

Approved: Board of Directors – 12/2/83

Approved: Board of Directors – 5/20/06

Revised: Board of Directors – 5/7/11

Re: Article IV, Section 5

DENIAL OF MEMBERSHIP APPEAL PROCESS

Under Article IV, Section 5 of the Bylaws of the Academy, if membership is denied to an applicant, or if membership is granted in a class other than the class applied for, the applicant may appeal the decision of the Membership Committee (except that nominees for Honorary Membership who shall not be elected may not appeal the decision of the Board of Directors) in accordance with the following procedures:

1. The applicant shall, upon written request, be provided with a written statement of the reason(s) for the action of the Membership Committee.
2. Within thirty (30) days of receipt of the statement of the reason(s) for the action of the Board, the applicant may request a hearing before the Membership Committee. In special circumstances the Membership Committee may extend the period during which an applicant may request a hearing. The Membership Committee shall then schedule such a hearing to be held not less than thirty (30) days after receipt of the applicant's request. The applicant shall be notified of the time and place of the hearing at least thirty (30) days prior to the hearing, by certified mail, registered receipt requested and/or express, next-day mail addressed to the applicant at his or her last known address.
3. The applicant may appear at the hearing in person, or be represented by an authorized agent or attorney, or both. The Academy may be represented at the hearing by one of the members of the Membership Committee, or by an authorized agent or attorney, or both. The applicant may submit a written statement at least fifteen (15) days prior to the hearing.
4. At the hearing, the applicant and/or his/her counsel or other representative shall have an opportunity to be heard, to rebut the information presented by the Academy representative, to present and examine witnesses, to introduce written evidence, to cross-examine or challenge any witness presented by the Academy representative, and to present such information on the applicant's behalf as the applicant deems proper to support the appeal.

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5. A record shall be kept of that part of the hearing during which information is presented and the applicant appears. The Chair of the Membership Committee will determine the most appropriate method of recording, including but not limited to the use of a court reporter, electronic recording unit, detailed transcription, or by the taking of minutes. The applicant will be entitled to obtain a copy of the record of the hearing at his or her own expense.
6. The hearing need not be conducted according to the rules of law relating to the examination of witnesses or the presentation of evidence. All information determined by the Chair to be relevant to the appeal shall be admissible at the hearing, whether or not such information would be admissible in a court of law. The Chair shall have the authority to impose reasonable limitations on the time available for both direct testimony and cross examination. The hearing shall be closed to all except members of the Committee and appropriate Academy staff, the applicant, witnesses, legal counsel, the Academy's representative(s), and the court reporter (if any).
7. An applicant who fails without good cause to appear and proceed at a hearing before the Membership Committee shall be deemed to have waived his/her right to such hearing and to have accepted the decision of the Membership Committee. The Committee may, for good cause, postpone a previously scheduled hearing. The Chair may, without special notice, recess the hearing and reconvene for the convenience of the participants, for the purpose of obtaining new or additional information, or for consultation.
8. Upon conclusion of the presentation of oral and written information, the hearing before the Membership Committee shall be closed. The applicant may submit a written statement at the close of the hearing. The Committee (with the presence of legal counsel) and staff, in closed session, either immediately following the hearing or at a time convenient to its members, shall conduct its deliberations and determine whether to recommend to the Board of Directors to affirm or reverse its initial decision.
9. Within thirty (30) days after the hearing, the Membership Committee shall submit a written recommendation regarding the application to the Board of Directors and a copy of the recommendation shall be delivered to the applicant. The Board of Directors shall at its next meeting consider the recommendation of the Membership Committee. Notice of that meeting of the Board shall be delivered to the applicant not less than thirty (30) days prior to that meeting and the applicant shall be afforded a reasonable opportunity to participate in discussion of the application. The Board of Directors shall act on the application, and a majority vote shall be required to grant membership. The action of the Board of Directors in disposing of an appeal shall be final.