



## **Determination of Ethical Violation: Appeal Procedures**

AASP members who had their AASP membership suspended or revoked for violations of the AASP Code of Ethical Principles and Standards have the right to appeal this decision to the AASP Executive Board (EBoard).

### **Step One**

The first step is for the petitioner to request in writing to the AASP Executive Board within 45 days of the AASP Executive Board's official decision regarding membership suspension or revocation to reconsider the decision to suspend or revoke membership. Petitioners should clearly state specific reasons why the AASP Executive Board should reconsider its decision and provide additional documentation or materials to support their reasons. The AASP Executive Board will review the petitioner's request and supporting documentation and materials when reconsidering its decision, and the AASP Executive Board will notify the petitioner in writing of the AASP Executive Board's decision within 30 days of receiving the request.

Please contact Kent Lindeman, AASP's Executive Director by email at [klindeman@hollandparlette.com](mailto:klindeman@hollandparlette.com) to formally submit an appeal.

### **Step Two**

If, after receiving the AASP Executive Board's decision regarding the request to reconsider decisions made by the AASP Executive Board regarding the suspension or revocation of membership, the petitioner believes she/he has extenuating circumstances, and/or believes she/he has been treated in an arbitrary or biased fashion, or without adherence to the AASP Executive Board and/or AASP Ethics Committee policies and procedures, the petitioner may choose to file an appeal.

### **Step Three**

The petitioner should submit the appeal in writing to the AASP Division Head of Professional Standards within 45 days of the AASP Executive Board's decision regarding

the petitioner's request to reconsider decisions about the membership/certification suspension or revocation. The appeal must clearly state the reason(s) for the appeal and document details of the extenuating circumstance and/or ways in which the AASP Executive Board and/or AASP Ethics Committee acted in an arbitrary or biased fashion or without adherence to stated policies and procedures. The Division Head of Professional Standards will initially rule as to whether the subject of the appeal constitutes an issue of bias/arbitrary actions or failure of the AASP Executive Board and/or AASP Ethics Committee to follow its process and procedures.

#### **Step Four**

If a basis for an appeal is stated, the Division Head of Professional Standards will convene an Ethics Appeals Committee within 30 days of the receipt of the petitioner's appeal. The membership of the Ethics Appeals Committee consists of three voting members: a chair and two additional members. The Division Head of Professional Standards appoints Ethics Appeals Committee members who are familiar with the AASP Ethics standards and requirements as well as the policies and procedures of the AASP Executive Board and AASP Ethics Committee but do not currently serve on the AASP Executive Board or the AASP Ethics Committee. The Ethics Appeals Committee will review the petitioner's initial request to the AASP Executive Board to reconsider its decision along with the petitioner's appeal regarding extenuating circumstances or arbitrary/biased treatment by the AASP Executive Board and/or AASP Ethics Committee.

The AASP Ethics Appeals Committee may gather additional information, including but not limited to, interviewing the petitioner or members of the AASP Executive Board and/or AASP Ethics Committee. The Ethics Appeals Committee will not review the AASP Executive Board's decision regarding the petitioner's membership suspension or revocation. Rather, the Ethics Appeals Committee will review the manner in which the AASP Executive Board and/or AASP Ethics Committee adhered to its policies and procedures and the extent to which the AASP Executive Board and/or AASP Ethics Committee may have made decisions in arbitrary or biased ways.

#### **Step Five**

Following appropriate review and deliberation, the Ethics Appeals Committee will communicate its decision in writing to the AASP President and AASP Division Head of Professional Standards within 15 days of the Ethics Appeals Committee's decision regarding the petitioners' appeal. Written copies of the Ethics Appeals Committee's decision will be placed in the petitioner's membership/certification file. Ethics Appeals Committee decisions are final and binding.

## **Step Six**

A final letter of decision (i.e., the outcome of the appeal) will be provided to the petitioner by the AASP President and copied to the Division Head of Professional Standards and the AASP Ethics Committee Chair within 15 days of the AASP President receiving the written report of evaluation from the Ethics Appeals Committee. All decisions from this ruling are deemed as final.

If the appeal is denied, and after the period of suspension or revocation has expired, in order for the individual to seek reinstatement of AASP membership a petition must be made to the AASP EBoard. The AASP EBoard must approve reinstatement by a majority vote, and may request a review and recommendation from the AASP Ethics Committee regarding the petitioner's application for reinstatement. In petitioning for reinstatement, the individual has the burden of demonstrating that conditions that led to the revocation have been rectified and that, upon reinstatement, the individual will abide by the Code of Ethics.