

NATIONAL ASSOCIATION OF PARLIAMENTARIANS[®]

Rules for Handling Complaints and Reporting Ethical Violations

ADOPTED BY THE AMERICAN INSTITUTE OF PARLIAMENTARIAN BOARD OF DIRECTORS JULY 27, 2011
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Rule I. COMPLAINTS.

Complaints alleging a violation of the *Joint NAP-AIP Code of Ethics for Parliamentarians* by a member of AIP shall:

- A. be submitted on a standard complaint form approved by the Ethics Committee and distributed by the Headquarters office;
- B. be sent to the Headquarters office in a sealed envelope marked “Confidential—Ethics Committee”;
- C. state fully the facts surrounding the acts or omissions complained of, and the nature and extent of the alleged violations with references to the Joint Code; and
- D. provide documentation for the alleged complaints, including but not limited to names of witnesses, letters of testimony, minutes, and other pertinent documents, as applicable.

Rule II. PROCESSING OF COMPLAINTS.

The following procedures shall apply to all complaints received at the Headquarters office:

- A. The Executive Director shall maintain a log of all complaints received. The log shall indicate the source of the complaint, the date received, and the date that the complaint was referred to the Ethics Committee.
- B. The sealed complaint shall not be opened at the Headquarters office. It shall be forwarded, unopened, to the Chair of the Ethics Committee.
- C. Upon receipt of the written complaint, the Chair of the Ethics Committee shall:
 1. forward a copy of the complaint to the respondent together with notification that the respondent has thirty days to respond in writing;
 2. forward copies of the complaint to all members of the Ethics Committee; and
 3. inform the President of the nature and scope of the complaint.
- D. At the conclusion of the thirty day period, the Chair of the Ethics Committee shall:
 1. circulate copies of the written response of the respondent to all members of the Ethics Committee (or, if no response was received, communicate this information to the committee);

2. determine, in consultation with members of the Ethics Committee, whether additional investigation is necessary; and
 3. coordinate the work of the Ethics Committee in gathering such additional information as the committee may deem necessary to its investigation.
- E. Upon completion of its investigation, but not later than ninety days following receipt of the written complaint, the Ethics Committee shall take one or more of the following actions:
1. dismiss the complaint as frivolous, inconsequential or as not attaining the required level of proof; or
 2. find that the respondent acted properly and exonerate the respondent; or
 3. find that the respondent did not act properly and uphold the complaint.
- F. If the Ethics Committee dismisses the complaint for any of the reasons listed above, the committee may send a confidential letter of caution sent only to the respondent indicating matters of concern to the committee
- G. If the Ethics Committee upholds the complaint against the respondent, the committee shall take one or more of the following actions:
1. reprimand the respondent, with or without the requirement that an apology be made to the aggrieved party; or
 2. reprimand the respondent and require that the respondent take certain remedial actions, failing which, a further penalty may be imposed; or
 3. reprimand the respondent and recommend that the Board of Directors suspend the credentialed status of the respondent for a definite period; or
 4. reprimand the respondent and recommend that the Board of Directors revoke the credentialed status of the respondent; or
 5. reprimand the respondent and recommend that the Board of Directors suspend the membership, and any credential, of the respondent for a definite period; or
 6. reprimand the respondent and recommend that the Board of Directors expel the respondent from membership, and revoke any credentialed status of the individual.
- H. The Ethics Committee shall complete its work on the complaint within ninety days following receipt of the written complaint. If the Ethics Committee cannot complete its work on a complaint within ninety days, the committee shall notify the President who may grant one additional thirty-day extension. If the extension is granted by the President, the committee shall notify the complainant and the respondent of the extension.

Rule III. ETHICS COMMITTEE CONDUCT OF BUSINESS.

- A. The Ethics Committee shall conduct its business, whenever possible, by videoconference, telephone, teleconference, mail, fax, and e-mail.
- B. The Ethics Committee shall review all material from the complainant, the respondent and others from whom information is sought and shall apply the burden of proof at the level of the preponderance of the evidence, with the burden of proof lying with the complaining party to show a violation of the ethical standards for parliamentarians.

- C. Within thirty days following the committee's final determination on a complaint, the Chair of the Ethics Committee shall forward the following to the Headquarters office:
 - 1. the original written complaint;
 - 2. all correspondence, inclusive of electronic media, between the committee, the complainant, and the respondent;
 - 3. all documents, inclusive of electronic media, relating to the committee's investigation of the complaint; and
 - 4. a written report of the committee's final determination and/or referral to the Board of Directors.
- D. The Executive Director shall add to the log maintained, the disposition of the complaint, showing the portion of this rule under which the complaint was determined.

Rule IV. BOARD OF DIRECTORS CONDUCT OF BUSINESS.

- A. The Board of Directors shall receive and take appropriate action on all complaints forwarded by the Ethics Committee, as provided in Rule II, G, Paragraphs 3, 4, 5, and 6.
- B. All actions of the Board of Directors shall be decided by majority vote except for expulsion from membership, which shall require a two-thirds vote.
- C. The Secretary shall inform the respondent of the Board of Directors' decision within thirty days of the complaint being received from the Ethics Committee.

Rule V. APPEALS.

- A. The respondent may appeal any decision of the Board of Directors by written notice to the Secretary within thirty days of the mailing of the decision by the Board of Directors.
- B. The Board of Directors shall consider appeals during its regular meetings. The Board shall adopt rules to govern the appeals process.
- C. The Secretary shall promptly notify the respondent of the decision of the Board of Directors.

Rule VI. DISPOSITION OF DOCUMENTS.

All documents, including electronic materials, relative to ethics complaints shall be sealed and held at the headquarters office in strict confidence, except that:

- A. appropriate officers, members, or employees of the organization may be given such information regarding a disciplinary proceeding as is necessary and proper for the effective execution of any penalty imposed;
- B. the Board of Directors shall have access to all relevant documents, inclusive of electronic materials, pertaining to complaints referred by the Ethics Committee; and
- C. the Board of Directors shall have access to all relevant documents pertaining to the appeals process.

- D. When a complaint is filed, the Chair of the Ethics Committee, shall receive from the Executive Director a statement whether any prior complaints have been filed regarding the conduct of this parliamentarian and the disposition of these. If deemed relevant by the committee, the committee may request a copy of the file regarding the complaint or complaints previously disposed of by the committee.

Rule VII. PUBLICATION OF ETHICS VIOLATIONS.

Any revocation or suspension of credentialed status, and any expulsion or suspension from membership shall be published to the membership in a manner determined by the Board to be appropriate and designed to reach all members of the organization.

Rule VIII. NOTIFICATION TO THE RESPONDENT.

The initial notice of the complaint to the respondent shall be given to the respondent by certified mail, return receipt requested, delivery restricted to addressee. Thereafter, the chair of the Ethics Committee and the respondent may agree on any method of correspondence designed to reach the respondent without notice to others.

Rule IX. RECIPROCITY.

No complaint which has been submitted to the American Institute of Parliamentarians Ethics Committee shall be considered by the NAP Ethics Committee, except by a majority vote of the entire membership of the NAP Ethics Committee.

Rule X. REPORTING.

If a respondent holds membership in National Association of Parliamentarians, then any complaint whether dismissed or upheld, shall be reported to the Executive Director or designee of the President of the National Association of Parliamentarians as to the facts of the complaint and the disposition determined by the American Institute of Parliamentarians.