ACCESS TO DISCIPLINARY PROCEEDINGS BOD Y03-85-17-55 [Initial BOD 03-82-07-25] [Policy]

In managing requests for use of the association's records of disciplinary proceedings, the following shall apply:

A. Chapters shall continue to forward disciplinary proceedings records to APTA headquarters, where they will be retained for three years following final determination of the case by the association.
B. The association shall not voluntarily surrender records of disciplinary proceedings to non-APTA entities (neither public nor private).
C. Association records relating to disciplinary matters held at APTA headquarters will be made available to chapter presidents or chapter disciplinary chairmen, upon request and at the discretion of the Ethics and Judicial Committee.

This policy is intended to insure that chapter officials who are or have been involved in disciplinary proceedings will have access to records of past proceedings when there is appropriate reason for access to them, e.g., the need to testify as part of a civil or criminal court proceeding. The Ethics and Judicial Committee will determine the appropriateness of requests from the chapter on a case-by-case basis.

The policy also reflects the association's interest in preserving and protecting the privacy of all individuals involved, the confidentiality of the records, and protecting association officers or employees from liability for making such records available. The Ethics and Judicial Committee, therefore, believes records of disciplinary proceedings must be retained within APTA and only be released outside APTA and its appropriate components upon mandate of proper and legally authorized government action.

(General Counsel, ext 3252)

Explanation of Reference Numbers:
BOD P00-00-00-00 stands for Board of Directors/month/year/page/vote in the Board of Directors Minutes; the "P" indicates that it is a position (see below). For example, BOD P11-97-06-18 means that this position can be found in the November 1997 Board of Directors minutes on Page 6 and that it was Vote 18.