

<b>HEARINGS AND APPEALS</b>	
<b>MEMBERSHIP RESIGNATION AND MEMBERSHIP APPEALS PROCESS</b>	
Effective Date: October 4, 2010	Number: 1
Supercedes: NONE	Board Approval: October 4, 2010

It shall be the Policy of the Las Vegas Hawaiian Civic Club to establish an Appeal Process for purposes of providing a member the opportunity to appeal their membership termination

Policy

#### Section I: VOLUNTARY MEMBERSHIP RESIGNATION

A member of the LVHCC may voluntarily resign from his or her membership at any time. Notice of said voluntary resignation shall be communicated to the membership chairperson. Notice may be communicated by letter, email, voice mail or in person. A resignation of membership shall automatically result in the resignation of any and all position(s) held within the LVHCC organization. All membership fees paid shall be retained by LVHCC. A member who voluntarily resigns may seek reinstatement by being an individual in good standing as defined by the current LVHCC policies and procedures and any applicable provisions of the LVHCC Bylaws and by paying all applicable LVHCC fees for reinstatement.

#### Section II: INVOLUNTARY MEMBERSHIP RESIGNATION

##### Subsection A

A member of LVHCC whose resignation/loss of membership has been requested or solicited by LVHCC shall be deemed an involuntary resignation. Involuntary resignation shall result in the loss of any and all positions held with the LVHCC organization. Involuntary resignation may also result in the loss of any and all positions held with the Mainland Council of Hawaiian Civic Clubs and/or the Association of Hawaiian Civic Clubs. Involuntary resignation shall also result in the loss of membership in the LVHCC organization and the forfeiture of any previously paid membership dues and benefits. The member shall depart from LVHCC as a member not in good standing.

##### Subsection B

The LVHCC, Mainland Council of Hawaiian Civic Clubs and/or the Association of Hawaiian Civic Clubs may recommend the expulsion of a member to the LVHCC Board. Within 30 days of the recommendation, the LVHCC Board shall convene in accordance with LVHCC Bylaws and/or policies and procedures, to vote on the recommendation of expulsion of the member. A two third (2/3) vote of the LVHCC Board shall be required to vote to expel a member. Notice of expulsion shall be sent to the member from the Pelekikena via certified mail return receipt requested. Within 30 days of receipt of the notice of expulsion; the member may appeal by serving notice on the Pelekikena by certified mail return receipt requested requesting time at the next regularly scheduled Board meeting to appeal the Board's expulsion decision. Members wishing to appeal their termination will be provided with the most current appeal process procedures as outlined with the LVHCC Policy and Procedure Manual. It should be noted

that all appeals must be submitted in writing with ten (10) copies addressed to the Pelekikena of the LVHCC. All appeals will be acted upon within thirty (30) days upon receipt. Reinstatement by the LVHCC Board may only be accomplished by a two third (2/3) vote of the LVHCC Board. If reinstatement is declined; the member shall wait for one year before requesting a rehearing for reinstatement. The Board of Directors will have final determination on all Appeals.

### Section III: OFFICER VOLUNTARY RESIGNATION

#### Subsection A

A member of LVHCC may resign from any or all positions held within the LVHCC organization and still remain a member of LVHCC provided that said resignation is voluntary and the member is a member in good standing in accordance with all applicable policies, procedures and the by-laws of LVHCC. Voluntary resignation shall be in writing to the Pelekikena. Such resignation shall take effect at the time the notice is delivered, unless the notice specifies a later agreed date.

#### Subsection B

If a member is resigning a position held as a member of a committee of the LVHCC said resignation shall be effective upon the tendering of written notice to the chair of said committee. A member may or may not provide a reason for their resignation. A member who voluntarily resigns shall be ineligible to neither run for any elected position of LVHCC nor be a member of a committee of LVHCC for a period of one year from the date of the tender of said resignation. This policy shall not be applicable to a member who is a current LVHCC Board member and resigns said currently held position to fill a vacancy that has occurred on the LVHCC Board.

#### Subsection C

A member who voluntarily resigns his or her LVHCC Board position may apply for reinstatement to run for a position before the expiration of the one year if the respective Board votes for reinstatement by a 2/3 majority vote.

### Section IV: INVOLUNTARY OFFICER RESIGNATION

#### Subsection A

An Officer and/or Director's resignation that has been requested, solicited or demanded by the LVHCC shall be deemed an Involuntary Officer Resignation. Involuntary Officer Resignation shall result in the automatic loss of any and all position held within the LVHCC organization, the loss of membership, and the forfeiture of all dues and benefits paid to LVHCC. The Officer and/or Director shall depart LVHCC as a member not in good standing. Involuntary Officer Resignation shall require a two third majority (2/3) Board vote for removal.

## Subsection B: Removal Process

Board or Committee Level: Every effort shall be made at the respective level to encourage involuntary Officer and/or Director or Committee removal by first allowing said individual to be approached by member (s) of the respective Committee and/or Board who shall first request voluntary resignation of the individual whom they are attempting to remove. Failure to secure voluntary resignation shall require a formally held meeting of the respective LVHCC Board to invoke the process of involuntary resignation. Said meeting shall be held by the LVHCC Board with 30 days notice being given to the individual or individuals that the LVHCC Board is seeking to remove. Both the individual (s) and the LVHCC Board shall be given an opportunity to present their respective positions at said meeting. Upon completion of the presentment of each side's respective positions; a vote shall be taken by secret ballot by the LVHCC Board and notice of the outcome of the vote shall be announced immediately to the individual or individuals who are the subject of the vote. The individual or individuals who are the subject of the vote shall be allowed to cast a vote.

## Subsection C: Appeal Process:

1. Members have 30 days to appeal, from the date of receipt of notice from the LVHCC Board, that he or she has been removed as a member of the LVHCC. Said notice is to be delivered, in writing, to the LVHCC Pelekikena, certified mail and return receipt requested. The appeal shall be scheduled by the Pelekikena as an Agenda item for the next regularly scheduled Board meeting. Reinstatement shall require a two third (2/3) vote of the LVHCC Board.
2. Board Office and/or Director have 30 days to appeal, from the receipt of notice from the LVHCC Board, that he or she has been removed. Said notice is to be delivered, in writing, to the LVHCC Pelekikena, certified mail and return receipt requested. If the party to be removed is the LVHCC Pelekikena, then notice shall be tendered by Hope Pelekikena Mua. The Pelekikena shall be responsible to schedule the Board member's appeal as an Agenda item for the next regularly scheduled Board meeting. In the event the party entitled to the appeal is the Pelekikena, the Hope Pelekikena Mua shall be responsible to schedule the appeal as an Agenda item for the next regularly scheduled Board meeting. Reinstatement shall require a two third (2/3) vote of the LVHCC Board. A LVHCC Officer, a LVHCC Director or Committee Member, cannot run for any elected position within the LVHCC for a period of two years from the date of denial of their respective appeal.
3. An Officer, Director or Committee Member may apply for reinstatement for membership to the LVHCC after one year from the date of the denial of their respective appeal. Said reinstatement shall require a two third (2/3) vote of the LVHCC Board.

## Section V: OTHER CONSIDERATIONS

### Subsection A

This policy shall not relieve the resigning member from any obligation for charges incurred, either financial, civil or criminal in nature, services or benefits actually rendered, dues, assessments or fees,

arising from contract or otherwise, and this policy shall not diminish any right of LVHCC, its chapters or affiliates, to enforce any such obligation or obtain damages for its breach.

#### Subsection B

This policy adopts and incorporates all language in the LVHCC By-Laws as it is applicable to resignations and/or membership terminations and any other related or material issues within this policy.

#### Subsection C

This policy becomes effective immediately upon adoption, by majority vote, of the LVHCC Board on October 4, 2010