

THE AMERICAN COLLEGE OF RADIOLOGY

2011 - 2012 BYLAWS

(Incorporating ACR Council Changes Approved at the 2011 Annual Meeting)

ARTICLE I

NAME

The name of this corporation shall be The American College of Radiology (hereafter sometimes referred to as the "College").

ARTICLE II

PURPOSES

The purposes of the corporation are to advance the science of radiology, improve radiologic service to the patient, study the socioeconomic aspects of the practice of radiology, and encourage improved and continuing education for radiologists and allied professional fields.

Notwithstanding the foregoing or any other provision of these bylaws, no part of net earnings of the College shall inure to the benefit of or be distributable to its members, directors, officers, or other private persons, except that the College shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth above.

ARTICLE III

MEMBERSHIP

SECTION 1

CLASSES OF MEMBERSHIP

Membership in this organization shall be of eleven classes: (1) Member, (2) Associate Member, (3) Fellow, (4) Member-in-Training (5) Allied Health, (6) Honorary Fellow, (7) International Member, (8) International Member-in-Training, (9) Fellow Emeritus, (10) Retired Member and Fellow, (11) Chapter Inactive Member and Fellow, and (12) Electronic Access International Member. The College does not discriminate on the basis of race, color, religion, gender, age, national origin, or sexual orientation in granting or terminating membership or in regard to any of the benefits of membership.

SECTION 2

PERSONAL QUALIFICATIONS

Membership in the College is a privilege, not a right, and is contingent upon continuing compliance with these bylaws. Members are expected to be of good moral character and to adhere to the Code of Ethics set forth in these bylaws. Failure to comply with these requirements may serve as a basis for denial or revocation of College membership.

When, in relation to initial membership or a request for reinstatement as a member, an issue is raised regarding legal, ethical or professional misconduct, the matter shall be forwarded to the ACR Ethics Committee for its review and recommendation about qualifications for membership.

Except for those in active military service and the public health service, members of the College in classes (1), (2), (3), and (5) above shall be, within no greater than twenty-four (24) months of completion of training, members of a chapter of the College 1) where they conduct their principal practice, 2) where they reside, or 3) located within 25 miles of either location. Persons who were members of the College on or before February 3, 1967, need not join a chapter to retain membership in the College, unless such a person was or becomes a member of a chapter. Any individual may have only one (1) primary chapter, but any member who is an active member of a chapter of the College may be an affiliate member of a second chapter.

Individuals who become members of the College through membership in the Council of Affiliated Regional Radiation Oncology Societies (CARROS) Chapter shall also become members of a chapter of the College and shall have all the rights and obligations of active membership in their respective chapters, unless they voluntarily elect chapter inactive status under Section 13 of this Article III.

The Board of Chancellors may at its discretion waive the requirement that such members of the College must be members of a chapter if such members or prospective members have been refused membership in a chapter, or their membership therein has been terminated, but they are otherwise eligible for membership in the College.

Any request by such member or prospective member for such waiver shall be in writing, shall set forth all of the facts upon which the request is based, and shall be delivered to the chair of the Board of Chancellors.

SECTION 3

QUALIFICATION AND ADMISSION OF MEMBERS

Physicians who have been certified in a radiological discipline, including nuclear medicine, by the American Board of Radiology, the American Osteopathic Board of Radiology, the American Board of Nuclear Medicine, the Royal College of Physicians and Surgeons of Canada, or the College des medecins du Quebec are eligible to become Members of the College.

Medical physicists who are certified or considered the equivalent of certified by the American Board of Radiology (ABR) are eligible to become Members of the College.

A Member shall have the right to be appointed to commissions and committees, to hold elective office, and to be a member of the Board of Chancellors.

SECTION 4

QUALIFICATION AND ADMISSION OF ASSOCIATE MEMBERS

Physicians who are engaged in the practice of radiology, including nuclear medicine, and who have completed an approved residency program in radiology and are otherwise eligible for membership in the College, but who have not been certified by the American Board of Radiology, the American Osteopathic Board of Radiology, the American Board of Nuclear Medicine, the Royal College of Physicians and Surgeons of Canada or the College des medecins du Quebec are eligible to become Associate Members of the College.

Medical physicists who are engaged in the practice of medical physics and are otherwise eligible for membership in the College but who are not certified or considered the equivalent of certified by the American Board of Radiology (ABR) are eligible to become Associate Members of the College.

An Associate Member shall have the right to be appointed to commissions and committees but shall not have the right to hold elective office, or to be a member of the Board of Chancellors.

SECTION 5

QUALIFICATION AND ELECTION OF FELLOWS

A member in good standing of the College who has evidenced significant accomplishments in service, research, or teaching may be elected a fellow by the Board of Chancellors. Such election shall be based on accomplishments in one (1) or more of the following areas: (a) significant service to organized medicine, especially the College, at a local, state, or national level; and/or (b) the accomplishment of significant scientific or clinical research in the field of radiology, or significant contributions to its literature; and/or (c) the performance of outstanding service as a teacher of radiology. Members eligible for election shall have an outstanding reputation among colleagues and the local community as a result of superior service.

Eligibility for nomination to fellowship based on class and years of membership as follows:

1. An individual in the Member class shall not be eligible for nomination to fellowship until he/she completed ten (10) consecutive years, without interruption, as a Member of the College and one of its chapters. A Member in good standing who is serving in, or has previously served in, the active military service or public health service within the last ten (10) years may be exempted from the requirement that Members are eligible for fellowship only after ten (10) years of chapter membership.
2. An individual in the Associate Member class shall not be eligible for nomination to fellowship until he/she has completed twenty (20) consecutive years, without interruption, as a member of the College, and one of its chapters.

Members eligible for election shall be nominated either by a chapter of the College of which the nominee is a member, or by any two (2) Fellows, one (1) of whom is not associated with the nominee in practice. All nominations shall be signed by two (2) Fellows of the College who shall supply supporting letters. One copy will be sent to the College Membership Department, and another to the secretary of the chapter of which the nominee is a member. The chapter shall have the right to veto any nomination by a negative vote of its Executive Committee. In the event of veto, a written explanation shall be provided to the Committee on Fellowship Credentials. The Board of Chancellors shall not consider any nomination vetoed by the said Executive Committee of the chapter. Nominations for those members who are in the active military service, or in the public health service, and who are not members of a chapter, shall be submitted directly to the Board of Chancellors. A Member who is elected to be a Fellow shall have the right to be appointed to commissions and committees, to hold elective office, and to be a member of the Board of Chancellors. An Associate Member who is elected to be a Fellow shall have the right to be appointed to commissions and committees, but shall not have the right to hold elective office, or to be a member of the Board of Chancellors.

Recipients of the award must attend the convocation at the annual meeting of the American College of Radiology following notice of the honor. Individuals who are unable to attend the first convocation following approval for the award remain eligible by attendance of a convocation at an ACR annual meeting in either of the two succeeding years.

The Board of Chancellors may authorize an award of fellowship in absentia for a recipient based on serious health conditions, or other serious situations that may prevent the recipient's attendance at the next three consecutive annual meetings.

International Members who previously practiced radiology in the United States or Canada who are certified by the American Board of Radiology, American Osteopathic Board of Radiology, the Royal College of Physicians and Surgeons of Canada, or the College des medecins du Quebec are eligible for fellowship provided appropriate endorsement of the nomination is submitted. International Members who previously practiced medical physics in the United States or Canada, and are certified or considered the equivalent of certified in medical physics or a related field by the American Board of Radiology, the American Board of Nuclear Medicine, or their Canadian equivalents are also eligible for fellowship provided appropriate endorsement of the nomination is submitted.

SECTION 6

QUALIFICATION AND ELECTION OF MEMBERS-IN-TRAINING

Members-in-Training shall be those physicians who are in approved radiology residencies or fellowships, medical students registered in a formal educational program at a Liaison Committee on Medical Education (LCME) or American Osteopathic Association (AOA) approved medical school, and medical physicists who are registered in a formal educational program in medical physics. Member-in-Training status shall normally terminate within six (6) months following completion of the period of training. Those individuals who go directly from an approved residency to a fellowship program or from a medical educational program to an approved radiology residency program may continue as members-in-training until completion of the fellowship program. Within six months after completion of training, the Member-in-Training will automatically become a member of the College in the appropriate class of membership, unless he or she affirmatively declines membership.

A Member-in-Training shall have the right to be appointed to commissions and committees but, except as provided in Article IX, Section 17, shall not have the right to hold elective office, or to be a member of the Board of Chancellors.

SECTION 7

QUALIFICATION AND ADMISSION OF ALLIED HEALTH MEMBERS

Physicians not engaged in the practice of radiology, non-physician medical professionals, such as MRI scientists and radiologist assistants, whose special qualifications are deemed valuable to the College and who are approved for membership by the Commission on Membership and Chapter Programs are eligible to be Allied Health members of the College. Radiologist assistants must be certified by the American Registry of Radiologic Technologists (ARRT) as a Registered Radiologist Assistant.

An Allied Health Member shall have the right to be appointed to commissions and committees, but shall not have the right to hold elective office, or to be a member of the Board of Chancellors.

SECTION 8

QUALIFICATION AND ELECTION OF HONORARY FELLOWS

Honorary Fellows shall be those who by virtue of residence, education, profession, or lack of board certification are ineligible for admission as Members of the College in any category other than international, but whose standing or preeminent contributions to the science or practice of radiology entitle them to honorary recognition. Nominations for honorary fellowship may be made by any Fellow. The nominations must be in writing, giving in detail each nominee's qualifications for honorary fellowship, and must be accompanied by letters of support from at least two (2) sponsoring College Fellows, and meet all other criteria as established by the College, and must be sent to the chief executive officer at least two (2) months before the meeting of the Board of Chancellors at which they are to be acted upon. The chief executive officer shall send copies of each nominee's record with the name of the nominee's sponsor to each chancellor at least two (2) weeks before such meeting of the Board of Chancellors. At that meeting the nominations shall be voted upon by the Board of Chancellors; one (1) dissenting vote will disqualify a nominee for honorary fellowship.

An Honorary Fellow shall have the right to be appointed to commissions and committees, but shall not have the right to hold elective office, or to be a member of the Board of Chancellors.

SECTION 9

QUALIFICATION AND ELECTION OF FELLOWS EMERITI

Fellows Emeriti shall be those Fellows who have fully retired from the practice of radiology, either because of age or physical disability. They shall be elected by the Board of Chancellors on the basis of (a) meritorious service in organized medicine, radiology, or government service; or (b) substantial contributions to medical research, education, or literature. Nominations for Fellow Emeritus may be made in writing to the Board of Chancellors by any Fellow and shall set forth clearly the circumstances that make the candidate eligible for Fellow Emeritus.

Under extraordinary circumstances the Board of Chancellors may elect a Retired Member a Fellow Emeritus. Elections shall be by a majority vote of the membership of the Board of Chancellors present and voting. A Fellow Emeritus shall have the right to be appointed to commissions and committees, but shall not have the right to hold elective office or to be a member of the Board of Chancellors.

A Fellow Emeriti shall have the right to serve in elected office within the College during the first six years following his/her retirement.

SECTION 10

QUALIFICATION AND ADMISSION OF INTERNATIONAL MEMBER-IN-TRAINING

International Members-in-Training shall be those physicians and medical physicists who occupy residencies, fellowships, or are registered in a formal educational program in medical physics outside the United States and Canada, and are in good ethical standing in their respective countries. International Member-in-Training status shall normally terminate within six (6) months following completion of the period of training. Those individuals who go directly from an approved residency to a fellowship program may continue as International Members-in-Training until completion of the fellowship program. Within six months after completion of training, the International Member-in-Training will automatically become an International Member of the College unless he or she affirmatively declines membership.

An International Member-in-Training shall have the right to be appointed to commissions and committees, but shall not have the right to hold elective office or to be a member of the Board of Chancellors.

SECTION 11

QUALIFICATION AND ELECTION OF INTERNATIONAL MEMBERS

International Members shall be those physicians and medical physicists practicing the specialty of radiology or medical physics outside the United States and Canada who are certified in radiology, medical physics or eligible for such certifications, and are in good ethical standing in their respective countries. An International Member shall have the right to be appointed to committees or commissions, but not to hold elective office or to be a member of the Board of Chancellors.

SECTION 12

QUALIFICATION AND ADMISSION OF ELECTRONIC ACCESS INTERNATIONAL MEMBER

Electronic Access International Members shall be those physicians and medical physicists practicing the specialty of radiology or medical physics outside the United States and Canada who are certified in radiology, medical physics or eligible for such certifications, and are in good ethical standing in their respective countries. An Electronic Access International Member shall be able to receive electronic products of the College at member rates, and (1) may purchase other products at non-member rates, and (2) shall not have the right to be appointed to committees or commissions nor hold elective office, or be a member of the Board of Chancellors.

SECTION 13

RETIRED MEMBERSHIP AND FELLOWSHIP STATUS

Retired Member and Fellow status may be conferred by the Board of Chancellors upon application of a Member or Fellow who has fully retired from professional practice, and who in the judgment of the Board of Chancellors should be relieved from payment of dues.

A Retired Member or Fellow shall have the right to be appointed to commissions and committees but shall not have the right to be a member of the Board of Chancellors.

A Retired Member or Fellow shall have the right to serve in elected office within the College during the first six years following his/her retirement.

SECTION 14

CHAPTER INACTIVE MEMBERS AND FELLOWS

This classification of membership shall be reserved for active members and Fellows of the Council of Affiliated Regional Radiation Oncology Societies (CARROS) Chapter who, by their own choice, elect not to participate in the activities of a chapter.

They shall be liable for the payment of chapter dues adjusted for deduction of CARROS dues and shall be counted for councilor allocation purposes in the chapter in the state in which they conduct their principal practice but shall not be able to vote or hold office in the chapter.

SECTION 15

DUAL MEMBERSHIP

Pursuant to the bylaws of the American College of Radiology Association (the "Association"), members of the College in good standing are also members of the same membership class or classes of the Association. Likewise, members of the Association in good standing are also members of the same membership class or classes of the College.

SECTION 16

RESIGNATION

Any member in good standing may submit a written resignation request to the College's Membership Services department. Resignation requests will normally be approved; however, the College may choose not to accept the resignation of a member who is the subject of a pending investigation or proceeding pursuant to Article XIII of these Bylaws.

ARTICLE IV

OFFICERS

The officers shall be a president, vice-president, secretary-treasurer, chair, and vice-chair of the Board of Chancellors, and the speaker and vice-speaker of the Council. The president, vice-president, speaker, and vice-speaker shall be elected by the Council at the annual meeting of the College. The speaker and vice-speaker shall have served a minimum of two (2) years on the present or on a former Council Steering Committee prior to election. The chair and vice-chair of the Board of Chancellors and the secretary-treasurer of the College shall be elected by a majority vote of the Board of Chancellors in accordance with the procedures provided in Article VIII, Section 7. To be eligible for election or re-election as an officer, the individual must be a Member, Fellow or retired as specified in Article III, Section 12. As provided in the Association's bylaws, persons elected to serve as the officers of the College shall also serve as the officers of the Association, and each officer of the College shall have the same duties and responsibilities, with respect to the College, as such officer has with respect to the Association.

ARTICLE V

STANDING COMMITTEES OF THE COLLEGE

SECTION 1

STANDING COMMITTEES

The standing committees of the College are the Budget and Finance Committee, Audit Committee, Bylaws Committee, Ethics Committee, Judiciary Committee, Governance Committee, College Nominating Committee, Board Nominating Committee, and Awards and Honors Committee.

SECTION 2

BUDGET AND FINANCE COMMITTEE

The chair of the Board of Chancellors shall appoint a Budget and Finance Committee to prepare annually a budget to be presented to the Board of Chancellors. The secretary-treasurer shall serve as chair of the Budget and Finance Committee. The Budget and Finance Committee will assist the Board in its oversight responsibilities relating to fiscal management of the College. As provided in the Association's bylaws, the persons appointed to serve on the Budget and Finance Committee of the College shall also serve on the Budget and Finance Committee of the Association.

SECTION 3

AUDIT COMMITTEE

The chair of the Board of Chancellors will appoint an Audit Committee to assist the Board in its oversight responsibilities relating to the College's systems of internal control and risk management. The Audit Committee shall oversee compliance with legal, ethical, and accounting standards, and shall select the independent auditor and receive the annual audit report. As provided in the Association's bylaws, the persons appointed to serve on the Audit Committee of the College shall also serve on the Audit Committee of the Association.

SECTION 4

BYLAWS COMMITTEE

The College Bylaws Committee shall consist of at least seven (7) members appointed by the chair of the Board of Chancellors. The Bylaws Committee shall draft proposed bylaws language to implement amendments to the bylaws directed by Council resolution. In addition, the Committee shall review all proposed bylaws amendments submitted by any member, chapter, the Board of Chancellors, or the Council Steering Committee, and make recommendations to the Council concerning such resolutions.

SECTION 5

ETHICS COMMITTEE

The Ethics Committee shall consist of at least seven (7) members appointed by the chair of the Board of Chancellors. The Committee assists the College and its members in ethical matters as identified in the ACR Code of Ethics.

SECTION 6

JUDICIARY COMMITTEE

The Judiciary Committee shall be the last four (4) past presidents of the College. The term of committee members shall be four (4) years. The senior committee member shall annually assume the chairmanship of the committee. In the event of the death or disability of a member or members of the Judiciary Committee, the chair of the Board of Chancellors shall make such appointment or appointments as are necessary to maintain the membership of the Judiciary Committee at four (4) from among the past presidents of the College.

The duties of the Judiciary Committee shall be to hear such disciplinary matters as may be brought before it under Article XIII. After hearing such disciplinary matters, the committee shall submit a report to the Board of Chancellors.

SECTION 7

GOVERNANCE COMMITTEE

The Governance Committee shall consist of twelve (12) members. Three (3) members, including the chair, shall be appointed by the chair of the Board of Chancellors from among the members of the Board of Chancellors. Nine (9) members shall be appointed by the Speaker of the Council from among the members of the Council Steering Committee, at least six (6) of whom shall be elected members of the Council Steering Committee.

SECTION 8

COLLEGE NOMINATING COMMITTEE

The College Nominating Committee shall consist of nine (9) members. Two (2) members shall be appointed by the chair of the Board from among the members of the Board of Chancellors to serve no more than one (1) two (2)-year term, and one (1) member of the Council Steering Committee shall be appointed each year by the Council speaker. These appointments shall be made within one (1) month after the elections held at the College's annual meeting. There shall be six (6) members elected by the Council. At each annual Council meeting, three (3) members shall be elected from at least five (5) candidates, who must be councilors or alternate councilors for the terms for which the candidates are nominated, to serve two (2) year terms. Members elected by the Council shall not simultaneously serve on the Council Steering Committee. The Council speaker shall convene the College Nominating Committee for the sole purpose of electing its chair and vice-chair.

The College Nominating Committee shall meet in person or via conference call at least once a year. The Committee shall inform the membership at least forty-five (45) days before the Annual Meeting of its nominations for the offices of president, vice-president, Council speaker, Council vice-speaker, for vacancies on the Board of Chancellors, five (5) or more Council candidates for the College Nominating Committee, and five (5) or more Council candidates for the Council Steering Committee. The College Nominating Committee shall also recommend at least three (3) members for each available position on the American Board of Radiology.

In consultation with the chair of the Board of Chancellors, the College Nominating Committee will propose a nominee(s) with suitable qualifications to fill each vacant elected position on the Board of Chancellors. In the event that the College Nominating Committee proposes more than one (1) candidate for consideration for a position, then such candidates shall be termed "designated nominees." "Designated nominees" seek election for a specific Board of Chancellors responsibility. All other nominees will be considered "at-large nominees." The number of at-large positions will equal the full number of chancellors to be elected in that election less the number of separate classes of designated nominees. All nominees from the floor shall be at-large candidates. A member of the College Nominating Committee may not be a nominee of the committee.

The College Nominating Committee shall also select two (2) members of the American College of Radiology who are in private practice to attend the annual meeting of the Intersociety Committee. Those representatives to the Intersociety Committee meetings will be selected for two (2) year terms staggered so that one (1) will be selected each year. Each selected representative shall be a physician who has a private office and/or who practices in a hospital without a radiology residency program. These two (2) selected representatives shall be in addition to the College's regular representatives to the annual meeting of the Intersociety Committee.

The College Nominating Committee shall also nominate four (4) candidates from among names of Members-in-Training submitted by the chapters, of who two (2) will be elected by the Council to attend the next annual meeting of the Intersociety Committee.

The College Nominating Committee shall present nominations to the Council at its annual meeting. Nothing in this Article V shall be construed as preventing independent nominations for the above named offices by any councilor, provided that such nominations shall be supported by a nominating petition signed by fifteen (15) or more members of the Council, and shall be presented to the speaker of the Council not less than fourteen (14) days before the annual meeting of the College.

The members of the Council shall receive the same type of information concerning the candidates nominated for election that is provided to the College Nominating Committee.

SECTION 9

BOARD NOMINATING COMMITTEE

The Board Nominating Committee shall consist of three (3) Board of Chancellors members: the president, the vice-president, and a chancellor appointed by the chair of the Board of Chancellors. The Board Nominating Committee shall present nominations for the offices of chair, vice-chair and secretary-treasurer.

SECTION 10

AWARDS AND HONORS COMMITTEE

The Awards and Honors Committee is comprised of seven (7) past gold medalists appointed by the chair of the Board of Chancellors. They serve one three-year term which is renewable. Additionally, the chair of the Board of Chancellors appoints three (3) members who are on the Board of Chancellors to serve one three-year term each. Their appointments are staggered to provide continuity on the committee. The ACR president and past president also serve on the committee. The purpose of the committee is to make recommendations for the ACR Gold Medal as detailed in Article VIII, Section 17 and Honorary Fellowship as detailed in Article III, Section 8.

ARTICLE VI

ELECTION OF OFFICERS AND CHANCELLORS

Election for the positions designated in Section 1 of this Article VI shall be by ballot at the annual meeting of the Council. The ballot shall indicate that a vote cast for an individual for chancellor or officer of the College is also a vote for that individual as director or corresponding officer of the Association. The term of office of each officer so elected shall begin at the conclusion of that meeting.

In an election pursuant to Section 2(f) of Article VIII to fill positions on the Board of Chancellors, a majority of the votes cast shall not be necessary to elect a nominee. In such an election, each councilor shall be permitted to cast a number of votes up to the full number of chancellors to be elected in that election, but no councilor may cast more than one (1) vote for any one (1) nominee. Further, each councilor may cast only one (1) vote among candidates in each class of designated nominees (see Article VI, Section 1). Among the at-large candidates, each councilor may cast a number of votes equal to the at-large positions vacant. Whatever number of at-large positions is to be filled in a particular election, the applicable number of at-large nominees receiving the highest number of votes shall be elected. Whether a chancellor is elected as a designated nominee or as an at-large nominee, appointment to chairmanship of an operational or specialty commission remains solely at the discretion of the chair of the Board of Chancellors. The term of office of each chancellor so elected shall begin at the conclusion of the meeting at which the election is held.

Of the five (5) or more nominees (who must be councilors or alternate councilors for the terms for which the candidates are nominated) for the three (3) Council positions on the College Nominating Committee, the Council shall elect three (3) to serve for the ensuing year. Each councilor shall cast three (3) votes but no councilor may cast more than one (1) vote for any one (1) nominee. The three (3) receiving the largest vote shall be declared members of the College Nominating Committee, and the remaining shall serve as alternates. If independent nominations are made for the three (3) Council members of the College Nominating Committee, the three (3) receiving the largest vote of all nominees, shall be declared members of the College Nominating Committee and the remaining shall be declared alternates. Priority for service by alternates to fill vacancies, if required, shall be based on the vote count.

Of the nominees, who must be councilors for the terms for which the candidates are nominated for the four (4) Council positions on the Council Steering Committee, the Council shall elect four (4) to serve for the ensuing year. Each councilor shall cast four (4) votes but no councilor may cast more than one (1) vote for any one (1) nominee. The four (4) receiving the largest vote shall be declared members of the Council Steering Committee. In the event that an elected position on the Council Steering Committee becomes vacant during the term, the councilor who

received the next largest number of votes to those elected in the year when the vacating councilor was elected will be invited to fill the remainder of the vacating councilor's term on the CSC. If that individual is unable or unwilling to serve, the position will remain vacant until the next regularly scheduled Steering Committee election.

If independent nominations are made for the four (4) Council members of the Council Steering Committee, the four (4) receiving the largest vote of all nominees shall be declared members of the Committee.

If there is no contest for an office, the election may be by voice vote. Election to any contested office shall be by written or electronic ballot.

The speaker of the Council shall appoint tellers. Immediately after the balloting for each contested office is completed, the ballots shall be tabulated and the results reported to the Council.

ARTICLE VII

DUTIES OF OFFICERS

SECTION 1

DUTIES OF THE PRESIDENT

The president shall be a member of the Board of Chancellors, a member of the Executive Committee of the Board of Chancellors, and a non-voting member of all commissions and committees (except the Judiciary Committee). The president shall deliver a presidential address at the annual meeting and shall perform such other duties as may be prescribed from time to time by the Board of Chancellors or the Executive Committee of the Board. As provided in the Association's bylaws, the person elected to serve as president shall also serve as a member of the Association Board of Directors and as the president of the Association.

SECTION 2

DUTIES OF THE VICE-PRESIDENT

The vice-president shall be a member of the Board of Chancellors, a member of the Executive Committee of the Board of Chancellors, and a non-voting member of all commissions and committees (except the Judiciary Committee). In the absence of the president or in the event of the president's inability or refusal to act, the vice-president shall perform the duties of the president, and when so acting, shall have all the powers of and be subject to all of the restrictions on the president. The vice-president shall perform such other duties as may be prescribed from time to time by the Board of Chancellors, the Executive Committee of the Board, or the president. As provided in the Association's bylaws, the person elected to serve as vice-president shall also serve as a member of the Association Board of Directors and as the vice-president of the Association.

SECTION 3

DUTIES OF THE SECRETARY-TREASURER

The secretary-treasurer shall be a member of the Board of Chancellors and a member of the Executive Committee of the Board of Chancellors. The secretary-treasurer shall be custodian of all funds of the College and shall be bonded in such amount as the Board of Chancellors may require. The secretary-treasurer shall require proper vouchers for the disbursement of funds, and disbursements shall not exceed the annual budget approved by the Board of Chancellors except upon written authorization of the chair of the Executive Committee. As provided in the Association's bylaws, the person elected to serve as secretary-treasurer shall also serve as a member of the Association Board of Directors and as the secretary-treasurer of the Association.

ARTICLE VIII
BOARD OF CHANCELLORS

SECTION 1

DUTIES

The Board of Chancellors shall employ its powers for the diligent promotion of the purposes of The College, and shall have authority and jurisdiction to conduct its business and affairs in accordance with applicable laws, its articles of incorporation, and these bylaws.

SECTION 2

MEMBERSHIP

The Board of Chancellors shall consist of a number of chancellors, not to exceed thirty-three (33) members who shall be the executive body of the College. As provided in the Association's bylaws, the persons elected or selected to serve on the Board of Chancellors shall also serve on the Association's Board of Directors. To be eligible for membership on the Board of Chancellors, whether by appointment, reappointment, election or re-election, the individual must be a Member or Fellow of the College.

The membership of the Board shall be composed as follows:

- (a) The president, vice-president and secretary-treasurer shall be members of the Board of Chancellors.
 - (b) The speaker and vice-speaker of the Council shall be members of the Board of Chancellors.
 - (c) The chair of the Board of Chancellors may annually appoint the editor of the *Journal of the American College of Radiology* as a member of the Board of Chancellors. An editor, so appointed, may continue to serve on the Board of Chancellors during that person's editorship notwithstanding the time limits set forth in Section 4 of this Article VIII. While serving as editor of the Journal, an individual shall not be eligible for election as an officer of the College.
 - (d) One (1) chancellor each shall be selected from those societies proposed pursuant to Section 3 of this Article VIII, by the Radiological Society of North America, the American Roentgen Ray Society, the American Radium Society, and the American Society for Radiation Oncology, respectively, each to serve for a term of three (3) years.
 - (e) A maximum of nine (9) chancellors may be appointed from the College membership by the chair of the Board of Chancellors, each for a term of one (1) year, as provided in Section 4 of this Article VIII. An appointed chancellor who is elected president or vice-president shall vacate the position as an appointed chancellor. An appointed chancellor who is elected secretary-treasurer shall continue as an appointed chancellor and shall, therefore, occupy both positions.
 - (f) A number of chancellors, not to exceed fifteen (15), shall be elected by the Council from the College membership, each for a term of three (3) years. An elected chancellor who is elected president or vice-president shall vacate the position as an elected chancellor. An elected chancellor who is elected secretary-treasurer shall continue as an elected chancellor and shall, therefore, occupy both positions.
 - (g) No individual may serve concurrently as a councilor and as a member of the Board of Chancellors. A councilor will automatically relinquish his/her councillorship upon becoming a member of the Board of Chancellors.
 - (h) In addition, the chair may propose and the Board may vote to grant Official Observer status to an organization that does not currently hold a seat on the Board, but that has established a mutually beneficial relationship with the ACR and has similar goals and concerns about radiology. Organizations that are granted Official Observer status will be invited to send one (1) representative to observe all actions of the Board, with the exception of executive sessions. Official Observers may serve up to six (6)
-

one (1)-year terms at the sole discretion of the Board. Official Observers shall have the right to speak during meetings of the Board, but will not have the right to introduce business, make a motion or vote. Official Observers shall not be considered chancellors and shall not be counted as members of the Board.

Contested elections for positions on the Board of Chancellors are not mandatory. However, if there is more than one nominee for an elected chancellor position, and if that elected position would fill a vacant specialty or operational commission chancellorship, then the College Nominating Committee will designate specific candidates for that particular specialty or operational commission chancellorship. As provided in the bylaws of the Association, the Board of Chancellors of the College shall also serve as the Board of Directors of the Association.

SECTION 3

CHANCELLORS FROM THE RADIOLOGICAL SOCIETY OF NORTH AMERICA, THE AMERICAN ROENTGEN RAY SOCIETY, THE AMERICAN RADIUM SOCIETY, AND THE AMERICAN SOCIETY FOR RADIATION ONCOLOGY

The chair of the Board of Chancellors shall invite the Radiological Society of North America, the American Roentgen Ray Society, the American Radium Society, and the American Society for Radiation Oncology through their governing Boards each to propose at least three (3) members from such organizations who are also members of the College. These names shall be presented to the College Nominating Committee who, after consultation with the chair of the Board of Chancellors, may select one (1) individual from each organization to serve on the Board of Chancellors, or may request a society submit additional members for consideration. Should the Radiological Society of North America, the American Roentgen Ray Society, the American Radium Society, or the American Society for Radiation Oncology fail to propose members for the chancellorship allotted to it, such office shall remain vacant until such members are proposed and selection is made by the College Nominating Committee.

SECTION 4

TERM OF OFFICE

Appointed chancellors and the secretary-treasurer shall be eligible to succeed themselves for not more than five (5) additional one (1) year terms; selected or elected chancellors referred to in sub-paragraph (d) or (f) of Section 2, Article VIII, respectively shall be eligible to succeed themselves for one additional term of three (3) years. No elected, selected or appointed chancellor shall be eligible to serve more than six (6) consecutive years as an elected chancellor, a selected chancellor, or an appointed chancellor or any combination of the three but shall be eligible for election, selection or appointment to a chancellorship at the next or any succeeding annual election. Any individual appointed as a chancellor by the Board of Chancellors to fill a vacancy pursuant to Section 5 below, shall be eligible for election, selection or appointment in his or her own right pursuant to Section 2 above; however, any subsequent term shall expire at the end of that chancellor's sixth (6) consecutive year of service. Any portion of a year served by appointment of the Board of Chancellors to fill a vacancy pursuant to Section 5 below shall not be considered in determining this six (6) year period. Any period served on the Board in a member's capacity as speaker and/or vice-speaker of the Council shall not be considered in determining this six (6) year period.

The chancellorship of any chancellor who is completing service as chair or vice-chair of the Board of Chancellors, or president or vice-president of the College shall terminate concurrently with the expiration of that person's service in that office, unless that person is elected to another of these offices. Except for those chancellorships selected pursuant to Article VIII, Section 3, the vacancy shall be filled by the Board of Chancellors in the manner provided in Section 5 of this Article VIII. Vacancies of chancellorships selected pursuant to Section 3 of this Article VIII shall remain vacant until filled according to the procedure set forth in that section.

Notwithstanding anything in this Article VIII to the contrary, (i) a chancellor who has served the maximum number of consecutive years as herein permitted and who is then elected president or vice-president of the College may serve one (1) additional year as chancellor while serving in each of those offices; (ii) a chancellor who is elected chair or vice-chair of the Board of Chancellors may serve continuously, without limitation, on the Board of Chancellors even though the normal term has expired for as long as the chancellor has been elected to these offices; and (iii) the council may declare any chancellorship vacant by two-thirds majority vote at its annual

meeting and the Board of Chancellors shall forth-with proceed to fill said vacancy in the manner provided in Section 5 of this Article VIII.

SECTION 5

VACANCIES

When a chancellorship (other than a chancellorship described in Section 2(d) of this Article VIII) shall fall vacant by reason of death or resignation, or shall be declared vacant by the Board of Chancellors by reason of physical or mental disability or by the Council for any reason at its annual meeting, the Executive Committee may name a member as a pro tem. At the next meeting of the Board of Chancellors, the name of the member so appointed shall be presented to the Board of Chancellors for confirmation.

If the Board of Chancellors fails to confirm the appointment, it shall elect a member to serve as chancellor. In either case, the member thus chosen shall serve for the unexpired portion of the term of the chancellor whose office is being filled.

SECTION 6

ELECTION OF A CHAIR, VICE-CHAIR AND SECRETARY-TREASURER

A chair and vice-chair of the Board of Chancellors and a secretary-treasurer of the College shall be elected annually from among the members of the Board of Chancellors. The election shall be by a majority vote of the members of the Board of Chancellors present and voting at a meeting of the Board of Chancellors that precedes the expiration of the term of the incumbent officers by at least thirty (30) days. Notwithstanding the above, in the event of the death or permanent inability of both the chair and vice-chair to act, the chief executive officer shall call an emergency meeting of the Executive Committee, which shall select a member of the Board to act as chair pro tem until the next meeting of the Board of Chancellors at which time a new chair and vice-chair shall be nominated and elected. As provided in the Association's bylaws, the persons elected to serve as chair and vice-chair of the Board of Chancellors and secretary-treasurer of the College shall also serve as chair and vice-chair of the Association Board of Directors and secretary-treasurer of the Association.

SECTION 7

DUTIES OF THE CHAIR AND VICE-CHAIR

The duties of the chair of the Board of Chancellors shall be to preside at its meetings, to arrange any supplemental program that may be held in connection with the meetings of the Board of Chancellors, to give general supervision to the conduct of the Board of Chancellors' affairs, and to perform such other duties as the Board or the Executive Committee of the Board of Chancellors may from time to time assign to the chair. The chair of the Board of Chancellors shall be a non-voting member of all commissions and committees (except the College Nominating Committee, Council Steering Committee, and Judiciary Committee). The speaker or vice-speaker may request that the chair of the Board of Chancellors or the chair's representative attend an individual meeting, or part thereof of the Council Steering Committee. The person elected to serve as chair of the Board of Chancellors of the College shall serve as the chair of the Board of Directors of the Association.

The duties of the vice-chair of the Board of Chancellors shall be to assist generally the chair of the Board of Chancellors, to perform the duties of the chair in the event of the chair's absence, inability or refusal to act, and to perform such other duties as the Board of Chancellors, the Executive Committee of the Board of Chancellors or the chair may from time to time assign to the vice-chair. The vice-chair of the Board of Chancellors shall be a non-voting member of all commissions and committees (except the College Nominating Committee, Council Steering Committee, and Judiciary Committee). The person elected to serve as vice-chair of the Board of Chancellors of the College shall serve as the vice-chair of the Board of Directors of the Association.

SECTION 8

APPOINTMENT OF AN EXECUTIVE COMMITTEE

An Executive Committee shall be constituted annually at the organizational meeting of the Board of Chancellors. The membership of the Executive Committee shall consist of the chair and the vice-chair of the Board of Chancellors, the president, the vice-president, the secretary-treasurer, the speaker and vice-speaker of the Council, and two (2) other chancellors who shall be appointed by the chair of the Board of Chancellors, with the approval of the Board of Chancellors, for a term of one (1) year. As provided in the Association's bylaws, the persons who, by way of their office, serve on the Executive Committee of the College shall also serve on the Executive Committee of the Association.

Nothing in this section shall be construed to prevent a member of the Executive Committee from holding office for more than one (1) term.

The chair of the Board of Chancellors shall be chair of the Executive Committee and the vice-chair of the Board of Chancellors shall be vice-chair of the Executive Committee.

SECTION 9

DUTIES OF THE EXECUTIVE COMMITTEE

It shall be the duty of the Executive Committee of the Board of Chancellors to carry on the business of the College between regular meetings of the Board of Chancellors and to report its activities to the Board of Chancellors at each regular meeting thereof. Meetings of the Executive Committee of the Board of Chancellors may be conducted by electronic means as permitted by the laws of the state of California. Authority is vested in the Board of Chancellors to make decisions affecting policies of the College, and the authority is also vested with the officers of the College to implement such decisions, in circumstances in which the officers of the College deem the calling of a special meeting of the Council not to be feasible. The Executive Committee may also implement policy decisions under such circumstances. The Board of Chancellors shall report annually to the Council on any such policy actions taken.

SECTION 10

ESTABLISHMENT OF COMMISSIONS, COMMITTEES AND TASK FORCES

The Board of Chancellors may establish commissions, committees and task forces, reporting to the Board, to aid the Board of Chancellors in carrying on specific activities of the College. Such commissions, committees and task forces shall be responsible to the Board of Chancellors and may be altered or eliminated at any time by the Board of Chancellors. Such commissions, committees, and task forces may meet in person or by electronic means. Commission chairs may establish committees within commissions with the approval of the chair of the Board of Chancellors.

The chair of the Board of Chancellors shall select the chair of each commission or committee, except that a commission chair shall select the chair of committees in their commission with approval by the chair of the Board of Chancellors. The chair of each commission must be selected from the members of the Board of Chancellors. Chairs of commissions, committees, and task forces shall be members of the College in any of the categories 1 through 4 listed in Article III, Section 1, and shall select their members with the approval of the chair of the Board of Chancellors.

Appointees to commissions, committees, or task forces need not be members in any category of the College and are entitled to vote in all commission and committee business. However, if individuals are eligible for ACR membership in any category, they must become members of the College before they can be appointed to a committee or commission. A majority of the members of all commissions and committees must be members of the College.

SECTION 11

APPOINTMENT OF A CHIEF EXECUTIVE OFFICER

The Board of Chancellors may appoint a chief executive officer for a term and stipend to be determined by the Board of Chancellors. The chief executive officer may be but need not be, a member of the College. The chief executive officer of the College will also serve as chief executive officer of the Association.

SECTION 12

DUTIES OF THE CHIEF EXECUTIVE OFFICER

The chief executive officer, under direction of the Board of Chancellors, shall perform the duties that the title of that office ordinarily connotes. The chief executive officer shall be bonded in such an amount as the Board of Chancellors may require. The chief executive officer, under the direction of the Board of Chancellors, shall manage and conduct the business of all offices of the College; be empowered to enter into any contract or deliver any instrument in the name of the College; sign all checks, drafts or other orders for payment of money, notes or other evidences of indebtedness issued in the name of the College; deposit all funds of the College to the credit of the College in such banks, trust companies, or other depositories as he/she may select; be the custodian of all the important documents of the College, including the bonds of those officers required by the bylaws to be bonded; keep an accurate record of all of the College activities; act as secretary to the Board of Chancellors, the Executive Committee of the Board, and the Council and keep accurate records of their proceedings; supervise the publication and editing of any matter authorized by the Board or such commissions, committees, and task forces as may be appointed by it; give notice of meetings of the Board of Chancellors, Executive Committee of the Board of Chancellors, and the Council and arrange for the necessary facilities for holding them; and perform such duties as are imposed by these bylaws, and as the Board of Chancellors or the Executive Committee may direct. The chief executive officer may delegate any of his/her powers, with or without restriction, to any bonded employee of the College.

SECTION 13

MEETINGS OF THE BOARD OF CHANCELLORS

At least two (2) regular meetings of the Board of Chancellors shall be scheduled each calendar year by the Executive Committee of the Board. Special meetings of the Board shall be called by the chief executive officer upon written request of a majority of the chancellors or upon the unanimous direction of the Executive Committee of the Board of Chancellors. Notice of a special meeting, together with a statement of the business to be transacted at such meetings, shall be sent to the members of the Board of Chancellors, not less than seven (7) calendar days before any such meeting. No business other than that specified in the notice of a special meeting shall be transacted at such meeting. Other meetings of the Board of Chancellors may be conducted by electronic means as permitted by the laws of the state of California.

SECTION 14

QUORUM

A majority of the members of the Board of Chancellors shall constitute a quorum.

SECTION 15

BOARD OF CHANCELLORS REPORT TO THE COUNCIL

The Board of Chancellors shall present to the Council at its annual meeting a full report covering the College activities, including a financial report.

SECTION 16

GOLD MEDAL

At its discretion, the Board of Chancellors may award one (1) or more Gold Medals in recognition of distinguished and extraordinary service to the College and the profession for which it stands.

SECTION 17

ATTENDANCE AT COUNCIL MEETINGS

Members of the Board of Chancellors shall accept at the time of election or appointment, the duty of attending annual sessions of the Council and its reference committees. All members of the Board of Chancellors shall have the privilege of the floor at Council meetings, but shall not have a vote.

ARTICLE IX

COUNCIL AND COUNCILORS

SECTION 1

DUTIES

The Council shall, in accordance with the stated purposes of the College, establish official actions and policies for the College.

SECTION 2

MEMBERSHIP

The Council shall consist of a minimum of one (1) councilor from each chapter including the District of Columbia, Puerto Rico and Canada. One (1) councilor each shall come from the United States Navy, the United States Army, the United States Air Force, the United States Public Health Service, the United States Veterans Administration, the American Roentgen Ray Society, the American Society of Interventional and Therapeutic Neuroradiology, the American Society of Spine Radiology, the Association of Program Directors in Radiology, the Radiological Society of North America, the American Radium Society, the Association of University Radiologists, the American Society for Radiation Oncology, the American Association of Physicists in Medicine, the American College of Nuclear Physicians, the American Society of Neuroradiology, the Society for Pediatric Radiology, the American Association of Women Radiologists, the Society of Interventional Radiology, the American Society of Head and Neck Radiology, the Society of Radiologists in Ultrasound, the Society of Breast Imaging, the American College of Medical Physics, the American College of Radiation Oncology, the American Society of Emergency Radiology, the Society of Gastrointestinal Radiologists, the Society of Thoracic Radiology, the Clinical Magnetic Resonance Society, the American Osteopathic College of Radiology, the Society of Skeletal Radiology, and other organizations as determined by the Council based on College policy regarding representatives of radiological organizations in the Council. Additional Council representation shall be afforded each chapter in the United States or Canada as determined by the Council. Two adjoining states with a small number of voting members may have one joint councilor if their memberships so desire. Each councilor and alternate councilor must be a Member. A Member-in-Training may be a councilor or alternate councilor representing the Resident and Fellow Section of the College. As provided in the Association's bylaws, the persons elected to serve on the Council of the College shall also serve on the Council of the Association.

Each chapter shall be entitled to elect one (1) councilor for each one hundred (100) members of the College who are also chapter members; provided, however, that each chapter shall be entitled to a minimum of one (1) councilor. Chapter membership rolls will be rounded up to the nearest hundred to determine the appropriate number of councilors for each chapter.

For example: 1–100 members = 1 Councilor
101–200 members = 2 Councilors
901–1000 members = 10 Councilors

Every three (3) years the number of councilors to be elected by each chapter shall be redetermined on the basis of the most recent available data on College membership.

No individual may serve concurrently as a councilor for more than one entity (i.e., chapter or society).

The Council of Affiliated Regional Radiation Oncology Societies (CARROS) chapter of the College shall be entitled to one (1) councilor and one (1) alternate councilor on the Council. Beyond this, unless specifically authorized by the Council, the CARROS chapter shall not automatically be entitled to any direct representation on the Council. Further councilor representation from the CARROS chapter will follow guidelines established by the Council concerning at-large representation of radiation oncologists under Section 16 of this Article.

Upon recommendation of the Board of Chancellors and/or the Council Steering Committee, the Council may vote to grant Official Observer status to a national organization that does not meet the criteria for a formal seat on the Council, but that has established a mutually beneficial relationship with the ACR and has similar goals and concerns about radiology. Organizations that are granted Official Observer status will be invited to send one (1) representative to observe all actions of the Council. Official Observer representatives shall have the right to speak in reference committees and on the floor of the Council, but will not have the right to introduce business, make a motion or vote.

SECTION 3

ELECTION OF COUNCILORS AND ALTERNATE COUNCILORS

Councilors from each state in the United States, from the District of Columbia, from Puerto Rico, and from Canada shall be elected on a basis that is satisfactory to the voting members of the respective chapter of the College. Councilors from agencies of the United States government shall be selected by the principal executive officers of such agencies. For each councilor elected, the electing authority shall be requested to elect an alternate councilor. In addition, each chapter of the College should, at its discretion, elect or select a young physician to serve as an additional alternate councilor from the chapter.

SECTION 4

TERM OF OFFICE

The term of office of a councilor shall be three (3) years. Councilors shall be eligible to succeed themselves for one additional three (3) year term, but shall not be eligible for re-election to additional terms until a lapse of not less than one (1) year.

The term of office of an alternate councilor shall be one (1) year. Alternate councilors shall be eligible to succeed themselves.

A councilor or alternate councilor shall take office at the end of the ACR annual meeting.

Electing or selecting authorities may adjust the terms of office of their councilors and alternate councilors as necessary to align those terms with the provisions for taking office above. Any additional time served pursuant to this adjustment provision shall not count against the term limit above.

SECTION 5

DUTIES OF A COUNCILOR

The duties of councilors shall include attending and participating actively in the meetings of their local radiological organization and of the College, familiarizing themselves with activities and problems at the local and national level, acting as liaison between their local radiological organization and the College, and interpreting each to the other, contributing to both groups' ideas, guidance and advice, and stimulating preparation of resolutions of their local radiological organization for presentation to the Council.

SECTION 6

DUTIES OF THE ALTERNATE COUNCILOR

Alternate councilors shall aid the councilors in the performance of their duties and accompany the councilors to meetings of their local radiological organization and of the College. The alternate councilor shall act for the councilor in the councilor's absence or in the event of the councilor's inability to act.

SECTION 7

SPEAKER AND VICE-SPEAKER OF THE COUNCIL

The officers of the Council shall be the speaker and vice-speaker. To be eligible for these offices, the individuals shall have served a minimum of two (2) years on the present or on a former Council Steering Committee prior to election. No individual may be elected to more than one (1) term as speaker and one (1) term as vice-speaker during the course of that person's membership in the College. As provided in the Association's bylaws, the persons elected to serve as speaker and vice-speaker of the Council of the College shall also serve as speaker and vice-speaker of the Council of the Association.

In order to maintain congruence in the terms of office of the speaker and vice-speaker, in the event of a vacancy in either the office of the speaker or vice-speaker, the Council Steering Committee may appoint any member eligible to hold those offices to serve out the remainder of the vacant term. Such individual would subsequently be eligible to seek a full elected term to that office, unless such individual had previously served as speaker or vice-speaker.

SECTION 8

DUTIES OF THE SPEAKER AND VICE-SPEAKER

The speaker shall be the presiding officer at all Council meetings, arrange any supplemental programs that may be held in connection with the meetings of the Council, give general supervision to the conduct of the affairs of the Council, and perform such other duties as may be assigned by the Council. In the speaker's absence, or at the discretion of the speaker the vice-speaker shall preside. The speaker shall vote only in the instance of a tie.

The speaker and vice-speaker shall be members of the Executive Committee of the Board of Chancellors, the Board of Chancellors, and shall be members of the Budget and Finance Committee. The vice-speaker shall be the reviewer of the Digest of Council Actions.

SECTION 9

COUNCIL STEERING COMMITTEE

The Council Steering Committee shall consist of the speaker, vice-speaker, and at least fifteen (15), but no more than twenty (20) additional members of the Council. There shall be eight (8) members elected by the Council. At each annual Council meeting, four (4) members shall be elected from the candidates, who must have at least one (1) year remaining as councilors for the terms for which the candidates are nominated, to serve two (2) year terms. The additional members, at least six (6), and no more than eleven (11), shall be appointed by the speaker and approved by the Council and shall include two (2) Members-in-Training and one (1) additional Young Physician Member. Elected members of the Council Steering Committee shall be eligible for re-nomination and re-election for a second and third two (2) year term. Candidates with only one (1) year remaining as a councilor who win election or re-election shall serve their final year as a councilor-at-large. The term of membership of the appointed member shall be one (1) year, subject to additional terms if re-appointed by the speaker. No member, whether elected or appointed, may serve more than six (6) consecutive years on the CSC without a lapse of at least one (1) year. Nominees for election to the Council Steering Committee shall have attended at least one (1) previous annual meeting of the College as a councilor, alternate councilor, or chapter officer. Geographic distribution shall be maintained when appointments are made to the Council Steering Committee. To be eligible for appointment or reappointment to the Council Steering Committee, the individual must be a Member, Fellow, or Member-in-Training of the College.

As provided in the Association's bylaws, the persons elected or appointed to serve on the Council Steering Committee of the College shall also serve on the Council Steering Committee of the Association.

The Council Steering Committee shall meet at a convenient time and site before each scheduled meeting of the Council in order to conduct business that may properly come before it. The speaker may call such other meetings of the Council Steering Committee as deemed necessary.

SECTION 10

DUTIES OF THE COUNCIL STEERING COMMITTEE

The Council Steering Committee shall represent the Council between Council meetings and provide Council liaison with the Board of Chancellors and the chapters. Members of the Council Steering Committee shall serve as members of the commissions of the Board of Chancellors, upon appointment by the chair of the Board of Chancellors.

SECTION 11

REFERENCE COMMITTEES

Reference committees each composed of not less than four (4) councilors, appointed by the speaker of the Council, shall conduct open hearings on the business of the College. At the discretion of the speaker, one Member-in-Training may be also be appointed to each reference committee. The committees shall report their recommendations to the Council for disposition of each item of business referred to it.

All reports of officers, the Board of Chancellors, commissions and committees, and all resolutions shall be assigned to the appropriate reference committee by the Council speaker.

Each Reference Committee shall conduct an open hearing on all matters assigned to it, and shall submit to the Council a recommendation for the disposition of each item.

SECTION 12

CREDENTIALS COMMITTEE

A Credentials Committee of at least three (3) councilors shall be appointed by the speaker of the Council. The Committee shall certify who among the registrants has the right to vote. The Credentials Committee shall determine whether or not a quorum is present at meetings of the Council.

SECTION 13

OTHER COMMITTEES

The speaker shall appoint such other committees as deemed necessary for the proper functioning of the Council. The speaker and vice-speaker shall be non-voting members of all such committees.

SECTION 14

RESOLUTIONS

All resolutions shall be presented to the Council in writing. Resolutions may be received from individual councilors, chapters, the Council Steering Committee or the Board of Chancellors. Resolutions received within the deadlines established and published by the Council Steering Committee will be duplicated for all councilors in attendance at the meeting. Any resolutions received after the specified deadline will be reviewed by the Council Steering Committee. The Council Steering Committee may request sponsors to provide information on the emergency nature of the late resolution. If requested, a proponent of a late resolution will be expected to meet with the Council Steering Committee and provide rationale for the urgency of the late resolution. Any resolutions

brought before the Council without prior consideration by the Council Steering Committee shall require a two-thirds (2/3) vote for consideration. The sponsor shall be identified on each resolution.

SECTION 15

COUNCILORS-AT-LARGE

A member of the College may be appointed by the speaker of the Council to serve as a council member for one (1) year as a councilor-at-large. A councilor-at-large shall be eligible to be reappointed for not more than two (2) additional one (1) year terms. At no time, shall the number of councilors-at-large exceed six (6), except as required by Sections 9 and 16 of this Article IX.

SECTION 16

RADIATION ONCOLOGY AND MEDICAL PHYSICS REPRESENTATION

The Council Steering Committee, each year, shall review the percent representation of medical physicists and radiation oncologists on the Council.

Whenever the percent representation of medical physicists and radiation oncologists on the Council is not equal to or more than the percent of medical physicists and recognized full-time radiation oncologists of the total College active membership, the speaker will appoint medical physicists and radiation oncologists as councilors-at-large sufficient to bring the percent representation into balance. The speaker will make appointments from lists furnished by a committee of the Council of Affiliated Regional Radiation Oncology Societies (CARROS) and the chair of the Commission on Medical Physics, which will attempt to take into account geographical distribution of radiation oncologists and medical physicists on the Council.

SECTION 17

REPRESENTATION OF MEMBERS-IN-TRAINING

Members-in-Training may be organized in each chapter in a single consolidated section. Each chapter's section for members-in-training may be invited by the chapter to send one or more delegates to attend the annual meeting of the ACR Council. The delegates will elect five (5) of their members as councilors and another five (5) as alternate councilors. Election of the councilor for the sections for members-in-training need not take place at the annual meeting of the ACR Council.

SECTION 18

MEETINGS OF THE COUNCIL

The annual meeting of the Council shall be the annual meeting of the College, and shall be held at such time and place as is ordered by the Council.

SECTION 19

SPECIAL MEETINGS

Special meetings of the Council shall be called by the chief executive officer upon the written request of thirty (30) voting councilors, any such meeting to be held at a time and place designated by the speaker of the Council. Notice of a special meeting, together with a statement of the business to be transacted at such meeting, shall be sent to each voting member of the Council not less than fourteen (14) calendar days before such meeting. No business other than that specified in the notice of a special meeting shall be transacted at such meeting.

SECTION 20

ATTENDANCE

Attendance of the councilor, alternate councilor, or a substitute certified by the president or secretary of the chapter, at the annual and any special meetings of the Council, is expected and is considered essential to the effective functioning of the Council. In the event of absence of the designated councilor or alternate councilor, the chapter shall be notified of such absence by the College office.

SECTION 21

QUORUM AND VOTING

One-third of the Council shall constitute a quorum for the transaction of business at meetings of the College, and only councilors actually present shall be counted in determining whether or not a quorum is present. Councilors may vote at a meeting of the College only in person, and voting by proxy shall not be allowed.

A councilor or their alternate councilor (or an accredited substitute) may vote. Within these guidelines, the Credentials Committee shall determine who will vote.

SECTION 22

DIGEST OF OFFICIAL COUNCIL ACTIONS

The Digest shall contain all official actions and policies adopted by the Council for the immediate past ten (10) years. All official actions and policies of the Council are effective for only ten (10) years unless extended for an additional ten (10) year period by the Council by affirmative vote of the majority of members present at the annual meeting of the College. Any resolution extending a Council policy for an additional ten (10) year period can include proposed substantive and editorial modifications to the policy proposed for extension, subject to approval by the Council. Actions and policies not extended by the Council by affirmative majority vote beyond ten (10) years from their adoption are no longer official College policy, but are maintained by the College in a historical file. Notwithstanding the above, the language of a policy resolution may specify an effective period of less than ten (10) years.

ARTICLE X

INDEMNIFICATION

The College shall have the power to indemnify any of its officers, Board of Chancellors members, commission, committee and task force chairs and members, employees and agents against expenses, judgments, fines, settlements, and other amounts actually and reasonably incurred in connection with activities undertaken at the College's request if such person acted in good faith and in a manner the person reasonably believed to be in the best interest of the College to the extent such indemnification is permitted by law. The individual will be indemnified for expenses, including attorney's fees, reasonably incurred in any threatened, pending, or completed action or proceeding, whether civil, criminal, administrative, or investigative, by reason of the fact that the individual acted on behalf of the College.

Indemnification can be made only as to a specific case, upon a determination that indemnification is proper in the circumstances, and must be authorized by a majority vote of a quorum consisting of Board of Chancellors members who are not parties to the proceeding, or by a majority vote of a quorum consisting of councilors who are not parties to the proceeding.

The College shall have the power to purchase and maintain insurance on behalf of any agent of the College against any liability asserted against or incurred by the agent in such capacity or arising out of the agent's status or such capacity, whether or not the College would have the power to indemnify the agent against liability under the provisions of applicable state statutes.

ARTICLE XI

CHAPTERS

The Board of Chancellors may from time to time charter chapters of the College on such geographic basis and upon such terms and conditions as the Board of Chancellors may deem desirable. The Board of Chancellors may at its discretion revoke the charter of a chapter at any time for cause.

ARTICLE XII

DUES AND ASSESSMENTS

SECTION 1

DUES

Admission to membership and continuation of membership shall be contingent upon the payment to the Association of such dues and assessments as may then be in force. Pursuant to the bylaws of the Association, the Association shall make contributions to the College out of these dues and assessments as are reasonably necessary to meet the financial needs and commitments of the College.

Dues and the payment date for each class of membership shall be as established by the Council after giving consideration to recommendations from the Board of Chancellors.

Certain individuals who are members of the College in classes one (1) through three (3) of Section 1 of Article III, who are considered benefactors of the College in accordance with criteria established by the Board of Chancellors, are members for life, and are exempt from further payments of College dues and assessments.

SECTION 2

ASSESSMENTS

Assessments may be levied upon recommendations of the Board of Chancellors and ratification by the Council of the College; provided that, if a recommendation of the Board of Chancellors is to be considered at a meeting of the Council, notice of such recommendation shall be sent to each councilor by mail, facsimile, or electronic transmission at least thirty (30) calendar days prior to such meeting.

SECTION 3

PENALTY FOR NON-PAYMENT

If Association dues have not been paid within six (6) months following the dues billing, notification shall be given by letter to the delinquent member that if said dues are not paid within thirty (30) days the member's name will be stricken from the rolls of the College and the Association. Such former members shall be eligible for automatic reinstatement upon payment of current dues, and a reinstatement fee established by the Association Board of Directors, and upon certification of chapter membership.

Any former member seeking membership after failing to pay dues for four (4) years or more may obtain membership only by applying as a new member.

SECTION 4

WAIVER OF DUES

Any member suffering serious financial hardship or long-term illness may request a waiver of dues for that year. All such requests must be made in writing and directed to the Association Board of Directors. All waivers of dues for financial hardship or illness are at the discretion of the Association Board of Directors and all members making

such requests will be notified in writing of the decision reached. If difficulties in payment of dues persist more than that calendar year, a written request must be submitted each subsequent year.

A Member who returns to full-time training in an approved fellowship of at least twelve (12) months duration is eligible to request waiver of dues for that year by submitting a written request for waiver of dues and verification of enrollment in an approved fellowship program. Such requests do not require approval of the Association Board of Directors. Extension of the waiver of dues into a second year of fellowship training may be awarded only upon submission by the Member of an additional written request for waiver of dues, along with verification of enrollment in an approved fellowship program for an additional twelve (12) month period.

ARTICLE XIII

CODE OF ETHICS

The Code of Ethics of the American College of Radiology is intended to aid the radiology community, individually and collectively, in maintaining a high level of ethical conduct. The code is not a set of laws but rather a framework by which radiologists may determine the propriety of conduct in their relationship with patients, with the public, with colleagues, and with members of allied professions.

SECTION 1

PRINCIPLES OF ETHICS

The Principles of Ethics form the first part of the Code of Ethics of the College. They serve as goals of exemplary professional conduct for which members of the College should constantly strive.

The principal objective of the medical profession is to render service to people with full respect for human dignity and in the best interest of the patient. Members should merit the confidence of patients entrusted to their care, rendering to each a full measure of service and commitment.

Members should strive continually to improve their medical knowledge and skill and make these improvements available to their patients and colleagues.

Members should at all times be aware of their limitations and be willing to seek consultations in clinical situations where appropriate. These limitations should be appropriately disclosed to patients and referring physicians.

The medical profession should safeguard the public and itself against physicians deficient in moral character or professional competence by reporting, to the appropriate body, without hesitation, perceived illegal or unethical conduct of members of the medical profession. Members should uphold all laws, uphold the dignity and honor of the medical profession and accept its self-imposed discipline and deal honestly and fairly with patients and colleagues.

The honored ideals of the medical profession imply that responsibilities of members extend to society in general as well as their patients. These responsibilities include the interest and participation of members in activities that improve the health and well being of the individual and the community.

Members may not reveal confidences entrusted to them in the course of medical attendance, or deficiencies they may observe in the character of patients, unless they are required to do so by law, or unless it becomes necessary to protect the welfare of the individual or of the community.

A physician who has not personally interpreted the images obtained in a radiological examination should not sign a report or take attribution of an interpretation of that examination rendered by another physician in a manner that causes the reader of a report to believe that the signing radiologist was the interpreter.

The decision to render a service by a diagnostic radiologist, radiation oncologist, interventional radiologist, nuclear medicine physician, or medical physicist is a matter of individual physician and patient choice governed by the best interest of the patient.

The traditional bond among diagnostic radiologists, radiation oncologists, interventional radiologists, nuclear medicine physicians, and medical physicists, particularly in their professional relationships with each other, is a powerful aid in the service of patients and should not be used for personal advantage.

SECTION 2

RULES OF ETHICS

The Rules of Ethics form the second part of the Code of Ethics of the College. They are mandatory and directive of specific minimal standards of professional conduct for all members of the College.

Members' behavior should conform to high standards of ethical, legal, and professional conduct. Any activity that fails to conform to these standards compromises the member's personal integrity and casts aspersions on the College and the medical profession.

It is proper for a diagnostic radiologist to provide a consultative opinion on radiographs and other images regardless of their origin. A radiologist who regularly interprets radiographs and other images should reasonably participate in quality assurance, utilization review, and other matters of policy that affect the quality of patient care.

It is proper for a radiation oncologist to provide a consultative opinion in the management of cancer and other disorders treated with radiation. A radiation oncologist should regularly treat patients only in settings where the radiation oncologist reasonably participates in the quality of patient management, utilization review, and matters of policy that affect the quality of patient care.

It is proper for an interventional radiologist to provide a consultative opinion in the management of conditions treated by interventional methods. An interventional radiologist should regularly treat patients only in settings where the interventional radiologist reasonably participates in the quality patient management, utilization review, and matters of policy that affect the quality of patient care.

It is proper for a nuclear medicine physician to provide a consultative opinion in the management of conditions treated by nuclear medicine. A nuclear medicine physician should regularly treat patients only in settings where the nuclear medicine physician reasonably participates in the quality patient management, utilization review, and matters of policy that affect the quality of patient care.

It is proper for a medical physicist to provide assistance to a physician in treating patients only in settings where the medical physicist reasonably participates in technical quality assurance.

Prior to practicing in a hospital or other health care entity, a diagnostic radiologist, radiation oncologist, interventional radiologist, nuclear medicine physician, or medical physicist shall apply, and be accepted, as a member of that entity's medical staff in accordance with the medical staff's bylaws and in the same manner as all other physicians.

The practice of physicians referring patients to health care facilities in which they have a financial interest is not in the best interest of patients. Self-referral may improperly influence the professional judgments of those physicians referring patients to such facilities. Members with ownership interests participating in such arrangements may be in violation of these Rules of Ethics.

Members shall relate to other members of the health care team with mutual respect and refrain from harassment or unfair discriminatory behavior.

Members should have the right to enter into whatever lawful contractual arrangements with health care systems they deem desirable and necessary but they should seek to ensure that the system of healthcare delivery in which

they practice does not unduly influence the selection and performance of appropriate available imaging studies or therapeutic procedures.

Members should not enter into an agreement that prohibits the provision of medically necessary care or that requires care at below acceptable standards. Notwithstanding policies of a health plan, radiologists should advocate cost-effective appropriate studies or therapies that will benefit the patient, whose welfare is paramount.

Members should clearly and adequately respond to inquiries by patients regarding fees and/or any financial incentive. A radiologist should not participate in a billing arrangement which misleads patients or third party payers concerning the fees charged by the radiologist. Radiologists shall not divide radiological fees either directly or by any subterfuge.

In providing expert medical testimony, members should exercise extreme caution to ensure that the testimony provided is non-partisan, scientifically correct, and clinically accurate. The diagnostic radiologist, radiation oncologist, interventional radiologist, nuclear medicine physician, or medical physicist shall not accept compensation that is contingent upon the outcome of litigation.

Radiologic research must be performed with integrity and be honestly reported.

Members should not claim as their intellectual property that which is not theirs. Plagiarism or the use of others' work without attribution is unethical.

Members should not publicize themselves through any medium or forum of public communication in an untruthful, misleading, or deceptive manner.

SECTION 3

DISCIPLINARY PROCEDURES FOR VIOLATION OF RULES OF ETHICS

A member of the College may be censured, suspended or expelled for due cause, pursuant to the Principles of Ethics, Rules of Ethics and disciplinary procedures set forth in these bylaws. Any disciplinary action taken against a member of the Association pursuant to the Association's Principles of Ethics, Rules of Ethics or disciplinary procedures shall be deemed to apply equally in relation to such individual's membership in the College. Likewise, as provided by the Association's bylaws, any disciplinary action taken against a member of the College pursuant to the College's Principles of Ethics, Rules of Ethics or disciplinary procedures shall be deemed to apply equally in relation to such individual's membership in the Association. Disciplinary proceedings shall be considered confidential. The levels of disciplinary action shall be defined as follows:

Censure: A censure shall be a written reprimand to the member from the chair of the Ethics Committee, with no loss of benefits of fellowship or membership. Such censure shall be made a part of the membership file of the member.

Suspension: A suspension shall cause the member to lose the benefits of fellowship or membership for a specific period of time as determined by the Ethics Committee, after which the individual, if approved for reinstatement, will resume full membership upon payment of appropriate dues. Suspension shall be for such term as the Ethics Committee determines is necessary to ensure modification of behavior.

Expulsion: Expulsion shall cause the member to be removed from the rolls of the College. An expelled member shall not be entitled to any of the benefits of fellowship or membership. The College shall not accept a reapplication for fellowship or membership from an expelled member until a prescribed period, as the Committee shall determine, has elapsed from the date the individual was notified of the Committee's action.

In cases where the Ethics Committee determines formal disciplinary action against a member is not warranted, it may issue a letter of concern or a letter of instruction to address matters that are not violations of the College's Code of Ethics, but warrant the member's attention.

Grounds for Disciplinary Action: A member of the College may be disciplined for any one or more violations of Section 2 of the Code of Ethics (the Rules of Ethics) of the College. Additionally, a member may be disciplined for:

- Limitations or restriction of any right associated with the practice of medicine by any state or Canadian province, including the revocation, suspension, and restriction of a medical license or the voluntary surrender of a license while under investigation.
- Conviction of any felony.
- Conviction of scientific fraud (see Rules of Ethics, Section 2, Number 10)

Disciplinary Process: A complaint that a member of the College has violated the Rules of Ethics may be filed in writing either with the chair of the Ethics Committee or with the person or persons authorized to receive such complaints by the bylaws, rules or regulations of the chapter to which such member belongs. The chair of the Ethics Committee may refer any complaint filed to the appropriate chapter, or to the College's Ethics Committee for investigation and initial disposition, or may dismiss, with written justification, a complaint as non-meritorious.

The Ethics Committee shall investigate and dispose of ethics matters in accordance with such procedures as the committee may from time to time determine.

If a chapter receives a complaint or request for disciplinary action against a member of the College, the chapter shall follow the procedures specified in its bylaws, rules or regulations for investigating and disposing of the matter.

If the matter is referred to the Ethics Committee, written notice shall be sent to the member in question by registered or certified mail at least thirty (30) calendar days prior to a meeting of the Ethics Committee (a) stating the time and place of the meeting, (b) informing the member of the nature of the complaint which will be considered, (c) advising that the member may then and there appear in person and/or by legal or other representative and may submit such evidence as the member deems appropriate, and (d) advising the member in question that failure to cooperate reasonably with an ethics investigation is independent grounds for disciplinary action. Following the meeting, the Ethics Committee shall notify in writing the chair of the Board of Chancellors and the member of its decision.

A member against whom disciplinary action is taken either by a chapter or upon the recommendation of the Ethics Committee may appeal the decision to the Judiciary Committee by mailing a written notice of appeal to the chair of the Board of Chancellors within thirty (30) days of the mailing of notice of the adverse decision to the member in question.

Before the Judiciary Committee shall hear an appeal, the Judiciary Committee shall, by registered or certified mail, notify the member in question not less than thirty (30) calendar days prior to a meeting of the Judiciary Committee that the member may then and there appear in person and/or by legal or other representative to present such argument as the member deems proper to show that the disciplinary action taken should be reversed.

If a majority of the members of the Judiciary Committee determines that the disciplinary action taken against a member is supported by the evidence and is the result of fair procedures, consistent with these bylaws and, to the extent applicable, with the bylaws of the chapter, the Judiciary Committee shall affirm the disciplinary action. If a majority of the members of the Judiciary Committee does not so determine, the Judiciary Committee shall reverse the disciplinary action and may remand the matter as a whole or in part for further proceedings or may dismiss the matter in whole or in part.

The status of a member during disciplinary proceedings shall be unaltered.

ARTICLE XIV

AMENDMENT

Amendments to these bylaws may be adopted at any annual meeting of the Council by the affirmative vote of two-thirds of the councilors present and voting; provided that such proposed amendments have been received in College headquarters four (4) months prior to the annual meeting or proposed by the Board of Chancellors at a meeting at least forty-five (45) days prior to the annual meeting. Proposed amendments can be submitted by an individual councilor, a chapter, the Council Steering Committee, or the Board of Chancellors.

Any proposed amendment received after the specified deadlines but in time to allow the thirty (30) day notice to members as set forth below will be reviewed by the Bylaws Committee to determine whether it is sufficiently urgent to require immediate consideration by the Council at the annual meeting. The Committee may request sponsors to provide information on the urgent nature of the late proposed amendment. Late bylaws amendments require a two-thirds (2/3) vote of the Council to be considered at that annual meeting and a four-fifths (4/5) vote for adoption.

Any policy resolution adopted by the Council requesting a bylaws change will be placed in bylaws format by the Bylaws Committee and submitted to the next year's Council for adoption as an amendment to these bylaws. All other proposed amendments received in College headquarters by the deadlines will be submitted to the Bylaws Committee. The Bylaws Committee will consider proposed amendments, place them in bylaws format, prepare the required resolutions, and Committee recommendations.

Proposed amendments or summaries thereof shall be communicated to all members of the College via electronic or other means at addresses maintained at College headquarters not less than thirty (30) calendar days before such annual meeting. Notwithstanding the foregoing, amendments recommended by a reference committee or from the floor at the annual meeting to proposed bylaws amendments that are germane and reasonably implied by the original proposed amendment's notice are permissible and do not require thirty (30) days advance notice. Such amendments to proposed bylaws amendments require a majority vote for acceptance while the main motion to amend the bylaws still requires a two-thirds (2/3) vote for acceptance.*

*Sturgis, 4th Edition, p. 207

ARTICLE XV

RULES OF ORDER

In the absence of any provision in these bylaws, all meetings of the College shall be governed by the parliamentary rules and usages contained in the current edition of Sturgis' "Standard Code of Parliamentary Procedure."

ARTICLE XVI

DISSOLUTION

In the event of dissolution or final liquidation of the College, all of its assets remaining after payment of its obligations shall have been made or provided for, shall be distributed according to applicable law to and among such corporations, foundations, or other organizations organized and operated exclusively for scientific and educational purposes consistent with those of the College as shall be designated by the Board of Chancellors.
