

# CSA BOARD OF STANDARDS POLICIES AND PROCEDURES

## Contents

|   |          |
|---|----------|
| <b>I. ABOUT THE CSA BOARD OF STANDARDS .....</b>                          | <b>2</b> |
| <b>II. ETHICAL STANDARDS AND THE CSA DESIGNATION .....</b>                | <b>2</b> |
| <b>III. FILING A COMPLAINT.....</b>                                       | <b>2</b> |
| A. The Complaint Process .....  | 2        |
| <b>IV. MONTHLY BOS MEETINGS .....</b>                                     | <b>5</b> |
| <b>V. BOS DIRECTOR ELIGIBILITY QUALIFICATIONS .....</b>                   | <b>5</b> |
| <b>VI. BOS DIRECTOR TERM AND DUTIES.....</b>                              | <b>5</b> |
| A. Typical Time Commitment Needed to Fulfill Director Duties.....         | 5        |
| B. Director Compensation .....  | 6        |
| <b>VII. AMENDMENTS TO POLICIES AND PROCEDURES .....</b>                   | <b>6</b> |
| <b>VIII. APPENDICES .....</b>   | <b>7</b> |
| A. Confidentiality Agreement for CSA Board of Standards Directors.....    | 7        |
| B. Conflict of Interest Statement for CSA Board of Standards Directors .. | 9        |
| C. Records Retention Policy.....  | 11       |
| D. Administrative Suspension Policy .....                                 | 12       |
| E. Self-Reporting Policy .....  | 14       |
| F. Criminal Conviction Policy .....                                       | 15       |
| G. Appeals and Appeals Panel Administrative Procedures .....              | 17       |
| H. CSA Board Disciplinary Review Procedures .....                         | 20       |
| I. Director Nomination Form.....  | 26       |
| J. Complaint Form.....  | 29       |

## **I. About the CSA Board of Standards**

The CSA Board of Standards, Inc. (“BOS” or the “Board”), an Indiana nonprofit corporation, was established in October, 2001, pursuant to the provisions of the Indiana Nonprofit Corporation Act of 1991.

The Board was established to review and resolve complaints lodged against Certified Senior Advisors (“CSAs”) for alleged violations of the CSA Code of Professional Responsibility (“Code”). Complaints are reviewed at regularly scheduled BOS meetings. The Board sets its own policies and procedures as it deems necessary to best fulfill its corporate purpose.

## **II. Ethical Standards and the CSA Designation**

CSAs are required to follow ethical practices in both their business and personal affairs. All individuals who earn the CSA designation are governed by the CSA Code of Professional Responsibility, (“Code”), which promotes the ethical behavior required of a CSA, and by the SCSA Membership Rules (“Rules”), which articulate the business agreement between Society of Certified Senior Advisors (“SCSA”) and its member CSAs. Each prospective CSA signs and returns to SCSA an “Acknowledgement and Acceptance” (A&A) form, which confirms that he or she has read and understood the Code and the Rules. The A&A form is also a pledge from each individual that he or she will conduct their business practices according to the high ethical standards as set forth in the Code.

## **III. Filing a Complaint**

Persons wishing to file a complaint against a CSA must use the Complaint Form attached to this document as Exhibit F (this form is also available on the SCSA website, [www.csa.us](http://www.csa.us)). Complaints and any materials in support of them are sent to the Board’s mailing address in Denver, CO. No verbal or anonymous complaints are accepted.

Complaints can originate from the public, another CSA, a state or federal regulatory agency or body, or the CSA Board of Standards. SCSA can also initiate a complaint. Typically this happens when CSAs or other sources indicate to SCSA that a CSA’s alleged unethical behavior has been documented in regulatory actions or in civil or criminal court records. Such a report provides a starting point for SCSA to investigate the CSA in question. SCSA may become the complainant for any case in which it takes an active investigative role.

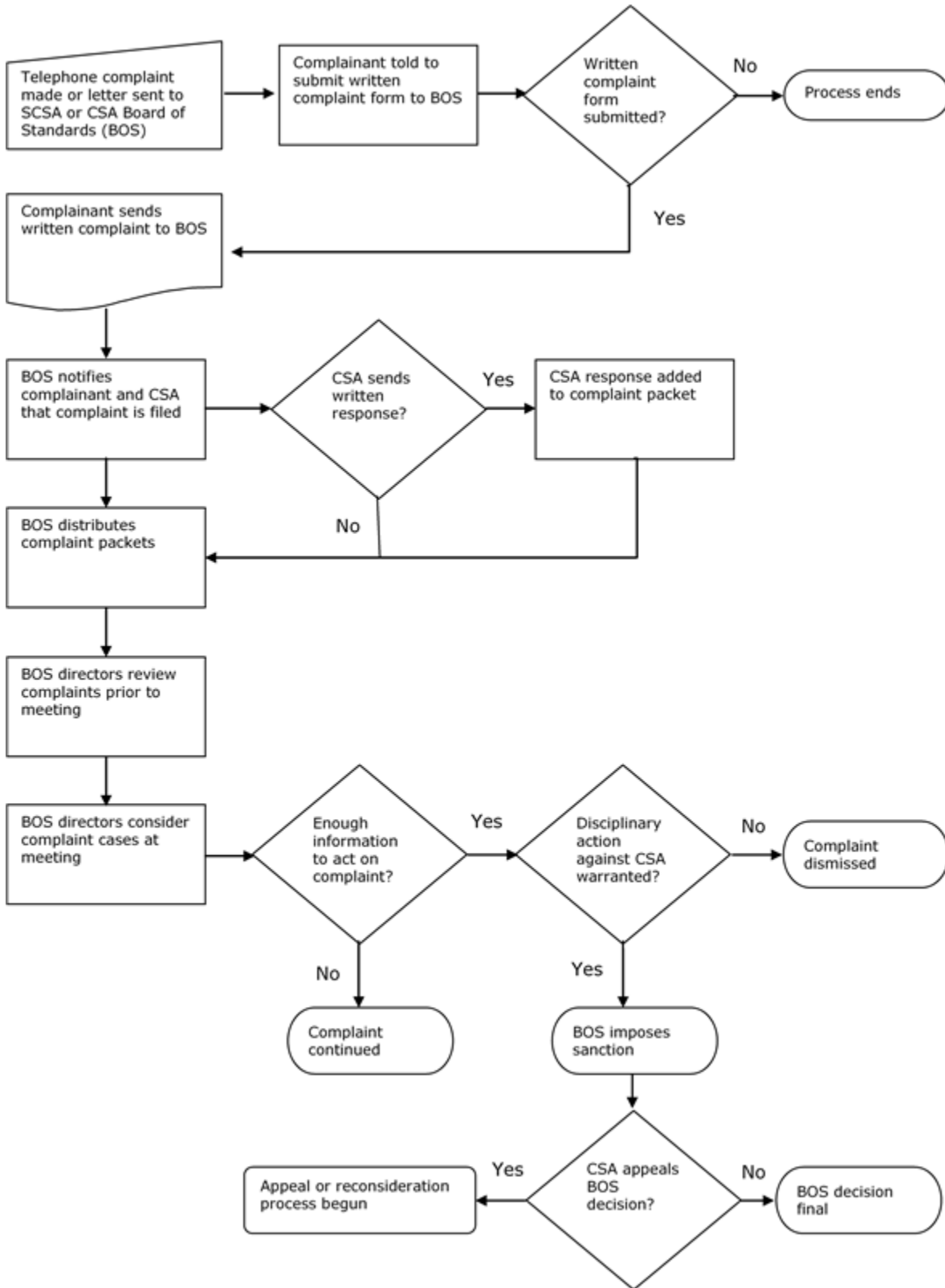
### ***A. The Complaint Process***

The complaint process follows these basic steps (see also “Complaint Process” diagram below):

1. Board receives written complaint at its Denver mailing address.

2. Board notifies complainant and CSA in question in writing that a complaint has been filed. The CSA is provided with copies of the complaint, including all supporting documentation, and is given 30 days to respond.
3. At its discretion in a proper case, the Board may impose an Administrative Suspension, which suspends the CSA from using the designation for the period from Board notification to Board disposition of the complaint case.
4. Any CSA response to the notification, which may include additional materials, is added to the Board complaint packet.
5. Each BOS director receives, in his or her Board packet, all the documents pertaining to each case on the agenda for the pending monthly meeting.
6. Via a telephone bridge, Board reviews case(s) at its regularly scheduled meeting.
7. At the meeting, Board determines appropriate action.

### COMPLAINT PROCESS



#### **IV. Monthly BOS Meetings**

CSA Board of Standards meetings, conducted via teleconference, are held as scheduled, currently the third Wednesday of each month, at 4:00 ET. The Board generally meets 10 to 12 times per year, including one “face to face” meeting held at the CSA Summit. In addition to reviewing complaints, the Board addresses any other matters pertaining to the business of the Board.

#### **V. BOS Director Eligibility Qualifications**

Any member in good standing with SCSA and having a valid CSA designation is eligible to become a Board director. New directors are elected from a pool of eligible candidates by a majority of members on the Board.

A Director Nomination Form, available from the Board or SCSA (see Exhibit I), must be submitted by the nominating CSA with information pertaining to the CSA being nominated for the Director position. (Note: A CSA may nominate himself/herself for the Director position.)

#### **VI. BOS Director Term and Duties**

CSA Board of Standards directors are elected to serve a three-year term. There is no limit on the number of terms that a director can serve on the Board.

Duties of a CSA BOS director include, but are not limited to, the following:

- Review each complaint case on the agenda of the meeting and note questions, comments, etc. in connection with each case, as appropriate
- Attend meetings via teleconference to address complaints
- Recuse oneself from any complaint case (exit the conference phone bridge) for which the BOS director has or perceives that he or she has a conflict of interest; see Conflict of Interest Statement, Exhibit B
- Attend the annual CSA Summit conference and its associated Board meeting as scheduled
- Participate as necessary in other matters that come before the Board

##### ***A. Typical Time Commitment Needed to Fulfill Director Duties***

CSA Board of Standards telephonic meetings usually last about two hours. Board packets are circulated approximately one week prior to the meeting. The time that an individual director spends reviewing case materials in the week prior to a meeting varies, depending on the number of complaints on the agenda, their complexity, and the volume of supporting materials included. It is not unusual for Board members to spend several hours reviewing the board packet and preparing for the Board meeting.

### ***B. Director Compensation***

Compensation for serving as a CSA Board of Standards director includes:

- \$150 per BOS meeting, whether attended in person or via teleconference
- Waiver of annual SCSA membership fees
- Waiver of CSA Summit tuition
- Reimbursement for travel, hotel, and related expenses incurred in connection with CSA Summit attendance

## **VII. Amendments to Policies and Procedures**

The Board reserves the right to amend these Policies and Procedures in its discretion as deemed appropriate to carry out the Board's corporate purposes and as it sees fit in light of its experience in resolving complaints brought before it and applying these policies and procedures. The Board is not bound by any description of its policies and procedures published by SCSA (although SCSA is authorized to publish, verbatim, the Board's written Policies and Procedures). No person has a vested right to have any of particular policies and procedures applied to his or her circumstances, although the Board will apply its policies and procedures, in the form then in effect, in a nondiscriminatory manner among all CSAs.

## VIII. Appendices

*The following appendices are reproduced from the Board's records.*

### **A. Confidentiality Agreement for CSA Board of Standards Directors**

In connection with your duties as a member of the CSA Board of Standards (the "Board"), you have encountered, or will encounter, materials containing confidential information and intellectual property proprietary to Society of Certified Senior Advisors ("Society" or "SCSA") and to the Board.

SCSA's confidential information or intellectual property includes, but is not limited to, training, Society publications, membership, certification, accounting, business development, staffing, and other matters or operations arising out of its normal day-to-day business endeavors which SCSA takes active precautions to protect and keep secret.

The Board's confidential information or intellectual property includes, but is not limited to, SCSA member records, Board member records, complaint materials, accounting information, meeting minutes, and other information which the Board takes active precautions to protect and keep secret.

All of SCSA's and the Board's confidential information and intellectual property ("Confidential Information") is intended by SCSA and the Board, respectively, to be maintained in a confidential manner and not to be publicly disclosed, except as suspensions and disciplinary actions of the Board are made public in accordance with the Board's policies and practices.

In consideration of the above, all members of the Board are requested to acknowledge and agree to the following terms, which shall remain in effect throughout the duration of the Board member's active service on the Board and for a reasonable period time thereafter of not less than one (1) year, except all confidentiality obligations relating to information concerning Board proceedings involving CSA designees shall continue so long as such information continues to be Confidential Information as defined in this Agreement:

1. You will not disclose, or due to an act or failure to act cause to be disclosed, to any person not currently serving on the Board, or not employed by, or contracted to provide services to the Board or SCSA, any Confidential Information.
2. You will take reasonable steps necessary to safeguard transmission and storage of all Confidential Information, in whatever media it may appear, which includes print, electronic (e.g., facsimile, e-mail, and voicemail), and digital media.

3. Upon the expiration of your term as a Board member, you will return to the Board for shredding or destruction by other means all Confidential Information you have acquired during the duration of your term, in whatever media it may appear, or, in the alternative, shred or otherwise destroy such materials and provide the Board with a written statement certifying that you have done so.

Notwithstanding the foregoing, Confidential Information does not include any information that (a) is or becomes part of the public domain through no act or omission of a Board member (other than voting to publish the Board's suspension or other discipline of a CSA designee); (b) is or becomes generally or commonly known throughout the industry to which it relates; (c) was in the Board member's lawful possession prior to the disclosure to the Board member by either SCSA or the Board; (d) is lawfully disclosed to the Board member by a third party without restriction on disclosure and without violation of either SCSA's or the Board's rights; or (e) is independently developed by the Board member without use of or reference to the Confidential Information.

Notwithstanding the foregoing, a Board member may disclose Confidential Information if required by law or judicial, arbitral or governmental order or process, provided that the Board member gives SCSA or the Board, as applicable, prompt written notice of such requirement to permit SCSA or the Board, as applicable, to seek a protective order or other appropriate relief.

Your signature below confirms that you have read, understood, and agree to abide by the terms of this Confidentiality Agreement.

Date: \_\_\_\_\_, 200

By: \_\_\_\_\_  
(signature)

\_\_\_\_\_  
(print name)

## ***B. Conflict of Interest Statement for CSA Board of Standards Directors***

The CSA Board of Standards (the "Board") recognizes that potential conflicts of interest might arise in connection with a Board member's review of certain CSA complaints. Because the Board's primary mission is to resolve complaints lodged against CSAs and that the Board has the authority to suspend or revoke the CSA designation in a proper case, both an actual and perceived conflict of interest by a Board member could undermine the Board's effectiveness as an impartial disciplinary body.

Identifying Conflicts of Interest. Recognizing potential conflicts of interest that might arise in connection with a Board member's role in the CSA complaint resolution process is the first step in avoiding actual instances of such conflicts and perceived conflicts. With this in mind, the Board recognizes that potential conflicts of interest for its members may include, but are not limited to, the following circumstances:

- Having an existing or potential business or significant social relationship with any CSA who is the subject of a complaint that has been lodged for Board resolution or with any person who initiates or is a material witness to the subject of any such complaint; for the purposes of this policy, a "significant social relationship" means a family relationship or a personal friendship which goes beyond being a casual business acquaintance;
- Having an existing or potential business or significant social relationship with the employer of any CSA against whom a complaint has been lodged for Board resolution or with any person who initiates or is a material witness to the subject of any such complaint;
- Having an existing business or significant social relationship with any member of any regulatory agency or body who has, is performing or who is scheduled to perform a review or disciplinary function in connection with the CSA against whom a complaint has been lodged for Board resolution;
- Having financial holdings in the company employing the CSA under review, or with other companies doing business with the CSA's company, in the manner and to the extent that the disciplinary judgment imposed on a CSA as a result of the resolution of a complaint could measurably alter the amount or extent of such holdings; and
- Being in a direct competition with any CSA against whom a complaint has been lodged for Board resolution or with any person who initiates or is a material witness to the subject of any such complaint;

- Based on the perceived reputation of or past personal experience with any CSA against whom a complaint has been lodged for Board resolution or with any person who initiates or is a material witness to the subject of any such complaint, such that the Board member has personal feelings of trust or animosity toward the person.

Board Director Obligations in Connection with Conflicts of Interest. In consideration of the above, all members of the Board are requested to acknowledge and agree to the following terms, which shall remain in effect throughout the duration of the Board member's active service on the Board.

1. You will promptly disclose to the Board any actual or potential conflicts of interest that arise or may arise in connection with your duties as a Board member; when in doubt, you will raise the conflict or potential conflict issue with the Board for discussion;
2. You will recuse yourself from any consideration of any matter in which you have an actual or potential conflict of interest; and
3. Recusal due to an actual or apparent conflict of interest requires that the Board member: (a) not attend or participate in the portion of any Board meeting at which the case giving rise to the conflict is heard or discussed (which will generally require the conflicted Board member to exit any telephone bridge prior to any consideration or discussion of the case), (b) refrain from sharing with other Board members any opinions concerning the parties and witnesses to the case and any information he or she might have which is not part of the Board's complaint materials, and (c) refrain from discussing the case or the involved persons with any other Board member until the case is finally resolved by the Board.

Please sign and date below to confirm that you have read, understood, and agree to abide by the terms of this Conflict of Interest Statement.

Date: \_\_\_\_\_, 200

By: \_\_\_\_\_  
(signature)

\_\_\_\_\_  
(print name)

***C. Records Retention Policy***

**CSA Board of Standards  
RECORDS RETENTION POLICY RESOLUTION  
adopted by CSA Board at its meeting of Feb. 15, 2006**

The Board has asked its Members to acknowledge certain obligations of confidentiality and further desires to assure that the confidentiality of the Board's affairs is maintained in a manner consistent with the Board's obligation to maintain a fair and accurate record of its proceedings. So that the Board establishes a clear policy on record retention and advises its members, officers, employees and advisers of its policy, the Board hereby adopts the following resolutions:

RESOLVED that it is the policy of The CSA Board of Standards, Inc. (the "Board") that the Board shall maintain an official record of all proceedings before and by it by the permanent retention of all Board packets and complaint files. All other documents which are part of the Board's business records shall be maintained and retained, as follows: all materials relating to the Board's corporate and tax exempt status shall be permanently retained; all tax returns and documents and materials relating to the Board's finances shall be retained for a period of seven (7) years, and thereafter destroyed; all documents relating to the Board's contractual relationships shall be retained for the life of the contract plus four (4) years and thereafter destroyed; and, all other materials shall be retained for a period four (4) years and thereafter destroyed. Notwithstanding the foregoing, no Board record or maintained document shall be destroyed if the Board knows or has reason to know that such record or documents is the subject of a specific legal proceeding or may be the subject of any legal proceeding which proceeding can be identified or described to a reasonable degree of specificity. The Board retains the authority to modify this policy and take any action at variance with the terms of this policy provided such modification or variance is reflected in the official minutes of the Board's proceedings.

FURTHER RESOLVED, that it is the policy of the Board that the Board's members shall maintain copies of Board materials related to specific complaints for a period no longer than 90 days after the Board has taken action, and that all other materials shall be maintained for a period of no longer than one (1) year, and in any case that each member shall destroy all Board materials and documents in his or her possession at the expiration of the member's tenure on the Board.

### ***D. Administrative Suspension Policy***

#### **AMENDED AND RESTATED ADMINISTRATIVE SUSPENSION POLICY OF CSA BOARD OF STANDARDS, INC. (as adopted by CSA Board of Standards at its regular December 19, 2007 Meeting)**

The CSA Board's experience with its administrative suspension policy adopted October 18, 2005 (the Administrative Suspension Policy" or "Policy") has demonstrated that there are two significant areas of concern that the Policy could better address: (1) consent orders where there is no admission of liability on the part of the CSA designee who is the subject of the court or administrative action, and (2) proceedings in which a CSA is made the subject of the proceeding for engaging or allegedly engaging in activity without the required license and for which a license would be suspended, revoked, or restricted if the required license had been obtained.

The foregoing instances of a CSA designee's involvement in potentially wrongful conduct implicate the need for the protection of seniors as much as the other instances more directly contemplated by the existing Administrative Suspension Policy. The CSA Board feels it is appropriate to amend its Policy for the administrative suspension of a CSA designee's right to use the Certified Senior Advisor (CSA)<sup>®</sup> designation prior to and pending the final resolution of the complaint against the CSA designee so that the Policy more clearly applies to instances where the governmental action supporting the administrative suspension of a CSA designee involves a consent order or unlicensed activity. Accordingly, the Board desires to amend and restate its Administrative Suspension Policy and, to do so, it is hereby

**RESOLVED** that it is the policy of the CSA Board to permit an administrative suspension of a CSA designee's right to use the CSA designation prior to and pending the CSA Board's final resolution of a complaint against the CSA designee in the following manner and for the following reasons:

(A) An administrative suspension may be imposed in any case where there is governmental action establishing any of the following: (1) the commission of a serious crime by the CSA designee, (2) the revocation, suspension or other adverse action taken against the CSA designee's licensure, certifications or designations, (3) the imposition of a fine or an order prohibiting the CSA designee from engaging in a licensed activity, including, but not limited to, engaging in the offer and/or sale of securities or insurance or the practice of any profession, arising out of the CSA designee's business or occupation, (4) the matters set forth in Rule 105 of the CSA Code of Professional

Responsibility, or (5) any other facts which amount to a violation of the CSA Code of Professional Responsibility;

(B) An administrative suspension may be imposed only in cases where the allegations of the complaint, if determined by the Board to be established, would justify a suspension or revocation of the CSA designee's right to use the CSA designation;

(C) An administrative suspension shall be recommended in an all appropriate cases by the Board's legal counsel, or other designee charged with the initial review of complaints, and shall be imposed if the Board chair and Board legal counsel approve the suspension after being advised of the complaint and evidence supporting it; if the Board chair is not available to respond to the recommended suspension then a majority of the Board's remaining members may consent to the imposition of the administrative suspension;

(D) In every case where an administrative suspension is approved, counsel for the Board shall immediately notify the CSA designee, by certified first class mail, return receipt requested (or by reputable overnight courier who can issue proof of delivery), and the case shall be set for review at the next regular meeting of the Board;

(E) As used in this policy (1) "administrative suspension" means action taken by or on behalf of the Board under this policy which suspends the right of the respondent CSA designee to use the CSA designation (including any representation of past CSA designation) pending the resolution of the complaint; (2) "governmental action" means any administrative, regulatory or court action (whether alleged or determined by preliminary or final action and whether based on contested or admitted facts or taken by consent) taken by any local or state government or by the federal government, or any agency or instrumentality of any of the foregoing; and (3) "serious crime" means any misdemeanor involving honesty or moral turpitude or any felony;

(F) Once the Board has made a decision resolving a complaint at the Board level, if the decision of the Board is to suspend a CSA Designee's right to use the CSA designation for any period longer than six (6) months, then there shall be an automatic administrative suspension of the CSA designee's right to use the CSA designation for the period from the date of the Board's initial decision through the resolution of any request for reconsideration and any appeal; and

(G) All administrative suspensions are effectively immediately and remain in effect until the earlier of the Board's decision on the underlying complaint becoming final or further order of the Board.

***E. Self-Reporting Policy***

**CSA BOARD OF STANDARDS  
SELF-REPORTING POLICY RESOLUTION  
(as adopted at CSA Board of Standards'  
special January 3, 2007 Meeting)**

The Board adjudicates a number of cases involving the alleged and actual failure of CSA designees to report to Society of Certified Senior Advisors as part of their annual membership renewal the fact that criminal, disciplinary and/or regulatory actions have been taken against them since their last annual membership renewal certificate. The circumstances of many such criminal, disciplinary and regulatory actions often justify the Board's administrative suspension of the involved CSA designee's right to use the CSA designation, yet the Board has not been notified of such circumstances for as much as a year after they first arose.

The Board's highest priority is the protection of the public through protection of the integrity of the CSA designation. The best way to protect the integrity of the CSA designation is for the Board to be apprised, as soon as possible, of the facts and circumstances of every criminal, disciplinary and regulatory action taken against a CSA when such action is or reasonably appears to be based on conduct that constitutes a violation of the CSA Code of Professional Responsibility. In furtherance of its obligation to enforce the CSA Code of Professional Responsibility, and in particular Rule 509 thereof, the Board hereby adopts the following resolutions:

RESOLVED that it is the policy of The CSA Board of Standards, Inc. (the "Board") that in all instances where a CSA designee violates the requirements of Rule 509 of the CSA Code of Professional Responsibility<sup>1</sup> by failing to report to Society of Certified Senior Advisors ("SCSA") any criminal, disciplinary or regulatory action taken against a CSA within 30 days of being informed or learning of such an action, when such action would be required to be disclosed on the CSA designee's next annual membership renewal certificate to be made to SCSA, then the presumptive discipline for such a violation of Rule 509 shall be a suspension of the CSA's right to use the CSA designation for a period of at least one (1) year.

FURTHER RESOLVED, that the foregoing resolutions shall be effective April 1, 2007 and shall be published as part of the Board's Policies and Procedures at the earliest opportunity.

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<sup>1</sup> Rule 509 provides: "A CSA designee shall, within 30 days of being informed of such proceeding, accurately and completely disclose to SCSA any disciplinary, legal, or civil proceeding in which he or she is named, directly or by association, and shall promptly update SCSA of changes in the designee's status as determined by the agency or body performing such review or proceeding."

***F. Criminal Conviction Policy***

**CRIMINAL CONVICTION POLICY RESOLUTION  
(as adopted by the CSA Board  
at its regular April 19, 2006 Meeting)**

The CSA Board is presented with a variety of complaints against CSA designees, some of which disclose that a CSA designee has been convicted of or plead guilty to serious criminal conduct. The CSA Board has, with rare exception, found such past criminal conduct to be a basis for revocation of a CSA designee's right to use the CSA designation. For purposes of providing notice to the public, prospective CSA designees and current CSA designees, the CSA Board adopts the following resolution as a statement of its policy and practice and, accordingly, the Board has

RESOLVED that it is the policy of the CSA Board to revoke the right to use the CSA designation of any CSA designee when that CSA designee has been convicted of a serious crime and the fact of the conviction is brought to the attention of the CSA Board as a complaint or part of any complaint involving that CSA designee or any other CSA designee, in accordance with the following provisions:

(A) revocation will be the presumptive discipline to be imposed for any CSA designee who has been convicted of a serious crime; lesser discipline can be imposed in the discretion of the CSA Board under the standards set forth in section (C), below;

(B) as used in this policy, (1) a "serious crime" means any felony and any lesser criminal offense involving fraud or other dishonesty, financial crimes, abuse of trust, or physical violence involving the elderly or any other vulnerable person, and (2) "convicted" means a criminal conviction being established by a finding of guilty, a plea of guilty or a plea of nolo contendere.

(C) the CSA Board may exercise its discretion to impose discipline of less than revocation under any of the following circumstances involving a serious crime: (1) the crime would not be a felony if committed in the majority of other American jurisdictions, (2) the crime was committed during the CSA designee's minority, the designee has reformed and the present maturity of the designee is demonstrated, (3) the crime was committed in the distant past (at least 10 years prior to designation) and did not involve dishonesty toward any person in a relationship of trust or the abuse of or physical violence toward any elderly or other vulnerable person, (4) the crime was committed in the very distant past (at least 20 years prior to designation) and it appears to the CSA Board that the CSA designee

has reformed and otherwise is not likely to engage in any further inappropriate conduct, and (5) such other circumstances as found by the Board which demonstrates that the past conduct of the designee in engaging in the serious crime does not reflect the present character and likely behavior of the designee; exceptions under this section (C) will be recognized only upon a 75% or greater majority of the CSA Board so determining; and

(D) nothing in this policy shall circumscribe any action or discipline the CSA Board may take or impose in any case which is not within the scope of this policy; conviction of a crime or engaging in any other conduct which may not be a serious crime under this policy does not limit the range of discipline the CSA Board may impose on such conduct.

## ***G. Appeals and Appeals Panel Administrative Procedures***

### **CSA BOARD OF STANDARDS APPEALS AND APPEALS PANEL ADMINISTRATIVE PROCEDURES UNDER THE BOARD'S DISCIPLINARY REVIEW PROCEDURES**

The Board shall handle the administration of appeals and convene Appeals Panels for appeals under the Board's Disciplinary Review Procedures as provided for in these Appeals and Appeals Panel Administrative Procedures (these "Procedures"). Terms used in these Procedures have the same meaning as given to them in the Board's Disciplinary Review Procedures.

#### **Section 1. Initial Review of Requests**

1.01 All fees accompanying any Request for Appeal filed with the Board shall be deposited into the Board's general operating bank account and retained by the Board regardless of the Board's disposition of the appeal.

1.02 All Requests for Reconsideration and Requests for Appeal shall be reviewed by the Board's Executive Director to determine the timeliness of the Request. If the Executive Director determines that a Request is not timely filed, she shall consult with the Board's counsel. If the Executive Director and Board counsel concur that the Request is not timely filed, then the Executive Director shall not further process the Request and shall put the matter on the agenda for the Board's next regular meeting.

1.03 Any Request brought to the Board's attention under subsection 1.02 of these Procedures shall be resolved by the Board and its decision shall be final and subject to no further review. If the Board determines the Request was not timely filed, the Board shall dismiss the Request for Reconsideration or Request for Appeal, as applicable, and for all purposes under the Disciplinary Review Procedures it shall be as if the Request were never filed. If the Board determines the Request is timely filed, it shall direct the Executive Director to process the Request as provided for in these Procedures.

#### **Section 2. Processing of Requests**

##### **Requests for Reconsideration**

2.01 If the Request is for reconsideration, the Executive Director shall assure that the request is on the agenda of the next regular meeting of the Board.

2.02 The Board shall resolve Requests for Reconsideration at its earliest opportunity. The Board may deny any Request for Reconsideration that fails to substantially provide the information required by subsection 1.05 of the Disciplinary Review Procedures.

## **Requests for Appeal**

2.03 The Executive Director shall review a Request for Appeal to determine if a transcript of any hearing before the Board is required and, if so, assess a transcription deposit against the CSA designee if not already made. The Executive Director shall arrange for any necessary transcriptions and shall include such transcriptions as part of the record.

2.04 The record on appeal shall consist of all matters considered by the Board, any required transcripts of hearings before the Board, and all matters submitted by the CSA designee in support of the appeal.

2.05 The Executive Director shall compile the record on appeal and shall forward it to the appropriate Appeals Panel when it is complete, which ordinarily shall be within 30 days of the Request for Appeal being filed, or within 60 days of the Request for Appeal being filed if a transcript is required. The Executive Director shall not, however, forward any record until all transcription fees have been paid.

2.06 If a transcript is ordered and not paid for in full by the CSA designee within 30 days of the Executive Director's written request for payment, then the Executive Director shall cease any further preparation of the record and shall refer the matter to the Board. If the Board determines that transcription fees are due and not paid notwithstanding the Executive Director's written request for payment made at least 30 days earlier, the Board shall direct the CSA designee to pay the transcription fees within 15 days and failing such payment the Board shall have the authority to dismiss the appeal.

## **Section 3. Convening of Appeals Panel.**

3.01 An Appeals Panel shall be scheduled to meet at least once every three months, with the first such Appeals Panel to meet no earlier than August, 2008.

3.02 The Executive Director shall determine the composition of each Appeals Panel by selecting members from the Appeals Committee and from the Board and, in doing so, shall endeavor to establish a rotation among the Appeals Committee members and Board members such that no member serves on more than one Appeals Panel until all members have served on an Appeals Panel.

3.03 The Executive Director shall assign an appeal to the Appeals Panel that is next scheduled to meet, but shall not assign an appeal to any Appeals Panel that will meet sooner than will permit the Executive Director to give the CSA designee at least 30 days notice of the date the Appeals Panel will be meeting. In case less than 30 days notice can be given, the Executive Director shall assign the appeal to the Appeals Panel that is scheduled to meet next following.

3.04 The Executive Director shall provide the CSA designee with at least 30 days advance notice of when the CSA designee's Request for Appeal will be heard by the

Appeals Panel. The notice to the CSA designee shall provide instructions as to how the CSA designee may participate in the hearing before the Appeals Panel.

3.05 The CSA designee shall provide the Executive Director with at least 10 days notice of his or her desire to participate in the Appeals Panel's hearing of the Request for Appeal. The CSA designee's failure to so notify the Executive Director shall be a waiver of the CSA designee's right to participate in the hearing.

3.06 The CSA designee's right to participate in the hearing on his or her Request for Appeal shall be the opportunity to present an oral statement or argument to the Appeals Panel, no longer than 20 minutes in length, including the time spent by the CSA designee in addressing any questions the Appeals Panel may have. The Appeals Panel may, in its discretion when it has spent an inordinate amount of time questioning the CSA Designee, extend the total time for the CSA designee's participation to 30 minutes.

3.07 The Appeals Panel's deliberations shall be private and confidential.

3.08 The written decision of the Appeals Panel shall be issued within 30 days of the hearing, except for good cause determined by the Appeals Panel.

#### **Section 4. Appeals Committee**

4.01 The members of the Appeals Committee shall be persons who are currently permitted to use the Certified Senior Advisor (CSA)® designation and are otherwise in good standing with Society of Certified Senior Advisors.

4.02 The Executive Director shall undertake to recruit and bring candidates for membership on the Appeals Committee to the Board. The Board shall appoint all members of the Appeals Committee.

4.03 In appointing members to the Appeals Committee, the Board shall endeavor to have the professional experience and interests of the members of the Appeals Committee be representative of all of those persons who are permitted to use the Certified Senior Advisor (CSA)® designation.

4.04 The members of the Appeals Committee shall have no definite term of office and shall serve at the pleasure of the Board.

#### **Section 5. Amendments**

5.01 These Procedures may be amended from time to time by action of the Board.

## ***H. CSA Board Disciplinary Review Procedures***

### **CSA BOARD OF STANDARDS DISCIPLINARY REVIEW PROCEDURES**

Disciplinary decisions of the Board are subject to review at the request of Certified Senior Advisor (CSA)<sup>®</sup> designees in the manner provided by in these Disciplinary Review Procedures (these "Procedures").

#### **Section 1. Reconsideration Procedures**

**1.01 Reconsideration by Board.** A CSA designee who is dissatisfied with any decision of the Board which imposes discipline on him or her may seek the Board's reconsideration of the decision as provided for in these Procedures.

**1.02 Notice of Reconsideration Rights.** The following statement or a substantially similar statement shall be added to the notice of the Board's written decision to a CSA designee where any discipline is imposed against the CSA designee:

You have the right to seek reconsideration of this decision within 20 days of the date of this letter as provided for in the *CSA Board of Standards Policies and Procedures* (available at [www.csa.us](http://www.csa.us)). Decisions imposing a suspension or revocation of your right to use the CSA designation may be appealed, *but only if* a timely request for reconsideration has been filed with the Board. Requests for reconsideration should be sent to the Board at its address set forth above.

**1.03 Request for Reconsideration.** A request for reconsideration must be filed with the Board within 20 days of the date the CSA designee is given written notice of the Board's disciplinary decision (see subsection 1.07 of these Procedures) as to which reconsideration is sought.

**1.04 Grounds for Reconsideration.** The Board's decision will stand unless: (a) there is new evidence, not reasonably available to the CSA designee at the time his or her response to the complaint was submitted to the Board which justifies a change in the decision, or (b) the decision represents a serious misapplication of the facts to the requirements of *the CSA Code of Professional Responsibility* (the "Code").

**1.05 Contents of Request.** A request for reconsideration shall be addressed to the Board and shall contain the following information:

- (a) The name of the CSA designee and the Board assigned case number;
- (b) a statement of the basis of the request (whether new evidence or a serious misapplication of the facts by the Board, or both);

(c) If new evidence forms all or any part of the basis of the request, a detailed statement of why the evidence was not available to the CSA designee at the time the response to the complaint was filed, including, but not limited to, a statement of how the new evidence was discovered; and

(d) a short and concise statement of the CSA designee's reason why the Board should change its prior decision.

**1.06 Reconsideration by Board.** The Board shall consider any request for reconsideration at a regular meeting at which other disciplinary cases are heard by the Board. In re-considering a prior decision, the Board may request the further response of the original complainant, request further clarification from the CSA designee and may, in its sole discretion, request that the CSA designees appear (by telephone) before the Board.

**1.07 Notice of Reconsideration Decision and Appeal Rights.** Notice of the Board's decision on reconsideration shall be given to the CSA designee in writing and, unless no discipline is imposed upon the CSA designee as a result of the reconsideration, the following statement or a substantially similar statement shall be added to the notice of the Board's written decision on reconsideration:

You have the right to appeal this decision within 20 days of the date of this letter as provided for in the *CSA Board of Standards Policies and Procedures* (available at [www.csa.us](http://www.csa.us)). Decisions imposing a suspension, other than an administrative suspension, or revocation of your right to use the CSA designation may be appealed. The result of an appeal may be to impose lesser or greater discipline than was imposed by the Board. Appeals should be sent to the Board at its address set forth above.

If this decision does not impose discipline of a suspension, other than an administrative suspension, or revocation of your right to use the CSA designation, then this decision is final and not subject to appeal or any further review.

## **Section 2. Appeals Procedures**

**2.01 Appeals to Appeals Panel.** Any decision which imposes discipline of suspension, other than an administrative suspension, or a revocation of a CSA designee's right to use the Certified Senior Advisor (CSA)<sup>®</sup> designation may be appealed to the CSA Board Appeals Panel (the "Appeals Panel") following a timely request for reconsideration.

**2.02 Request for Appeal.** A request for an appeal shall be directed to the Appeals Panel and filed with the Board within 20 days of the date the CSA designee is given written notice of the Board's decision following reconsideration.

**2.03 Grounds for Appeal.** The Board's decision on reconsideration will stand unless: (a) the decision imposes disproportionate discipline; or (b) there is a substantial lack of factual justification in the record to support the discipline imposed (a serious misapplication of the facts to the Code).

**2.04 Contents of Request for Appeal.** A request for appeal shall be addressed to the Appeals Panel, shall contain the following information and shall be accompanied by the filing fee required by subsection 2.06 of these Procedures:

- (a) The name of the CSA designee and the Board assigned case number;
- (b) The date the CSA designee's request for reconsideration was filed and the date of the Board's decision on reconsideration with a copy of the Board's decision on reconsideration attached;
- (c) a short and concise statement of the CSA designee's reason why the Appeals Panel should change the Board's prior decision; and
- (d) any request the CSA designee has to appear before the Appeals Panel. All appearances before the Appeals Panel are by telephone and are limited to a 20 minute presentation of oral argument.

A request for appeal shall not be considered filed until the filing fee required by subsection 2.06 of these Procedures is paid. Failure to pay the filing fee within the time required to request an appeal will result in any request to appeal being dismissed.

**2.05 Record on Appeal.** The record on appeal shall consist of all materials considered by the Board when it made the initial decision, as well as any additional materials submitted as part of the reconsideration request. If the CSA designee appeared and spoke at the initial hearing on the complaint or at a reconsideration hearing, then a transcript of the hearing would be prepared at the CSA Designee's expense. The Board shall transmit the record on appeal to the Appeals Panel within thirty (30) days of receipt of any required transcripts and, if no transcripts are required, within thirty (30) days of receiving the request for appeal.

**2.06 Fees on Appeal.** At the time of filing a request for appeal, the CSA designee shall pay a filing fee of \$150, together with a deposit of \$100 if a transcript of any hearing is required to be made a part of the record on appeal. The filing fee is non-refundable. The transcript costs must be paid in full by the CSA designee prior to any consideration of the appeal by the appeal panel.

**2.07 Decision is on the Record.** The appeal shall be considered on the record, including the appeal statement submitted by the CSA designee. Unless contradicted by the CSA designee's appeal statement, the Appeals Panel shall accept the initial decision's findings of facts and determinations of credibility as binding. The Appeals Panel shall resolve any disputed facts.

**2.08 Consideration by Appeals Panel.** The Appeals Panel shall consider an appeal request at its next regular meeting which is at least thirty (30) days after the complete record on appeal has been filed with the Appeals Panel.

**2.09 Decision of Appeals Panel.** The decision of the Appeals Panel shall be to affirm the decision of the Board or to reverse it and, upon so reversing the decision, to render its own decision to dismiss the complaint or to impose such discipline as it determines is appropriate based on the record before it. The decision of the Appeals Panel to impose discipline may be to impose lesser or greater discipline than was imposed by the Board. The decision of the Appeals Panel is the final decision of the Board and is not subject to further review or appeal.

**2.10 Notice of Appeals Panel's Decision.** Notice of the Appeals Panel's decision on appeal shall be given to the CSA designee in writing as soon as practicable after it is made.

### **Section 3. General Provisions Concerning Reviews**

**3.01 Delivery of Notices.** Notice of all decisions imposing any discipline shall be sent to the CSA designee by first class mail, postage prepaid, except notices imposing discipline of suspension or revocation shall be sent by both certified, mail, return receipt requested, and regular first class mail. A CSA designee shall be deemed to have been given notice of a decision on the date it is mailed in conformity with the requirements of this subsection 3.01.

**3.02 Board's Address.** All requests for reconsideration which are addressed to the Board and all requests for appeals which are addressed to the Appeals Panel should be filed with the Board at the following address unless a different address is provided in the notice of the decision or decision upon reconsideration:

CSA Board of Standards  
1685 S. Colorado Blvd., Unit S, #272  
Denver, CO 80222

**3.03 Finality of Decisions.** The Board's decision is final and subject to no further review upon the last of the following to occur:

(a) 20 days following the date notice of the initial decision is given to the CSA designee if no timely request for reconsideration is made;

(b) 20 days following the date notice of the Board's decision on reconsideration is given to the CSA designee if no timely request for an appeal is made; and

(c) upon the date notice of the CSA Board Appeal Panel's decision on appeal is given to the CSA designee.

There is no right to appeal a final decision of the Board. Except for administrative suspensions which are effective immediately and remain in effect until the earlier of the Board's decision becoming final or further order of the Board, all decisions of the Board are effective on the date they become final.

**3.04 Effective Date of these Procedures.** These procedures shall be effective for the review of complaints received by the Board after February 29, 2008.

## **Section 4. Provisions Concerning Appeals Panel**

**4.01 Composition of Appeal Panel.** An Appeals Panel shall consist of three members, two of whom should be members of the Appeals Committee and one of whom shall be a member of the CSA Board's board of directors. The Board shall compose one or more Appeals Panels as necessary to handle the case load of appeals.

**4.02 Components of CSA Board.** The Appeals Panel and Appeals Committee are subdivisions and constituent parts of The CSA Board of Standards, Inc.

**4.03 Recruitment of Appeals Committee Members.** The Board shall be responsible to recruit, train and appoint members of the CSA Board of Standards Appeals Committee (the "Appeals Committee"). The Appeals Committee shall consist of at least four and no more than eight members, none of whom shall also be current members of the Board's board of directors.

**4.04 Decisions of Appeal Panel.** The decision of each Appeals Panel shall be made by majority vote so that 2 members of an Appeals Panel can determine the decision of the Appeals Panel. The decision of the Appeal Panel shall be in writing and shall set forth the basis for the decision made. Although not required, any dissenting member of an Appeals Panel may have his or her written dissent included in the notice of the Appeals Panel's decision.

**4.05 Appeals Panel Decision is Final.** The decision of an Appeals Panel is the final decision of the Board. There is no right to appeal from or to seek reconsideration of a decision of an Appeals Panel.

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**I. Director Nomination Form**

**CSA Board of Standards  
Director Nomination Form**

*Please mail nominee materials to the CSA Board address as shown at the bottom of this form. Nominators and nominees must be active CSAs; self-nominations are acceptable. New directors are elected from a pool of eligible candidates by a majority of members on the Board. New directors are expected to serve a three-year term.*

*Duties of a Board member include reviewing complaints lodged against CSAs, attending regularly scheduled Board meetings (via teleconference), and attending the CSA Summit conference as scheduled.*

I, \_\_\_\_\_, nominate \_\_\_\_\_ for election as a director to the CSA Board of Standards. I believe that this nominee meets the eligibility criteria below and, if elected, would be a strong addition to the Board.

|   |   |
|---|---|
| <ul style="list-style-type: none"> <li>▪ Personal and professional integrity and honesty</li> <li>▪ Ability to objectively analyze complaint materials</li> </ul> | <ul style="list-style-type: none"> <li>▪ Commitment to fulfill responsibilities as a Director</li> <li>▪ Ability to work well with other Directors</li> </ul> |
|---|---|

**Nominee Information**

*(Please Print)*

Date \_\_\_\_\_ (circle one):    Mr.    Ms.    Mrs.

Last Name \_\_\_\_\_ First Name \_\_\_\_\_ M.I. \_\_\_\_\_

Company Name \_\_\_\_\_ Referred by \_\_\_\_\_

Mailing Address:        Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Business Phone (    ) \_\_\_\_\_ Ext. \_\_\_\_\_ Fax (    ) \_\_\_\_\_

Home Phone (    ) \_\_\_\_\_ E-mail \_\_\_\_\_

Occupation \_\_\_\_\_ License(s) \_\_\_\_\_

Designations or Certifications \_\_\_\_\_

**Nominator Information**

*(Please Print)*

Date \_\_\_\_\_ (circle one):    Mr.    Ms.    Mrs.

Last Name \_\_\_\_\_ First Name \_\_\_\_\_ M.I. \_\_\_\_\_

Company Name \_\_\_\_\_

Mailing Address:        Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Business Phone (    ) \_\_\_\_\_ Ext. \_\_\_\_\_ Fax (    ) \_\_\_\_\_

Home Phone (    ) \_\_\_\_\_ E-mail \_\_\_\_\_

Occupation \_\_\_\_\_ License(s) \_\_\_\_\_

Designations or Certifications \_\_\_\_\_

**Nominee Biographical Data**

Please attach to this form nominee biographical data that provides a summary of this information:

- Current employment and academic degrees received. List your name, current position title, and current employer. List academic degree(s), date(s), and granting institution(s) in reverse chronological order.
- Additional activities and honors. In reverse chronological order, list any pertinent professional activities and/or honors received.

Feel free to use the following sample as a formatting and content guideline.

Jonathan D. Doe, CSA. Vice President of Corporate Accounts, Coolidge Financial Group. MBA, Pepperdine, 1998. BS, Economics, California State University at Northridge, 1991. Additional activities and honors: Member, City of Tarzana Economic Development Council (2002–present); Regional Coordinator, Focus on Seniors (2001–2003). Recipient of City of Tarzana Municipal Achievement Award, 2003.

**Nominee Position Statement**

Please attach to this form the nominee’s position statement. This statement, which should be no longer than 200 words, conveys the nominee’s philosophy of business ethics and what he or she perceives the role and responsibility of the CSA designee to be.

**Nominee Letters of Reference**

Please attach to this form three letters of reference that endorse the nominee’s election to the CSA Board of Standards. One letter should come from someone in

the nominee’s profession; two should come from individuals in other professions. *Reference letters should be mailed directly to the Board at its address below.* Among the factors the letter writer might consider are the nominee’s professional background and competency, experience in connection with the senior market, prior service on review or advisory boards, and exemplary character attributes.

**Nominee Disclosure Questions**

Please answer the following questions. For “yes” answers, please include a detailed written explanation as well as any supplemental documentation that supports your explanation.

| Yes                      | No                       |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Have you ever been accused or convicted of a felony?   |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Have you ever been a defendant or respondent in any criminal action relating to your professional or business conduct, or are you currently named as a party in any such action?   |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Have you ever been a defendant or respondent in a civil action, which includes, but is not limited to, a lawsuit, arbitration, or mediation relating to your professional or business conduct, or are you currently named as a party in any such action? |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Have you ever had a license, permit, certificate, registration, or membership denied, suspended, revoked, or restricted by any governmental, regulatory, or administrative body, or has any such body censured, fined, restricted or reprimanded you?    |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Has any governmental, regulatory, or administrative body ever named you, or a company in which you are a principal, in an investigation or complaint?  |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. Have you ever been censured, fined, reprimanded, or otherwise disciplined by any professional credentialing organization to which you did or do belong, or has such organization named you as a subject of an investigation or complaint?                |

|                      |                   |      |
|----------------------|-------------------|------|
|                      |                   |      |
| Nominee Name (print) | Nominee Signature | Date |

***In connection with its review of these nomination materials, the CSA Board of Standards may contact the nominee and/or references to clarify information or to conduct a telephonic interview.***

**J. Complaint Form**

**CSA Board of Standards**

**Complaint Form**

Please complete this form in its entirety to submit a complaint about a CSA to the CSA Board of Standards (the "Board"). **Note that your name will appear as "complainant" in the complaint, and that the CSA who is named in this complaint will receive a copy of all assembled complaint materials prior to complaint review.**

The Board reviews alleged violations by CSAs of Standards and Rules of ethical conduct contained in the CSA Code of Professional Responsibility (the "Code"). After completing this form, please mail it, as well as any other documentation you might have that supports your claim(s), to the Board's mailing address:

CSA Board of Standards  
1685 S. Colorado Blvd., Unit S, #272  
Denver, CO 80222

**CSA who is the subject of this complaint:**

\_\_\_\_\_ (please print)

**Contact information for this CSA:**

\_\_\_\_\_  
\_\_\_\_\_

**Your Information**

*(please print)*

(circle one): Mr. Ms. Mrs. Dr. Other: \_\_\_\_\_

Last Name \_\_\_\_\_ First Name \_\_\_\_\_ M.I. \_\_\_\_\_

Mailing Address: Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Business Phone ( ) \_\_\_\_\_ Ext. \_\_\_\_\_ Fax ( ) \_\_\_\_\_

Home Phone ( ) \_\_\_\_\_ E-mail \_\_\_\_\_

**Summary**

Use the space below to describe the circumstances that led to this complaint filing\*. Include dates if possible. If you attach additional sheets, please initial and date each one. **Note: Please limit your complaint to factual matters and clearly identify any opinion or conclusion as such and not as a fact. The Board reserves the right to reject or return to the complainant for modification**

