

ISA BOARD-CERTIFIED MASTER ARBORIST CODE OF ETHICS

The International Society of Arboriculture, Inc. (ISA) is a voluntary, nonprofit, professional association. The ISA certification program certifies qualified practitioners in the field of arboriculture, who have met the professional knowledge standards established by the ISA certification board.

Regardless of any other professional affiliation, the ISA Code of Ethics applies to those individuals seeking ISA Board-Certified Master Arborist (BCMA) certification (candidates) and all individuals certified by ISA (certificants). The ISA BCMA Code of Ethics describes appropriate and enforceable professional conduct standards and sets forth the minimal ethical standards for ISA BCMA certificants and candidates. The BCMA Code of Ethics also serves as a professional resource for arborists, as well as for those served by ISA BCMA certificants and candidates, in the case of a possible ethical violation.

ISA BOARD-CERTIFIED MASTER ARBORIST CODE OF ETHICS

I. Responsibility to Comply with Laws, Policies and Rules Relating to the Profession

A. BCMA certificant and candidate compliance with all ISA certification program rules

1. Responsibility and commitment to provide accurate and truthful representations of all eligibility information and to submit valid application materials for fulfillment of current certification and recertification requirements.
2. Responsibility and commitment to fulfill current certification and recertification requirements, including continuing education and training requirements.
3. Upon a reasonable and clear factual basis, responsibility and commitment to report possible violations of this code by certificants.

2. Responsibility and commitment to correct known false representations by other Board-Certified Master Arborists.
3. Responsibility and commitment to comply with laws, regulations, and ethical standards governing professional practice.
4. Responsibility and commitment to refrain from any public behavior that is clearly in violation of accepted moral, professional, social, and legal standards.
5. Responsibility and commitment to recognize and respect professional contributions of other arborists (e.g., employee, employers, business associates, other practicing arborists).
6. Responsibility and commitment to recognize and respect the real property and intellectual property held by others.

C. Advancement of the arboriculture profession

1. Responsibility and commitment to encourage the growth and development of professional associates as colleagues and as mentors.
2. Responsibility and commitment to mutually discuss and exchange arboriculture and professional information to other arborists.
3. Responsibility and commitment to support education, research, and professional development related to arboriculture.
4. Responsibility and commitment to act in an accurate, truthful, and complete manner, including activities related to professional work and research.
5. Responsibility and commitment to promote public awareness of the arboriculture profession.
6. Responsibility and commitment to deliver the best-quality education and awareness information or programs based on the knowledge, sophistication, and resource base of the audience.
7. Responsibility and commitment to support and disseminate this code of ethics to other professionals.
8. Responsibility and commitment to maintain professionalism in personal, environmental, and social decision-making.

2. Responsibility and commitment to deliver safe and competent services in a timely manner.
3. Responsibility and commitment to exercise unprejudiced and unbiased judgment.
4. Responsibility and commitment to maintain and satisfy the scope or objectives of a project, unless otherwise directed by the client or customer.
5. Responsibility and commitment to recognize the limitations of and to deliver professional services only for which the certificant or candidate is qualified.
6. Responsibility and commitment to provide a potential or existing client with appropriate

professional referrals when the certificant or candidate determines that he or she is unable to be of professional assistance.

7. Responsibility and commitment to maintain and respect the confidentiality of sensitive information obtained in the course of the certificant's or candidate's professional activities.

B. Conflict of interest situations and other prohibited professional conduct

1. Responsibility and commitment to disclose to clients, customers, owners, or contractors significant circumstances that could be construed as a conflict of interest, or the appearance of a significant conflict, and to ensure that such conflict does not compromise legitimate interests of such persons, or influence or interfere with professional judgments.
2. Responsibility and commitment to refrain from offering or accepting inappropriate payments, gifts, or other forms of compensation for personal gain unless in conformity with applicable laws.

ISA Board-Certified Master Arborist Ethics Case Procedures

INTRODUCTION

The ISA Certification Board develops and enforces high ethical standards for Board-Certified Master

Arborists (BCMA) and practitioners, and requires that BCMA certificants meet these standards. The following disciplinary procedures are the only rules for processing possible violations of these ethical standards and are applicable to certificants, as well as those who are seeking certification from the ISA

Certification Board-Certification Board requires seeking certification or recertification agree that those

Where a discipline, order, or other directive is issued by the CEDRC under this section, the candidate

~~(c) The Institutions Concerning Complaints. The CEDRC may consider any ethics complaint~~

rejected. the CEDRC will consider whether a proven complaint would constitute a violation of

the Code of Ethics; the passage of time since the alleged violation requires that the complaint be rejected; relevant, reliable information or proof concerning the charge is available; the complainant is willing to provide testimony or other evidence concerning the complaint; and the charge appears to be justified or insupportable, considering the proof available.

3. Complaint Acceptance. Upon a determination that an ethics complaint is appropriate, the CEDRC will issue a formal ethics complaint notice identifying each Code of Ethics violation alleged and the supporting factual basis for each complaint. This notice will be delivered to the respondent and will be marked “confidential.”

4. Ethics Complaint Response. Within thirty (30) days of the mailing date of an ethics complaint notice, the respondent must submit a response to the CEDRC. The ethics complaint response must include a full response to each complaint, a copy of each document relevant to the

C. MEDIATION

1. **Cases Appropriate for Mediation.** All ethics complaints will be reviewed by the CEDRC to

determine whether the ethics matter is appropriate for resolution by mediation. The CEDRC will consider the seriousness of the allegations, the respondent's background, the respondent's prior conduct, and any other pertinent material. The CEDRC will make a decision concerning the likelihood that the matter can be resolved fairly without formal disciplinary proceedings as described in these procedures. Ethics cases concerning charges issued by a regulatory agency or professional body and those involving criminal litigation are not appropriate for mediation.

2. **Mediation Determination.** Should the CEDRC determine that a particular ethics matter is appropriate for mediation, the committee will attempt to resolve the dispute to a fair and just conclusion.

3. **Successful Mediation.** The CEDRC will prepare a report outlining the terms of the final mediated resolution of an ethics case or will refer the case to the ISA certification board for review.

4. **Unsuccessful Mediation.** The CEDRC will notify the ISA certification board in the case of mediation failure and process the ethics matter according to these procedures.

D. PRELIMINARY ACTIONS AND ORDERS

1. **Voluntary Temporary Suspension of Certification.** At any time following the issuance of a formal ethics complaint, the respondent may be asked to agree to and sign a voluntary temporary suspension agreement stating that he or she will voluntarily and immediately cease from representing himself or herself as certified or otherwise endorsed by the ISA certification board until further notice, in addition to following any other directives issued by the CEDRC.

2. **Involuntary Suspension of Certification.** If a respondent fails to agree to and sign a voluntary temporary suspension agreement, the CEDRC may issue an order suspending the respondent's certification(s) until the final resolution of the complaint. Suspension orders are authorized when

- a. the respondent has been indicted for, similarly charged with, or convicted of any violation of criminal law under statute, law, or rule;
- b. the respondent is the subject of a formal complaint, similar charge, and/or investigation, or has been found in violation of any law, regulation, or rule by a professional regulatory body;
- c. the respondent is the subject of a formal complaint, similar charge, and/or investigation concerning an ethics or disciplinary matter or has been found in violation of an ethics code by a professional association or credentialing body; or,
- d. the respondent is the subject of litigation or a petition relating to his or her professional

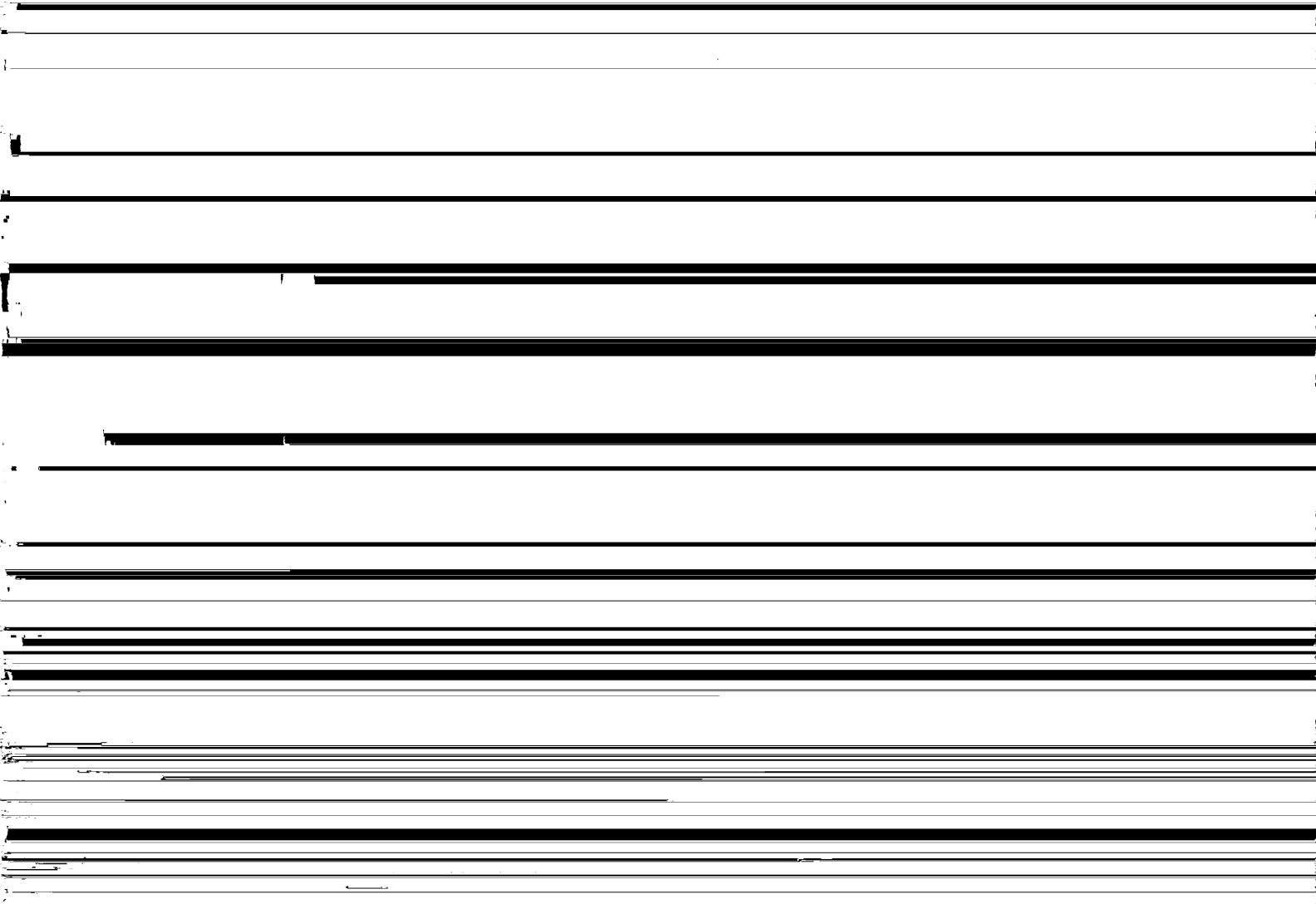
reasonably related to the complaint under consideration. The CEDRC or the ISA certification board may discipline a respondent who fails to comply with a temporary or preliminary order. Preliminary and temporary orders are not subject to appeal.

E. CEDRC COMPLAINT HEARINGS

1. CEDRC. The ISA certification board will appoint at least seven (7) certification committee representatives to serve as the CEDRC to investigate and resolve each ethics complaint matter, including four (4) BCMA test committee members and three (3) BCMA certificants. The members of the CEDRC will elect a chair by majority vote to preside over each ethics complaint hearing. Three (3) disinterested members of the CEDRC will be assigned to each case and will conduct an informal ethics complaint hearing designed to collect and weigh all of the available information and proof. The CEDRC will have full authority to convene, preside over, continue, decide, and conclude an ethics hearing.

2. Hearing Schedule, Notice, and Attendance. The hearing date, time, and location for each ethics case will be scheduled by the CEDRC in consultation with the parties, and both parties will be notified in writing. Each party may attend the hearing in person or via telephone conference where all participants will be able to hear each other.

3. Participation of Legal Representatives. Should ISA's certification legal counsel be present at an ethics complaint hearing, legal counsel shall have the privilege of the floor and may conduct the hearing with the CEDRC. Legal or other representatives of the parties do not have such



parties; a summary of all relevant factual findings based on the record of the hearing; a final ruling on each Code of Ethics violation charged; and a statement of any disciplinary action(s) and other directives issued by the committee. Copies of the CEDRC decision and order shall be sent to the parties. The parties will also be notified that the final decision may be published consistent with the requirements of these procedures.

8. Disciplinary Actions Available. When a respondent has been found to have violated one or more provisions of the Code of Ethics, the CEDRC may issue and order one or more of the following disciplinary or remedial actions:

- a. the denial and rejection of any certification or recertification application;
- b. specific training, supervision, and/or instruction concerning his or her professional activities;
- c. private reprimand and censure, including any conditions or directives;
- d. public reprimand and censure, including any conditions or directives.

- e. certification probation for any period up to three (3) years, including any conditions or directives;
- f. suspension of certification for a period of no less than six (6) months and no more than two (2) years, including any conditions or directives; and,
- g. revocation of certification, including any directives.

F. ISA CERTIFICATION BOARD/APPEAL

1. Time Period for Submitting Appeal. Within thirty (30) days of the mailing date of an

- d. **Misapplication of the Code of Ethics.** The CEDRC decision contains the misapplication of the provisions contained in the Code of Ethics, and the misapplication prejudiced the respondent.
- e. With respect to subsections 2.c. and 2.d. above, the ISA certification board will consider only arguments that were presented to the CEDRC prior to the closing of the hearing record.

3. **Contents of Appeal Letter.** The appeal letter must include the following information:

to the ISA certification board and to the complainant that contains the following information and material: the ethics case name, docket number, and the date that the CEDRC decision was issued; a statement and complete explanation of the reasons for the appeal under section F.2., including any reduction in discipline or other modification of the decision issued by the CEDRC; and copies of any material supporting the appeal.

4. **Appeal Deficiencies.** The ISA certification board may require the respondent to clarify, supplement, or amend an appeal submission.

submissions presented by the parties and other relevant information and thereafter will determine the outcome of the appeal by majority vote in a closed session.

3. Request to Appear Before the ISA Certification Board. Either party may request the opportunity to appear before the ISA certification board by submitting a request in writing at least thirty (30) days prior to the date scheduled for the appeal hearing. If a request to appear before the ISA certification board is approved, the board may limit the appearance in any manner. Denials of requests to appear before the board are not subject to appeal.

4. ISA Certification Board Decision and Order. Following the conclusion of an appeal hearing,

the ISA certification board will issue an appeal decision and order stating and explaining the outcome of the appeal and will include a summary of any relevant portions of the CEDRC decision and order; a summary of any relevant procedural or factual findings made by the ISA

I. REVOCATION, SUSPENSION, AND PROBATION ORDERS/REAPPLICATION AND REINSTATEMENT PROCEDURES

1. Revocation Orders/Reapplication Petition. Five (5) years after the issuance of a final revocation order issued under these procedures, a respondent may submit to the ISA certification board a petition for permission to reapply for certification, which will include a statement of the relevant ethics case name, docket number, and the date that the final ethics decision and order was issued; a statement of the reasons that support or justify the acceptance of the reapplication petition; and copies of any relevant documents or other material supporting the petition.

2. Suspension Orders/Reinstatement Requests. After the expiration of a final suspension order issued under these procedures, a respondent may submit to the ISA certification board a request for certification reinstatement, which will include a statement of the relevant ethics case name, docket number, and the date that the final ethics decision and order was issued; a statement of the reasons that support or justify the acceptance of the reinstatement request; and copies of any relevant documents or other material supporting the request.

3. Probation Orders/Reinstatement or Referral. Following the expiration of a final probation order under these procedures, the ISA certification board will determine whether the respondent has satisfied the terms of the probation order and will do the following: if the respondent has satisfied the terms of probation in full, the board will immediately verify that the probation has been completed and reinstate the individual to full certification status; or, if the respondent has not satisfied the terms of probation in full, the board will issue any appropriate action consistent with these procedures.

4. ISA Certification Board Reapplication Petition and Reinstatement Request Decisions. Following the submission of a complete reapplication petition or reinstatement request, the ISA certification board will schedule and conduct a hearing to review and rule on the petition or request. Each petition or request will be considered by a quorum of the board. During these deliberations, the ISA certification board will review the information presented by the respondent and any other relevant information. The board will then determine the outcome of the appeal by majority vote in closed session. The board will prepare and issue a final decision and order indicating whether the petition or request is granted, denied, or continued to a later date, and, if appropriate, any conditions of certification or recertification. Copies of the ISA certification board's decision and order will be sent to the parties. While no appeal of the decision and order is permitted, the respondent may submit a new petition or request pursuant to this section, one (1) year or more after the issuance of the ISA certification board's decision and order.