

## *Policy on Enforcement of the GreenNonprofits Certification Program*

### **GreenNonprofits GreenNonprofits Board Hearings Related To The GreenNonprofits Certification Program**

The Board of Directors for the GreenNonprofits and its members shall be guided by the basic principles of due process set forth in this policy in the event that a complaint is filed against any member of, or participant in, the . Complaints may be made against anyone who is believed to be violation of the principles of the GreenNonprofits Certification Program Certification Program (the “ Certification Program”), as they may from time to time be amended. These principles include the right of the individual/organization member against whom a complaint has been filed to be informed of the charges and the individual/organization right to redress grievances through the procedure set forth below. The Board will not hear any complaint except as set forth in the procedural steps below. All complaints and the substance of them shall remain confidential within the GreenNonprofits on a “need-to-know” basis, until final disposition of the complaint.

1. The complaint must be made in writing to the President of the and must include, at a minimum, the name, position, address, telephone number, and signature of the author of the complaint, and the substance of the complaint.
2. The President shall forward the complaint to the GreenNonprofits Certification Committee chair, who shall contact any appropriate Board committee or witnesses for review.
3. The GreenNonprofits President shall work with the Certification Committee (the “Committee”) and any other appropriate committee, staff and/or witnesses to investigate the charges.
4. If the GreenNonprofits Certification Committee determines that sufficient evidence exists to support the complaint, the GreenNonprofits Certification Committee, within 30 days of such determination, shall so notify the person in writing against whom the complaint has been filed.
5. Notification shall be in writing, over the signatures of the GreenNonprofits Certification Chair and President, and shall include: the substance of the complaint; the fact that the Committee has investigated the matter and found reasonable evidence that a violation of the Certification Program may have occurred; the evidence which exists to support the complaint; and notification that the Committee will conduct a hearing on the matter.
6. The accused will be granted 30 days to submit a formal written response to the accusation. This written response is to be sent to the President of the GreenNonprofits and the Committee chair. The Certification Committee, acting in majority of those present, will review this response and determine whether the

matter should be settled with the member or a hearing should be scheduled. The Committee shall have the authority to settle any matter with or without a hearing up to and until final disposition of the complaint.

7. In the case of a hearing, the Committee chair shall so notify the accused and schedule the hearing no later than 45 days from the date of that notification.
8. At the hearing, the accused may be represented by legal counsel, who may not address the Committee directly but only provide counsel to the accused. The Committee may have its own legal counsel present. The GreenNonprofits Committee chair shall act as judge advocate *pro tem*. Testifying parties may be sworn or affirmed at the sole discretion of the Committee. The accused may not be required to testify against himself or herself. A verbatim transcript may be made at the sole discretion of the Committee, which may destroy the transcript upon the final disposition of the complaint. The specific charges against the accused, with attribution, will be read into the record. The case against the accused will be presented first, after which the accused may present his or her defense. The Committee shall decide the matter solely based on evidence presented at the hearing, resolving issues left in doubt in favor of the accused. The decision of the Committee, acting in majority of those present, shall control. If the decision is that the accused has violated the Certification Program, the Committee shall determine a penalty appropriate to the violation, including public reprimand, censure, suspension, or revocation of membership and/or participation in the GreenNonprofits GreenNonprofits.
9. If the decision is that the accused did not violate the Certification Program, the decision is binding and shall be disseminated in writing within 24 hours to the accused, the complainant, all witnesses, the Committee members, officers and associates of the , and others requested by the accused or deemed necessary by the Committee.
10. If the decision is that the accused did violate the Certification Program, the accused shall be informed in writing within 24 hours, which notification shall include the decision and the attendant penalty.
11. Adverse decisions may be appealed in writing within 90 days to the GreenNonprofits Board, which will hear only those appeals for relief based on new evidence or failure of the Committee to follow this Policy. Any penalty enforcement will be stayed until the appeal process has been exhausted. The accused shall have not other right of appeal except as set forth in this Policy.
12. The appeal procedure shall follow the same form as the initial hearing procedure outlined above with the Board acting the in stead of the Committee. Any discrepancies in application of the procedure shall be decided by the President of the in his or her sole discretion.

13. The GreenNonprofits Board reserves the right to review and alter any decisions made by the Certification Committee, including an increase in any penalty. The Board's decisions shall be final.
14. If an adverse decision is upheld or stands after any appeals has been exhausted or waived, written notification shall be given to the accused and anyone deemed necessary by the Board.
15. All expenses incurred by the complainant and the accused/participant shall be borne by them.