

ADMINISTRATION



Community Rules Violation Panel Charter

Pursuant to state statute (**Corp. Code §7210; Corp. Code §7212(c)**) and Article VIII of the Bylaws of the Golden Rain Foundation (GRF), the Board of Directors (BOD) hereby establishes the Community Rules Violation Panel and grants to the Panel authority specifically stated within the GRF governing documents. In accordance with Article VII, Section I of the Bylaws, the Panel's Chair, and the Panel's members shall be appointed by the GRF President and approved by action of the BOD.

1. PURPOSE:

As a committee of the board, the Community Rules Violation Panel will administer the dispute resolution and enforcement procedures established by the Golden Rain Foundation and have full powers to assess, judge, and determine fines or sanctions for violations of rules established within the GRF's governing documents.

2. COMPOSITION:

- 2.1. Each Community Rules Violation Panel session shall consist of a Chair/Moderator appointed by the GRF President and four panel members. All panelists, including the Chair/Moderator, will participate in the panel's hearings and deliberations, except when excused by the Panel's Chair/Moderator over concerns about a specific panelist's conflict of interest.
- 2.2. The Panel members will be drawn in an alternating fashion from among Directors who are not currently serving as a member of the Administration Committee. A different panel of members will be named for each meeting of the panel.
- 2.3. The Chair/Moderator will serve for the length of the annual term, but the GRF President at any time can appoint a new Moderator to serve temporarily.

3. DUTIES:

- 3.1. Schedule and conduct regular sessions during which Members who have been charged with a violation of the community's rules are offered the opportunity to contest the alleged violation.
- 3.2. Follow procedures for fair and equitable procedures as outlined in Davis-Stirling sections 5850 and 5855, and in GRF rule 33-5093-3.
- 3.3. Make findings based only on information offered by GRF staff, other GRF members, and the Member charged with the violation and determine a judgment of guilt or innocence based on those findings.
 - 3.3.1 If the panel's majority judgment is that the charged Member is guilty of a rule infraction, the panel shall assess a punishment codified in GRF Rules 33-5093-2, 38-1937-2, 27-1487-2 and in such other GRF Rules that establish Member discipline sanctions.



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3.3.2 If the panel’s majority judgment is that the charged Member is innocent of a rule infraction, the panel shall waive any penalty.

3.4. After determining their judgment and establishing any penalty, the Panel shall report the Panel’s findings to the GRF President and within the timeline established in Davis-Stirling Section 5855 © to each Member charged with a violation.

3.5. Assess the panel’s adjudication procedures and suggest revisions in the Foundation’s administration and review of the process.

3.6. Assist the GRF Executive Director and staff in maintaining all records of the Panel’s actions.

3.7. Assist the GRF President in coordinating the conduct of secondary appeals to the GRF Board of Directors of any judgments rendered by the Panel.

4. LIMITATIONS:

4.1. This Panel may operate as a separate entity but has a duty to work cooperatively with Standing Committees when projects and responsibilities overlap.

4.2. It is to be recognized that regulatory or supervisory activities affecting employed personnel are functions of Management and not to be encroached upon by the Panel’s Moderator or any member, either individually or collectively.

4.3. The Panel does not have the authority to enter into written contracts or oral agreements with any third parties on behalf of the GRF BOD. The authority to authorize contracts and/or expenses rests solely with the BOD.

Document History

Adopted: 22 Nov 22 Amended: 23 May 23 Amended: 28 Nov 23

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