

DUTY of CONFIDENTIALITY/EXECUTIVE SESSION: In executive session all information and proceedings are secret. In any society, matters relating to discipline, particularly formal hearings, should be handled only in executive session (RONR Section 9). These matters and their details are limited only persons directly in their official IHCUS capacities and persons formally brought into a matter. For example in a disciplinary matter that would be a person who prefers charges or who is charged, the Board etc. Any member involved can be punished under disciplinary procedure (RONR Sec. 61) if he violates the secrecy of an executive session. The minutes, or record of proceedings remain in executive session. A record of action such as a hearing was conducted and action taken such as suspension and length of suspension can be published to the membership in the following regular board meeting minutes but no other details. The worst that can happen: alleged or actual misconduct details getting into the public domain outside of internal club activities can subject individuals or the club to legal challenges which is why clubs have Directors insurance. It is real.

DUTY of the BOARD: follow procedures set forth in governing authorities for matters pertaining to alleged misconduct and discipline. Clubs are responsible for conducting matters of discipline and misconduct as dictated by the club's governing authorities in a manner fundamentally fair i.e. applied to all equally. As long as this is done which amounts to fundamental fairness, decisions will withstand legal challenge and club decisions will withstand challenges and hold up in court if adequately documented i.e. reasons for decisions stated (important to do so). Worst that can happen: not following procedures can result in charges of unfairness which could even reach a legal challenge by someone claiming to be wronged in this way. A reason non profits have liability and directors insurance.

Common Sense policy: Be professional in any related discussions or writing regarding a member's conduct. In a formal venue no person present no matter how well you know your fellow members should offer their personal opinion as to the character or motives of the person making the charges or being charged in a disparaging or gossipy way. You may express your opinion based on your reasonable conclusions from the facts set forth and if the facts support the charge of actual misconduct. In a hearing sort of environment it is wise not to say anything you would not want made public.

Formal Disciplinary Hearings: "Formal disciplinary procedures should generally be regarded as a drastic step reserved for serious situations""It is usually in the best interest of the organization first to make every effort to obtain a satisfactory solution of the matter quietly and informally.(RONR sec. 61)