



Certification Compliance and Disciplinary Procedures

Purpose

The purpose of this policy is to outline the procedures to be followed when a Certificate Recipient is accused of having violated a code of ethics of the organization.

Policy

1. The Professional Animal Care Certification Council (PACCC) operates according to a *Code of Ethics*. All Certificate Recipients are expected to conform to the Code of Ethics at all times.
2. The Board of Directors of the PACCC shall have the power to revoke permanently any certificate issued by the PACCC upon presentation of sufficient evidence that the person in whose name the certificate is issued has acted in violation of the PACCC Code of Ethics.
 - A. No individual is eligible to apply for or to maintain certification unless the individual is in compliance with all of the PACCC standards, policies and procedures. Each individual bears the burden for demonstrating and maintaining compliance at all times. The PACCC may deny or revoke a certification when an individual is found not to be in compliance with the Code of Ethics of the PACCC; or who has made a material misrepresentation as part of their application for certification.
 - B. A Certificate Recipient convicted of an animal abuse/cruelty/neglect charge or felony (i.e., highest criminal charge category as defined by the laws of the country in which the certified recipient resides) is subject to immediate revocation of his or her certification without further hearing. Such an individual shall be ineligible to apply for certification for a period of three years from release of confinement or the end of any probationary period, whichever is later. Prior to application individuals should send a request letter to the PACCC Board of Directors explaining their case that will initiate a review of eligibility for certification.
3. The PACCC Board of Directors shall appoint a Certification Compliance Committee (“CCC”) to consider alleged violations of any PACCC standards or policy or Code of Ethics. The CCC shall be composed of three PACCC Directors. A committee member may not serve on the CCC in the review of any matter in which his or her impartiality might reasonably be questioned or which presents either an actual or an apparent conflict of interest. All actions by the CCC shall be determined by a majority vote.
4. Review and Appeal Procedures:
 - A. Allegations of a violation of the PACCC Code of Ethics shall be submitted to the PACCC Administrator, administrator@paccert.org. The Complaint will be forwarded to the Chairperson of the CCC. Any person alleging a violation of PACCC policies or Code of Ethics should identify in writing the Certificate Recipient in question and the specific facts concerning the alleged conduct in as much detail and specificity as possible. The statement must contain the name, address and telephone number of the person alleging the wrongful conduct.
 - B. If the CCC determines that the allegations are frivolous or fail to state a violation of the PACCC’s Code of Ethics, no further action shall be taken and the complainant shall be notified of that determination.

- C. If the CCC determines that the allegations state a violation or violations of the PACCC's Policies or Code of Ethics, the CCC shall investigate the matter. If the CCC determines that the allegations and facts are inadequate to sustain a finding of a violation of the PACCC's Code of Ethics, no further action shall be taken. The CCC will notify the Board of Directors and the Complainant.
 - D. If the committee finds that good cause exists to question whether a violation of the PACCC's Code of Ethics has occurred, the CCC shall transmit a statement of the allegations, along with any supporting evidence to the Candidate or Certificate Recipient (hereafter referred to as "Respondent") by certified mail, return receipt requested. The statement shall set forth the applicable standard and a statement of facts constituting the alleged violation. The Respondent shall have 30 days from receipt of the statement of facts to respond to the allegations. Any witness statement from the Respondent must be submitted in affidavit form and must contain the name, address, email address and telephone number of the witness. In the event no response to the statement of facts is received by the CCC within the 30 day time period, the Respondent will be deemed to have admitted to the allegations as presented.
 - E. The CCC may, at its discretion, contact any witnesses with regard to their statements. A recording will be made of any conversation with the witness or witnesses. If the witness refuses to permit the recording of the conversation, that witness' evidence will not be considered. A report of those conversations shall be forwarded to the Respondent.
 - F. The CCC shall issue a written recommendation to the PACCC Board of Directors. A decision by the Board of Directors will be filed within 30 days of the close of the record. The decision, including any sanctions determined by the Board of Directors shall be mailed by certified mail, return receipt requested to the Respondent.
 - G. If the decision rendered by the Board of Directors finds that the allegations have not been substantiated by a preponderance of the evidence, the Respondent shall be so notified and no further action on the matter will be taken by the PACCC. If the decision rendered by the Board of Directors is not favorable to the Respondent, the Respondent may appeal the decision to the PACCC Board of Directors. A request for re-review by the Board of Directors that includes new disclosures will be accepted and must be submitted within 30 days of receipt of the decision of the Board of Directors by the Respondent. There will be only one re-review request per case allowed.
 - H. The PACCC Board of Directors, by majority vote, shall render a decision based on the record without oral hearing but with consideration of the additional evidence or argument. The decision of the Board of Directors shall be rendered in writing. The decision shall contain findings of fact, conclusions of the Board of Directors and any sanctions to be applied. Such decision shall be final. The decision shall be transmitted to the Respondent by certified mail, return receipt requested.
- 5. Available sanctions include denial or revocation of certification, and other corrective action as determined by the Executive Committee or the Board of Directors. Respondents whose certification is denied or revoked as a result of the hearing process may be required to pay for related expenses incurred by the PACCC. Revocation could be for a period of time up to a three year time frame. Required to Re-apply with full process, plus a review of application by Executive Committee; and Re-Certify.
 - 6. Disciplinary action taken against Certificate Recipients will be published on the PACCC website and the PACCC Newsletter.