

June 2024-H

Amendment to the Constitution and Bylaws Changing the Disciplinary Authority of the MDS Board of Trustees

Resolution No. -24

Submitted by: Metropolitan District

Financial Implication: None

Subject: MDS Board of Trustees Disciplinary Authority

Whereas, the Massachusetts Dental Society (MDS) is committed to maintaining a fair and ethical governance structure for the benefit of its members and the public;

Whereas, the MDS Board of Trustees is the principal governing body responsible for the strategic direction and oversight of the MDS;

Whereas, it is essential to preserve the integrity, impartiality, and objectivity of the MDS Board of Trustees;

Whereas, conflicts of interest or bias may arise if members of the MDS Board of Trustees are given the authority to discipline their peers on the same Board;

Whereas, the MDS aims to ensure that any disciplinary actions against members of the MDS Board of Trustees are conducted in an impartial and transparent manner;

Therefore, be it resolved, that the delegates of the Massachusetts Dental Society hereby adopt the following policy:

1. **Restriction of Disciplinary Authority:** Members of the MDS Board of Trustees shall not have the authority to discipline other members of the MDS Board of Trustees. This restriction is implemented to avoid any potential conflicts of interest and to maintain the integrity and impartiality of the governance process.
2. **Independent Disciplinary Committee:** Any allegations or complaints against a member of the MDS Board of Trustees shall be referred to an independent disciplinary committee formed under the direction of the MDS Ethics Committee. This committee shall be composed of impartial individuals who are not current members of the MDS Board of Trustees. The committee shall be responsible for investigating the allegations and making recommendations for any necessary disciplinary actions.
3. **Transparency and Due Process:** The independent disciplinary committee shall operate in a manner that ensures transparency, fairness, and due process. The accused officer(s) and/or trustee(s) shall be given the opportunity to present their case, and the proceedings shall be conducted in accordance with established ethical guidelines and procedures.
4. **Reporting and Accountability:** The independent disciplinary committee shall report its findings and recommendations to the MDS Ethics Committee. The final decision regarding any disciplinary actions shall be made by the MDS Ethics Committee, in accordance with the Society's bylaws and regulations.
5. **Amendment to Bylaws:** The MDS bylaws shall be amended to reflect this resolution, ensuring that the policy is formally integrated into the governance structure of the Society.

Implementation: This resolution shall take effect immediately upon its adoption by the delegates of the Massachusetts Dental Society.

Board Recommendation: The Board has not reviewed this item.