

**GOVERNANCE AND
ORGANIZATIONAL MANUAL**
OF THE
AMERICAN DENTAL ASSOCIATION

as of March 4, 2022

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1 **GOVERNANCE AND ORGANIZATIONAL MANUAL**
 2 **OF THE**
 3 **AMERICAN DENTAL ASSOCIATION**

4 **Preface**

5 This *Governance and Organizational Manual of the American Dental Association* (the “*Governance Manual*”)
 6 contains the general governance, organizational policies and processes of the American Dental Association and
 7 is under the authority of the ADA House of Delegates. The material contained herein shall be amendable by the
 8 House of Delegates upon majority vote unless otherwise specified herein. Additionally, any amendment seeking
 9 to change a provision that requires a supermajority vote requires a vote by the same supermajority of delegates
 10 present and voting to adopt; amendment of this paragraph of the Governance Manual Preface shall require a two-
 11 thirds affirmative vote of delegates present and voting.

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

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

CHAPTER 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:

- a. An annual membership card;
- b. A no cost subscription to *The Journal of the American Dental Association*;
- c. The entitlement to attend any ADA scientific session or meeting; and
- d. Such other benefits and services as the ADA may from time to time make available to active members.
- e. Active members in good standing are eligible for election as a delegate or alternate delegate to the ADA House of Delegates and, subject to any limitation adopted by the House of Delegates in the *Election Commission and Campaign Rules*, 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:

- a. An annual membership card;
- b. A no cost subscription to *The Journal of the American Dental Association*;
- c. The entitlement to attend any ADA scientific session or meeting; and
- d. Such other benefits and services as the ADA may from time to time make available to retired members.
- e. Active members in good standing are eligible for election as a delegate or alternate delegate to the ADA House of Delegates and, subject to any limitation adopted by the House of Delegates in the *Election Commission and Campaign Rules*, 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:

- a. An annual membership card;
- b. A no cost subscription to *The Journal of the American Dental Association*;
- c. The entitlement to attend any ADA scientific session or meeting; and
- d. Such other benefits and services as the ADA may from time to time make available to life members.
- e. Life members in good standing are eligible for election as a delegate or alternate delegate to the ADA House of Delegates and, subject to any limitation adopted by the House of Delegates in the *Election Commission and Campaign Rules*, are also eligible for election or appointment to any office or

- 61 agency of the ADA, except as may be otherwise provided in the *ADA Bylaws* or this *Governance*
 62 *Manual*.
- 63 Life members under a disciplinary sentence of suspension or probation are not entitled to hold
 64 elective or appointive office, including delegate and alternate delegate, in the ADA or the members'
 65 constituents or components. Also, such suspended or probated life members may not vote or
 66 otherwise participate in the selection of officers or officials of the ADA or the member's components
 67 and constituents.
- 68 f. Life members who also meet the eligibility requirements for retired membership shall qualify for
 69 retired life membership. Retired life members shall receive all the privileges and benefits of active
 70 members, except that retired life members shall not receive a no cost print subscription to *The*
 71 *Journal of the American Dental Association* but shall receive a no cost subscription to the electronic
 72 version of *The Journal of the American Dental Association*. A reduced rate print subscription to *The*
 73 *Journal of the American Dental Association* is also available.
- 74 4. Student Members. Student members shall receive the following privileges and benefits, including:
- 75 a. An annual membership card;
 76 b. A paid subscription to *The Journal of the American Dental Association*;
 77 c. The entitlement to attend any ADA scientific session or meeting; and
 78 d. Such other benefits and services as the ADA may from time to time make available to student
 79 members.
 80 e. Student members in good standing are eligible for election as a delegate or alternate delegate of the
 81 American Student Dental Association to the ADA House of Delegates.
- 82 Student members under a disciplinary sentence of suspension or probation are not entitled to serve
 83 as a delegate and alternate delegate of the American Student Dental Association to the ADA House
 84 of Delegates.
- 85 5. Provisional Members. Except as noted, provisional members shall receive the same privileges and
 86 benefits as active members, including:
- 87 a. An annual membership card;
 88 b. A no cost subscription to *The Journal of the American Dental Association*;
 89 c. The entitlement to attend any ADA scientific session or meeting; and
 90 d. Such other benefits and services as the ADA may from time to time make available to provisional
 91 members.
 92 e. Provisional members in good standing are eligible for election as a delegate or alternate delegate to
 93 the ADA House of Delegates and, subject to any limitation adopted by the House of Delegates in the
 94 *Election Commission and Campaign Rules*, for election or appointment to any office or agency of the
 95 ADA, except as may be otherwise provided in the *ADA Bylaws* or this *Governance Manual*.
- 96 Provisional members under a disciplinary sentence of suspension or probation are not entitled to hold
 97 elective or appointive office, including delegate and alternate delegate, in the ADA. Also, such
 98 suspended or probated provisional members may not vote or otherwise participate in the selection of
 99 officers or officials of the ADA.
- 100 f. Provisional members shall not be entitled to appeal a denial of active membership in the Association.
- 101 6. Honorary Members. Honorary members shall receive the following privileges and benefits, including:
- 102 a. An annual membership card;
 103 b. A no cost subscription to the electronic version of *The Journal of the American Dental Association*
 104 with a reduced rate print subscription to *The Journal of the American Dental Association* available;
 105 c. The entitlement to attend any ADA scientific session or meeting; and

- 106 d. Such other benefits and services as the ADA Board of Trustees may from time to time make available
107 to honorary members.
- 108 e. Honorary members are not entitled to hold elective or appointive office, including delegate and
109 alternate delegate, in the ADA or the honorary members' constituents or components or to vote or
110 otherwise participate in the selection of officers or officials of the ADA.
- 111 7. International Members. International members shall receive such products and services as may be
112 authorized from time to time by the Board of Trustees in collaboration with the Council on Membership.
- 113 B. Dues, Special Assessments and Related Financial Matters.
- 114 1. Dues. Under the ADA *Bylaws*, the House of Delegates has the duty to annually set the dues of active
115 members for the ensuing year. Dues are due and payable on January 1, except where a member has
116 opted to pay dues in installments pursuant to a plan offered by the member's constituent, in which case,
117 dues are paid according to the plan's requirements.
- 118 The schedule of annual dues for each of the membership categories specified in the ADA *Bylaws* is as
119 follows:
- 120 a. Active Members:
- 121 i. From degree award through conclusion of the first full year following an award of a D.D.S. or
122 D.M.D. degree the member is exempt from the payment of dues.
- 123 ii. Second full year following degree award: Fifty percent (50%) of active member dues as set by the
124 House of Delegates pursuant to the ADA *Bylaws*;
- 125 iii. Third full year following degree award and thereafter: One hundred percent (100%) of active
126 member dues as set by the House of Delegates pursuant to the ADA *Bylaws*.
- 127 iv. Members becoming active members after July 1, except for those whose membership has lapsed
128 for failure to pay the current year's dues and/or any special assessment, shall pay fifty percent
129 (50%) of any annual dues then in effect. Those members becoming active members after
130 October 1, except for those whose membership has lapsed for failure to pay the current year's
131 dues and/or any special assessment, shall be exempt from the payment of any annual dues then
132 in effect.
- 133 b. Retired Members: Twenty-five percent (25%) of active member dues as set by the House of
134 Delegates pursuant to the ADA *Bylaws*.
- 135 c. Life Members:
- 136 The obligation of life members to pay dues is the same as for active members, except that life
137 members who also meet the eligibility requirements for retired membership shall be exempt from the
138 payment of dues.
- 139 d. Student Members:
- 140 i. Pre-doctoral student members: Five Dollars (\$5.00).
141 ii. Post-doctoral students and residents shall be exempt from the payment of dues.
- 142 e. Provisional Members: The obligation of provisional members to pay dues is the same as for active
143 members.
- 144 f. Honorary Members: Honorary members shall be exempt from the payment of dues.
- 145 g. International Members: The amount as set from time to time by the Board of Trustees. The Board of
146 Trustees can, however, deviate from the established dues rate for international members in order to:
147 i. promote international membership in the ADA in a selected jurisdiction; and

- 148 ii. recognize economic circumstances in those least developed countries eligible for special fee
149 criteria as established by the FDI World Dental Federation.
- 150 2. Special Assessments. Pursuant to the ADA *Bylaws*, the House of Delegates has the power to levy special
151 assessments. Any special assessment for a calendar year is due and payable on January 1, except
152 where a member has opted to pay in installments pursuant to a plan offered by the member's constituent,
153 in which case, the special assessment is paid according to the plan's requirements.
- 154 The schedule of special assessment allocation for each of the membership categories specified in the
155 ADA *Bylaws* is as follows:
- 156 a. Active Members:
- 157 i. From degree award through conclusion of the first full year following an award of a D.D.S. or
158 D.M.D. degree: the member is exempt from the payment of any special assessment then in effect.
159 ii. Second full year following degree award: Fifty percent (50%) of any special assessment then in
160 effect;
161 iii. Third full year following degree award and thereafter: One hundred percent (100%) of any special
162 assessment then in effect.
163 vi. On a one-time only basis, those members becoming active members after July 1, except for
164 those whose membership has lapsed for failure to pay the current year's dues and/or any special
165 assessment, shall pay fifty percent (50%) of any special assessment then in effect. On a one-time
166 only basis, those members becoming active members after October 1, except for those whose
167 membership has lapsed for failure to pay the current year's dues and/or any special assessment,
168 shall be exempt from the payment of any special assessment then in effect.
- 169 b. Retired Members: Twenty-five percent (25%) of any special assessment then in effect.
- 170 c. Life Members:
- 171 i. The obligation of life members to pay any special assessment then in effect is the same as for
172 active members, except that members who also meet the eligibility requirements for retired
173 membership shall be exempt from the payment of special assessments.
- 174 d. Student Members: Pre-doctoral, post-doctoral students and residents are exempt from the payment
175 of special assessments.
- 176 e. Provisional Members: The obligation of provisional members to pay any special assessment then in
177 effect is the same as for active members.
- 178 f. Honorary Members: Honorary members are exempt from the payment of special assessments.
- 179 g. International Members: International members are exempt from the payment of special assessments.
- 180 3. Acceptance of Back Dues and Special Assessments. For purposes of establishing continuity of active
181 membership to qualify for life membership, back dues and any special assessment, except as otherwise
182 provided in the *Bylaws*, shall be accepted for not more than the three (3) years of delinquency prior to the
183 date of application for such payment. The rate of such dues and/or any special assessment, except as
184 otherwise provided in the *Bylaws*, shall be in accordance with Chapter I, Section 40 of the *Bylaws*.
- 185 For the purpose of establishing continuity of active membership in order to qualify for life membership, an
186 active member, who had been such when entering upon active duty in one of the federal dental services
187 but who, during such federal dental service, interrupted the continuity of active membership because of
188 failure to pay dues and/or any special assessment and who, within one year after separation from such
189 military or equivalent duty, resumed active membership, may pay back dues and any special assessment
190 for any missing period of active membership at the rate of dues and/or any special assessment current
191 during the missing years of membership.

- 192 4. Limited Dues and Special Assessment Reduction Programs. Notwithstanding the foregoing policies on
 193 dues and special assessments, the following limited dues reduction programs are available in certain
 194 circumstances:
- 195 a. New Graduate Dues Reduction Deferral. For dentists who are engaged full-time in an advanced
 196 training program of not less than one academic year's duration, post-doctoral or residency program
 197 while eligible for the new graduate active member dues and special assessment reduction program
 198 outlined above, the applicable reduced dues rate shall be deferred until completion of post-doctoral or
 199 residency program. Commencing at the start of the calendar year after the dentist completes the
 200 program, the dentist shall recommence paying dues and any special assessment for active members
 201 at the reduced dues rate where the dentist left off in the progression. During the period such dentist is
 202 engaged full-time in an advanced training course of not less than one (1) academic year's duration,
 203 post-doctoral or residency program, the dues and special assessment exemption provisions for post-
 204 doctoral students and residents shall apply.
- 205 b. First Time Member Ineligible for New Graduate Dues Reduction. A dentist who has never been an
 206 active member of this Association and is ineligible for dues and special assessment reduction as a
 207 new graduate under the provisions of the *Governance Manual*, shall pay fifty percent (50%) of active
 208 member dues and any special assessment in the first year of membership, and shall pay one
 209 hundred percent (100%) of active member dues and any special assessment in the second year and
 210 each year thereafter.
- 211 c. Active Membership Promotion. The Board of Trustees may authorize a limited dues reduction, up to
 212 one hundred percent (100%) of active member dues and any special assessment then in effect for
 213 the purpose of promoting active membership in target U.S. markets through marketing campaigns
 214 recommended by the Council on Membership. This reduction of active member dues and any special
 215 assessments shall be on a one-time only basis for these members.
- 216 d. Financial or Humanitarian Waivers. Any members who have suffered a significant financial hardship
 217 that prohibits them from payment of their full dues and/or any special assessment may be excused
 218 from the payment of fifty percent (50%) or all of the current year's dues and/or any special assessment
 219 To qualify for the Humanitarian Waiver the member must be working full-time for a humanitarian
 220 organization and must not be receiving an income or a salary for such humanitarian service other than
 221 a subsistence amount which approximates a cost of living allowance. Such member shall be exempt
 222 from the payment of all dues and any special assessment then in effect through December 31,
 223 following completion of such service. This is provided that such humanitarian service is being
 224 performed continuously, for not less than one (1) year and further, that such member does not
 225 supplement such subsistence income by the performance of services as a member of the faculty of a
 226 dental or dental auxiliary school, dental administrator or consultant, or practitioner of any activity for
 227 which a license to practice dentistry or dental hygiene is required. Any waiver shall be initially
 228 determined by the members' constituents and components and the constituents and components
 229 shall certify the reason for the waiver, and provide the same proportionate waiver of their dues as that
 230 provided by this Association.*
- 231 e. Temporary Activation to Federal Service. An active member in good standing who is temporarily
 232 called to active duty with a federal dental service on a non-career basis shall be exempt from the

* 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.

233 payment of dues to this Association during such federal dental service duty, but not to exceed a
234 period of three years.

235 5. Calculating Percentage Dues or Special Assessments. In establishing the dollar rate of dues or
236 special assessments expressed as a percentage of active member dues or special assessments,
237 computations resulting in fractions of a dollar shall be rounded up to the next whole dollar.

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

245 **CHAPTER II. CONSTITUENTS AND COMPONENTS**

246 A. Amendment of Chapter II. The entirety of this Chapter II is amendable by a two-thirds (2/3) affirmative vote of
247 delegates present and voting provided that the proposed amendment(s) shall have been presented in writing
248 at a previous session or a previous meeting of the same session of the House of Delegates.

249 B. Constituents.

250 1. Chartered Constituents. The Executive Director of the Association is authorized to issue a charter to each
251 constituent denoting its name and territorial jurisdiction. At the time of adoption of this *Governance*
252 *Manual*, the following are chartered as constituents of this Association:

253 Alabama Dental Association
254 Alaska Dental Society
255 Arizona Dental Association
256 Arkansas State Dental Association
257 California Dental Association
258 Colorado Dental Association
259 Connecticut State Dental Association, The
260 Delaware State Dental Society
261 District of Columbia Dental Society, The
262 Florida Dental Association
263 Georgia Dental Association
264 Hawaii Dental Association
265 Idaho State Dental Association
266 Illinois State Dental Society
267 Indiana Dental Association
268 Iowa Dental Association
269 Kansas Dental Association
270 Kentucky Dental Association
271 Louisiana Dental Association, The
272 Maine Dental Association
273 Maryland State Dental Association
274 Massachusetts Dental Society
275 Michigan Dental Association
276 Minnesota Dental Association
277 Mississippi Dental Association, The
278 Missouri Dental Association
279 Montana Dental Association
280 Nebraska Dental Association, The
281 Nevada Dental Association
282 New Hampshire Dental Society
283 New Jersey Dental Association
284 New Mexico Dental Association
285 New York State Dental Association
286 North Carolina Dental Society, The
287 North Dakota Dental Association
288 Ohio Dental Association
289 Oklahoma Dental Association
290 Oregon Dental Association
291 Pennsylvania Dental Association
292 Puerto Rico, Colegio de Cirujanos Dentistas de

293 Rhode Island Dental Association
 294 South Carolina Dental Association
 295 South Dakota Dental Association
 296 Tennessee Dental Association
 297 Texas Dental Association
 298 Utah Dental Association
 299 Vermont State Dental Society
 300 Virgin Islands Dental Association
 301 Virginia Dental Association
 302 Washington State Dental Association
 303 West Virginia Dental Association
 304 Wisconsin Dental Association
 305 Wyoming Dental Association

306 2. Privilege of Representation.

307 a. Delegates. Each state constituent and the District of Columbia Dental Society shall be entitled to a
 308 minimum of two (2) delegates in the House of Delegates. Each territorial constituent and each federal
 309 dental service shall be entitled to a minimum of two (2) delegates in the House of Delegates if its total
 310 membership is equal to or greater than the size of the smallest state constituent; otherwise the
 311 territorial constituent or federal dental service shall receive one (1) delegate. The remaining number
 312 of delegates shall be allocated as set forth in the *Manual of the House of Delegates (House Manual)*.
 313 b. Alternate Delegates. Each constituent and each federal dental service may select from among its
 314 active, life and retired members up to the same number of alternate delegates as delegates and shall
 315 designate the delegate whom the alternate shall replace in the case of absence.

316 3. Transfer from One Constituent to Another.

317 a. A member shall be entitled to apply for a transfer of membership from one constituent to another
 318 consistent with the provisions of the *Bylaws* and this *Governance Manual*.
 319 b. A member who is unsuccessful in transferring membership from one constituent to another shall be
 320 entitled to a hearing (by either the component or constituent), on the decision denying the member's
 321 application for transfer of membership and to appeal to the constituent to which transfer is sought, if
 322 applicable, and thereafter to the ADA Council on Ethics, Bylaws and Judicial Affairs as provided in the
 323 *Bylaws* and in accordance with the procedures contained in this *Governance Manual*.

324 4. Multiple Jurisdictions. While a member may hold active, life or retired membership in only one constituent,
 325 other membership classifications may be held in other constituents with the consent of the constituents
 326 involved. A member is required to maintain membership in the constituent, if accepted therein, in whose
 327 jurisdiction the member maintains or practices dentistry at a secondary or "branch" office. In order to meet
 328 the requirement of tripartite membership, a member must also maintain membership in one component of
 329 each constituent to which the member belongs, if such exist. If such a member is accused of unethical
 330 conduct and disciplinary proceedings are brought, then those proceedings shall be instituted in the
 331 component or constituent where the alleged unethical conduct occurred. A disciplinary ruling affecting
 332 membership in one component or constituent shall affect membership in all components and constituents
 333 to which the member belongs and in the Association. A member shall have the right of appeal as
 334 provided in the *Bylaws* and subject to the judicial rules and procedures contained in this *Governance*
 335 *Manual*. Such member shall pay dues in this Association and any special assessments levied by this
 336 Association only through the constituent where the member is classified as an active, life or retired
 337 member. A member will be counted for delegate allocation purposes only where the member is classified
 338 as an active, life or retired member.

339 C. Components.

- 340 1. Organization. Components may be organized in conformity with a plan approved by the constituent of
341 which they shall be recognized entities provided, however, that the active, life or retired members of each
342 component shall consist of dentists who are members in good standing of their respective constituents
343 and of this Association. The plan adopted by the constituent may or may not limit active membership in a
344 component to dentists who reside or practice within the geographic area of that component. Each
345 component shall adopt and maintain a constitution and bylaws, which shall not be in conflict with, or limit,
346 the *Constitution and Bylaws* of this Association or that of its constituent, and shall file a copy thereof and
347 any changes which may be made thereafter with the Executive Director of this Association.
- 348 2. Powers. A component shall have the power to:
- 349 a. Select its active, life and retired members in accordance with and subject to the provisions of Chapter
350 II of the *Bylaws* and this *Governance Manual*.
- 351 b. Discipline any of its members in accordance with and subject to the provisions of Chapter X of the
352 *Bylaws* and this *Governance Manual*.
- 353 c. Establish committees, councils and commissions of the component; to designate their powers and
354 duties; and to adopt reasonable eligibility requirements for service thereon.
- 355 d. Adopt a code of ethics not in conflict with the Principles of Ethics and Code of Professional Conduct
356 of this Association or code of ethics of its constituent.
- 357 3. Duties. A component shall have the duty to:
- 358 a. Provide for its financial support.
- 359 b. Establish bylaws, rules and regulations, not in conflict with, or limiting, the *Constitution and Bylaws* of
360 this Association or that of its constituent.
- 361 4. Privileges of Membership. An active, life or retired member of a component in good standing shall have
362 the opportunity of enjoying all privileges of component membership except as otherwise provided by the
363 *Bylaws*.
- 364 5. Transfer from One Component to Another. A member who has changed residence or location of practice
365 or employment within the jurisdiction of a constituent so that the member no longer fulfills the membership
366 requirements of the component of which he or she is a member may maintain active membership in that
367 component for the calendar year following such change of residence or practice location.
- 368 A member who is required to transfer membership from one component to another and whose application
369 for transfer of membership is denied shall be entitled to a hearing, by either the component or its
370 constituent, on the decision denying the member's application for transfer of membership and to appeal to
371 the member's constituent, if applicable, and then to the ADA Council on Ethics, Bylaws and Judicial
372 Affairs as provided in the *Bylaws* and in accordance with the procedures contained in this *Governance*
373 *Manual*.

374 **CHAPTER III. HOUSE OF DELEGATES**

375 A. Convening Sessions of the House of Delegates.

376 1. Special Sessions. A special session of the House of Delegates shall be called by the President on a
377 three-fourths (3/4) affirmative vote of the members of the Board of Trustees or on written request of
378 delegates representing at least one-third (1/3) of the constituents and not less than one-fifth (1/5) of the
379 number of officially certified delegates of the last House of Delegates. The time and place of a special
380 session shall be determined by the President, provided the time selected shall be not more than forty-five
381 (45) days after the request was received. The business of a special session shall be limited to that stated
382 in the official call except by unanimous consent.

383 2. Official Call of Sessions of the House of Delegates.

- 384 a. Annual Session. The Executive Director of the Association shall direct that an official notice of the
385 time and place of each annual session be published in The Journal of the American Dental
386 Association. The Executive Director of the Association shall also send an official notice of the time
387 and place of the annual session to each member of the House of Delegates at least thirty (30) days
388 before the opening of such annual session.
- 389 b. Special Session. The Executive Director of the Association shall send an official notice of the time
390 and place of each special session and a statement of the business to be considered to every officially
391 certified delegate and alternate delegate of the last House, not less than fifteen (15) days before the
392 opening of such special session.

394 **CHAPTER V. BOARD OF TRUSTEES**

- 395 A. Eligibility. A trustee must be an active, life or retired member, in good standing, of this Association and an
 396 active, life or retired member of one of the constituents of the trustee district which the trustee is elected or
 397 appointed to represent.
- 398 B. Nomination, Declaration of Election and Installation Procedure. The name of each nominee for the office of
 399 trustee brought forward by the nominee's trustee district shall be read to the House of Delegates by the
 400 Speaker of the House of Delegates. Because there is only a single nominee provided by each trustee district,
 401 following the reading of names, the Speaker of the House of Delegates shall declare the nominees elected.
 402 The newly elected trustees and the New Dentist Committee chair shall be installed by the President or the
 403 President's designee.
- 404 C. Removal. The House of Delegates may remove a trustee for cause in accordance with procedures
 405 established by the House of Delegates. The procedures shall provide for notice of the charges alleged and
 406 an opportunity for the accused to be heard in his or her defense. A two-thirds (2/3) affirmative vote of the
 407 delegates present and voting is required to remove a trustee from office.
- 408 D. Vacancy. A trustee district may specify in writing to the Association's Executive Director how its nominee shall
 409 be chosen. In the event an appointment to fill the vacancy has not been made by the time of the next meeting
 410 of the House of Delegates following the occurrence of the vacancy, then a nominee to fill the vacancy shall be
 411 selected by the affected trustee district's caucus and the nominee's name shall be forwarded to the Secretary
 412 of the House of Delegates. Election and installation of the successor trustee shall be as stated in the *Bylaws*
 413 and as earlier set forth in this chapter of the Governance Manual. If the term of the vacated trustee position
 414 has less than fifty percent (50%) of a full four-year term remaining at the time the successor trustee is
 415 appointed or elected, the successor trustee shall be eligible for election to a new, consecutive four-year term.
 416 If fifty percent (50%) or more of the vacated term remains to be served at the time of the appointment or
 417 election, the successor trustee shall not be eligible for another term.
- 418 E. Powers.
- 419 1. The Board of Trustees shall report to the House of Delegates for approval any interim actions taken with
 420 respect to councils and special committees, consistent with the exercise of its power to supervise, monitor
 421 and guide, on an interim basis, the activities of all councils and special committees, including the
 422 establishment of rules and procedures that authorize the transaction of business by ballot without a
 423 meeting.
- 424 2. Consistent with the exercise of its power to authorize limited scope pilot programs, approve guidelines
 425 relating to the conduct of the program when authorizing a pilot program. No pilot program authorized by
 426 the Board of Trustees shall exceed a period of three years without approval by the House of Delegates.
 427 The Board of Trustees shall annually report to the House of Delegates on any authorized pilot program
 428 during the program's duration that is inconsistent with any provision of the *Bylaws*.
- 429 F. Duties. The Board shall perform the following activities as part of its management responsibilities:
- 430 1. Provide guidelines and directives to govern the Treasurer's custody, investment and disbursement of
 431 Association funds and other property.
- 432 2. Notice of the Board of Trustee's proposed budget and a resolution containing the Board of Trustee's
 433 recommendation for active member dues required by the ADA *Bylaws* shall be sent electronically to each
 434 constituent and posted on ADA Connect or its equivalent for the House of Delegates not less than thirty
 435 (30) days before the first scheduled meeting of the House of Delegates to permit prompt, adequate notice
 436 by each constituent to its delegates and alternate delegates to the House of Delegates. The resolution
 437 containing the Board of Trustee's recommendation for active member dues shall be also announced to

- 438 the general membership in an official publication of the Association at least fifteen (15) days in advance of
439 the commencement of the annual session of the House of Delegates.
- 440 3. Act upon applications for active membership from applicants practicing in dependencies of the United
441 States in which no constituent exists or who are employed by the federal dental services.
- 442 4. Review the periodic delegate allocations to the House of Delegates performed pursuant to the
443 methodology set forth in the *Manual of the House of Delegates*.
- 444 5. Establish administrative agencies of this Association as may be necessary to implement the Association's
445 programs and, through the Executive Director of the Association under whose jurisdiction such
446 administrative agencies shall operate, assign the duties and receive reports required of such agencies.
- 447 G. Call for Special Meetings. Special meetings of the Board of Trustees may be called by the President or at the
448 request of five (5) voting members of the Board of Trustees for matters of the Association requiring immediate
449 attention.

450 **CHAPTER VI. ELECTIVE OFFICERS OF THE ASSOCIATION**

451 A. Eligibility. Only an active, life or retired member, in good standing, of this Association shall be eligible to serve
 452 as an elective officer. No trustee or other elected officer is eligible to serve simultaneously as Treasurer or
 453 Speaker of the House of Delegates.

454 B. Nominations.

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

461 2. Treasurer. The search for Treasurer shall be announced in an official publication of the Association in
 462 November of the final year of the incumbent Treasurer's term, together with the recommended
 463 qualifications for that position as provided in the *Bylaws*. Candidates for the office of Treasurer shall
 464 apply by submitting a standardized Treasurer *Curriculum Vitae* form to the Executive Director at least one
 465 hundred twenty (120) days prior to the convening of the House of Delegates. Each candidate's
 466 application shall be reviewed by the Board of Trustees. At least sixty (60) days prior to the convening of
 467 the House of Delegates the Executive Director shall provide all members of the House of Delegates, with
 468 each candidate's standardized Treasurer *Curriculum Vitae* and the determination of the Board of Trustees
 469 as to whether the candidate meets the recommended qualifications for the office of Treasurer. No other
 470 candidate shall be nominated from the floor of the House of Delegates. Nominations shall be made in
 471 accordance with the order of business. Each nomination may be followed by an acceptance speech not
 472 to exceed four (4) minutes by the candidate from the podium, according to the protocol established by the
 473 Speaker of the House of Delegates. Seconding a nomination is not permitted. No further nominations for
 474 the office of Treasurer shall be accepted from the floor of the House of Delegates. If there are no eligible
 475 candidates for the office of Treasurer when the House of Delegates meets, the term of the incumbent
 476 Treasurer shall be extended by one (1) year. Should the incumbent Treasurer be unwilling or unable to
 477 serve an additional one (1) year term, the office of Treasurer shall be filled in accordance with the
 478 vacancy provisions of this chapter of the *Governance Manual*. Under these circumstances, former
 479 Treasurers of this Association not otherwise eligible to serve as Treasurer due to term limits will be
 480 eligible to serve as Treasurer until the House of Delegates can elect a Treasurer.

481 3. Speaker of the House of Delegates. The search for Speaker of the House shall be announced in an
 482 official publication of the Association in November of the final year of the incumbent Speaker of the
 483 House's term. Candidates for the office of Speaker of the House shall apply by submitting a curriculum
 484 vitae along with a statement supporting their qualifications to the Executive Director at least one hundred
 485 twenty (120) days prior to the convening of the House of Delegates. At least sixty (60) days prior to the
 486 convening of the House of Delegates the Executive Director shall provide all members of the House of
 487 Delegates with each candidate's curriculum vitae and statement of qualifications for the office of Speaker
 488 of the House. If no candidate has applied and submitted the required documentation, then the
 489 Association shall inform all delegates of this circumstance and the period to apply shall be extended to
 490 thirty (30) days prior to the convening of the House of Delegates. Only candidates who have applied and
 491 submitted the required documentation shall be nominated from the floor of the House of Delegates. If
 492 thirty (30) days prior to the convening of the House of Delegates no candidate has applied and submitted
 493 the required documentation then the Association shall inform all delegates of this circumstance and also
 494 inform them that nominations shall be permitted from the floor of the House of Delegates. Nominations
 495 for the office of Speaker of the House shall be made in accordance with the order of business. Each
 496 nomination may be followed by an acceptance speech not to exceed four (4) minutes by the candidate

- 497 from the podium, according to the protocol established by the Speaker of the House of Delegates.
498 Seconding a nomination is not permitted. If there are no candidates for the office of Speaker of the
499 House nominated when the House of Delegates meets, the term of the incumbent Speaker of the House
500 shall be extended by one (1) year. Should the incumbent Speaker of the House be unwilling or unable to
501 serve an additional one (1) year term, the office of Speaker of the House shall be filled in accordance with
502 the vacancy provisions of this chapter of the *Governance Manual*. Under these circumstances, former
503 Speakers of the House not otherwise eligible to serve as Speaker due to term limits will be eligible to
504 serve as Speaker until the House of Delegates can elect a Speaker of the House.
- 505 C. Term of Office. The two consecutive three year term limit for the offices of Treasurer and Speaker of the
506 House of Delegates shall not apply in the case of a former Treasurer or Speaker of the House, who may
507 serve until the House of Delegates can elect a Speaker of the House of Delegates, in the event of a vacancy
508 as described elsewhere in this chapter of the *Governance Manual*. Serving any portion of a three (3) year
509 term shall be considered service of a full three (3) year term.
- 510 D. Installation. The elective officers shall be installed at the last meeting of the annual session of the House of
511 Delegates. The President-elect shall be installed as President at the next annual session of the House
512 following election. The Second Vice President shall be installed as First Vice President at the next annual
513 session of the House following election.
- 514 E. Removal. The House of Delegates may remove an elective officer for cause in accordance with procedures
515 established by the House of Delegates. The procedures shall provide for notice of the charges alleged and
516 an opportunity for the accused to be heard in his or her defense. A two-thirds (2/3) affirmative vote of the
517 delegates present and voting is required to remove a trustee from office.
- 518 F. Vacancies in Elective Offices. Vacancies in elective offices shall be filled as specified in the *ADA Bylaws*.

519 **CHAPTER VII. APPOINTIVE OFFICER**

520 A. Duties. In addition to those duties set forth in the *Bylaws*, it shall be the duty of the Executive Director to:

- 521 1. Assist the Board of Trustees in supervising, monitoring and providing guidance to all Association councils,
522 commissions and committees in regard to their administrative functions and specific assignments;
- 523 2. Systematize the preparation of council, commission and committee reports; and
- 524 3. Encourage collaboration and the exchange of information concerning mutual interests and issues
525 between councils, committees and commissions.

526 B. Interim Executive Director. Upon the occurrence of a vacancy in the office of Executive Director, an interim
527 Executive Director, whose duties shall be as defined in the *ADA Bylaws*, shall be appointed by the Board of
528 Trustees within forty-five (45) days of the occurrence of the vacancy. While any active, life or retired member
529 in good standing may be appointed to serve as interim Executive Director, the Board of Trustees may appoint
530 any qualified individual who is not eligible for membership in the Association, except that any current officer or
531 member of the Board of Trustees shall not be eligible for appointment as the interim Executive Director. The
532 interval of service and salary, if any, of the interim Executive Director shall be at the discretion of the Board of
533 Trustees.

534 **CHAPTER VIII. COUNCILS**535 **A. Members, Selections, Nominations and Elections.**536 1. Composition. The composition of the councils of this Association shall be as follows:537 a. Council on Dental Education and Licensure. The Council on Dental Education and Licensure shall be
538 composed of seventeen (17) members selected as follows:539 i. Nominations.540 (a) Eight (8) members shall be nominated by the Board of Trustees on a rotational system by
541 trustee district from the active, life or retired members of this Association, no one of whom
542 shall be a full-time member of a faculty of a school of dentistry, a current dental examiner or
543 member of a state or regional testing agency, state board of dentistry or jurisdictional dental
544 licensing agency.* These members shall be elected by the House of Delegates.545 (b) Four (4) members who are active, life or retired members of this Association shall be selected
546 by the American Association of Dental Boards from the active membership of that body, no
547 one of whom shall be a member of a faculty of a school of dentistry. These members shall
548 not require the approval of the House of Delegates for appointment.549 (c) Four (4) members who are active, life or retired members of this Association shall be selected
550 by the American Dental Education Association from its active membership. These members
551 shall hold positions of professorial rank in dental schools accredited by the Commission on
552 Dental Accreditation and shall not be current dental examiners or members of any state or
553 regional testing agency, state board of dentistry or jurisdictional dental licensing agency.
554 These members shall not require the approval of the House of Delegates for appointment.555 (d) One (1) new dentist member recommended by the New Dentist Committee and nominated by
556 the Board of Trustees.**557 ii. Committees. The Council on Dental Education and Licensure shall establish a standing
558 Committee on Dental Education and a standing Committee on Licensure, each consisting of eight
559 (8) members selected by the Council. The Council may establish such additional committees
560 believed to be essential to carrying out its duties.561 b. Council on Members Insurance Retirement Programs. The Council on Members Insurance
562 Retirement Programs shall be composed of ten (10) members, nine (9) of whom are active, life or
563 retired members who are selected from nominations open to all trustee districts whose terms of office
564 shall be staggered in such a manner that three (3) members will complete their terms each year.***
565 The tenth (10th) member of the council shall be a new dentist member recommended by the New
566 Dentist Committee and nominated by the Board of Trustees.567 c. Council on Scientific Affairs. The Council on Scientific Affairs shall be composed of eighteen (18)
568 members, sixteen (16) of whom shall be selected from nominations open to all trustee districts, the

* 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.

** As used in this Chapter, the term "new dentist" means either a member of the New Dentist Committee or a dentist who graduated from dental school with a D.D.S. or a D.M.D. degree less than ten (10) years prior to the selection.

*** In order to establish the Council's revised composition, the Council members in office at the time this footnote becomes effective shall finish their terms in accordance with their scheduled completion dates. For each of the service term years of 2018-2019 through 2020-2021, 3 new members shall be selected for nomination by the Board of Trustees for three-year service terms in order to achieve the new 3-year rotational pattern. This footnote shall expire at adjournment *sine die* of the 2021 House of Delegates.

- 569 current recipient of the Gold Medal Award for Excellence in Dental Research and one (1) new dentist
570 member recommended by the New Dentist Committee and nominated by the Board of Trustees.
- 571 d. Remaining Councils. The remaining councils of this Association shall each be composed of eighteen
572 (18) members, one (1) member from each trustee district whose terms of office shall be staggered in
573 such a manner that four (4) members will complete their terms each year except every fourth year
574 when five (5) members shall complete their terms and one (1) new dentist member recommended by
575 the New Dentist Committee and nominated by the Board of Trustees.
- 576 2. Term and Tenure. The term of service recommended by the New Dentist Committee and nominated by
577 the Board of Trustees elected to serve on councils shall be one (1) year; however, such members shall
578 be limited to four (4) one year terms of council service during the period they are characterized as new
579 dentists.
- 580 3. Nominations and Election. Nominations for all councils shall be made by the Board of Trustees except as
581 otherwise provided in the *Bylaws* or this *Governance Manual*. Members of councils shall be elected by
582 the House of Delegates in accordance with the election procedure set forth in Chapter III of the ADA
583 *Bylaws*.
- 584 4. Removal for Cause. The Board of Trustees may remove a council member for cause in accordance with
585 procedures established by the Board of Trustees. Those procedures shall provide for notice of the
586 charges, including allegations of the conduct purported to constitute each violation and a decision in
587 writing which shall specify the findings of fact which substantiate any and all of the charges. Prior to
588 issuance of the decision by the Board of Trustees, no council member shall be excused from attending
589 any meeting of a council unless there is an opportunity to be heard or compelling reasons exist which are
590 specified in writing by the Board of Trustees.
- 591 5. Amendment. The entirety of this Section A. of Chapter VIII. is amendable by a two-thirds (2/3) affirmative
592 vote of delegates present and voting provided that the proposed amendment(s) shall have been
593 presented in writing at a previous session or a previous meeting of the same session of the House of
594 Delegates.
- 595 B. Eligibility.
- 596 1. All members of councils must be active, life or retired members in good standing of this Association
597 except as otherwise provided in the *Bylaws* or this *Governance Manual*.
- 598 2. No member of a council may serve concurrently as a member of another council or commission.
- 599 3. A member shall not be eligible for appointment to another council or commission for a period of two (2)
600 years after completing a previous council or commission appointment.
- 601 4. The elective and appointive officers and the trustees of this Association shall not serve as members of
602 councils.
- 603 5. A member of the Council on Dental Education and Licensure who was selected by the American
604 Association of Dental Boards or the American Dental Education Association but ceases to be an active
605 member of that body may continue as a member of the Council for the balance of that member's term.
- 606 6. A member of the Council on Dental Education and Licensure who was selected by the American Dental
607 Education Association but ceases to be a member of the faculty of a member school of that body shall
608 cease to be a member of the Council on Dental Education and Licensure and the President shall declare
609 the position vacant.

- 610 7. To be eligible to serve on the Council on Scientific Affairs, the current recipient of the Gold Medal Award
611 for Excellence in Dental Research shall be an active, life or retired member in good standing of this
612 Association if that individual qualifies for membership in the Association.
- 613 C. Chairs. One member of each council shall be selected annually by each council from among its members to
614 serve as chair, with written notification to the Board of Trustees. Every other year, the chair of the Council on
615 Dental Education and Licensure shall be selected from among the members of the Council nominated by the
616 Board of Trustees pursuant to the procedures contained in this chapter of the *Governance Manual*.
- 617 D. Consultants and Staff.
- 618 1. Consultants. Each council shall have the authority to appoint consultants in conformity with rules and
619 regulations established by the Board of Trustees except as otherwise provided in the *Bylaws* or this
620 *Governance Manual*. The councils shall inform the Board in writing of the selection of consultants.
- 621 2. Staff. The Executive Director shall employ the staff of councils, in the event they are employees, and shall
622 select the titles for council staff positions.
- 623 E. Term of Office. Except for members of the Council on Members Insurance and Retirement Programs whose
624 term of office shall be three (3) years, the term of office of members of councils shall be four (4) years except
625 as otherwise provided in the *Bylaws* or this *Governance Manual*. Except for members of the Council on
626 Members Insurance and Retirement Programs whose tenure on the council shall be limited to two terms of
627 three (3) years, the tenure of a member of a council shall be limited to one (1) term of four (4) years except as
628 otherwise provided in the *Bylaws* or this *Governance Manual*. The current recipient of the Gold Medal Award
629 for Excellence in Dental Research shall serve on the Council on Scientific Affairs until the award is bestowed
630 on the next honoree.
- 631 F. Vacancy. In the event of a vacancy in the membership of any council, except a member of the Council on
632 Dental Education and Licensure selected by an organization other than this Association, the President shall
633 appoint a member of the Association possessing the same qualifications as established by the *Bylaws* or this
634 *Governance Manual* for the previous member, to fill such vacancy until a successor is elected by the next
635 House of Delegates for the remainder of the unexpired term. In the event such vacancy involves a member of
636 the Council on Dental Education and Licensure who was selected by an organization other than this
637 Association, such other organization shall appoint a successor. The appointed member shall possess the
638 same qualifications as those possessed by the previous member of the Council. In the event such vacancy
639 involves the chair of the council, the President shall have the power to appoint an *ad interim* chair. In the
640 event it is the current recipient of the Gold Medal Award for Excellence in Dental Research who cannot serve
641 on the Council on Scientific Affairs, the President, in consultation with the Board of Trustees, shall have the
642 power to appoint a prominent research scientist who shall serve until the award is bestowed on the next
643 honoree.
- 644 If the term of the vacated council position has fifty percent (50%) or less of a full term remaining at the time
645 the successor member is elected to the position by the House of Delegates, the successor member shall be
646 eligible for election to a new term. If more than fifty percent (50%) of the vacated term remains to be served at
647 the time of the successor member's election by the House of Delegates, the successor member shall not be
648 eligible for another term.
- 649 G. Meetings of Councils. Each council shall hold at least one regular meeting annually, provided that funds are
650 available in the budget for that purpose and unless otherwise directed by the Board of Trustees. Meetings
651 may be held in the Headquarters Building, the Washington Office or from multiple remote locations through
652 the use of a conference telephone or other communications equipment by means of which all members can
653 communicate with each other. Such meetings shall be conducted in accordance with rules and procedures
654 established by the Board of Trustees.

- 655 H. Quorum. Except as otherwise provided in the *Bylaws* or this *Governance Manual*, a majority of the members
656 of any council shall constitute a quorum.
- 657 I. Privilege of the Floor. Chairs and members of councils who are not members of the House of Delegates shall
658 have the right to participate in the debate on their respective reports but shall not have the right to vote.
- 659 J. Annual Report and Budget.
- 660 1. Annual Report. Each council shall submit, through the Executive Director, an annual report to the House
661 of Delegates and a copy thereof to the Board of Trustees.
- 662 2. Proposed Budget. Each council shall submit to the Board of Trustees, through the Executive Director, a
663 proposed itemized budget for the ensuing fiscal year.
- 664 K. Areas of Responsibility.
- 665 1. Council on Advocacy for Access and Prevention. The areas of subject matter responsibility of the Council
666 shall be:
667 a. Oral health literacy;
668 b. Oral disease prevention and intervention;
669 c. Access to oral healthcare; and
670 d. Community oral health advocacy.
- 671 2. Council on Communications. The areas of subject matter responsibility of the Council shall be:
672 a. Advise on the management of the Association's reputation;
673 b. Develop, recommend and maintain ADA strategic communications plans;
674 c. Advise ADA agencies on branding;
675 d. Advise on prioritization and allocation of communications resources; and
676 e. Advise on communications and marketing for constituents and components, upon request.
- 677 3. Council on Dental Benefit Programs. The areas of subject matter responsibility of the Council shall be:
678 a. Administration and financing of all dental benefit programs including both commercial and public
679 programs;
680 b. Dental Quality Alliance;
681 c. Monitoring of quality reporting activities of third party payers;
682 d. Peer review programs;
683 e. Code sets and code taxonomies including but not limited to procedure and diagnostic codes;
684 f. Electronic and paper dental claim content and completion instructions; and
685 g. Standards pertaining to the capture and exchange of information used in dental benefit plan
686 administration and reimbursement for services rendered.
- 687 4. Council on Dental Education and Licensure. The areas of subject matter responsibility of the Council shall
688 be:
689 a. Dental, advanced dental and allied dental education and accreditation;
690 b. Recognition of dental specialties and interest areas in general dentistry;
691 c. Dental anesthesiology and sedation;
692 d. Dental admission testing;
693 e. Licensure;
694 f. Certifying boards and credentialing for specialists and allied dental personnel; and
695 g. Continuing dental education.
- 696 5. Council on Dental Practice. The areas of subject matter responsibility of the Council shall be:
697 a. Dental practice, including:
698 i. Dental practice management;
699 ii. Practice models and economics;

- 700 iii. Scope of practice;
- 701 iv. Impact of and compliance with regulatory mandates; and
- 702 v. Assessment of initiatives directed to the public and the profession;
- 703 b. Allied dental personnel, including:
- 704 i. Utilization, management and employment practices; and
- 705 ii. Liaison relationships with organizations representing allied dental personnel;
- 706 c. Dentist health and wellness, including:
- 707 i. Dental professional well-being, wellness and ergonomics;
- 708 ii. Patient safety and wellness; and
- 709 iii. Liaison relationships with state well-being programs and related national organizations;
- 710 d. Dental informatics and standards for electronic technologies; and
- 711 e. Activities and resources directed to the success of the dental practice and the member.
- 712 6. Council on Ethics, Bylaws and Judicial Affairs. The areas of subject matter responsibility of the Council
- 713 shall be:
- 714 a. Ethics and professionalism, including disciplinary matters relating thereto;
- 715 b. The governing documents of this Association, including:
- 716 i. Review of the constitutions and bylaws of constituents and components to ensure consistency
- 717 with the Association's *Bylaws*; and
- 718 ii. To correct punctuation, grammar, spelling and syntax, change names and gender references and
- 719 delete moot, and to correct article, chapter and section designations, punctuation, and cross
- 720 references and to make such other technical and conforming revisions as may be necessary to
- 721 reflect the intent of the House in connection with amendments to the Association's *Bylaws*,
- 722 *Governance Manual*, *Manual of the House of Delegates*, *Principles of Ethics* and *Code of*
- 723 *Professional Conduct and Current Policies* where such revisions do not alter the material's
- 724 context or meaning upon the unanimous vote of the Council members present and voting; and
- 725 iii. To report to the House of Delegates any corrections made to the governing documents of the
- 726 Association pursuant to subsection ii. of this section of the *Governance Manual*; and
- 727 c. Hold hearings and render decisions in disputes arising between constituents or between a constituent
- 728 and component.
- 729 7. Council on Government Affairs. The areas of subject matter responsibility of the Council shall be:
- 730 a. Encourage the improvement of the health of the public and to promote the art and science of dentistry
- 731 in matters of legislation and regulations by appropriate activities;
- 732 b. Formulate and recommend legislation, regulatory activity, policies and governmental programs
- 733 relating to dentistry and oral health for submission to Congress;
- 734 c. Serve and assist as liaison with those agencies of the federal government which employ dental
- 735 personnel or have dental care programs, and formulate policies which are designed to advance the
- 736 professional status of federally employed dentists; and
- 737 d. Disseminate information which will assist the constituents and components involving legislation and
- 738 regulation affecting the dental health of the public.
- 739 8. Council on Members Insurance and Retirement Programs. The areas of subject matter responsibility of
- 740 the Council shall be:
- 741 a. Insurance and retirement plan products and resources; and
- 742 b. Risk management education programs and resources.
- 743 9. Council on Membership. The areas of subject matter responsibility of the Council shall be:
- 744 a. Membership recruitment and retention and related issues;
- 745 b. Monitor and provide support and assistance for the membership activities of constituents and
- 746 components; and

- 747 c. Membership benefits and services.
- 748 10. Council on Scientific Affairs. The areas of subject matter responsibility of the Council shall be:
- 749 a. Science and scientific research, including:
- 750 i. Evidence-based dentistry;
- 751 ii. Evaluation of professional products;
- 752 iii. Identification of intramural and extramural priorities for dental research-every three years; and
- 753 iv. Promotion of student involvement in dental research;
- 754 b. Scientific aspects of the dental practice environment related to the health of the public, dentists and
- 755 allied health personnel;
- 756 c. Standards development for dental products;
- 757 d. The safety and efficacy of concepts, procedures and techniques for use in the treatment of patients;
- 758 e. Liaison relationships with scientific regulatory, research and professional organizations and science-
- 759 related agencies of professional healthcare organizations; and
- 760 f. The ADA Seal of Acceptance program.

CHAPTER IX. COMMISSIONS**A. Members, Selections, Nominations and Elections.**

1. Commission on Dental Accreditation. The number of and the method of selection of members of the Commission on Dental Accreditation shall be governed by the *Rules of the Commission on Dental Accreditation*, except that twelve (12) members shall be selected as follows:
 - a. Four (4) members who shall be appointed by the Board of Trustees from the names of active, life or retired members of this Association. None of the appointees shall be a faculty member of any dental education program working more than one day per week or a member of a state board of dental examiners or jurisdictional dental licensing agency.
 - b. Four (4) members who are active, life or retired members of this Association and also active members of the American Association of Dental Boards shall be selected by the American Association of Dental Boards. None of these members shall be a faculty member of any dental education program.
 - c. Four (4) members who are active, life or retired members of this Association and also active members of the American Dental Education Association shall be selected by the American Dental Education Association. None of these members shall be a member of any state board of dental examiners or jurisdictional dental licensing agency.
2. Joint Commission on National Dental Examinations. The number of and the method of selection of members of the Joint Commission on National Dental Examinations shall be governed by the *Rules of the Joint Commission on National Dental Examinations*, except that twelve (12) members shall be selected as follows:
 - a. Three (3) members who shall be appointed by the Board of Trustees from the names of active, life or retired members of this Association. None of the appointees shall be a faculty member of any dental education program working more than one day per week or a member of a state board of dental examiners or jurisdictional dental licensing agency.
 - b. Six (6) members who are active, life or retired members of this Association and also active members of the American Association of Dental Boards shall be selected by the American Association of Dental Boards. None of these members shall be a faculty member of any dental education program.
 - c. Three (3) members who are active, life or retired members of this Association and also active members of the American Dental Education Association shall be selected by the American Dental Education Association. None of these members shall be a member of any state board of dental examiners or jurisdictional dental licensing agency.
3. Commission for Continuing Education Provider Recognition. The number of and the method of selection of members of the Commission for Continuing Education Provider Recognition shall be governed by the *Rules of the Commission for Continuing Education Provider Recognition*, except that five (5) members shall be selected as follows:
 - a. Four (4) members who shall be appointed by the Board of Trustees from the names of active, life or retired members of this Association. None of the appointees shall be a faculty member of any dental education program working more than one day per week or a member of a state board of dental examiners or jurisdictional dental licensing agency. At least two (2) of the members appointed shall be general dentists.
 - b. One (1) member who is an active member of the American Dental Education Association and also, if eligible, an active, life or retired member of this Association shall be selected by the American Dental Education Association.

- 805 4. National Commission on Recognition of Dental Specialties and Certifying Boards. The National
 806 Commission on Recognition of Dental Specialties and Certifying Boards shall be composed of members
 807 selected as follows:
- 808 a. One (1) specialist from each dental specialty recognized by this Commission who is an active, life or
 809 retired member of this Association appointed by the sponsoring organization for that specialty.
- 810 b. A number of general dentists equal to the number of members appointed pursuant to subsection 4.a.
 811 of this Section who are active, life or retired members of this Association appointed by the Board of
 812 Trustees.
- 813 c. A member of the general public appointed by the Commission.*
- 814 5. Amendment. The entirety of this Section A of Chapter IX is amendable by a two-thirds (2/3) affirmative
 815 vote of delegates present and voting provided that the proposed amendment(s) shall have been
 816 presented in writing at a previous session or a previous meeting of the same session of the House of
 817 Delegates.
- 818 B. Removal for Cause. Any of the commissions of this Association shall have the sole authority to remove any of
 819 its members for cause pursuant to its *Rules*, with notice of such removal being given to the ADA Board of
 820 Trustees.
- 821 C. Eligibility.
- 822 1. All members of commissions who are dentists must be active, life or retired members in good standing of
 823 this Association except as otherwise provided in the *Bylaws*.
- 824 2. If a commission member ceases to be a member of the organization that selected or elected the
 825 commission member, that commission member's membership on the commission shall terminate, and the
 826 Chair of the commission shall declare the position vacant.
- 827 3. Any organizations that select members to serve on the Commission for Continuing Education Provider
 828 Recognition and offer continuing dental education courses must be recognized as a continuing education
 829 provider by the commission.
- 830 4. No member of a commission may serve concurrently as a member of a council or another commission.
- 831 5. A member shall not be eligible for appointment to another commission or council for a period of two (2)
 832 years after completing a previous commission or council appointment.
- 833 D. Chairs. Commissions shall elect their own chairs. To be eligible to serve as chair of a commission, the
 834 commission member must be an active, life or retired member of this Association.
- 835 E. Consultants, Advisers and Staff.
- 836 1. Consultants and Advisers.
- 837 a. The Commission on Dental Accreditation shall have the power to appoint consultants to assist in
 838 developing requirements and guidelines for conducting the accreditation program and accreditation
 839 evaluations, including site visitations, of predoctoral, advanced and allied dental education programs.
- 840 b. The Joint Commission on National Dental Examinations shall have the power to appoint consultants
 841 to serve on the commission's test construction teams and to assist with test administration, test
 842 development, test security and test psychometric evaluation.

* To achieve the desired staggering of member terms for continuity, the initial terms of the members of the National Commission on Recognition of Dental Specialties and Certifying Boards shall be as set forth in Appendix 2 that accompanied Resolution 30H-2017 that established this Commission. This footnote shall expire without further action at the adjournment *sine die* of the 2021 House of Delegates.

- 843 c. The Commission for Continuing Education Provider Recognition shall have the power to appoint
844 consultants to assist in developing standards and procedures, conducting recognition reviews and
845 conducting appeals.
- 846 d. The National Commission on Recognition of Dental Specialties and Certifying Boards shall have the
847 power to appoint consultants to assist in the periodic review of dental specialties, the annual review of
848 dental specialty certifying boards, and in conducting appeals.
- 849 2. Staff. The Executive Director shall employ the staff of commissions, in the event they are employees, and
850 shall select the titles for commission staff positions.
- 851 F. Term of Office and Tenure.
- 852 1. Term of Office. The term of office of members of the commissions of this Association shall be four (4)
853 years except that (a) the term of office of members of the Commission on Dental Accreditation selected
854 pursuant to the *Rules of the Commission on Dental Accreditation* shall be governed by those *Rules*, and
855 (b) the term of office of the dental student selected by the American Student Dental Association for
856 membership on the Joint Commission on National Dental Examinations shall be one (1) year.
- 857 2. Tenure. The tenure of a member of a commission shall be limited to one (1) term of four (4) years except
858 that (a) the tenure of members of the Commission on Dental Accreditation selected pursuant to the *Rules*
859 *of the Commission on Dental Accreditation* shall be governed by those *Rules*, and (b) tenure in office of
860 the dental student selected by the American Student Dental Association for membership on the Joint
861 Commission on National Dental Examinations shall be one (1) term.
- 862 G. Vacancy. In the event of a vacancy in the office of a member of a commission, the following procedure shall
863 be followed:
- 864 1. In the event the member of a commission whose office is vacant is or was a member of and was
865 appointed or elected by this Association, the President of this Association shall appoint a member of this
866 Association to fill that vacancy. The appointed member shall possess the same qualifications as
867 established in this *Governance Manual* for the previous member, and the appointed member shall fill the
868 vacancy until a successor is elected by the next House of Delegates of this Association for the remainder
869 of the unexpired term.
- 870 2. In the event the member of a commission whose office is vacant was selected by an organization other
871 than this Association, such other organization shall appoint a successor. The appointed member shall
872 possess the same qualifications as those possessed by the previous member of the commission.
- 873 3. In the event such vacancy involves the chair of a commission, the vice chair shall serve as *ad interim*
874 chair pending selection of a chair.
- 875 4. If the term of the vacated office of a member of a commission has less than fifty percent (50%) of a full
876 four-year term remaining at the time the successor member is appointed or elected to fill the vacancy, the
877 successor member shall be eligible for election to a new four-year term. If fifty percent (50%) or more of
878 the vacated term remains to be served at the time of the appointment or election of a successor member
879 to fill the vacancy, the successor member shall not be eligible for another term.
- 880 H. Meetings of Commissions. Each commission shall conduct meetings in accordance with its Rules.
881 Commissions shall hold at least one regular meeting annually. Meetings may be held at the ADA
882 Headquarters Building, the ADA Washington Office or from multiple remote locations through the use of a
883 conference telephone or other communications equipment by which all members can communicate with each
884 other.
- 885 I. Quorum. Quorum requirements for each commission shall be as stated in the *Rules* of that commission.

- 886 J. Privilege of the Floor. Chairs and members of the commissions of this Association who are not members of
 887 the House of Delegates shall have the right to participate in the debate on their respective reports but shall
 888 not have the right to vote.
- 889 K. Annual Report and Budget.
- 890 1. Annual Report. The Joint Commission on National Dental Examinations, the Commission on Continuing
 891 Education Provider Recognition, and the National Commission on Recognition of Dental Specialties and
 892 Certifying Boards shall submit, through the Executive Director, an annual report to the House of
 893 Delegates containing that information each commission deems to be appropriate and a copy thereof to
 894 the Board of Trustees. The Commission on Dental Accreditation shall publish an annual report containing
 895 that information it deems to be appropriate to its communities of interest according to a timeline of its
 896 choosing and pursuant to the *Rules of the Commission on Dental Accreditation*.
- 897 2. Proposed Budget. Each commission shall submit to the Board of Trustees, through the Executive
 898 Director, a proposed itemized budget for the ensuing fiscal year.
- 899 L. Power to Adopt Rules. Any commission of this Association shall have the power to adopt rules for such
 900 commission and amendments thereto, provided such rules and amendments thereto do not conflict with or
 901 limit the *Constitution and Bylaws, Governance and Organizational Manual* and *Standing Rules for Councils*
 902 *and Commissions* of this Association. Commissions shall have the power to adopt rules and amendments
 903 thereto pursuant to a two-thirds affirmative vote of the members present and voting.

904 **CHAPTER X. COMMITTEES, SPECIAL COMMITTEES AND SUBCOMMITTEES**

905 If duties are assigned to a special committee that are assigned under the *Bylaws* to more than one (1) council,
906 commission or other agency, members of the relevant councils, commissions or other agencies shall be
907 appointed to serve on that special committee. Duties assigned by the *Bylaws* or this *Governance Manual* solely to
908 a single council, commission or other agency should be assigned to that council, commission or other agency with
909 the necessary funding to accomplish the task.

**CHAPTER XI. PRINCIPLES OF ETHICS AND CODE OF PROFESSIONAL CONDUCT, MEMBER CONDUCT
POLICY AND JUDICIAL PROCEDURES**

A. Disciplinary Matters.

1. Member 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, (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 of which the accused is a member, or (5) violating the Association's *Member Conduct Policy*.
2. Disciplinary Penalties. A member may be disciplined for any of the offenses enumerated in this *Governance Manual* 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 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, or removal from the membership rolls of this Association and any constituent or component, 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 to have been violated by the constituent that brought the original misconduct complaint, 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.
 - e. Removal from Office. If the member holds any ADA office, disciplinary action may include 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 above.
3. Reminder of Obligation. In appropriate circumstances, a constituent or component 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 Member Conduct Policy* or engaged in conduct to which the *ADA Member Conduct Policy* might apply. The same is true of the *Bylaws*, the *Principles of Ethics and Code of Professional Conduct* or the bylaws or code of ethics of a constituent or component of which the accused is a member. Such a Reminder of Obligation is not a disciplinary penalty but is a private administrative action. No record of the issuance of a Reminder of Obligation shall be placed in the member's membership records.

**B. Hearings on Charges Related to the ADA Bylaws and the Principles of Ethics and Code of Professional
Conduct.** Any member charged with violating the *ADA Bylaws*, the *Principles of Ethics and Code of*

955 *Professional Conduct* or the Association's *Member Conduct Policy* shall be afforded the right to a fair and
956 impartial hearing conducted in accordance with the procedures set forth in this *Governance Manual*. For a
957 member of a constituent, disciplinary proceedings may be instituted by either the member's component or
958 constituent. For a direct member, disciplinary proceedings may be instituted by the Association's Council on
959 Ethics, Bylaws and Judicial Affairs.

960 1. Initial Disciplinary Hearings on Charges Relating to the ADA Bylaws or the Principles of Ethics and Code
961 of Professional Conduct. The following procedures are to be followed by a component or constituent or
962 this Association bringing charges of *Bylaws* or ethics violations:

- 963 a. Notice. An organization bringing charges against a member alleging a violation of either the ADA
964 *Bylaws* or the *Principles of Ethics and Code of Professional Conduct* shall issue a notice of charges
965 that will meet the following specifications:
 - 966 i. Charges Brought. The notice of charges will contain a detailed statement of all disciplinary
967 charges brought against the accused member, including (a) an official certified copy of any
968 alleged conviction or determination of guilt that is the basis for the disciplinary action, (b)
969 description of the section(s) of the *Bylaws* or the ethical provisions alleged to have been violated,
970 and/or (c) a description of the conduct alleged to constitute each violation.
 - 971 ii. Time of Hearing. The notice of charges shall contain notification of the date, time and place that a
972 hearing on the charges will be held.
 - 973 iii. Delivery of Notice. The notice of charges shall be sent to the accused member by certified mail,
974 return receipt requested. The notice of charges shall be addressed to the accused member's last
975 known address and mailed not less than twenty-one (21) days prior to the date set for the
976 hearing.
- 977 b. Hearing. Any member accused of violating either the ADA *Bylaws* or the *Principles of Ethics and*
978 *Code of Professional Conduct* is entitled to a hearing before a hearing body of the entity bringing the
979 charges.
 - 980 i. Purpose. The purpose of a disciplinary hearing is to provide the accused member with the
981 opportunity to present a defense to the charges brought against the member.
 - 982 ii. Representation by Counsel. The organization bringing the charges must allow the accused
983 member to be represented by legal counsel at any hearing convened under these procedures.
 - 984 iii. Continuances. An accused member is entitled to one (1) hearing postponement. The
985 postponement cannot exceed thirty (30) days. Additional requests for postponement may be
986 granted or denied by the hearing body in its reasonable discretion.
- 987 c. Decision. Every decision of a hearing body that imposes a penalty will be in writing. The written
988 decision will contain the following:
 - 989 i. Statement of Charges. The decision shall set forth a statement of the charge(s) made against the
990 member;
 - 991 ii. Facts and Verdict. The decision shall state the facts that support the charge(s) and the verdict
992 arrived at by the hearing body;
 - 993 iii. Penalty. The decision shall state the penalty imposed and, if the penalty is to be suspended
994 during a period of probation, the length of the probationary period and any other conditions
995 included in the probation; and
 - 996 iv. Delivery of Decision. The decision is to be sent to the following:

- 997 (a) The accused member by certified mail, return receipt requested, and addressed to the
998 accused member's last known address.
- 999 (b) The secretary of the accused member's component, if any;
- 1000 (c) The secretary of the accused member's constituent, if applicable;
- 1001 (d) The chair of the American Dental Association Council on Ethics, Bylaws and Judicial Affairs;
1002 and
- 1003 (e) The Executive Director of this Association.
- 1004 d. Notice of Right to Appeal. Every written decision issued by a hearing body that imposes a penalty will
1005 be accompanied by a separate notice stating that the accused member has a right to appeal the
1006 decision. The notice of right to appeal will direct the member to the section of this *Governance*
1007 *Manual* dealing with appeals from disciplinary decisions relating to violations of the *ADA Bylaws* or
1008 the *Principles of Ethics and Code of Professional Conduct*.
- 1009 e. Finality of Decision. A decision will not become final while an appeal of the decision is pending or until
1010 the thirty (30) day period for filing a notice of appeal has expired.
- 1011 f. Non-Appeal of Decision Containing Sentence of Expulsion. If a decision includes a sentence of
1012 expulsion and a notice of appeal is not received within the thirty (30) day period within which to
1013 appeal, the accused member's constituent will notify all parties of the failure of the accused member
1014 to file an appeal. The sentence of expulsion will take effect on the date the parties receive such
1015 notice. The component and constituent shall each determine what portion of their current dues and
1016 special assessments, if any, shall be returned to the expelled member. Dues and special
1017 assessments paid to this Association will not be refunded to an expelled member.
- 1018 2. Appeals from Disciplinary Decisions Relating to the ADA Bylaws and the Principles of Ethics and Code of
1019 Professional Conduct. The following procedures shall be followed in any appeal from a decision issued as
1020 a result of a disciplinary hearing on charges relating to the *ADA Bylaws* or the *Principles of Ethics and*
1021 *Code of Professional Conduct*:
- 1022 a. Right to Appeal.
- 1023 i. Disciplinary Decision of a Component. Any member shall have the right to appeal a disciplinary
1024 decision issued by the member's component that imposes a penalty. That appeal shall be made
1025 to member's constituent by filing a notice of appeal in affidavit form with the secretary of the
1026 constituent.
- 1027 ii. Disciplinary Decision of a Constituent. Any member or component shall have a right to appeal a
1028 disciplinary decision that is adverse to it that is issued by a constituent. That appeal shall be
1029 made to the Council on Ethics, Bylaws and Judicial Affairs of this Association by filing a notice of
1030 appeal in affidavit form with the Chair of the Council on Ethics, Bylaws and Judicial Affairs.
- 1031 iii. Disciplinary Decision Adverse to a Direct Member. A direct member of this Association shall have
1032 the right to appeal a disciplinary decision of a hearing panel of the Council on Ethics, Bylaws and
1033 Judicial Affairs that imposes a penalty of censure, suspension, expulsion, or probation. That
1034 appeal shall be made to the full Council on Ethics, Bylaws and Judicial Affairs of this Association
1035 by filing a notice of appeal in affidavit form with the Chair of the Council on Ethics, Bylaws and
1036 Judicial Affairs. Members of the hearing panel that issued the decision being appealed shall have
1037 no right to vote on the Council's decision in such an appeal.
- 1038 b. Time to Appeal. An appeal from any decision shall not be valid unless the appeal is filed within thirty
1039 (30) days of the date the decision appealed from was issued.

- 1040 c. Time for the Filing of Briefs on Appeal. Briefs in appeals brought under this Article II must be filed in
1041 accordance with the following schedule:
- 1042 i. Appellant's Initial Brief. If being filed, an initial brief supporting an appeal must be filed within sixty
1043 (60) days of the issue date of the decision being appealed.
- 1044 ii. Reply Brief. If being filed, a reply brief must be filed within ninety (90) days of the issue date of the
1045 decision being appealed.
- 1046 iii. Rejoinder Brief. If being filed, a rejoinder brief must be filed within one hundred five (105) days of
1047 the issue date of the decision being appealed.
- 1048 d. Time for Appellate Hearing. No hearing shall be held within one hundred fifty (150) days of the issue
1049 date of the decision being appealed or forty-five (45) days after the last brief in the appeal was filed,
1050 whichever is later. Omission of briefs will not alter the date for the hearing of an appeal unless
1051 otherwise agreed to by the parties and the chair of the body hearing the appeal.
- 1052 e. Conduct of Appellate Hearing. The following procedure shall be used in processing appeals:
- 1053 i. Appellate Hearings. If the requirements of subsections a. and b. of this section relating to appeals
1054 from disciplinary decisions relating to the *ADA Bylaws* and the *Principles of Ethics and Code of*
1055 *Professional Conduct* are met, the party bringing the appeal shall be entitled to a hearing.
- 1056 ii. Parties to an Appeal. The parties to an appeal are the accused member and the entity that
1057 brought the charges against the accused member. In appeals to the Council on Ethics, Bylaws
1058 and Judicial Affairs of this Association, the constituent which heard the first appeal, if any, may, at
1059 its option, participate in the appeal.
- 1060 iii. Right to be Represented by Counsel. The parties to an appeal shall be entitled to be represented
1061 by counsel in the appeal.
- 1062 iv. Appearance at Hearing not Required. A party to an appeal is not required to attend a hearing in
1063 an appeal brought pursuant to this section.
- 1064 v. Option to Conduct Telephonic Hearings. Upon the request by a party and the concurrence of all
1065 other parties, the body hearing the appeal may permit one or more of the parties to an appeal to
1066 participate in the hearing remotely via telephone or other suitable means. The decision whether to
1067 allow remote participation in an appeal hearing is discretionary with the body hearing the appeal
1068 and granting such a request can be subject to meeting reasonable terms and conditions set by
1069 the hearing body.
- 1070 vi. Hearing Notice. A body that receives a notice of appeal shall notify the constituent or component
1071 (or components) concerned or, where applicable, the hearing panel of the Council on Ethics,
1072 Bylaws and Judicial Affairs, and the accused member of the time and place of the appeal hearing.
1073 Such notice shall be sent by certified mail, return receipt requested, to the last known address of
1074 each party to the appeal. The hearing notice should be mailed not less than thirty (30) days prior
1075 to the hearing date.
- 1076 vii. Hearing Continuances. Granting of hearing continuances shall be at the discretion of the hearing
1077 body.
- 1078 viii. Prehearing Matters. All communications with a hearing body shall be in writing. All parties to the
1079 appeal shall receive copies of such communications via the same method of delivery as used
1080 with the hearing body. Prehearing requests shall be granted at the discretion of the hearing body.
1081 In appeals to this Association's Council on Ethics, Bylaws and Judicial Affairs, the Council chair
1082 has the authority to rule on requests from the parties for continuances and other prehearing

- 1083 procedural matters with advice from legal counsel of this Association. The Council chair may
1084 consult with the Council before rendering prehearing decisions.
- 1085 ix. Briefs. Each party to an appeal shall be entitled to submit a brief in support of the party's position.
1086 The briefs of the parties shall be submitted to the secretary of the constituent or the Chair of the
1087 Council on Ethics, Bylaws and Judicial Affairs of this Association, as appropriate, in accordance
1088 with the prescribed briefing schedule. A copy of any brief filed in the appeal must be delivered to
1089 every other party in the appeal at the same time as the filing of the brief. The party initiating the
1090 appeal may choose to rely on the record and/or on an oral presentation and not file a brief.
- 1091 x. Record of Disciplinary Proceedings. Upon notice of an appeal, the entity that issued the decision
1092 being appealed shall provide to the body hearing the appeal and to the accused member a
1093 transcript, or an officially certified copy of the minutes, of the hearing accorded the accused
1094 member. Certified copies of any affidavits or other documents submitted as evidence to support
1095 or refute the charges against the accused member in the disciplinary hearing and any other
1096 material considered by the body issuing the decision being appealed will accompany the
1097 transcript or minutes. Where the body conducting the hearing resulting in the decision being
1098 appealed does not transcribe the hearing, the accused member, at the accused's own expense,
1099 is entitled to arrange for transcription of the hearing by a court reporter.
- 1100 xi. Appellate Jurisdiction. The body to which a decision has been appealed shall be required to
1101 review the decision appealed from to determine whether the evidence before the component,
1102 constituent or body which brought the charges against the accused member supports that
1103 decision or warrants the penalty imposed. The body hearing the appeal shall not be required to
1104 consider additional evidence unless there is a clear showing that a party to the appeal will be
1105 unreasonably harmed by failure to consider the additional evidence.
- 1106 xii. Decisions on Appeals. Every decision on appeal shall be in writing and must clearly state the
1107 conclusion of the hearing body and the reasons for that conclusion. The body hearing the appeal
1108 shall have the discretion to:
- 1109 (a) Uphold the decision of the entity that brought charges against the accused member;
- 1110 (b) Reverse the decision of the entity that brought the charges and thereby exonerate the
1111 accused member;
- 1112 (c) Deny an appeal where it fails to satisfy the requirements for appealing disciplinary decisions
1113 in this *Governance Manual*;
- 1114 (d) Refer the case back to the body that brought the charges for new proceedings, if the rights of
1115 the accused member under all applicable bylaws were violated or if adopted disciplinary
1116 procedures were not followed to the detriment of the accused;
- 1117 (e) Remand the case back to the agency that issued the charges for further proceedings when
1118 the record in the appeal is insufficient to enable the body hearing the appeal to form a
1119 conclusion concerning the correctness of the decision being appealed; or
- 1120 (f) Modify the decision of the agency that issued the charges against the accused member by
1121 reducing the penalty imposed.
- 1122 xiii. Delivery of the Appeal Decision to the Parties. Within thirty (30) days of the date on which a
1123 written decision on appeal is approved by the entity conducting the appeal, a copy of the written
1124 decision shall be sent by certified mail, return receipt requested, to the last known address of
1125 each of the following: the accused member; the secretary of the component of which the accused
1126 is a member, if applicable; the secretary of the constituent of which the accused is a member, if

1127 applicable; the Chair of the Council on Ethics, Bylaws and Judicial Affairs of this Association; and
1128 the Executive Director of this Association.

1129 C. Member Conduct Hearings. The following procedures will be followed by the Council on Ethics, Bylaws and
1130 Judicial Affairs in cases involving allegations of violations of the *Member Conduct Policy* of the Association:

1131 1. Charges. Any member of the Association or the Association's staff has the right to bring charges alleging
1132 a violation or violations of the Association's Member Conduct Policy. Charges must meet the following
1133 specifications:

1134 a. In Writing. The charges must be in writing;

1135 b. Identify Violation. The charges must include an identification of the provision(s) of the Association's
1136 *Member Conduct Policy* alleged to have been violated;

1137 c. Include Description. Include a detailed description of the conduct alleged to constitute the violation;
1138 and

1139 d. Delivery of Charges. The charges must be sent to the chair of the Council on Ethics, Bylaws and
1140 Judicial Affairs of this Association.

1141 2. Preliminary Investigation.

1142 a. Selection. Upon receipt of a charge alleging violation of the *Member Conduct Policy*, the Chair of the
1143 Council on Ethics, Bylaws and Judicial Affairs will select an investigatory panel of three (3) members
1144 of the Council.

1145 b. Ineligible Council Member. The Council member from the Trustee District of the member accused of
1146 violating the *Member Conduct Policy* is ineligible to serve on the investigatory panel. The
1147 investigatory panel will conduct a preliminary investigation of the charges alleged and determine
1148 whether the allegations made in the charges sufficiently state a violation of the *Member Conduct*
1149 *Policy*.

1150 3. Notice of Determination of Investigatory Panel.

1151 a. No Violation. If, upon preliminary investigation, the investigatory panel determines that the charges do
1152 not sufficiently state a violation of the *Member Conduct Policy*, the Association member or
1153 Association staff member bringing the charges will be advised in writing of the investigatory panel's
1154 determination. The investigatory panel's decision will be final and without right of appeal.

1155 b. Possible Violation. If the investigatory panel determines that the charge does sufficiently state a
1156 violation of the *Member Conduct Policy*, the charging individual and accused member shall be notified
1157 in writing. The notice of possible violation shall conform to the following specifications:

1158 i. Specification of Charges. The notice of possible violation shall provide a specification of the
1159 charges brought against the accused member;

1160 ii. Hearing Notice. The notice of possible violation shall specify the time and place of hearing on the
1161 charges brought against the accused member;

1162 iii. Manner of Delivery. The notice of possible violation shall be sent via certified mail, return receipt
1163 requested, to the last known addresses of the charging individual and the accused member; and

1164 iv. Time of Notice Mailing. The notice of possible violation shall be mailed not less than twenty-one
1165 (21) days prior to the date set for the hearing.

1166 4. Hearing. In the event of finding of a possible violation of the *Member Conduct Policy*, the accused
1167 member shall be entitled to a hearing before a panel of three (3) members of the Council on Ethics,
1168 Bylaws and Judicial Affairs.

- 1169 a. Hearing Panel Make Up. Members of the investigatory panel that investigated the allegations against
1170 the accused member and the Council member from the accused's trustee district are ineligible to sit
1171 on the hearing panel.
- 1172 b. Purpose. The purpose of the hearing is to provide the accused member with an opportunity to present
1173 a defense to the charges brought against him or her.
- 1174 c. Representation by Counsel. The accused member is entitled to be represented by legal counsel at
1175 the member conduct hearing.
- 1176 d. Continuances. An accused member is entitled to one (1) hearing postponement. The postponement
1177 cannot exceed thirty (30) days. Additional requests for postponement may be granted or denied at the
1178 discretion of the chair of the Council on Ethics, Bylaws and Judicial Affairs, who may but need not
1179 consult with the Council or the hearing panel on the request.
- 1180 5. Decision. Any member conduct hearing panel decision shall conform to the following specifications:
- 1181 a. Requirement of Written Decision. Every decision of a member conduct hearing panel will be in
1182 writing. The written decision will state:
- 1183 i. The charges lodged against the member;
- 1184 ii. The relevant facts;
- 1185 iii. The verdict arrived at by the hearing body; and
- 1186 iv. The penalty imposed or recommended and, if the penalty is to be suspended during a period of
1187 probation, the length of the probationary period and any other conditions included in the
1188 probation.
- 1189 b. Mailing of Decision. Every hearing panel decision must be sent, by certified mail, return receipt
1190 requested, within ten (10) days of the written decision being approved by the hearing panel, to the
1191 last known address of each of the following:
- 1192 i. The accused member;
- 1193 ii. The charging individual;
- 1194 iii. The secretary of the accused member's component, if any;
- 1195 iv. The secretary of the accused member's constituent, if applicable;
- 1196 v. The Chair of the American Dental Association Council on Ethics, Bylaws and Judicial Affairs;
- 1197 vi. The Executive Director of this Association; and, if applicable
- 1198 vii. The Election Commission of the Association.
- 1199 6. Notice of Right to Appeal. A written notice to the accused member informing the accused member of his
1200 or her right to appeal the decision of the hearing panel must accompany the copies of the decision sent
1201 pursuant to these procedures.
- 1202 7. Finality of Decision. A decision will not become final while an appeal of the decision is pending or until the
1203 thirty (30) day period for filing notice of appeal has expired.
- 1204 8. Non-Appeal of Decision Containing Sentence of Expulsion. If a decision includes a sentence of expulsion
1205 and no notice of appeal is received within the thirty (30) day period within which to appeal, the Council on
1206 Ethics, Bylaws and Judicial Affairs shall notify all parties and the accused member's constituent and, if
1207 appropriate, component, of the failure of the accused member to file an appeal. The sentence of
1208 expulsion will take effect on the date the notice is received. The disciplined member's component and

1209 constituent shall each determine what portion of their current dues and special assessments, if any, shall
1210 be returned to the expelled member. Dues and special assessments paid to this Association will not be
1211 refunded to an expelled member.

1212 D. Member Conduct Appeals. The following procedures shall be followed in any appeal from a decision issued
1213 as a result of a member conduct hearing pursuant to the procedures in this *Governance Manual*:

- 1214 1. Right to Appeal. Any member shall have the right to appeal a disciplinary decision issued by a member
1215 conduct hearing panel that imposes a penalty to the full Council on Ethics, Bylaws and Judicial Affairs by
1216 filing an appeal in affidavit form with the chair of the Council on Ethics, Bylaws and Judicial Affairs of this
1217 Association.
- 1218 2. Time to Appeal. An appeal from any member conduct decision under the procedures of this *Governance*
1219 *Manual* will not be valid unless the appeal is filed within thirty (30) days of the date the decision appealed
1220 from was issued.
- 1221 3. Time for Filing Briefs on Appeal. Briefs in member conduct appeals brought under the procedures of this
1222 *Governance Manual* will be filed according to the following schedule:
 - 1223 a. Appellant's Initial Brief. If being filed, an initial brief supporting an appeal must be filed within sixty (60)
1224 days after the date the decision being appealed was issued.
 - 1225 b. Reply Brief. If being filed, a reply brief supporting the decision appealed from must be filed by the
1226 Association member or staff member who lodged the member conduct complaint within ninety (90)
1227 days after the decision being appealed was issued.
 - 1228 c. Rejoinder Brief. If being filed, a rejoinder brief supporting an appeal must be filed within one hundred
1229 five (105) days after the date the decision being appealed was issued.
- 1230 4. Time for Appellate Hearing. No hearing on an appeal will be held within one hundred fifty (150) days of
1231 the date the decision appealed from was issued or forty-five (45) days after the last brief in the appeal
1232 was filed, whichever is later. Omission of briefs will not alter the hearing date unless otherwise agreed to
1233 by the parties and the chair of the body hearing the appeal.
- 1234 5. Conduct of Appellate Hearing. The accused member shall be entitled to a hearing on an appeal, provided
1235 that such appeal meets the requirements of this section of the *Governance Manual*. The appeal hearing
1236 shall be conducted in accordance with the following parameters:
 - 1237 a. Council Members Hearing the Appeal. Members of the investigatory and hearing panels involved in
1238 the action being appealed and the Council representative from the accused member's Trustee District
1239 shall be recused from and will not take part in the appeal.
 - 1240 b. Parties to the Appeal. In any appeal of a decision under the *Member Conduct Policy*, the parties to
1241 such an appeal shall be the accused member and the Association member or the Association staff
1242 member who brought the charges.
 - 1243 c. Representation by Counsel. In any appeal, the accused member is entitled to be represented by legal
1244 counsel.
 - 1245 d. Attendance at Hearing. A party need not appear for the appeal to be heard by the Council on Ethics,
1246 Bylaws and Judicial Affairs.
 - 1247 e. Option to Conduct Telephonic Hearing. Upon the request by a party and the concurrence of all other
1248 parties, the Council on Ethics, Bylaws and Judicial Affairs may permit one or more of the parties to an
1249 appeal to participate in the hearing remotely via telephone or other suitable means. The decision
1250 whether to allow remote participation in an appeal hearing is discretionary with the Council and

- 1251 granting such a request can be subject to meeting reasonable terms and conditions set by the
1252 Council.
- 1253 f. Hearing Notice. The Council on Ethics, Bylaws and Judicial Affairs shall notify the accused member;
1254 the Association member or Association staff member bringing the charges; the secretary of the
1255 accused member's component, if applicable; and the secretary of the accused member's constituent,
1256 if applicable of the time and place of the appeal hearing. The hearing notice will be sent by certified
1257 mail, return receipt requested, to the last known addresses of the parties to the appeal and the other
1258 entities receiving notice. The notice of hearing is to be mailed not less than thirty (30) days prior to the
1259 hearing date.
- 1260 g. Hearing Continuances. The granting of continuances shall be at the discretion of the Chair of the
1261 Council on Ethics, Bylaws and Judicial Affairs.
- 1262 h. Prehearing Matters. All prehearing communications will be in writing and a copy of each
1263 communication shall be sent to every other party in the same manner sent to the Council of Ethics,
1264 Bylaws and Judicial Affairs. Prehearing requests shall be granted at the discretion of the Chair of the
1265 Council on Ethics, Bylaws and Judicial Affairs. The Council Chair has the authority to rule on requests
1266 from the parties for continuances and other prehearing procedural matters with advice from legal
1267 counsel of this Association. The Council Chair may consult with the Council before rendering
1268 prehearing decisions.
- 1269 i. Briefs. Each party to an appeal shall be entitled to submit a brief in support of the party's position. The
1270 briefs of the parties shall be submitted to the Chair of the Council on Ethics, Bylaws and Judicial
1271 Affairs of this Association in accordance with the prescribed briefing schedule. A copy of each brief
1272 filed in an appeal must be delivered to the opposing party in the appeal at the same time as the filing
1273 of the brief. The party initiating the appeal may choose to rely on the record and/or an oral
1274 presentation and not file a brief.
- 1275 j. Record of Hearing. Upon receiving a notice of an appeal, the hearing panel of the Council on Ethics,
1276 Bylaws and Judicial Affairs that presided over the initial hearing shall furnish a transcript or an
1277 officially certified copy of the minutes of the hearing being appealed to the Council on Ethics, Bylaws
1278 and Judicial Affairs and the parties to the appeal. The transcript or minutes shall be accompanied by
1279 certified copies of any affidavits or other documents submitted as evidence to support the charges
1280 against the accused member or submitted by the accused as part of the accused's defense. If the
1281 hearing panel did not provide for transcription of the hearing, any party shall be entitled to arrange for
1282 the services of a court reporter to transcribe the hearing.
- 1283 k. Appellate Jurisdiction. The Council on Ethics, Bylaws and Judicial Affairs is required to review the
1284 decision appealed from to determine whether the evidence before the hearing panel supports that
1285 decision or warrants the penalty(ies) imposed. The Council on Ethics, Bylaws and Judicial Affairs
1286 shall not be required to consider additional evidence unless there is a clear showing that a party to
1287 the appeal will be unreasonably harmed by failure to consider the additional evidence.
- 1288 6. Decision on Appeals.
- 1289 a. Appeals not Involving Recommended Probation, Suspension, Expulsion and/or Removal of a Trustee
1290 or Elective Officer.
- 1291 i. Written Decision. In any appeal that does not involve the recommended probation, suspension,
1292 expulsion and/or removal from office of a trustee or elective officer, the decision of the Council on
1293 Ethics, Bylaws and Judicial Affairs shall be reduced to writing. The decision must clearly state the
1294 conclusion of the Council and the reasons for reaching that conclusion.
- 1295 ii. Permissible Penalties. The Council shall have the discretion to:

- 1296 (a) Uphold the decision of the hearing panel;
- 1297 (b) Reverse the decision of the hearing panel and thereby exonerate the accused member;
- 1298 (c) Deny an appeal that fails to satisfy the requirements the procedures for appeals of member
- 1299 conduct decisions in this *Governance Manual*;
- 1300 (d) Refer the case back to the hearing panel for new proceedings, if the rights enumerated under
- 1301 all applicable policies and procedures were not accorded the accused;
- 1302 (e) Remand the case back to the member conduct hearing panel for further proceedings when
- 1303 the appellate record is insufficient in the opinion of the Council on Ethics, Bylaws and Judicial
- 1304 Affairs to enable it to render a decision; or
- 1305 (f) Modify the decision of the hearing panel by reducing the penalty imposed.
- 1306 iii. Final Decision. The decision of the Council on Ethics, Bylaws and Judicial Affairs in an appeal not
- 1307 involving a recommended probation, suspension, expulsion and/or removal of a trustee or
- 1308 elective officer shall be final and non-appealable.
- 1309 iv. Delivery of the Appeal Decision to the Parties. Within thirty (30) days of the date on which a final
- 1310 decision on appeal is approved by the Council on Ethics, Bylaws and Judicial Affairs, a copy of
- 1311 the written decision shall be sent by certified mail, return receipt requested, to the last known
- 1312 address of each of the following: the accused member; the Association member or Association
- 1313 staff member bringing charges; the secretary of the component of which the accused is a
- 1314 member, if applicable; the secretary of the constituent of which the accused is a member, if
- 1315 applicable; the Election Commission of the Association; and the Executive Director of this
- 1316 Association.
- 1317 b. Appeals Involving Recommended Probation, Suspension, Expulsion and/or Removal of a Trustee or
- 1318 Elective Officer.
- 1319 i. Written Decision. In any appeal that involves the recommended probation, suspension, expulsion
- 1320 or removal of a trustee or elective officer, the decision of the Council on Ethics, Bylaws and
- 1321 Judicial Affairs shall be reduced to writing. The decision must clearly state the conclusion of the
- 1322 Council and the reasons for reaching that conclusion.
- 1323 ii. Permissible Penalties. The Council shall have the discretion to:
- 1324 (a) Recommend upholding the decision of the hearing panel;
- 1325 (b) Reverse the recommended decision of the hearing panel and thereby exonerate the accused
- 1326 member;
- 1327 (c) Recommend denial of an appeal that fails to satisfy the requirements of the member conduct
- 1328 hearing procedures of this *Governance Manual*;
- 1329 (d) Refer the case back to the hearing panel for new proceedings, if the rights enumerated under
- 1330 all applicable procedures were not accorded the accused;
- 1331 (e) Remand the case back to the hearing panel for further proceedings when the appellate
- 1332 record is insufficient in the opinion of the Council on Ethics, Bylaws and Judicial Affairs to
- 1333 enable it to render a decision; or
- 1334 (f) Modify the decision of the hearing panel by reducing the penalty imposed, except in cases in
- 1335 which the reduced penalty is probation, suspension and/or removal from office, the Council's
- 1336 decision shall be a recommendation.

- 1337 iii. Final Decision. The decision of the Council on Ethics, Bylaws and Judicial Affairs shall be final
1338 and non-appealable only in cases where the Council's decision does not result in the
1339 recommendation of a sentence of probation, suspension, expulsion and/or removal from office.
- 1340 iv. Delivery of the Appeal Decision in Cases not Involving Recommended Probation, Suspension,
1341 Expulsion and/or Removal from Office. Within thirty (30) days of the date on which a final decision
1342 that does not recommend probation, suspension, expulsion and/or removal from office is
1343 approved by the Council on Ethics, Bylaws and Judicial Affairs, a copy of the decision shall be
1344 sent by certified mail, return receipt requested, to the last known address of each of the following:
1345 the accused trustee or elective officer; the Association member or Association staff member
1346 preferring charges; the secretary of the component of which the trustee is a member, if
1347 applicable; the secretary of the constituent of which the trustee or elective officer is a member, if
1348 applicable; the Election Commission and the Executive Director of this Association.
- 1349 v. Delivery of the Appeal Decision in Cases Involving Recommended Probation, Suspension,
1350 Expulsion and/or Removal from Office. Within thirty (30) days of the date on which a decision that
1351 recommends probation, suspension, expulsion and/or removal from office of a trustee or elective
1352 officer is approved by the Council on Ethics, Bylaws and Judicial Affairs, a copy thereof shall be
1353 sent by certified mail, return receipt requested, to the last known address of each of the following:
1354 the accused trustee or elective officer; the Association member or Association staff member
1355 preferring charges; the Election Commission, the secretary of the component of which the trustee
1356 or elective officer is a member, if applicable; the secretary of the constituent of which the trustee
1357 or elective officer is a member, if applicable; and the Executive Director of this Association.
- 1358 vi. Right to Respond. When a decision recommends that a trustee or elective official be sentenced to
1359 probation, expulsion, suspension and/or removal from office, that trustee or elected official has
1360 the right to respond in writing to the decision and recommendation. The response of the trustee or
1361 elective official must be delivered to the chair of the Council on Ethics, Bylaws and Judicial Affairs
1362 within thirty (30) days from the date the decision and recommendation was issued. The chair of
1363 the Council on Ethics, Bylaws and Judicial Affairs will forward the decision and recommendation,
1364 along with any response received from the trustee or elected official, to the Speaker of the House
1365 of Delegates, the Election Commission and the Association's Executive Director.
- 1366 vii. Consideration of Decision by House of Delegates. Any decision that recommends probation,
1367 suspension, expulsion and/or removal from office of a trustee or elective officer shall be
1368 considered by the House of Delegates.
- 1369 viii. Consideration of Recommended Probation, Suspension, Expulsion and/or Removal from Office of
1370 Trustees or Elective Officers by House of Delegates. The House of Delegates shall decide
1371 whether to accept or reject any recommendation of a sentence of probation, suspension,
1372 expulsion and/or removal from office made pursuant to the provisions of this section of the
1373 *Governance Manual* against Trustees or Elected Officers of this Association. Delegates and
1374 alternate delegates who participated in any portion of the procedures that resulted in such
1375 recommendation shall be recused from deliberations under this section. A two-thirds (2/3)
1376 affirmative vote of the delegates present and voting is required to impose a disciplinary sentence
1377 of expulsion from membership or removal from office, suspension or probation.
- 1378 E. Enforcement of Sentences. After all appeals are exhausted or after the time for filing an appeal has expired, a
1379 sentence of censure, suspension, expulsion and/or removal from office meted out to any member by
1380 decisions rendered pursuant to the procedures in this *Governance Manual*, including those instances when
1381 the disciplined member has been placed on probation, shall be enforced by such individual's component and
1382 constituent, if such exist, and this Association.

- 1383 F. Non-Compliance. In the event of a failure of technical compliance with the procedural requirements contained
1384 in this *Governance Manual*, the entity hearing the appeal shall determine the effect of such non-compliance.
- 1385 G. Reminders of Obligation. Because Reminders of Obligation are private administrative actions and not
1386 disciplinary penalties, copies of such Reminders of Obligation shall only be kept by the Council on Ethics,
1387 Bylaws and Judicial Affairs for a period of six (6) months after issuance following which such copies shall be
1388 destroyed.

1389 **CHAPTER XII. FINANCIAL MATTERS**

- 1390 A. **Installment Payments of Dues and Special Assessments.** Any constituent or component may establish a
 1391 plan for the installment payment of dues and special assessments for active, life, retired and provisional
 1392 members. This Association may establish a plan for the installment payment of dues and special
 1393 assessments for active, life and retired members who are direct members of the Association. Any such
 1394 installment plan shall require:
- 1395 1. Monthly installment payments that conclude with the current dues and any special assessment amount
 1396 being paid by December 15.
- 1397 2. The expeditious transfer of installments of member dues and any special assessments collected to
 1398 this Association and any applicable constituent or component.
- 1399 3. Any installment plan adopted under this provision of the *Governance Manual* may impose a reasonable
 1400 transaction fee upon the member. Transaction fees collected shall be prorated between this Association and
 1401 the constituent and component, if any, based on the amount of dues and special assessment collected on
 1402 each organization's behalf.
- 1403
- 1404 B. **Establishment of Funds.** At the direction of the Board of Trustees, other funds may be created for activities
 1405 and programs requiring separate accounting records to meet governmental and administrative requirements.
 1406 Such funds shall consist of monies and other assets received or allocated in accordance with the purpose for
 1407 which they are established. Such funds shall be used for defraying all expenses incurred in their operation,
 1408 shall serve only as separate accounting entities and continue to be held in the name of the American Dental
 1409 Association as divisions of the General Fund.
- 1410 C. **Special Assessments.**
- 1411 1. **Notice.** Notices of resolutions proposing a special assessment shall be sent electronically to each
 1412 constituent and posted on ADA Connect or its equivalent for the House of Delegates not less than thirty
 1413 (30) days before such session. Notices of resolutions proposing special assessments shall also be
 1414 announced to the general membership in an official publication of this Association at least fifteen (15)
 1415 days in advance of the session. The specific project to be funded by the proposed assessment, the time
 1416 frame of the project, and the amount and duration of the proposed assessment shall be clearly presented
 1417 in giving notice to the members of this Association.
- 1418 2. **Amendments and Number of Assessments Permitted.** The House of Delegates may consider only one
 1419 (1) specific project to be funded by a proposed assessment at a time. However, if properly adopted by the
 1420 House of Delegates, two (2) or more special assessments may be in force at the same time.

1422 **CHAPTER XIV. PROCEDURAL MANUALS OF THE ASSOCIATION** [Reserved]

1423 **CHAPTER XV. PARLIAMENTARY AUTHORITY** [Reserved]

1424 **CHAPTER XVI. AMENDMENTS** [Reserved]

1425 CHAPTER XVII. CONFLICT OF INTEREST

1426 It is the policy of this Association that individuals who serve in elective, appointive or employed offices or positions
1427 do so in a representative or fiduciary capacity that requires loyalty to the Association. At all times while serving in
1428 such offices or positions, these individuals shall further the interests of the Association as a whole. In addition,
1429 they shall avoid:

- 1430 1. placing themselves in a position where personal or professional interests may conflict with their duty to
1431 this Association;
- 1432 2. using information learned through such office or position for personal gain or advantage; and
- 1433 3. obtaining by a third party an improper gain or advantage.

1434 As a condition for selection, each nominee, candidate and applicant shall complete a conflict of interest statement
1435 as prescribed by the Board of Trustees, disclosing any situation which might be construed as placing the
1436 individual in a position of having an interest that may conflict with his or her duty to the Association. Candidates
1437 for offices of President-elect, Second Vice President, Treasurer, Speaker of the House, nominees for office of
1438 trustee, and nominees to councils and commissions shall file such statements with the Secretary of the House of
1439 Delegates to be made available to the delegates prior to election. As a condition of appointment, consultants,
1440 advisers and staff of Councils, Commissions and Special Committees, and each person nominated or seeking
1441 such positions, shall file conflict of interest statements with the Executive Director of this Association.

1442 While serving in any elective, appointive or employed office or position, the individual shall comply with the conflict
1443 of interest policy applicable to his or her office or position, shall complete and file a conflict of interest statement
1444 for each year of service, and shall promptly report any situation in which a potential conflict of interest may arise.

1445 The Board of Trustees shall approve any additional compliance activities that will implement the requirements of
1446 this Chapter. The Board of Trustees shall render a final judgment on what constitutes a conflict of interest except
1447 with respect to the work of the Commission on Dental Accreditation.

1448 **CHAPTER XVIII. SCIENTIFIC MEETINGS**

- 1449 A. Object. The scientific session of this Association is established to foster the presentation and discussion of
1450 subjects pertaining to the improvement of the health of the public and the science and art of dentistry.
- 1451 B. Time and Place. The scientific session of the Association shall be held annually at a time and place selected
1452 by the Board of Trustees. Such selection shall be made at least one (1) year in advance.
- 1453 C. Trade and Laboratory Exhibits. Products of the dental trade and dental laboratories and other products may
1454 be exhibited at each scientific session under the direction of the Board of Trustees and in accordance with
1455 rules and regulations established by that body.
- 1456 D. Admission. Admission to meetings of the scientific sessions shall be limited to members of this Association
1457 who are in good standing and to others admitted in accordance with rules and regulations established by the
1458 Board of Trustees.

1459 **CHAPTER XIX. PUBLICATIONS**

1460 A. The Journal of the American Dental Association. *The Journal of the American Dental Association*, hereinafter
1461 referred to as *The Journal*, shall be published with a frequency and at a subscription rate that shall be
1462 determined by the Board of Trustees. The object of *The Journal* shall be to report, chronicle and evaluate
1463 activities of scientific and professional interest to members of the dental profession. Except as otherwise
1464 provided in the powers of the Board of Trustees in the *ADA Bylaws*, the editor of *The Journal* shall have the
1465 authority to determine its editorial content, including scientific-based content, and shall, with the assistance of
1466 an editorial board, establish and maintain a written editorial policy for *The Journal*.

1467 B. Other Journals. The Association may publish or cause to be published other journals in the field of dentistry
1468 subject to the direction and regulations of the Board of Trustees.

1469 C. Official Transactions. The official transactions of the House of Delegates and the Board of Trustees and the
1470 reports of officers, councils and committees shall be published under the direction of the Executive Director.

1471 D. Member Directory. This Association shall cause to be published a directory of members of the Association.

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1476 As of March 2, 2021

American Dental Association

A current electronic version of this document
is available at ADA.org