



# THE WILDLIFE SOCIETY

## Code of Ethics Violation

Censure and suspension or revocation of certification for violation of the Code of Ethics or Standards for Professional Conduct as prescribed by The Wildlife Society is a serious matter that reflects unfavorably on the entire profession. Considerable effort must be expended to ensure equitable treatment of all concerned.

The Wildlife Society assumes no liability for charges of misconduct filed by or against an Associate or Certified Wildlife Biologist and the Society provides no financial or legal assistance to either the person(s) bringing a charge of misconduct or the individual charged with misconduct. The following procedure below is to be followed unless changed by TWS membership bylaws.

- A. A charge of misconduct against an Associate or Certified Wildlife Biologist (hereafter referred to as a certified wildlife biologist) may be filed by transmitting to the Board of Inquiry of The Wildlife Society (5410 Grosvenor Lane, Bethesda, MD 20814-2144) a sealed statement of the charge. Such statement shall be accompanied by an affidavit of the complainant setting forth the allegations on which the charge is based, including dates, and the specific conduct involved. The Chairman of the Board of Inquiry shall transmit copies of the charge, affidavit, and supporting documentation to the CRB. The CRB shall review the charge and, within ten (10) days from receipt of the charge, report to the Board of Inquiry its opinion as to whether the charge should be further investigated. The Board of Inquiry shall determine, within twenty (20) days from receipt of the charge, whether an investigation of the charge will be made.
- B. If the Board of Inquiry determines that an investigation of the charge should be made, the Chairman of the Board of Inquiry shall notify the certified wildlife biologist of the specific charges filed by forwarding to him/her copies of the charge, affidavit, and all supporting documentation and request him/her to file a written answer with the Board of Inquiry within thirty (30) days. Upon receiving the written answer of the accused certified wildlife biologist, the Chairman shall forward copies of the answer and any supporting documents to the person who filed the charge and request him/her to file a response within thirty (30) days. Upon receipt of a written response from the person filing the charge, the Board of Inquiry shall deliberate and within thirty (30) days from receipt of said response either dismiss the charge or issue a complaint against the accused certified wildlife biologist detailing the charge.
- C. If the Board of Inquiry shall issue a complaint, copies shall be sent by certified mail to the certified wildlife biologist and the person who filed the charge. Copies also shall be sent to the President of The Wildlife Society, the President of the Section where the certified wildlife biologist resides, and the Executive Director of The Wildlife Society.

- D. Within twenty (20) days of receipt of the complaint, the certified wildlife biologist shall file an answer to the Board of Inquiry. Each allegation in the complaint shall be admitted or denied in the answer. If an allegation is denied, the answer also may include a statement of the certified wildlife biologist's account of the occurrence or circumstances. If the certified wildlife biologist fails to timely answer the complaint, the allegations shall be deemed admitted, unless the certified wildlife biologist shows extenuating circumstances warranting an extension of time. A copy of the answer shall be forwarded by the Board of Inquiry by certified mail to the person filing the charge.
- E. If the certified wildlife biologist's answer denies the allegations and charge in the complaint, the Board of Inquiry, upon thirty (30) days written notice to the person filing the charge and to the certified wildlife biologist, shall hold a hearing at which time the person filing the charge and the certified wildlife biologist may testify and present witnesses to testify and document evidence for consideration by the Board of Inquiry. The person filing the charge and the certified wildlife biologist shall have the right to cross-examine and to be represented by attorneys. After the hearing, the Board of Inquiry shall review the evidence and find the Certified Wildlife Biologist guilty as charged or dismiss the complaint within sixty (60) days. The Board of Inquiry will send written notice of its decision and any disciplinary action to be taken by certified mail to the person filing the charge, the President of The Wildlife Society, the President of the Section where the certified wildlife biologist resides, and the Executive Director of The Wildlife Society. In the event the charge of complaint is dismissed at any stage of these procedures, the certified wildlife biologist may request public disclosure of the dismissed charges and/or removal of all statements and procedural correspondence dealing with the charges and their deliberation from the files of The Wildlife Society. All such documents are to be returned to their respective origins.
- F. The certified wildlife biologist shall have the right to appeal the decision of the Board of Inquiry to the Council of The Wildlife Society by filing a written notice of appeal with the Council (5410 Grosvenor Lane, Bethesda, MD 20814-2144) within thirty (30) days from the date of the decision of the Board of Inquiry. The Council shall mail a copy of the notice of appeal to the Board of Inquiry and the person who filed the charge. The Board of Inquiry shall deliver to the Council, within ten (10) days from receipt of the notice of appeal, other evidence submitted to it by the person filing the charge and copies of the answer, documentation, transcript of witnesses' testimony, if any, and any other evidence or memoranda submitted to it by the certified wildlife biologist.
- G. The certified wildlife biologist shall file with the Council of The Wildlife Society a memorandum in support of his/her appeal within thirty (30) days from the date he/she filed the notice of appeal. The Council shall forward a copy of the memorandum filed by the certified wildlife biologist to the person filing the charge. The latter may, but is not required to, file a memorandum in opposition to the appeal within thirty (30) days from the date the memorandum of the certified wildlife biologist was mailed to him/her. Upon receipt of the response filed by the person who filed the charge, the Council of The Wildlife Society shall mail a copy to the certified wildlife biologist who shall have twenty (20) days to answer the response from the date it was mailed to him/her. The Council, in its discretion, upon fifteen (15) days written notice, after all memoranda have been filed or time for filing has expired, may hold a hearing at which

time the certified wildlife biologist and the person filing the charge, or their counsel, may present oral argument to the Council.

- H. The Council within sixty (60) days after the time to file all memoranda has expired, or within sixty (60) days after the presentation of oral argument, whichever shall last occur, shall issue a decision affirming or reversing the decision of the Board of Inquiry and shall mail by certified letter a copy of its decision to the Board of Inquiry, the person filing the charge, and the certified wildlife biologist. If the decision of the Council is to deny the appeal and affirm the decision of the Board of Inquiry, the Council also shall set forth in its written decision the disciplinary action to be taken.
- I. The disciplinary action that may be taken by the Board of Inquiry or the Council against a certified biologist who has been found by the Board or the Council to demonstrate consistent incompetence and/or be in violation of provisions of the Code of Ethics or the Standards for Professional Conduct of The Wildlife Society shall be censure, suspension of certification for a specified time, or permanent revocation of certification.