

Managing A Hearing of Club Charges

The practice of one member or associate bringing a formal written charge against another is fully allowed under the bylaws of this club but ought to be reserved for the most serious of allegations and considered only if the matter cannot be otherwise resolved.

Anyone involved in such a complaint is to fully review, at a minimum, the following sections of the club's bylaws:

- Removal and suspensions, 7.1-7.4
- Removal of a board member, 2.2
- Conflict of interest, 2.10
- Member in good standing, 1.4

All such complaints shall be reviewed and decided by the board of directors at a meeting of the board in accordance with Sec. 7.1 of the bylaws and with this policy. In all cases the President of the club, or Vice President in his/her absence, shall preside at such meeting.

The accused shall be considered innocent unless there is a preponderance of evidence presented to the contrary. The accused is not obligated to either speak or present evidence in these matters.

Full and complete minutes shall be made and all written and physical evidence preserved by the Secretary.

A member or associate accused of wrongdoing has a right to a "full hearing" (7.2). That hearing shall include the following parts:

- 1.Call to order and determination of a quorum by the presiding officer.
- 2.Reading of the charges by the Secretary or designate thereof
- 3.Verbal statement (opening remarks) by the accuser
- 4.Verbal statement (opening remarks) by the accused
- 5.Introduction of evidence by the accuser
- 6.Introduction of evidence by the accused
- 7.Questions from the board members
- 8.Private deliberation and decision by the board
- 9.Private determination of sanction(s) by the board, if applicable
- 10.Private authoring of document summarizing the finding of facts and board decision(s)
- 11.Public reading of the summary document by the presiding officer
- 12.Advisement of appeals option to the accused (7.3) by the Secretary, if applicable
- 13.Adjournment

Supporting evidence presented in these matters shall be physical in nature (i.e. - written documents signed by the person responsible for the statement, a printed photograph, or videotape, etc.) so that they may be provided to the Secretary and equally shared with both the accuser and accused in accordance with the bylaws (7.1). No verbal testimony, other than statements from the accused and the accuser, will be allowed, with the following exception: The board of directors hearing the matter may ask for points of clarification of

witnesses whose written testimony has already been introduced and who may be in attendance during the proceeding.

Both the accused and the accuser may have the assistance of counsel within the following parameters:

- Each party may have only one counselor present with them during these proceedings
- Counselors shall not offer testimony
- Counselors may ask for points of clarification from the presiding officer
- Counselors shall not ask questions of the parties
- A counselor may or may not be a member or associate of the club but shall not be a sitting member of the Board of Directors
- Nothing in this policy shall be construed as authorizing anyone other than a licensed attorney from engaging in the practice of law.

The board may impose any sanction which it deems appropriate, including, but not limited to, the following options:

- A written reprimand
- Re-training, especially as it concerns safety
- A limitation of access to portions of the club or specific activities therein
- Suspension from the club for a specific period of time and loss of "member in good standing" status during that period
- Expulsion from the club and permanent loss of "member in good standing" status
- Referral of the matter to law enforcement