



Professional Conduct Committee Responsibilities and Guidelines for Complaints

Charge

A charge that a member of the Association has violated the BOAF Code of Ethics shall be made in writing to the BOAF office. The complaint form must contain a clear and concise statement, including dates outlining the alleged breach of the Code, must be signed by the complainant, who need not be a member of BOAF. BOAF office shall within fourteen (14) days, acknowledge receipt of the complaint.

Professional Conduct Committee

The Professional Conduct Committee shall be cognizant of frivolous complaints and shall, at all times, keep in mind the spirit of the Code of Ethics of the Association and the rights of any member whose conduct allegedly breaches the Code of Ethics and observe judicious confidentiality in reviewing all charges of violation.

Review Procedure

The Executive Director of BOAF shall, forward a copy to the members of the Committee of the alleged breach of the Code of Ethics.

The committee shall, at a meeting or telephone conference convened within thirty (30) days of the complaint, decide if the matter of the alleged breach requires a resolution.. This decision shall be based on the Committee's opinion as to whether the alleged breach could be mediated..

Investigation

In the event the foregoing is not applicable or is unsuccessful, the Chair shall appoint one or two members to investigate the complaint. These investigations shall undertake an objective review of the circumstances surrounding the alleged breach of the Code of Ethics. The investigators shall provide the respondent thirty (30) days to submit a written statement of position or evidence with respect to the allegations. The investigators shall, within ninety (90) days of the receipt of the complaint, submit their findings to the Committee.

Notice of Hearing

Upon receipt of the investigator's report, the Committee shall inquire of the respondent whether he or she wishes to attend a hearing before the Committee. In the event the respondent declines or fails to respond within fourteen (14) days, the Committee shall convene a hearing as soon as practical.

Hearing

The Committee shall conduct a hearing with the purpose of reviewing the pertinent facts of the complaint. Attendance at the hearing shall be limited to the members of the Committee, the complainant, the respondent and counsel, if applicable. Additional persons shall be allowed only with the consent of the members of the Committee.

Findings and Decision

Subsequent to the hearing or to an admission of a breach of the Code of Ethics by the respondent, the Committee shall make its findings based on the evidence presented at the hearing.

The decision reached by the Committee shall be limited to:

- Dismissing the complaint.
- Reprimanding the respondent, or
- Temporarily or permanently suspending the respondent from the Association and revoking his or her rights and privileges of membership.

The Committee shall notify the respondent, in writing, within fourteen (14) days of the hearing as to the Committee's findings.

The respondent may, within fourteen (14) days of receiving the findings of the Committee, apply to the Board of Directors for the Association requesting a review before the Board.

The Board shall, within (30) days or at the next Board of Director's meeting decide whether or not such a review should be granted.

If the request for a review is granted, a re-hearing before the Board will be held as soon as practical.