

POLICY NO. ____

Director Conduct, Complaint, Discipline, and Removal Procedures

Purpose

The purpose of this Policy is to establish fair, consistent, and legally compliant procedures for addressing complaints, misconduct, ethics violations, disciplinary actions, suspension, and removal proceedings involving members of the Board of Directors.

This Policy is intended to supplement the Association Bylaws and applicable Arizona law.

Section 1. Standards of Conduct

Director(s) shall:

- Act in good faith
 - Exercise fiduciary responsibility
 - Avoid conflicts of interest
 - Maintain confidentiality where required
 - Conduct themselves professionally
 - Avoid harassment, retaliation, intimidation, or disruptive conduct
 - Comply with governing documents and adopted policies
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Section 2. Grounds for Discipline or Removal

Grounds may include:

- Misuse of association funds or assets
- Breach of fiduciary duty
- Conflict of interest violations
- Ethic violations
- Disclosure of confidential information
- Harassment or retaliation
- Abusive or threatening behavior
- Repeated disruption of meetings

- Violation of adopted policies
 - Criminal conduct materially affecting service
 - Failure to maintain membership eligibility
 - Repeated unexcused absences
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Section 3. Filing a Complaint

Complaints against a director(s):

- Must be submitted in writing
- Signed by the complainant
- Identify the conduct alleged
- Include supporting evidence if available

Anonymous complaints may be reviewed but shall not alone support disciplinary action unless independently verified.

Section 4. Preliminary Review

The Chairperson, Vice-Chairperson, or designated committee shall conduct a preliminary review to determine whether:

- The complaint falls within board authority
- Sufficient information exists
- Informal resolution is appropriate

If the complaint involves the chairperson, review shall be handled by the next highest-ranking disinterested officer or designated committee.

Section 5. Notice of Hearing

The Director subject to complaint shall receive:

- Written notice of allegations
- Supporting documentation reasonably available
- Hearing date, time, and location
- At least fifteen (15) days' notice

Section 6. Hearing Procedures

Hearings may be conducted in executive sessions where permitted by law.

The director(s) shall have the right to:

- Present evidence
- Provides witnesses
- Submit written statements
- Respond to allegations

Formal court rules of evidence shall not apply.

Section 7. Recusal

Any director(s) with:

- Personal involvement
- Financial interest
- Family relationship, or demonstrated bias

shall recuse themselves from deliberation and voting.

Section 8. Possible Disciplinary Actions

The board may impose:

- Written warning
 - Censure
 - Removal from officer position
 - Committee removal
 - Temporary suspension of board authority
 - Recommendation for member removal vote
 - Removal for cause where authorized
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Section 9. Emergency Suspension

The board may temporarily suspend a director(s) pending investigation when immediate action is necessary to:

- Protect association operations
- Preventing financial harm
- Maintain safety
- Preserve records
- Reduce legal exposure

Such suspension:

- Requires majority vote of disinterested director(s)
 - Should be temporary
 - Shall not exceed forty-five (45) days unless extended for good cause
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Section 10. Protection Against Retaliation

Complaint procedures shall not be used:

- For political retaliation
- Personal disputes
- Suppression of differing viewpoints
- Harassment
- Selective enforcement

A knowingly false complaint may violate association policy.

Section 11. Record Retention and Confidentiality

Complaint records shall be maintained in accordance with the association records policy.

Executive session materials and confidential information shall not be disclosed except as required by law.