i. of this subparagraph by the target number of delegates specified in paragraph a. of this Subsection less the number of delegates allocated to the American Student Dental Association pursuant to paragraph b. of the Subsection and round the result to the nearest whole number.

v. For each remaining constituent and federal dental service, subtract the result obtained in subparagraph f.iv. of this Subsection from the result obtained in subparagraph f.iii. of this Subsection. If the result is negative, use the result obtained in subparagraph f.iv. of this Subsection as that constituent’s allocated delegate total. If the result is zero or positive, use the result obtained in subparagraph f.iii. of this Subsection as that constituent’s allocated delegate total.

g. Finalize the Delegate Allocation. Add together the final delegate allocations for the constituent societies, federal dental services and the American Student Dental Association determined through the calculations of paragraph b., subparagraphs d.i. and d.ii. and subparagraph f.v. of this Subsection. The result is the total delegates allocated. The total delegates allocated should vary no more than 5% from the target number of delegates set forth in paragraph a. of this Subsection.

h. Calculating the Fairness Ratio. Divide each constituent’s and each federal dental service’s percentage of total delegates (the constituent’s allocated delegates divided by the total delegates allocated as determined by the calculation set forth in subparagraph f.v. of this Subsection) by its percentage of total membership as calculated in paragraph a. of this Subsection. Except for those constituents that only receive the minimum number of allocated delegates, the resulting “fairness ratio” should deviate by a small amount on either side of 1, with 1 representing a perfectly proportional delegate allocation. The fairness ratio for constituents and federal dental services that receive only the minimum allocation of delegates may deviate from 1 to a larger degree because those constituents and federal dental services may be slightly over-represented.
E. ALTERNATE DELEGATES. Each constituent dental society and each federal dental service may select from among its active, life and retired members the same number of alternate delegates as delegates.

The American Student Dental Association may select from among its active members the same number of alternate delegates as delegates.

F. SELECTION OF AMERICAN STUDENT DENTAL ASSOCIATION DELEGATES AND ALTERNATE DELEGATES. The American Student Dental Association shall select its five (5) delegates from its even numbered regions in even numbered years, and the odd numbered regions in odd numbered years, with their alternate delegates selected from the opposite groups of regions.

G. TERM 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,
CHAPTER V • HOUSE OF DELEGATES

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 XII 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 110Ba 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 or the American Student Dental Association Delegation. 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 or the American Student Dental Association Delegation 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
CHAPTER V • HOUSE OF DELEGATES

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. 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.

D. 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.

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 statements with the Secretary of the House of Delegates to be made available to the delegates prior to election. As a condition of appointment, consultants, advisers and staff of Councils, Commissions and Special Committees, and each person nominated or seeking such positions, shall file conflict of interest statements with the executive director of this Association.

While serving in any elective, appointive or employed office or position, the individual shall comply with the conflict of interest policy applicable to his or her office or position, shall complete and file a conflict of interest statement for each year of service, and shall promptly report any situation in which a potential conflict of interest may arise.

The Board of Trustees shall approve any additional compliance activities that will implement the requirements of this chapter. The Board of Trustees shall render a final judgment on what constitutes a conflict of interest.

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
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 Speaker declares the nominee elected pursuant to Paragraph A of Section 50 of this Chapter, the nomination may be reconsidered by the duly constituted caucus of the trustee district during the appropriate annual session, provided that at no time shall more than one nominee be presented by the trustee district for election. The House of Delegates may vote to reject any such nominee and thereby compel the trustee district caucus to select a different nominee.

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 name 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.

N. Notwithstanding any other provision in the Bylaws, authorize pilot programs of limited scope (e.g. geographic or demographic), and guidelines related thereto, provided that no such pilot program shall exceed a period of three years without authorization by the House of Delegates and provided further that the Board of Trustees shall annually report on any such program during its duration, to the House of Delegates.

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 XVI, 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 electronically to each constituent society and posted on ADA Connect or its equivalent for the House of Delegates not less than thirty (30) days before such session to permit prompt, adequate notice by each constituent society to its 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 fifteen (15) 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 meeting of the annual session, in printed form, nominations for membership to the councils, except as otherwise provided in these Bylaws.

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.

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.

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

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.

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

N. Review the periodic delegate allocations to the House of Delegates performed pursuant to the
methodology set forth in CHAPTER V. HOUSE OF
DELEGATES, Section 10. COMPOSITION,
Subsection D. DELEGATE ALLOCATION
METHODOLOGY against the representational
requirements and goals as provided in Chapter V,
Section 10C, of these Bylaws.

O. Elect associate members.

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

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

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

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.

Section 110. MEETINGS:

A. REGULAR MEETINGS. The Board of Trustees
shall hold a minimum of three regular meetings 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.

B. SPECIAL MEETINGS. Special meetings 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.

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.

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

Section 130. OFFICERS:

A. CHAIR AND SECRETARY. The officers of the
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.

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

B. DUTIES.

a. CHAIR. The Chair shall preside at all meetings of the Board of Trustees. The Chair may cast a vote only in instances where there is a tie vote and the tie does not by itself determine the outcome of the vote.

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.

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.

Members of the Committee shall serve one (1) term of four (4) years. The Board of Trustees shall stagger the terms of the members of the Committee in a manner so four (4) members will complete their terms each year, except every fourth year when five (5) members shall complete their terms.

The Board of Trustees shall have the power to remove a Committee member for cause in accordance with procedures established by the Board in its Rules. In the event of any vacancy on the Committee, the Board of Trustees shall select a member of this Association possessing the same qualifications as established by these Bylaws for the previous member, to fill such vacancy for the remainder of the unexpired term. If the term of the vacated Committee position has less than fifty percent (50%) of a full four-year term remaining at the time the successor member is selected, the successor member shall be eligible for selection 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 selection, the successor member shall not be eligible for another term.

The New Dentist Committee’s work shall be assigned by the Board of Trustees, and reports and proposals shall be sent to the Board of Trustees.
formulated by the Committee shall be referred to the Board for decision and action. The duties of the Committee shall be to:

a. Provide the Board of Trustees with expertise on issues affecting new dentists.
b. Advocate to the Board of Trustees, other agencies of this Association and the tripartite dental societies the perspectives of the new dentist in the development of policies, programs, benefits and services of the Association.
c. Identify the needs and concerns of new graduate dentists and make recommendations for any programs to assist with their transition to practice.
d. Enhance member value, encourage involvement and active participation, and build a community of new dentists in organized dentistry.
e. Serve as non-voting members of councils and commissions of this Association on issues affecting new dentists; these appointments will be recommended by the Committee and assigned by the Board of Trustees.
f. Facilitate the development of constituent and component new dentist committees and provide resources to assist constituent and component dental societies in meeting the needs of new dentists.
g. Enhance the development of future leaders by providing and promoting leadership development opportunities and training for new dentists.

CHAPTER VIII • ELECTIVE OFFICERS

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. At least sixty (60) days prior to the convening of the House of Delegates the Executive Director shall provide all members 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 not otherwise eligible to serve as Treasurer due to term limits would be eligible to serve as Treasurer until the House of Delegates can elect a Treasurer.

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 November of the final year of the incumbent Speaker of the House’s term. 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. At least sixty (60) days prior to the convening of the House of Delegates the Executive Director shall provide all members 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. Seconding 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 term of the incumbent Speaker of the House shall be extended by one (1) year. Should the incumbent Speaker of the House be unwilling or unable to serve an additional one (1) year term, the office of Speaker of the House shall be filled in the same manner as provided in Chapter VIII, Section 80 of these Bylaws. Under these circumstances, former Speakers of the House of this Association not otherwise eligible to serve as Speaker of the House due to term limits would be eligible to serve as Speaker of the House until the House of Delegates can elect a Speaker of the House of Delegates.

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, excepting the case of a former Speaker of the House who has been elected Speaker of the House as provided in Chapter VIII, Section 30 of these Bylaws, who may serve until the House of Delegates can elect a Speaker of the House of Delegates. * Serving any portion of a three (3) year term of office for the Speaker of the House would be disqualified from further service as Speaker. In order to stagger the terms of the Speaker of the House and the Treasurer, the term of the Speaker of the House for 2015-2018 shall be extended for one (1) year, and shall end at the
term shall be considered service of a full three (3) year term. 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 as provided in Chapter VIII, Section 30 of these Bylaws, who may serve until the House of Delegates can elect a Treasurer. Serving any portion of a three (3) year term shall be considered service of a full three (3) year term.

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 an interim Speaker who shall serve until the House of Delegates can elect a Speaker of the House of Delegates for a three (3) year term.

adjournment sine die of the 2019 House of Delegates. This footnote shall expire at the adjournment sine die of the 2019 House of Delegates.
term. Service as an interim Speaker shall not count toward the term of office limitation for Speaker of the House as set forth in Section 50 of this Chapter. 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 with an interim Treasurer 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. Service as an interim Treasurer shall not count toward the term of office limitation for Treasurer as set forth in Section 50 of this Chapter. 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 as provided in Chapter VIII, Section 30 of these Bylaws.

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, except as otherwise provided in these Bylaws, non-voting 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 a non-voting member of the House of Delegates.

c. Serve as a 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 a non-voting member of the House of Delegates.

c. Serve as a 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 a non-voting member of the House of Delegates.

c. Serve as a 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.

e. Serve as the principal resource person for the budget reference committee in the House of Delegates and to help interpret the Association’s finances for the membership.

f. Review all financial information and data and report on financial matters to the Board of Trustees on a quarterly basis.

g. Review travel reimbursement for the elective officers, trustees and Executive Director.

h. Serve as a non-voting member of the House of Delegates.

i. Serve as a non-voting member of the Board of Trustees.

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

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
Bylaws

CHAPTER IX • APPOINTIVE OFFICER
CHAPTER X • COUNCILS

2474 Trustees and elective officers;
2475 (e) oversee the management of Association policies
2476 that have been adopted by the Board of Trustees
2477 and/or the House of Delegates;
2478 f) assist the Board of Trustees in supervising,
2479 monitoring and providing guidance to all
2480 Association councils, commissions and committees
2481 in regard to their administrative functions and
2482 specific assignments, and to systematize the
2483 preparation of their reports, and to encourage the
2484 exchange of information concerning mutual interests
2485 and issues between councils, committees and
2486 commissions;
2487 (g) maintain effective internal and external
2488 relationships through frequent and comprehensive
2489 communication with all officers and trustees of this
2490 Association, the leadership of related dental
2491 organizations, and representatives from other leading
2492 public and private organizations that interact with
2493 this Association; and
2494 (h) perform such other duties as are prescribed by
2495 these Bylaws.

Section 50. VACANCY: Upon the occurrence of a
2496 vacancy in the office of Executive Director, an interim
2497 Executive Director, whose duties shall be as defined
2498 in Section 40 of this Chapter, shall be appointed by
2500 the Board of Trustees within forty-five (45) days of
2501 such vacancy occurring. Any active, life or retired
2502 member in good standing may be appointed to serve
2503 as interim Executive Director. But, the Board of
2504 Trustees may appoint any qualified individual who is
2505 not eligible for membership in the Association, except
2506 that any current officer or member of the Board of
2507 Trustees shall not be eligible for such appointment.
2508 The interval of service and salary, if any, of the
2509 interim Executive Director shall be at the discretion of
2510 the Board of Trustees.

CHAPTER X • COUNCILS

Section 10. NAME: The councils of this Association
2511 shall be:
2512 Council on Advocacy for Access and Prevention
2513 Council on Communications
2514 Council on Dental Benefit Programs
2515 Council on Dental Education and Licensure
2516 Council on Dental Practice
2517 Council on Ethics, Bylaws and Judicial Affairs
2518 Council on Government Affairs
2519 Council on Members Insurance and Retirement
2520 Programs
2521 Council on Membership
2522 Council on Scientific Affairs
2523

Section 20. MEMBERS, SELECTIONS,
2524 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 Advocacy for Access and Prevention 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 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 (4) members who are active, life or retired members of this Association shall be selected 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 a non-voting member of the
Council. Consideration 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.

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.

* 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. 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 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 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 selected annually by each council from among its members to serve as chair, with written notification to the Board of Trustees, with exception of the Council on Dental Education and Licensure. The Chair of the Council on Dental Education and Licensure shall be selected from nominations submitted by the Council, with written notification to the Board of Trustees, provided that every other year, the chair selected 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 AND STAFF:

A. CONSULTANTS. Each council shall have the authority to appoint consultants in conformity with rules and regulations established by the Board of Trustees except as otherwise provided in these Bylaws. The councils shall inform the Board in writing of the selection of consultants in conformity with rules and regulations established by the Board of Trustees.

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 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:** Each council listed in Section
10 of this Chapter shall have the following duties with
respect to the subject matters for which each council
is responsible as listed in Section 130 of this Chapter:

A. Define, develop and oversee programming and
projects that support and advance the strategic plan of
the Association;

B. Consider and investigate emerging issues;

C. Respond to directives received from the House of
Delegates or the Board of Trustees;

D. Propose new policies and rescission of and
amendments to existing policies for consideration by
the House of Delegates; and

E. Collaborate with external and internal agencies,
upon direction or approval of the ADA President, on
initiatives or issues that are within the responsibility
of the council and communicate appropriate
information to the Association membership.

**Section 130. AREAS OF RESPONSIBILITY:**

A. COUNCIL ON ADVOCACY FOR ACCESS
AND PREVENTION. The areas of subject matter
responsibility of the Council shall be:

a. Oral Health Literacy;

b. Oral Disease Prevention and Intervention;

c. Access to Oral Healthcare; and

d. Community Oral Health Advocacy.

B. COUNCIL ON COMMUNICATIONS. The areas
of subject matter responsibility of the Council shall
be:

a. Advise on the management of the Association’s
reputation;

b. Develop, recommend and maintain ADA strategic
communications plans;

c. Advise ADA agencies on branding;

d. Advise on prioritization and allocation of
communications resources; and

e. Advise on communications and marketing for state
and local dental societies, upon request.

C. COUNCIL ON DENTAL BENEFIT
PROGRAMS. The areas of subject matter
responsibility of the Council shall be:

a. Administration and financing of all dental benefit
programs including both commercial and public
programs;
b. Dental Quality Alliance;
c. Monitoring of quality reporting activities of third party payers;
d. Peer review programs;
e. Code sets and code taxonomies including but not limited to procedure and diagnostic codes;
f. Electronic and paper dental claim content and completion instructions; and
g. Standards pertaining to the capture and exchange of information used in dental benefit plan administration and reimbursement for services rendered.

D. COUNCIL ON DENTAL EDUCATION AND LICENSURE. The areas of subject matter responsibility of the Council shall be:

a. Dental, advanced dental and allied dental education and accreditation;
b. Recognition of dental specialties and interest areas in general dentistry;
c. Dental anesthesiology and sedation;
d. Dental admission testing;
e. Licensure;
f. Certifying boards and credentialing for specialists and allied dental personnel; and
g. Continuing dental education.

E. COUNCIL ON DENTAL PRACTICE. The areas of subject matter responsibility of the Council shall be:

a. Dental Practice, including:
   (1) Dental practice management;
   (2) Practice models and economics;
   (3) Scope of practice;
   (4) Impact of and compliance with regulatory mandates; and
   (5) Assessment of initiatives directed to the public and the profession;

b. Allied Dental Personnel, including:
   (1) Utilization, management and employment practices; and
   (2) Liaison relationships with organizations representing allied dental personnel;

   c. Dentist Health and Wellness, including:
   (1) Dental professional well-being, wellness and ergonomics;
   (2) Patient safety and wellness; and
   (3) Liaison relationships with state well-being programs and related national organizations;

   d. Dental Informatics and Standards for Electronic Technologies; and

   e. Activities and Resources Directed to the Success of the Dental Practice and the Member.

F. COUNCIL ON ETHICS, BYLAWS AND JUDICIAL AFFAIRS. The areas of subject matter responsibility of the Council shall be:
a. Ethics and professionalism, including disciplinary matters relating thereto;
b. The Constitution and Bylaws of this Association, including:
(1) Review of the constitutions and bylaws of state and local societies to ensure consistency with the Association’s Bylaws; and
(2) Correct punctuation, grammar, spelling and syntax, change names and gender references and delete moot material where such revisions do not alter the material’s context or meaning in the Bylaws and the ADA Procedures for Member Disciplinary Hearings and Appeals upon the unanimous vote of the Council members present and voting; and
c. Acting as the Standing Committee of Constitution and Bylaws of the House of Delegates pursuant to CHAPTER V, Section 140A of the Bylaws.

G. COUNCIL ON GOVERNMENT AFFAIRS. The areas of subject matter responsibility of the Council shall be:
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 legislation, regulatory activity, policies and governmental programs relating to dentistry and oral health for submission to Congress;
c. Serve and assist as liaison with those agencies of the federal government which employ dental personnel or have dental care programs, and formulate policies which are designed to advance the professional status of federally employed dentists; and
d. Disseminate information which will assist the constituent and component societies involving legislation and regulation affecting the dental health of the public.

H. COUNCIL ON MEMBERS INSURANCE AND RETIREMENT PROGRAMS. The areas of subject matter responsibility of the Council shall be:
a. Insurance and retirement plan products and resources; and
b. Risk management education programs and resources.

I. COUNCIL ON MEMBERSHIP. The areas of subject matter responsibility of the Council shall be:
a. Membership recruitment and retention and related issues;
b. Monitor and provide support and assistance for the membership activities of constituent and component dental societies; and
c. Membership benefits and services.

J. COUNCIL ON SCIENTIFIC AFFAIRS. The areas

Bylaws
of subject matter responsibility of the Council shall be:

a. Science and scientific research, including:
   (1) Evidence-based dentistry;
   (2) Evaluation of professional products;
   (3) Promulgation of a biennial research agenda; and
   (4) Promotion of student involvement in dental research;

b. Scientific aspects of the dental practice environment related to the health of the public, dentists and allied health personnel;

c. Standards development for dental products;

d. The safety and efficacy of concepts, procedures and techniques for use in the treatment of patients;

e. Liaison relationships with scientific regulatory, research and professional organizations and science-related agencies of professional healthcare organizations; and

f. The ADA Seal of Acceptance program.

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 • PRINCIPALS OF ETHICS AND CODE OF PROFESSIONAL CONDUCT AND JUDICIAL PROCEDURE

Section 10. PROFESSIONAL CONDUCT OF MEMBERS: The professional conduct of a member of this Association shall be governed by the Principles of Ethics and Code of Professional Conduct of this
A. CONDUCT SUBJECT TO DISCIPLINE. A member may be disciplined for (1) having been found guilty of a felony, (2) having been found guilty of violating the dental practice act of a state or other jurisdiction of the United States, (3) having been discharged or dismissed from practicing dentistry with one of the federal dental services under dishonorable circumstances, or (4) violating the Bylaws, the Principles of Ethics and Code of Professional Conduct, or the bylaws or code of ethics of the constituent or component society of which the accused is a member. For a member of a constituent society, disciplinary proceedings may be instituted by either the member’s component or constituent society. Disciplinary proceedings against a direct member of this Association may be instituted by the Council on Ethics, Bylaws and Judicial Affairs of this Association.

B. DISCIPLINARY PENALTIES. A member may be disciplined for any of the offenses enumerated in Section 20A of this Chapter 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 coverages 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 society which preferred charges to have been violated, after a hearing on the probation violation charges in...
accordance with procedures set forth in the *ADA Procedures for Member Disciplinary Hearings and Appeals*, 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. REMINDER OF OBLIGATION. In appropriate circumstances, a constituent or component society or, in the case of direct members, this Association, may issue a Reminder of Obligation to a member where the member may have committed a relatively minor infraction of the *ADA Bylaws*, the *Principles of Ethics and Code of Professional Conduct* or the bylaws or code of ethics of a constituent or component society of which the accused is a member. Such a Reminder of Obligation is not a disciplinary penalty but is a private administrative action and no record of the issuance of a Reminder of Obligation shall be placed in the member’s membership records.

D. PROCEDURES FOR DISCIPLINARY HEARINGS AND APPEALS. The procedures for hearings and appeals conducted pursuant to this Chapter XII shall be set forth in the *ADA Procedures for Member Disciplinary Hearings and Appeals*, a copy of which shall be appended to the *ADA Constitution and Bylaws* and otherwise made freely available to members of the Association. The procedures set forth in the *ADA Procedures for Member Disciplinary Hearings and Appeals* shall be amendable by the House of Delegates on majority vote.

E. DISCIPLINARY HEARINGS. Before a disciplinary penalty is invoked against a member, a hearing held pursuant to the procedures set forth in the *ADA Procedures for Member Disciplinary Hearings and Appeals* shall be held.

F. APPEALS. Before any penalty enumerated in Chapter XII, Section 20B, set forth in a decision following the hearing called for by Chapter XII, Section 20D and conducted pursuant to the *ADA Procedures for Member Disciplinary Hearings and Appeals* shall be final, the accused member has a right to appeal that decision, including any disciplinary sentence specified therein. Any such appeal shall be conducted within the timeframes and in accordance with the appeal procedures set forth in the *ADA Procedures for Member Disciplinary Hearings and Appeals*.

G. 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.

H. NON-COMPLIANCE. In the event of a failure of
technical compliance with the procedural
requirements of this Chapter, or as set forth in the
ADA Procedures for Member Disciplinary Hearings
and Appeals, 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 the ADA Procedures for Member
Disciplinary Hearings and Appeals.

B. PROCEDURES FOR HEARINGS AND
APPEALS HELD UNDER THE ASSOCIATION’S
MEMBER CONDUCT POLICY. The procedures
for hearings and appeals conducted pursuant to this
Chapter XIII shall be set forth in the ADA
Procedures for Member Disciplinary Hearings and
Appeals, a copy of which shall be appended to the
ADA Constitution and Bylaws and otherwise made
freely available to members of the Association. The
procedures set forth in the ADA Procedures for
Member Disciplinary Hearings and Appeals shall be
amendable by the House of Delegates on majority
vote.

C. REMINDER OF OBLIGATION. In appropriate
circumstances, this Association, through the Council
on Ethics, Bylaws and Judicial Affairs, may issue a
Reminder of Obligation to a member where the
member may have committed a relatively minor
infraction of the ADA Member Conduct Policy or
engaged in conduct to which the ADA Member
Conduct Policy might apply. Such a Reminder of
Obligation is not a disciplinary penalty but is a private
administrative action and no record of the issuance of
a Reminder of Obligation shall be placed in the
member’s membership records.
D. 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 20D, 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.

E. DISCIPLINARY PROCEEDINGS. Before a disciplinary penalty is invoked against a member for violating the Association’s Member Conduct Policy, a hearing held pursuant to the procedures set forth in the ADA Procedures for Member Disciplinary Hearings and Appeals shall be held.

F. APPEALS TO FULL COUNCIL. Before any penalty enumerated in Chapter XIII, Section 20B, set forth in a decision following the hearing called for by Chapter XIII, Section 20D and conducted pursuant to the ADA Procedures for Member Disciplinary Hearings and Appeals shall be final, the accused
member has a right to appeal that decision, including any disciplinary sentence specified therein. Any such appeal shall be conducted within the timeframes and in accordance with the appeal procedures set forth in the ADA Procedures for Member Disciplinary Hearings and Appeals.

G. CONSIDERATION OF RECOMMENDED PROBATION, SUSPENSION, EXPULSION AND/OR REMOVAL FROM OFFICE OF TRUSTEES OR ELECTIVE OFFICERS BY HOUSE OF DELEGATES. The House of Delegates shall decide whether to accept or reject any recommendation of a sentence of probation, suspension, expulsion and/or removal from office made pursuant to this Chapter XIII against Trustees or Elected Officers of this Association. Delegates and alternate delegates who participated in any portion of the procedures that resulted in such recommendation shall be recused from deliberations under this Section 20F. A two-thirds (2/3) affirmative vote of the delegates present and voting is required to impose a disciplinary sentence of expulsion from membership or removal from office, suspension or probation.

H. SENTENCE. After all appeals are exhausted or after the time for filing an appeal has expired, a sentence of censure, suspension, expulsion and/or removal from office 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.

I. NON-COMPLIANCE. In the event of a failure of technical compliance with the procedural requirements of this Chapter or of the procedures set forth in the ADA Procedures for Member Disciplinary Hearings and Appeals, the Council on Ethics, Bylaws and Judicial Affairs shall determine the effect of non-compliance.

CHAPTER XIV • AMERICAN DENTAL ASSOCIATION FOUNDATION

Section 10. FINANCIAL SUPPORT: The Association is the sole Member of the American Dental Association Foundation. The Association shall annually furnish sufficient financial support, as an addition to generated non-Association funding, to assure the continued viability of the Foundation’s research activities.

Section 20. DUTIES:

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

CHAPTER XV • COMMISSIONS

Section 10. NAME: The commissions of this
Association shall be:
Commission on Dental Accreditation
Joint Commission on National Dental Examinations
Commission for Continuing Education Provider
Recognition

Section 20. MEMBERS, SELECTIONS,
NOMINATIONS AND ELECTIONS:

A. COMMISSION ON DENTAL
ACCREDITATION. The number of members and the
method of selection of the members of the
Commission on Dental Accreditation shall be
governed by the Rules of the Commission on Dental
Accreditation and these Bylaws.

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

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

(2) Four (4) members who are active, life or retired
members of this Association shall be selected 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 members of any state
board of dental examiners or jurisdictional dental
licensing agency.

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

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

b. Six (6) members who are active, life or retired members of this Association shall be selected 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 dental school.

c. Three (3) 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 the dental schools accredited by this Association and shall not be members of any state board of dental examiners or jurisdictional dental licensing agency.

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

e. One (1) member who is a public representative shall be selected by the Joint Commission on National Dental Examinations.

f. One (1) member who is a dental student shall be selected annually by the American Student Dental Association.

C. COMMISSION FOR CONTINUING EDUCATION PROVIDER RECOGNITION. The Commission for Continuing Education Provider Recognition shall be composed of members selected as follows:

a. Four (4) members, at least two of whom shall be general dentists, shall be selected from nominations open to all trustee districts from the active, life or retired members of this Association. These members shall be nominated by the Board of Trustees and elected by the House of Delegates.

b. One (1) member who is an active, life or retired member of this Association (if eligible) shall be selected by the American Association of Dental Boards from the active membership of that body.

c. One (1) member who is an active, life or retired member of this Association (if eligible) shall be selected by the American Dental Education Association from its active membership.

d. One (1) member who is an active, life or retired member of this Association (if eligible) shall be selected by the American Society of Constituent Dental Executives from its active membership.

e. One (1) member who is an active, life or retired member of this Association shall be selected by each sponsoring organization of the ADA recognized...
dental specialties.*

Section 30. REMOVAL FOR CAUSE: The Board of Trustees may remove a commission 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 commission member shall be excused from attending any meeting of a commission unless there is an opportunity to be heard or compelling reasons exist which are specified in writing by the Board of Trustees.

Section 40. ELIGIBILITY:

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

B. A member of 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. Any organizations that select members to serve on

* The Commission for Continuing Education Provider Recognition initially shall be composed of the incumbent members of the CERP Committee of the Council on Dental Education and Licensure that was retired by the 2014 House of Delegates and any new appointees to the CERP Committee of the Council on Dental Education and Licensure selected by the American Association of Dental Boards, American Dental Education Association, American Society of Constituent Dental Executives and/or a sponsoring organization of any ADA recognized dental specialty. To the extent that there exists an unfilled position on the Commission for Continuing Education Provider Recognition for an ADA appointee when the Commission is created, that position shall be treated as a vacancy and filled in accordance with the procedure set forth in CHAPTER XV. COMMISSIONS, Section 70 of these ADA Bylaws. These inaugural Commission members shall serve for terms that are equal in time to their unfinished terms on the retired CERP Committee. This footnote shall expire at adjournment sine die of the 2018 House of Delegates.
the Commission for Continuing Education Provider
Recognition and offer continuing dental education
courses shall be continuing education providers
currently approved by that Commission.

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

F. 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
predoctoral, advanced dental educational, and dental
auxiliary educational programs. The Commission for
Continuing Education Provider Recognition shall
have the power to appoint consultants to assist in
developing standards and procedures, conducting
recognition reviews and conducting appeals.

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

Section 60. TERM OF OFFICE: The term of office
of members of the commissions shall be four (4) years
except that (a) the term of office of members of the
Commission on Dental Accreditation selected
pursuant to the Rules of the Commission on Dental
Accreditation shall be governed by those Rules and
(b) the term of office of the dental student selected by
the American Student Dental Association for
membership on the Joint Commission on National
Dental Examinations shall be one (1) year.
The tenure of a member of a commission shall be
limited to one (1) term of four (4) years except that (a)
the consecutive tenure of members of the Commission
on Dental Accreditation selected pursuant to the Rules
of the Commission on Dental Accreditation shall be
governed by those Rules and (b) tenure in office of the
dental student selected by the American Student
Dental Association for membership on the Joint
Commission on National Dental Examinations shall
be one (1) term. A member shall not be eligible for appointment to another commission or council for a period of two (2) years after completing a previous commission appointment.

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

A. In the event the member of a commission, whose office is vacant, is or was a member of and was appointed or elected by this Association, the President of this Association shall appoint a member of this 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 of this Association for the remainder of the unexpired term.

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

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

D. If the term of the vacated commission 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 COMMISSIONS: Each commission 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 at 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: A majority of the members of any commission shall constitute a quorum.

Section 100. PRIVILEGE OF THE FLOOR: Chairs and members of the commissions 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 commission 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 commission shall submit to the Board of Trustees, through the Executive Director, a proposed itemized budget for the ensuing fiscal year.

Section 120. POWER TO ADOPT RULES: Any commission of this Association shall have the power to adopt rules for such commission and amendments thereto, provided such rules and amendments thereto do not conflict with or limit the Constitution and Bylaws of this Association. Rules and amendments thereto, adopted by any commission of this Association, shall not be effective until submitted in writing to and approved by majority vote of the House of Delegates of this Association, except the Joint Commission on National Dental Examinations shall have such bylaws and amendments thereto as the House of Delegates of this Association may adopt by majority vote for the conduct of the purposes and management of the Joint Commission on National Dental Examinations. The Commission on Dental Accreditation shall have the authority to make corrections in punctuation, grammar, spelling, name changes, gender references, and similar editorial corrections to the Rules of the Commission on Dental Accreditation which do not alter its context or meaning without the need to submit such editorial corrections to the House of Delegates. Such corrections shall be made only by a unanimous vote of the Commission on Dental Accreditation members present and voting.

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, advanced dental and allied dental educational programs.

b. Accredit dental, advanced dental and allied dental 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.

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.

c. COMMISSION FOR CONTINUING EDUCATION PROVIDER RECOGNITION. The duties of the Commission for Continuing Education Provider Recognition shall be to:

a. Formulate and adopt requirements, guidelines and procedures for the recognition of continuing dental education providers.

b. Approve providers of continuing dental education programs and activities.

c. Provide a means for continuing dental education providers to appeal adverse recognition decisions.

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 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.
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, establish and maintain a written editorial policy for...
The Journal.

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

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

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

CHAPTER XVIII • FINANCES

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 at least thirty (30) days prior to the first day of the session of the House of Delegates at which it is to be considered. Notice of
such a resolution shall be sent electronically to each constituent society and posted on ADA Connect or its equivalent for the House of Delegates, not less than thirty (30) days before such session to permit prompt, adequate notice by each constituent society to its 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 this Association at least fifteen (15) days in advance of the 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 • INDEMNIFICATION

Each trustee, officer, council member, committee member, employee and other agent of the Association shall be held harmless and indemnified by the Association against all claims and liabilities and all costs and expenses, including attorney’s fees, reasonably incurred or imposed upon such person in connection with or resulting from any action, suit or proceeding, or the settlement or compromise thereof, to which such person may be made a party by reason of any action taken or omitted to be taken by such person as a trustee, officer, council member, committee member, employee or agent of the Association, in good faith. This right of indemnification shall inure to such person whether or not such person is a trustee, officer, council member, committee member, employee or agent at the time such liabilities, costs or expenses are imposed or incurred and, in the event of such person’s death, shall extend to such person’s legal representatives. To the extent available, the Association shall insure against any potential liability hereunder.
CHAPTER XX • AMENDMENTS

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

Section 20. AMENDMENT AFFECTING THE PROCEDURE FOR CHANGING THE DUES OF ACTIVE MEMBERS: An amendment of these Bylaws affecting the procedure for changing the dues of active members may be adopted only if the proposed amendment has been presented in writing at least thirty (30) days prior to the first day of the session of the House of Delegates at which it is to be considered. Notice of such a resolution shall be sent electronically to each constituent society not less than thirty (30) days before such session to permit prompt, adequate notice by each constituent society to its 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 fifteen (15) days in advance of the annual session.

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

ADA PROCEDURES FOR MEMBER DISCIPLINARY HEARINGS AND APPEALS AND THE ISSUANCE OF REMINDERS OF OBLIGATION

I. INITIAL DISCIPLINARY HEARINGS HELD PURSUANT TO ADA BYLAWS CHAPTER XII

The following procedures are to be followed by a society bringing ethics violation charges:

A. NOTICE. A society bringing charges against a member alleging a violation of Chapter XII, Section 20A of the ADA Bylaws shall issue a notice of charges that will meet the following specifications:

1. Charges Brought. The notice of charges will contain a detailed statement of all disciplinary charges brought against the accused member, including (a) an official certified copy of any alleged conviction or determination of guilt that is the basis for the disciplinary action, (b) description of the section(s) of the Bylaws or the ethical provisions alleged to have been violated, and/or (c) a description of the conduct alleged to constitute each violation.

2. Time of Hearing. The notice of charges shall contain notification of the date, time and place that a hearing on the charges will be held.

3. Delivery. The notice of charges shall be sent to the accused member by certified mail, return receipt requested. The notice of charges shall be addressed to the accused member’s last known address and mailed not less than twenty-one (21) days prior to the date set for the hearing.

B. HEARING. Any member accused of a violation of Chapter XII, Section 20A of the ADA Bylaws is entitled to a hearing before a hearing body of the society bringing the charges.

1. Purpose. The purpose of a disciplinary hearing is to provide the accused member with the opportunity to present a defense to the charges brought against him or her.

2. Representation by Counsel. The society bringing the charges must allow the accused member to be represented by legal counsel at any hearing convened under these procedures.

3. Continuances. An accused member is entitled to one (1) hearing postponement. The postponement cannot exceed thirty (30) days. Additional requests for postponement may be granted or denied by the
Appendix I

C. DECISION.

1. Requirement of Written Decision. Every decision of a hearing body that imposes a penalty of censure, suspension, expulsion, or probation will be in writing. The written decision will:

(a) Contain a statement of the charge(s) made against the member;

(b) State the facts that support the charge(s) and the verdict arrived at by the hearing body;

(c) State the penalty imposed and, if the penalty is to be suspended during a period of probation, the length of the probationary period and any other conditions included in the probation; and

(d) Be sent to the accused member by certified mail, return receipt requested, and addressed to the accused member’s last known address.

(e) Be sent to by certified mail, return receipt requested, to the last known address of each of the following:

(i) The secretary of the accused member’s component society, if any;

(ii) The secretary of the accused member’s constituent society, if applicable;

(iii) The Chair of the American Dental Association Council on Ethics, Bylaws and Judicial Affairs; and

(iv) The Executive Director of the American Dental Association.

D. NOTICE OF RIGHT TO APPEAL. Every written decision issued by a hearing body that imposes a penalty of censure, suspension, expulsion, or probation will be accompanied by a separate notice stating that the accused member has a right to appeal the decision. The notice of right to appeal will direct the member to Article II of these Procedures for Member Disciplinary Hearings and Appeals.

E. FINALITY OF DECISION. A decision will not become final while an appeal of it is pending or until the thirty (30) day period for filing a notice of appeal has expired.

1. Non-Appeal of Decision Containing Sentence of Expulsion. If a decision includes a sentence of expulsion and a notice of appeal is not received within the thirty (30) day period within which to appeal, the constituent society will notify all parties of the failure of the accused member to file an appeal. The sentence of expulsion will take effect on the date the parties receive such notice. The component and constituent societies shall each determine what
portion of their current dues and special assessments, if any, shall be returned to the expelled member. Dues and special assessments paid to this Association will not be refunded to an expelled member.

II. APPEALS FROM DISCIPLINARY DECISIONS ISSUED PURSUANT TO ADA BYLAWS CHAPTER XII

The following procedures shall be followed in any appeal from a decision issued as a result of a disciplinary hearing pursuant to Chapter XII, Section 20D of the ADA Bylaws:

A. RIGHT TO APPEAL.

1. Disciplinary Decision of a Component Society. Any member shall have the right to appeal a disciplinary decision issued by the member’s component society that imposes a penalty of censure, suspension, expulsion, or probation. That appeal shall be made to member’s constituent society by filing a notice of appeal in affidavit form with the secretary of the constituent society.

2. Disciplinary Decision of a Constituent Society. Any member or component society shall have a right to appeal a disciplinary decision that is adverse to it that is issued by a constituent society. That appeal shall be made to the Council on Ethics, Bylaws and Judicial Affairs of this Association by filing a notice of appeal in affidavit form with the Chair of the Council on Ethics, Bylaws and Judicial Affairs.

3. Disciplinary Decision Adverse to a Direct Member. A direct member of this Association shall have the right to appeal a disciplinary decision of a hearing panel of the Council on Ethics, Bylaws and Judicial Affairs that imposes a penalty of censure, suspension, expulsion, or probation. That appeal shall made to the Council on Ethics, Bylaws and Judicial Affairs of this Association by filing a notice of appeal in affidavit form with the Chair of the Council on Ethics, Bylaws and Judicial Affairs. Members of the hearing panel that issued the decision being appealed shall have no right to vote on the Council’s decision in such an appeal.

B. TIME TO APPEAL. An appeal from any decision shall not be valid unless the appeal is filed within thirty (30) days of the date the decision appealed from was issued.

C. TIME FOR THE FILING OF BRIEFS ON APPEAL. Briefs in appeals brought under this Article must be filed in accordance with the following schedule:

1. Appellant’s Initial Brief. If being filed, an initial
brief supporting an appeal must be filed within sixty
(60) days of the issue date of the decision being
appealed.

2. Reply Brief. If being filed, a reply brief must be
filed within ninety (90) days of the issue date of the
decision being appealed.

3. Rejoinder Brief. If being filed, a rejoinder brief
must be filed within one hundred five (105) days of
the issue date of the decision being appealed.

D. TIME FOR APPEAL HEARING. No hearing shall
be held within one hundred fifty (150) days of the
issue date of the decision being appealed or forty-five
(45) days after the last brief in the appeal was filed,
whichever is later. Omission of briefs will not alter the
date for the hearing of an appeal unless otherwise
agreed to by the parties and the chair of the body
hearing the appeal.

E. CONDUCT OF THE APPEAL HEARING. The
following procedure shall be used in processing
appeals:

1. Appeal Hearings. If the requirements of Sections
A and B of this Article II are met, the party bringing
the appeal shall be entitled to a hearing.

2. Parties to an Appeal. The parties to an appeal are
the accused member and the society or body that
brought the charges against the accused member. In
appeals to the Council on Ethics, Bylaws and Judicial
Affairs of this Association, the society which heard
the first appeal, if any, may, at its option, participate
in the appeal.

3. Right to be Represented by Counsel. The parties
to an appeal shall be entitled to be represented by
counsel in the appeal.

4. Appearance at Hearing not Required. A party to an
appeal is not required to attend a hearing in an appeal
brought pursuant to this Article.

5. Option to Conduct Telephonic Hearings. Upon the
request by a party and the concurrence of all other
parties, the body hearing the appeal may permit one
or more of the parties to an appeal to participate in
the hearing remotely via telephone or other suitable
means. The decision whether to allow remote
participation in an appeal hearing is discretionary
with the body hearing the appeal and granting such a
request can be subject to meeting reasonable terms
and conditions set by the hearing body.

6. Hearing Notice. A body that receives a notice of
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

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APPENDIX I

Appendix 83
appeal hearing. Such notice shall be sent by certified mail, return receipt requested, to the last known address of each party to the appeal. The hearing notice should be mailed not less than thirty (30) days prior to the hearing date.

7. Hearing Continuances. Granting of hearing continuances shall be at the discretion of the hearing body.

8. Prehearing Matters. Prehearing requests shall be granted at the discretion of the hearing body. In appeals to this Association’s Council on Ethics, Bylaws and Judicial Affairs, the Council chair has the authority to rule on requests 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.

9. Briefs. Each 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 appropriate, in accordance with the prescribed briefing schedule. A copy of any brief filed in the appeal must be delivered to every other party in the appeal at the same time as the filing of the brief. The party initiating the appeal may choose to rely on the record and/or on an oral presentation and not file a brief.

10. Record of Disciplinary Proceedings. Upon notice of an appeal, the society or body that issued the decision being appealed shall provide to the body hearing the appeal and to the accused member a transcript, or an officially certified copy of the minutes, of the hearing accorded the accused member. Certified copies of any affidavits or other documents submitted as evidence to support or refute the charges against the accused member in the disciplinary hearing and any other material considered by the body issuing the decision being appealed will accompany the transcript or minutes. Where the body conducting the hearing resulting in the decision being appealed does not transcribe the hearing, the accused member, at the accused’s own expense, is entitled to arrange for transcription of the hearing by a court reporter.

11. Appeals Jurisdiction. The body 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 body which brought the charges against the accused member supports that decision or warrants the penalty imposed. The body hearing the appeal shall
12. Decisions on Appeals. Every decision on appeal shall be in writing and must clearly state the conclusion of the hearing body and the reasons for that conclusion. The body hearing the appeal shall have the discretion to:

(a) Uphold the decision of the society or body that brought charges against the accused member;

(b) Reverse the decision of the society or body that brought the charges and thereby exonerate the accused member;

(c) Deny an appeal where it fails to satisfy the requirements of Chapter XII, Section 20D of the ADA Bylaws;

(d) Refer the case back to the body that brought the charges for new proceedings, if the rights of the accused member under all applicable bylaws were violated or if adopted disciplinary procedures were not followed to the detriment of the accused;

(e) Remand the case back to the agency that issued the charges for further proceedings when the record in the appeal is insufficient to enable the body hearing the appeal to form a conclusion concerning the correctness of the decision being appealed; or

(f) Modify the decision of the agency that issued the charges against the accused member by reducing the penalty imposed.

13. Delivery of the Appeal Decision to the Parties. Within thirty (30) days of the date on which a written decision on appeal is approved by the agency conducting the appeal, a copy of the written decision shall be sent by certified mail, return receipt requested, to the last known address of each of the following: 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.

III. MEMBER CONDUCT HEARINGS

The following procedures will be followed by the Council on Ethics, Bylaws and Judicial Affairs in cases involving allegations of violations of the Member Conduct Policy of the Association:

A. CHARGES. Any member of the Association or the
APPENDIX I

Association’s staff will have the right to bring charges alleging a violation or violations of the Association’s Member Conduct Policy. Charges must:

1. Be in writing.
2. Sent to the Chair of the Council on Ethics, Bylaws and Judicial Affairs.
3. Include an identification of the provision(s) of the Association’s Member Conduct Policy alleged to have been violated and a detailed description of the conduct alleged to constitute the violation.

B. PRELIMINARY INVESTIGATION.

1. Selection. Upon receipt of charges alleging violation of the Member Conduct Policy, the Chair of the Council on Ethics, Bylaws and Judicial Affairs will select an investigatory panel of three (3) members of the Council.

2. Ineligible Council Member. The Council member from the Trustee District of the member accused of violating the Member Conduct Policy is ineligible to serve on the investigatory panel. The investigatory panel will conduct a preliminary investigation of the charges alleged and determine whether the allegations made in the charges sufficiently state a violation of the Member Conduct Policy.

C. NOTICE OF DETERMINATION OF INVESTIGATORY PANEL.

1. No Violation. If, upon preliminary investigation, the investigatory panel determines that the charges do not sufficiently state a violation of the Member Conduct Policy, the Association member or Association staff member bringing the charges will be advised in writing of the investigatory panel’s determination. The investigatory panel’s decision will be final and without right of appeal.

2. Determination of Possible Violation. 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.

3. Notice of Possible Violation. The notice of possible violation shall:

(a) Provide a specification of the charges brought against him or her;
(b) Specify the time and place of hearing on the charges brought against the accused member;
(c) Be sent via certified mail, return receipt requested, to the accused’s last known address; and
(d) Be mailed not less than twenty-one (21) days prior to the date set for the hearing.
D. HEARING. The accused member shall be entitled to a hearing before a panel of three (3) members of the Council on Ethics, Bylaws and Judicial Affairs.

1. Hearing Panel Make Up. Members of the investigatory panel that investigated the allegations against the accused member and the Council member from the accused’s trustee district are ineligible to sit on the hearing panel.

2. Purpose. The purpose of the hearing is to provide the accused member with an opportunity to present a defense to the charges brought against him or her.

3. Representation by Counsel. The accused member is entitled to be represented by legal counsel at the member conduct hearing.

4. Continuances. An accused member is entitled to one (1) hearing postponement. The postponement cannot exceed thirty (30) days. Additional requests for postponement may be granted or denied at the discretion of the chair of the Council on Ethics, Bylaws and Judicial Affairs, who may but need not consult with the Council or the hearing panel on the request.

E. DECISION.

1. Requirement of Written Decision. Every decision of a member conduct hearing panel will be in writing. The written decision will:

   (a) Contain a statement of the charges made against the member;

   (b) State the relevant facts;

   (c) State the verdict arrived at by the hearing body; and

   (d) State the penalty imposed or recommended and, if the penalty is to be suspended during a period of probation, the length of the probationary period and any other conditions included in the probation.

2. Mailing of Decision. Every hearing panel decision must be sent, by certified mail, return receipt requested, within ten (10) days of the written decision being approved by the hearing panel, to the last known address of each of the following:

   (a) The accused member;

   (b) The Association member or staff member who brought the charges;

   (c) The secretary of the accused member’s component society, if any;

   (d) The secretary of the accused member’s constituent society, if applicable;

   (e) The Chair of the American Dental Association
Council on Ethics, Bylaws and Judicial Affairs; (f) The Executive Director of the American Dental Association; and, if applicable (g) The Election Commission of the Association.

F. NOTICE OF RIGHT TO APPEAL. A written notice to the accused member informing the member of his or her right to appeal the decision of the hearing panel must accompany the copies of the decision sent pursuant to Section E2 of Article III of these procedures.

G. FINALITY OF DECISION. A decision will not become final while an appeal of the decision is pending or until the thirty (30) day period for filing notice of appeal has expired.

1. Non-Appeal of Decision Containing Sentence of Expulsion. If a decision includes a sentence of expulsion and no notice of appeal is received within the thirty (30) day period within which to appeal, the Council on Ethics, Bylaws and Judicial Affairs shall notify all parties of the failure of the accused member to file an appeal. The sentence of expulsion will take effect on the date the parties receive such notice. The disciplined member’s component and constituent societies shall each determine what portion of their current dues and special assessments, if any, shall be returned to the expelled member. Dues and special assessments paid to this Association will not be refunded to an expelled member.

IV. MEMBER CONDUCT APPEALS

The following procedures shall be followed in any appeal from a decision issued as a result of a member conduct hearing pursuant to Chapter XIII, Section 20D of the ADA Bylaws:

A. RIGHT TO APPEAL. Any member shall have the right to appeal a disciplinary decision issued by a member conduct hearing panel that imposes a penalty of censure, suspension, expulsion or probation on him or her 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.

B. TIME TO APPEAL. An appeal from any decision under this Article IV will not be valid unless the appeal is filed within thirty (30) days of the date the decision appealed from was issued.

C. TIME FOR FILING BRIEFS ON APPEAL. Brief in appeals brought under this Article IV will be filed according to the following schedule:

1. Appellant’s Initial Brief. If being filed, an initial brief supporting an appeal must be filed within sixty

APPENDIX I
(60) days after the date the decision being appealed was issued.

2. Reply Brief. If being filed, a reply brief supporting the decision appealed from must be filed by the Association member or staff member who lodged the member conduct complaint within ninety (90) days after the decision being appealed was issued.

3. Rejoinder Brief. If being filed, a rejoinder brief supporting an appeal must be filed within one hundred five (105) days after the date the decision being appealed was issued.

D. TIME FOR APPEAL HEARING. No hearing on an appeal will be held within one hundred fifty (150) days of the date the decision appealed from was issued or forty-five (45) days after the last brief in the appeal was filed, whichever is later. Omission of briefs will not alter the hearing date unless otherwise agreed to by the parties and the chair of the body hearing the appeal.

E. CONDUCT OF THE APPEAL HEARING. The accused member shall be entitled to a hearing on an appeal, provided that such appeal meets the requirements of this Article.

1. Council Members Hearing the Appeal. Members of the investigatory and hearing panels involved in the action being appealed and the Council representative from the accused member’s Trustee District shall be recused from and will not take part in the appeal.

2. Parties to the Appeal. In any appeal of a decision under the Member Conduct Policy, the parties to such an appeal shall be the accused member and the Association member or the Association staff member who brought the charges.

3. Representation by Counsel. In any appeal, the accused member is entitled to be represented by legal counsel.

4. Attendance at Hearing. A party need not appear for the appeal to be heard by the Council on Ethics, Bylaws and Judicial Affairs.

5. Option to Conduct Telephonic Hearings. Upon the request by a party and the concurrence of all other parties, the Council on Ethics, Bylaws and Judicial Affairs may permit one or more of the parties to an appeal to participate in the hearing remotely via telephone or other suitable means. The decision whether to allow remote participation in an appeal hearing is discretionary with the Council and granting such a request can be subject to meeting reasonable terms and conditions set by the Council.

6. Hearing Notice. The Council on Ethics, Bylaws
and Judicial Affairs shall notify the accused member; the Association member or Association staff member bringing the charges; the secretary of the accused member’s component society, if applicable; and the secretary of the accused member’s constituent society, if applicable of the time and place of the appeal hearing. The hearing notice will be sent by certified—return receipt requested letter to the last known addresses of the parties to the appeal and the other entities receiving notice. The notice of hearing is to be mailed not less than thirty (30) days prior to the hearing date.

7. Hearing Continuances. The granting of continuances shall be at the discretion of the Council on Ethics, Bylaws and Judicial Affairs.

8. 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 requests 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.

9. Briefs. Each 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 in accordance with the prescribed briefing schedule. A copy of each brief filed in an appeal must be delivered to the opposing party in the appeal at the same time as the filing of the brief. The party initiating the appeal may choose to rely on the record and/or an oral presentation and not file a brief.

10. Record of Hearing. Upon receiving a notice of an appeal, the hearing panel of the Council on Ethics, Bylaws and Judicial Affairs that presided over the initial hearing shall furnish a transcript or an officially certified copy of the minutes of the hearing being appealed to the Council on Ethics, Bylaws and Judicial Affairs and the parties to the appeal. 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. If the hearing panel did not provide for transcription of the hearing, any party shall be entitled to arrange for the services of a court reporter to transcribe the hearing.

11. Appeals Jurisdiction. The Council on Ethics, Bylaws and Judicial Affairs is required to review the decision appealed from to determine whether the evidence before the hearing panel supports that decision or warrants the penalty(ies) imposed. The
F. DECISION ON APPEALS

1. Appeals not Involving Recommended Probation, Suspension, Expulsion and/or Removal of a Trustee or Elective Officer.

(a) Written Decision. In any appeal that does not involve the recommended probation, suspension, expulsion and/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. The decision must clearly state the conclusion of the Council and the reasons for reaching that conclusion.

(b) Permissible Penalties. The Council shall have the discretion to:

(i) Uphold the decision of the hearing panel;

(ii) Reverse the decision of the hearing panel and thereby exonerate the accused member;

(iii) Deny an appeal that fails to satisfy the requirements of Chapter XIII, Section 20D of the ADA Bylaws;

(iv) Refer the case back to the hearing panel for new proceedings, if the rights enumerated under all applicable bylaws and procedures were not accorded the accused;

(v) Remand the case back to the member conduct 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

(vi) Modify the decision of the hearing panel by reducing the penalty imposed.

(c) Final Decision. The decision of the Council on Ethics, Bylaws and Judicial Affairs in an appeal not involving a recommended probation, suspension, expulsion and/or removal of a trustee or elective officer shall be final and non-appealable.

(d) Delivery of the Appeal Decision to the Parties. Within thirty (30) days of the date on which a final decision on appeal is approved by the Council on Ethics, Bylaws and Judicial Affairs, a copy of the written decision shall be sent by certified mail, return receipt requested, to the last known address of each of the following parties: the accused member; the Association member or Association staff member bringing charges; the secretary of the Council on Ethics, Bylaws and Judicial Affairs; and the member or staff member who brought the charges.

APPENDIX I
2. Appeals Involving Recommended Probation, Suspension, Expulsion and/or Removal of a Trustee or Elective Officer.

(a) Written Decision. In any 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. The decision must clearly state the conclusion of the Council and the reasons for reaching that conclusion.

(b) Permissible Penalties. The Council shall have the discretion to:

(i) Recommend upholding the decision of the hearing panel;

(ii) Reverse the recommended decision of the hearing panel and thereby exonerate the accused member;

(iii) Recommend denial of an appeal that fails to satisfy the requirements of Chapter XIII, Section 20D of the ADA Bylaws;

(iv) Refer the case back to the hearing panel for new proceedings, if the rights enumerated under all applicable bylaws and procedures were not accorded the accused;

(v) Remand the case back to the 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

(vi) Modify the decision of the hearing panel by reducing the penalty imposed, except in cases in which the reduced penalty is probation, suspension and/or removal from office, the Council’s decision shall be a recommendation.

(c) Final Decision. The decision of the Council on Ethics, Bylaws and Judicial Affairs shall be final and non-appealable only in cases where the Council’s decision does not result in the recommendation of a sentence of probation, suspension, expulsion and/or removal from office.

(d) Delivery of the Appeal Decision 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
that does not recommend probation, suspension, expulsion and/or removal from office is approved by the Council on Ethics, Bylaws and Judicial Affairs, a copy of the decision shall be sent by certified-return receipt requested mail to the last known address of each of the following parties: the accused trustee or elective officer; the Association member or Association staff member preferring charges; the secretary of the component society of which the trustee is a member, if applicable; the secretary of the constituent society of which the trustee or elective officer is a member, if applicable; the Election Commission and the Executive Director of this Association.

(e) Delivery of the Appeal Decision in Cases Involving Recommended Probation, Suspension, Expulsion and/or Removal from Office. Within thirty (30) days of the date on which a decision that recommends probation, suspension, expulsion and/or removal from office of a trustee or elective officer is approved by the Council on Ethics, Bylaws and Judicial Affairs, on appeal is rendered, a copy thereof shall be sent by certified mail, return receipt requested, to the last known address of each of the following parties: the accused trustee or elective officer; the Association member or Association staff member preferring charges; the Election Commission, the secretary of the component society of which the trustee or elective officer is a member, if applicable; the secretary of the constituent society of which the trustee or elective officer is a member, if applicable; and the Executive Director of this Association.

(f) Right to Respond. When a decision recommends that a trustee or elective official be sentenced to probation, expulsion, suspension and/or removal from office, that trustee or elected official has the right to respond in writing to the decision and recommendation. The response of the trustee or elective official must be delivered to the chair of the Council on Ethics, Bylaws and Judicial Affairs within thirty (30) days from the date the decision and recommendation was issued. The chair of the Council on Ethics, Bylaws and Judicial Affairs will forward the decision and recommendation, along with any response received from the trustee or elected official, to the Speaker of the House of Delegates, the Election Commission and the Association’s Executive Director.

(g) Consideration of Decision by House of Delegates. Any decision that recommends probation, suspension, expulsion and/or removal from office of a trustee or elective officer shall be considered by the House of Delegates in accordance
Because Reminders of Obligation issued pursuant to CHAPTER XII PRINCIPLES OF ETHICS AND CODE OF PROFESSIONAL CONDUCT, Section 20 DISCIPLINE OF MEMBERS, Subsection C. REMINDER OF OBLIGATION and CHAPTER XIII. PROCEDURES AND HEARINGS RELATED TO MEMBER CONDUCT POLICY, Section 20 DISCIPLINE OF MEMBERS, Subsection C. REMINDER OF OBLIGATION of the ADA Bylaws are private administrative actions and not disciplinary penalties, copies of such Reminders of Obligation shall only be kept by the Council on Ethics, Bylaws and Judicial Affairs for a period of six (6) months after issuance following which such copies shall be destroyed.
Appendix 95

APPENDIX II†

CHAPTER I • MEMBERSHIP

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

- Active Members
- Life Members
- Retired Members
- Student Members
- Honorary Members
- Provisional Members
- International Members

Section 20. MEMBERSHIP ELIGIBILITY

A. ACTIVE MEMBER. Any person holding a D.D.S., D.M.D. or equivalent degree shall be eligible to be an active member of this Association if he or she meets the following qualifications:

- Maintains membership in good standing in this Association as that term is defined in these Bylaws; and
- Is a member in good standing of the constituent and component* where the member either resides, or is employed or practices; or if not a member of such constituent and component is:
  1. employed by or is serving on active duty in one of the federal dental services** on a full time basis and is not otherwise employed or practicing dentistry within the jurisdiction of a constituent or component; or

* As used herein, the term “constituent” means a dental association organized in a state or territory of the United States or in Washington, D.C. that is chartered by the ADA House of Delegates. The term “component” means a local dental association that may be created within the boundaries of a constituent by the constituent.

** The term “federal dental services” as used herein 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.

† This Appendix contains a new Chapter I adopted by the House of Delegates by the passage of Resolution 79H-2016, together with a document entitled the Governance and Organizational Manual of the American Dental Association. Pursuant to 79H-2016, the new Chapter I takes effect at the adjournment sine die of the 2017 House of Delegates.
2. employed or practicing dentistry in a country other than the United States and is a graduate of a dental school or a graduate of a training program accredited by the Commission on Dental Accreditation; or
3. otherwise ineligible for active membership in a constituent or component where the individual resides, is employed, or practices.

An individual qualifying pursuant to subsections b.1. through 3. shall be referred to as a “direct member.”

B. LIFE MEMBER. Any person holding a D.D.S., D.M.D. or equivalent degree shall be eligible to be a life member of this Association if he or she meets the following qualifications:

a. Has been an active and/or retired member in good standing of this Association for at least thirty (30) consecutive years or a total of at least forty (40) non-consecutive years;

b. Reached the age of at least sixty-five (65) during the previous calendar year; and
c. Maintains membership in good standing in a constituent and component, if such exists, and in this Association.

d. A member may also qualify for life member status by having been a member of the National Dental Association for twenty-five (25) years and subsequently holding membership in this Association for at least ten (10) years and having reached the age of at least sixty-five (65) during the previous calendar year.

C. RETIRED MEMBER. Any person holding a D.D.S., D.M.D. or equivalent degree shall be eligible to be a retired member of this Association if he or she meets the following qualifications:

a. Has submitted to the individual’s component and constituent or, if a direct member, to this Association, an affidavit attesting that the individual does not receive or earn income from any dentally-related activity; and

b. Maintains membership in good standing in a constituent and component, if such exists, and in this Association.

D. STUDENT MEMBER. Any person shall be eligible to be a student member of this Association if the individual meets the following qualifications:
a. Is enrolled as a predoctoral student of a dental school accredited by the Commission on Dental Accreditation of this Association; or

b. Is enrolled as a predoctoral student in a dental school listed in the World Directory of Dental Schools compiled by the FDI World Dental Federation; or

c. Holds a D.D.S., D.M.D. or an equivalent degree and 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.

d. Student membership shall not be considered in the calculation of membership tenure needed to achieve life membership.

E. HONORARY MEMBER. Any person shall be eligible to be an honorary member of this Association if he or she meets the following qualifications:

a. Has made outstanding contributions to the advancement of the art and science of dentistry; and

b. Be elected an honorary member by the Board of Trustees.

F. PROVISIONAL MEMBER. An individual is a provisional member of this Association if he or she meets one of the following alternative qualifications:

a. Has received a D.D.S. or D.M.D. degree within the past twenty-four (24) months from a dental school accredited by the Commission on Dental Accreditation of this Association and is not eligible for tripartite or any other direct category of membership because he or she has not established a place of practice. The provisional membership awarded under this alternative shall terminate December 31 of the second full calendar year following the year in which the degree was awarded;

or

b. Is a graduate of an unaccredited dental school who has been licensed within the past twenty-four (24) months to practice dentistry in a jurisdiction in which there is a constituent and has not established a place of practice. The provisional membership awarded under this alternative shall
terminate December 31 of the second full calendar year following the year in which the license was awarded.

G. INTERNATIONAL MEMBER. An individual who is ineligible for any other classification of membership and:

a. Is practicing dentistry or is employed in a dentally-related field in a country other than the United States;

b. Has been classified as an international member upon application to the Board of Trustees according to the specifications in the Governance and Organizational Manual of the American Dental Association (“the Governance Manual”); and

c. Maintains membership in good standing in this Association.

Section 30. PRIVILEGES. Members shall receive such privileges and benefits as are listed in the Governance Manual.

Section 40. DUES AND SPECIAL ASSESSMENTS. Except for International members, the dues of members shall be the amount established annually by the House of Delegates in accordance with the procedure set forth in the these Bylaws. In addition to annual dues, members shall pay any outstanding special assessment that may be levied by the House of Delegates in accordance with the procedure set forth in the Governance Manual.

Section 50. DEFINITION OF “IN GOOD STANDING.”

A. To be in good standing, a member is required to meet the following criteria:

a. The member’s payments of dues and special assessments, if any, are current if such payment is required; and

b. Any additional criteria that may be imposed by the member’s constituent or component.

B. A member under a disciplinary sentence of suspension shall be designated as “in good standing temporarily under suspension” until the disciplinary sentence has terminated.
Section 60. LAPSE OF MEMBERSHIP AND REINSTATEMENT.

A. LAPSE OF MEMBERSHIP. Any member whose dues and any special assessment have not been paid by March 31 of the current year or shall otherwise fail to meet the eligibility requirements for membership shall cease to be a member of this Association.

B. REINSTATEMENT. Reinstatement of membership may be secured on payment of outstanding dues and any special assessment of this Association and on meeting the remaining eligibility requirements for membership.

Section 70. WAIVER OF DUES AND SPECIAL ASSESSMENTS. Members may be eligible for a full or partial waiver of the current year’s dues and/or special assessments as set forth in the Governance Manual.
APPENDIX III

GOVERNANCE AND ORGANIZATIONAL MANUAL OF THE AMERICAN DENTAL ASSOCIATION

Preface

This Governance and Organizational Manual of the American Dental Association (the “Governance Manual”) contains the general governance, organizational policies and processes of the American Dental Association and is the property of the ADA House of Delegates. The material contained herein shall be amendable by the House of Delegates upon majority vote unless otherwise specified herein.

For convenience to members, the material in the Governance Manual is organized to follow the same order of presentation found in the ADA Constitution and Bylaws.

The terms used in the Governance Manual shall have the same meaning as set forth in the ADA Constitution and Bylaws.

I. MEMBERSHIP MATTERS

A. Membership Privileges and Benefits.

The following is a list of privileges and benefits for each class of membership identified in the ADA Bylaws.

1. Active Members. Active members shall receive the following privileges and benefits, including:

   An annual membership card;

   A paid-up subscription to The Journal of the American Dental Association;

   The entitlement to attend any ADA scientific session or meeting; and

   Such other benefits and services as the ADA may from time to time make available to active members.

   Active members in good standing are eligible for election as a delegate or alternate delegate to the ADA House of Delegates and are also eligible for election or appointment to any office or agency of the ADA except as may be otherwise provided in the ADA Bylaws or this Governance Manual.

   Active members under a disciplinary sentence
of suspension or probation are not entitled to hold elective or appointive office, including delegate and alternate delegate, in the ADA or the members’ constituents or components. Also, such suspended or probated active members may not vote or otherwise participate in the selection or election of officers or other officials of the ADA or the members’ components and constituents.

2. Retired Members. Retired members shall receive the same privileges and benefits as active members, including:

- An annual membership card;
- A paid-up subscription to The Journal of the American Dental Association;
- The entitlement to attend any ADA scientific session or meeting; and
- Such other benefits and services as the ADA may from time to time make available to retired members.

Retired members in good standing are eligible for election as a delegate or alternate delegate to the ADA House of Delegates and are also eligible for election or appointment to any office or agency of the ADA except as may be otherwise provided in the ADA Bylaws or this Governance Manual.

Retired members under a disciplinary sentence of suspension or probation are not entitled to hold elective or appointive office, including delegate and alternate delegate, in the ADA or the members’ constituents or components. Also, such suspended or probated retired members may not vote or otherwise participate in the selection of officers or officials of the ADA or the members’ components and constituents.

3. Life Members. Except as noted, life members shall receive the same privileges and benefits as active members, including:

- An annual membership card;
- A paid-up subscription to The Journal of the American Dental Association;
- The entitlement to attend any ADA scientific session or meeting; and
Such other benefits and services as the ADA may from time to time make available to life members.

Life members in good standing are eligible for election as a delegate or alternate delegate to the ADA House of Delegates and are also eligible for election or appointment to any office or agency of the ADA except as may be otherwise provided in the ADA Bylaws or this Governance Manual.

Life members under a disciplinary sentence of suspension or probation are not entitled to hold elective or appointive office, including delegate and alternate delegate, in the ADA or the members’ constituents or components. Also, such suspended or probated life members may not vote or otherwise participate in the selection of officers or officials of the ADA or the member’s components and constituents.

Life members who also meet the eligibility requirements for retired membership shall qualify for retired life membership. Retired life members shall receive all the privileges and benefits of active members, except that retired life members shall not receive a paid-up subscription to The Journal of the American Dental Association.

4. Student Members. Student members shall receive the following privileges and benefits, including:

An annual membership card;

A paid subscription to The Journal of the American Dental Association;

The entitlement to attend any ADA scientific session or meeting; and

Such other benefits and services as the ADA may from time to time make available to student members.

Student members in good standing are eligible for election as a delegate or alternate delegate of the American Student Dental Association to the ADA House of Delegates.

Student members under a disciplinary sentence of suspension or probation are not entitled to serve as a delegate and alternate delegate of the American Student Dental Association to the ADA House of Delegates.

5. Provisional Members. Except as noted,
provisional members shall receive the same privileges and benefits as active members, including:

- An annual membership card;
- A paid-up subscription to *The Journal of the American Dental Association*;
- The entitlement to attend any ADA scientific session or meeting; and
- Such other benefits and services as the ADA may from time to time make available to provisional members.

Provisional members in good standing are eligible for election as a delegate or alternate delegate to the ADA House of Delegates and for election or appointment to any office or agency of the ADA except as may be otherwise provided in the ADA *Bylaws* or this *Governance Manual*.

Provisional members under a disciplinary sentence of suspension or probation are not entitled to hold elective or appointive office, including delegate and alternate delegate, in the ADA. Also, such suspended or probated provisional members may not vote or otherwise participate in the selection of officers or officials of the ADA.

Provisional members shall not be entitled to appeal a denial of active membership in the Association.

6. Honorary Members. Honorary members shall receive the following privileges and benefits, including:

- An annual membership card;
- A paid-up subscription to *The Journal of the American Dental Association*;
- The entitlement to attend any ADA scientific session or meeting; and
- Such other benefits and services as the ADA Board of Trustees may from time to time make available to honorary members.

Honorary members are not entitled to hold elective or appointive office, including delegate and alternate delegate, in the ADA or the honorary members’ constituents or components or to vote or otherwise participate in the selection of officers or officials of the ADA.
APPENDIX III

7. International Members. International members shall receive such products and services as may be authorized from time to time by the Board of Trustees in collaboration with the Council on Membership.

B. Dues, Special Assessments and Related Financial Matters

1. Dues. Under the ADA Bylaws, the House of Delegates has the duty to annually set the dues of active members for the ensuing year. Dues are due and payable on January 1, except where a member has opted to pay dues in installments pursuant to a plan offered by the member’s constituent, in which case, dues are paid according to the plan’s requirements.

The schedule of annual dues for each of the membership categories specified in the ADA Bylaws is as follows:

Active Members:

From degree award through conclusion of the 1st full year following an award of a D.D.S. or D.M.D., the member is exempt from the payment of dues.

2nd full year following degree award: Twenty-five percent (25%) of active member dues as set by the House of Delegates pursuant to ADA Bylaws;

3rd full year following degree award: Fifty percent (50%) of active member dues as set by the House of Delegates pursuant to the ADA Bylaws;

4th full year following degree award: Seventy-five percent (75%) of active member dues as set by the House of Delegates pursuant to the ADA Bylaws; and

5th full year following degree award and above: One hundred percent (100%) of active member dues as set by the House of Delegates pursuant to the ADA Bylaws.

Members becoming active members 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 any annual dues then in effect. Those members becoming active members after October 1, except for those whose membership has lapsed for failure to pay the current year’s dues and/or any special assessment, shall be exempt from the
payment of the any annual dues then in effect.

Retired Members: Twenty-five percent (25%) of active member dues as set by the House of Delegates pursuant to the ADA Bylaws.

Life Members: Seventy-five percent (75%) of active member dues as set by the House of Delegates pursuant to the ADA Bylaws.

Life members who also meet the eligibility requirements for retired membership shall be exempt from the payment of dues.

Student Members: Pre-doctoral student members: Five Dollars ($5.00). Post-doctoral students and residents: Thirty Dollars ($30.00).

Provisional Members: The obligation of provisional members to pay dues is the same as for active members.

Honorary Members: Honorary members shall be exempt from the payment of dues.

International Members: The amount as set from time to time by the Board of Trustees. The Board of Trustees can, however, deviate from the established dues rate for international members in order to:

(a) promote international membership in the ADA in a selected jurisdiction; and
(b) recognize economic circumstances in those least developed countries eligible for special fee criteria as established by the FDI World Dental Federation.

2. Special Assessments: Pursuant to the ADA Bylaws, the House of Delegates has the power to levy special assessments. Any special assessment for a calendar year is due and payable on January 1, except where a member has opted to pay in installments pursuant to a plan offered by the member’s constituent, in which case, the special assessment is paid according to the plan’s requirements.

The schedule of special assessment allocation for each of the membership categories specified in the ADA Bylaws is as follows:

Active Members:

From degree award through conclusion of the 1st full year following an award an award of a D.D.S. or D.M.D. degree the member is exempt from the payment of any special assessment
then in effect.

2nd full year following degree award: Twenty-five percent (25%) of any special assessment then in effect;

3rd full year following degree award: Fifty percent (50%) of any special assessment then in effect;

4th full year following degree award: Seventy-five percent (75%) of any special assessment then in effect; and

5th full year following degree award and above: One hundred percent (100%) of any special assessment then in effect.

On a one-time only basis, those members becoming active members 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 any special assessment then in effect. On a one-time only basis, those members becoming active members after October 1, except for those whose membership has lapsed for failure to pay the current year’s dues and/or any special assessment, shall be exempt from the payment of the any special assessment then in effect.

Retired Members: Twenty-five percent (25%) of any special assessment then in effect.

Life Members: Seventy-five percent (75%) of any special assessment then in effect.

Life members who also meet the eligibility requirements for retired membership shall be exempt from the payment of special assessments.

Student Members: Pre-doctoral, post-doctoral students and residents are exempt from the payment of special assessments.

Provisional Members: The obligation of provisional members to pay any special assessment then in effect is the same as for active members.

Honorary Members: Honorary members are exempt from the payment of special assessments.

International Members: International members are exempt from the payment of special assessments.
3. Acceptance of Back Dues and Special Assessments: For purposes 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 shall be in accordance with the Bylaws and this Governance Manual.

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.

3. Limited Dues and Special Assessment Reduction Programs: Notwithstanding the foregoing policies on dues and special assessments, the following limited dues reduction programs are available in certain circumstances:

A. New Graduate Dues Reduction Deferral. For dentists who are engaged full-time in an advanced training program of not less than one academic year’s duration, post-doctoral or residency program while eligible for the new graduate active member dues and special assessment reduction program outlined above, the applicable reduced dues rate shall be deferred until completion of post-doctoral or residency program. Commencing at the start of the calendar year after the dentist completes the program, the dentist shall recommence paying dues and any special assessment for active members at the reduced dues rate where the dentist left off in the progression. During the period such dentist is engaged full-time in an advanced training course of not less than one (1) academic year’s duration, post-doctoral or residency program, the dues and special assessment provisions for post-doctoral...
students and residents shall apply.

B. First Time Member Ineligible for New Graduate Dues Reduction. A dentist who has never been an active member of this Association and is ineligible for dues and special assessment reduction as a new graduate under the provisions of the Governance Manual, 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.

C. Active Membership Promotion. The Board of Trustees may authorize limited dues reduction, up to fifty percent (50%) of active member dues and any special assessment then in effect 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. Financial Hardship Waivers. Any 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 constituents and components. The constituents and components shall certify the reason for the waiver, and the constituents and components shall provide the same proportionate waiver of their dues as that provided by this Association.*

E. Temporary Activation to Federal Service. An active member in good standing who is temporarily called to active duty with a federal dental service on a non-career basis shall be

* 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 the Bylaws and they submit through the members’ respective component and constituent, if such exist, to this Association, a medical certificate attesting to the disability and a certificate from said component and constituent, if such exist, attesting to the disability, upon request of the Association, during the exemption period.
exempt from the payment of dues to this Association during such federal dental service duty, but not to exceed a period of three years.

F. Full-Time Work for 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.

4. Calculating Percentage Dues or Special Assessments. In establishing the dollar rate of dues or special assessments 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.

C. Interim Services for Applicants.

A dentist who has submitted a complete application for active membership in this Association and the appropriate constituent and component, 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 the 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.

II. FINANCIAL MATTERS

A. Installment Payments. Any constituent or component may establish a plan for the installment payment of dues and special assessments for active, life and provisional members. This Association may
establish a plan for the installment payment of dues and special assessments for active and life members who are direct members of the Association. Any such installment plan shall require:

1. Monthly installment payments that conclude with the current dues and any special assessment amount being paid by December 15; and

2. The expeditious transfer of installments of member dues and any special assessments collected to this Association and any applicable constituent or component.

Any installment plan adopted under this provision of the Governance Manual may impose a reasonable transaction fee upon the member. Transaction fees collected shall be prorated between this Association and the constituent and component, if any, based on the amount of dues and special assessment collected on each organization’s behalf.