

M.A.A.O. Ethics Committee Rules and Procedures

I. Establishment of the Ethics Committee – Composition – Organization

- A. There shall be a standing committee within the organizational structure of the Massachusetts Association of Assessing Officers known as the Ethics Committee.
- B. The committee shall consist of a chairman and four other committee members, all of whom shall be regular members of M.A.A.O. in good standing. The executive board shall appoint all members for a one-year term. At least one member shall be re-appointed each year to maintain continuity.
- C. All committee decisions, with the exception of expulsion, shall be reached by majority vote of the committee. Any vote for expulsion shall require a 2/3rds majority of the voting members.

II. Responsibility and Authority

- A. The committee shall receive and investigate all complaints referred to it concerning alleged violations of the M.A.A.O. By-Laws and Code of Ethics. The committee shall have the authority and responsibility for issuing letters of charge, conducting hearings, and imposing appropriate disciplinary action.

III. Meetings

- A. The committee shall meet on the call of the chairman or a petition of a majority of the committee members. A majority of the members shall constitute a quorum.
- B. The Ethics Committee shall go into executive session for the purpose of discussing any alleged conduct by any member, which could be considered an alleged ethical violation.

IV. Confidentiality

- A. The Ethics Committee, and all other persons who may be privy to any proceedings concerning alleged ethical violations, shall be prohibited from revealing the names of any individual involved or any content of any material included in a complaint to anyone other than members of the committee, any participants in the hearing process and, after appeal, the members of the Executive Board.

V. Complaints

- A. All complaints must be in writing on an approved form and signed by the complainant. Complaints may be received from any source including non-members. Complaints should be sent to the chairman of the Ethics Committee who will forward a copy to the respondent requesting a written reply.
- B. If, upon investigation, which shall include the respondents' reply in writing, the committee determines that a complaint has merit, the chairman shall issue a letter of charge to the respondent.
- C. If the committee determines that the complaint is without merit, the complainant and/or respondent shall be so notified in writing by the chairman of the committee.

VI. Letter of Charge

- A. A letter shall be sent to the respondent stating the charges and offering a hearing in order to give the individual the opportunity to respond to the charges.

VII. Hearings

- A. Within thirty days of the issuance of a letter of charge, the chairman shall schedule a hearing with the respondent. The committee may issue summons to the complainant and any member of the Association that it feels may contribute to its decision.
- B. This hearing will be for the purpose of allowing the complainant to offer proof of his allegations and to allow the respondent to answer the alleged violations.
- C. Proceedings of the hearing shall be tape-recorded.
- D. At the conclusion of the hearing the committee shall review the charges, the respondent's reply and all evidence and testimony presented and within 30 days from the conclusion of the hearing shall issue its decision to (a) acquit, (b) reprimand, (c) suspend, or (d) expel. The chairman shall mail copies of the decision to the complainant and the respondent by certified mail. The decision shall include notice that the complainant and the respondent have thirty (30) days to appeal to the Executive Board. The decision shall also advise the respondent that discipline, if any, will be imposed after the appeal process has expired.
- E. A copy of the decision shall be mailed to the President of M.A.A.O. Included in the mailing will be a reminder of the confidentiality required in Paragraph IV.

VIII. Appeal to the Executive Board

- A. Appeal may be made to the Executive Board within thirty days of receipt of the committee's decision.
- B. The purpose of the appeal is to review the decision of the Ethics Committee to ensure that the decision of the Ethics Committee complied with all pertinent rules and regulations and that its decision is supported by substantial evidence.
- C. The appeal shall be in writing and shall be mailed to the president of the association. The appeal shall contain a succinct statement of the alleged errors and reasons why the decision of the Ethics Committee is claimed to be incorrect. If the full context of the hearing, as recorded, is requested to be entered as evidence by the appellant, the cost of transcription shall be borne by the appellant. The president will mail copies of the appeal to each member of the Ethics Committee.
- D. If any member of the Executive Board is directly involved in matters of the complaint, he or she shall be disqualified from hearing the appeal. The president may name a replacement, which shall be a regular member of the association.
- E. The Executive Board shall meet as soon as is practical to hear the appeal. The chairman of the Ethics Committee shall attend the hearing to present and defend its decision but shall not participate in any vote of the E-Board. Notice of the scheduled hearing shall be sent to the respondent and complainant at least twenty (20) days prior to the hearing date.
- F. At the conclusion of the hearing the Executive Board shall vote, in executive session, to affirm, reject or modify the decision of the Ethics Committee. The decision shall be determined by simple majority vote unless the decision is to expel. If the vote is to expel that vote shall be a two-thirds majority of the voting members. Notice of the decision shall be mailed to the respondent or the complainant by certified mail within twenty days of the decision, and members of the Ethics Committee shall be notified by regular mail.
- G. All decisions of the Executive Board shall be the final action on the matter by M.A.A.O.

IX. Disciplinary Action

- A. For purposes of these rules, the words reprimand, suspend and expel shall have the following meanings:
 - (1) Reprimand – A personal and confidential letter will be sent to the respondent by the chairman of the Ethics Committee expressing disapproval or concern with his or her conduct. The letter will be kept on file with the chairman of the committee for the period of one year. If no other action is taken during the year, the record will be destroyed. The

respondent will retain all rights and privileges of membership during this year.

- (2) Suspend – The respondent shall be denied the right to vote, serve on any M.A.A.O. committees, participate as an instructor or speaker in any M.A.A.O. programs, or publicly represent M.A.A.O. in any manner for a period of not more than one year. The respondent will retain all other rights and privileges of membership during this time.
- (3) Expel – The respondent shall have all rights and privileges of membership revoked as well as those restrictions mentioned in paragraph 2 of “A”, section IX, “Disciplinary Action”. After a period of five years, the expelled member may re-apply for membership subject to approval by the Executive Board.

In the case of any action taken under either (2) or (3), notice shall be published in the MAAO Newsletter.

X. Self-executing Provisions for Membership Suspension or Expulsion

Where any member has been convicted of a felony or a crime of office, which reflects on his, or her professional or ethical conduct as outlined in the Code of Ethics, that member shall be expelled from M.A.A.O. membership. The expulsion shall be made after determination by the committee that the conviction “reflects on his or her professional or ethical conduct”. Notice of such action shall be sent to the member by certified mail.

M.A.A.O. Code of Ethics Complaint Form

Complaint must be sent to the current Chairperson of the Ethics Committee of the Massachusetts Association of Assessing Officers

Complainant (person making charge)

Name: _____

Address: _____

Telephone: _____

Respondent (person against whom charge is made)

Name: _____

Address: _____

Telephone: _____

Statement of alleged violation (plain & concise, include paragraph number of guideline)

Include any other information deemed relevant on separate sheet(s).

Signature of Complainant
