

# PAEA Policies and Procedures Manual - Code of Ethics



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.....	2
.....	2
6.01 CODE OF ETHICS .....	3
6.01.01 Responsibilities Under the Code.....	3
6.01.02 Ethics Council and Charge.....	4
6.01.03 Adherence to Code/Annual Dues Renewal .....	4
6.01.04 Identifying and Handling COI.....	4
6.01.05 COI Disclosure .....	5
6.01.06 Concerns .....	6
6.01.07 Known COI and Eligibility for Positions .....	6
6.01.08 Centralized Records .....	6
6.01.09 Leadership Positions in Other Organizations .....	6
6.01.10 EC Evaluation for Perceived or Actual COI .....	7
6.01.11 Disclosure Forms with Perceived or Actual COI.....	7
6.01.12 Conflict of Interest Sanctions .....	8
6.01.13 Alleged Violations of the PAEA Code of Ethics .....	9
6.01.14 Consideration of Inquiry.....	10
6.01.15 Hearing .....	11
6.01.16 Appeals Process for Cases Determined to Violate the Code .....	12
6.01.17 Appeals Task Force Review and Final Board Decision.....	13
6.01.18 PAEA Staff.....	14
6.02. ANTITRUST .....	14
6.03. WHISTLEBLOWER POLICY .....	15
6.04. INTELLECTUAL PROPERTY POLICY .....	17
6.05. COMMUNICATIONS AND PUBLIC RELATIONS.....	18
6.05.01. Commercial Considerations .....	18
6.05.02. Speaking for the Organization .....	18
6.05.03. Website.....	18
6.05.04. Use of Information Resources and Graphics.....	18
6.05.05. Copyright .....	18
6.06. ADVERTISING .....	19
6.07. STAFF COMPENSATION POLICY.....	19
6.08. FILES AND RECORD MANAGEMENT .....	19
6.09. PRIVACY POLICY .....	20
6.09.01 Scope.....	20
6.09.02 Personal Information That PAEA Collects .....	20
6.09.03 How PAEA Uses the Personal Information It Collects .....	21
6.09.04 With Whom PAEA Shares Personal Information.....	21
6.09.05 Access To Personal Information In PAEA Database .....	22
6.09.06 Third Parties.....	22
6.09.07 How PAEA Protects Personal Information .....	23
6.09.08 Children’s Privacy.....	23
6.09.09 Changes to this Privacy Policy.....	23
6.09.10 How to Contact PAEA.....	23
6.10. DATA MANAGEMENT AND DISSEMINATION.....	23
6.10.01. Ownership and Classification of Data.....	23
6.10.02. Release of Data.....	24

6.10.03. <i>Obligations of Data Recipient</i> .....	25
6.10.04. <i>Cost of Data Processing</i> .....	25
6.11. BY THE NUMBERS: REPORT ON PHYSICIAN ASSISTANT EDUCATIONAL PROGRAMS IN THE UNITED STATES.....	25
6.11.01 <i>Obligation to Provide Data</i> .....	25
6.11.02 <i>Security and confidentiality</i> .....	26
6.11.03 <i>Access to Report Data</i> .....	26
6.12. MAILING LIST RENTAL AND USAGE .....	27
6.13. ENDORSEMENT .....	27
6.13.01. <i>Commercial Endorsements</i> .....	27
6.13.02. <i>Noncommercial Endorsements</i> .....	27
6.14. NONDISCRIMINATION .....	28
GLOSSARY .....	29

## SECTION VI. GENERAL AND ADMINISTRATIVE POLICIES

### 6.01 Code of Ethics

**PURPOSE:** To establish principles and standards of conduct by which Physician Assistant Education Association (PAEA) elected and appointed volunteer leaders (hereinafter referred to as “leaders”) and PAEA members, including Member Programs and Institutional Colleagues and their respective faculty and staff, and Individual Colleague members-(hereinafter referred to as “members”) are expected to adhere to when interacting with PAEA. The intention is for this PAEA Code of Ethics (hereinafter referred to as “the Code”) to set forth the expectations about how members and leaders are to conduct themselves responsibly, lawfully, and ethically, with honesty and integrity when interacting with PAEA.

#### 6.01.01 Responsibilities Under the Code

Membership in PAEA is open to individuals and entities interested in and supportive of the purposes of the Association. Membership is contingent upon the satisfaction of membership criteria and timely remittance of applicable dues within classes of membership as established by the Board. Members and leaders must abide by this Code.

Each member and leader agrees to:

#### Professional Excellence

- Conduct oneself toward other members and leaders with fair judgment, professional courtesy, and respect for others.
- Act with integrity and in accordance with academic standards when developing professional and educational materials for PAEA.
- Present credentials, knowledge, skills, and experience fairly and accurately.

#### Standards, Expectations, Accountability

- Interact with, or on behalf of, PAEA in accordance with all applicable federal, state, and local laws.
- Abide by the PAEA Articles of Incorporation, Bylaws, and *Policies and Procedures Manual*.
- Refrain from using the association with PAEA for personal gain or private inurement. (Also see 6.05.)

Leaders must also agree to additional standards, expectations and accountability, including to

- Support and promote PAEA’s interests, mission, vision, core values, and policies, including this Code.
- Exercise reasonable care, good faith, and due diligence in the performance of responsibilities.

- Preserve PAEA confidential information (i.e., information that is not publicly available and/or that is acquired due to membership or service) to be used or disclosed only as part of the authorized PAEA duties.

*(Adopted May 21, 2014; most recent revision December 16, 2015)*

### **6.01.02 Ethics Council and Charge**

The Ethics Council (EC) is charged with upholding the Code, developing resources to educate members and leaders and PAEA staff about the Code, and reviewing disclosure forms. As part of its effort to review perceived and actual ethics violations or conflicts of interest (COI), the EC shall, as necessary, determine if there has been a violation of the Code.

*(Adopted May 21, 2014)*

### **6.01.03 Adherence to Code/Annual Dues Renewal**

**POLICY:** As a condition of membership in PAEA, Member Programs and Institutional Colleague Members shall be required to affirm they have notified their faculty and staff of their responsibility of adherence to the Code. By completing a membership application or annual renewal form, members are agreeing to adhere to the Code.

#### **PROCEDURES:**

- Annual membership renewal notices shall contain a mandatory affirmation for Member Programs and Institutional Colleague Members that they have notified their faculty and staff of their responsibility to adhere to the Code.
- The PAEA application and annual renewal materials shall include a link to the Code.
- Calls for open positions to serve in PAEA shall require applicants to agree to adhere to the Code and remain in adherence for the duration of their term, if appointed.

*(Adopted May 21, 2014; most recent revision December 16, 2015)*

### **6.01.04 Identifying and Handling COI**

**BACKGROUND/RATIONALE:** Under law, there is a Duty of Loyalty that requires nonprofit leaders to act in the interests of the organization and not in conflict with those interests for the personal gain, commercial interest, or financial enrichment of themselves or other individuals or entities. In order to maintain the integrity, legal compliance, well-being, and honorable reputation of PAEA with its membership and the public as not being influenced by individual, corporate, or other interests in its philosophy, decision-making, and other actions, it is important for members and leaders to be supportive of the organization and fulfill their duties by identifying, addressing, and resolving actual, as well as perceived, COI.

*(Adopted May 21, 2014; most recent revision December 16, 2015)*

### **6.01.05 COI Disclosure**

**POLICY:** When a perceived or actual COI arises, leaders are expected to and members are encouraged to disclose the potential conflict and all material facts to the EC in writing utilizing the provided disclosure form. Following disclosure, the EC determines whether the activity is in conflict with PAEA interests and advises what, if any, action to take. The EC's decision can be appealed to the Board of Directors.

A COI for a PAEA member or leader under this policy is defined as

- Any material impediment to being loyal to PAEA
- Any situation that could predispose or bias a member or leader in any manner other than being completely supportive of the material interests of PAEA

Specific to PAEA leaders, COI includes perceived or actual COI such as, but not limited to individuals who:

- Hold a leadership position in an external organization whose mission and activities constitute a COI for PAEA
- Have a conflicting duty to another entity or other external interests that affect the loyalty to and support for PAEA
- Provide consulting services in an area related to service as a PAEA leader or member
- Are seeking to do business with PAEA
- Use the leader position with PAEA to promote commercial interests
- Have business relationships with PAEA vendors of goods and services

#### **PROCEDURES:**

The EC staff advisor or a staff designee shall review disclosure forms and bring forward to the EC chair any disclosure forms that indicate a perceived or actual COI.

The disclosure form shall (1) list external positions and relationships and (2) identify any COIs. The form shall list:

- Position(s) or title held for each external position and appointment
- Volunteer and paid positions
- Elected and appointed positions
- Memberships in other associations or external organizations
- Relationships with business associates, family, and colleagues who have, or are seeking, a business relationship with a PAEA vendor of goods and services or who have a financial or commercial interest in PAEA-type activities, such as marketing of educational services and products in the health care/medical field
- Disclosure of perceived or actual COI

*(Adopted May 21, 2014; most recent revision December 16, 2015)*

#### **6.01.06 Concerns**

Anyone within or outside PAEA who has a concern about a perceived or actual COI, shall advise the EC by submitting the “Inquiry Form: Alleged Violations of PAEA Code of Ethics,” and other required forms/documents as contained herein.

*(Adopted May 21, 2014; most recent revision December 16, 2015)*

#### **6.01.07 Known COI and Eligibility for Positions**

As part of PAEA’s calls for open positions, both elected and appointed, the EC shall disseminate information about types of positions and relationships with external entities that are known to be COI. Questions regarding COI and eligibility for a position should be directed to the appropriate PAEA staff advisor. Specifically, PAEA shall

- Publish a public webpage that lists types of positions within external organizations that are deemed or considered to be a COI and would either preclude appointment or that would require relinquishing the external position in order to be appointed.
- Include the link to the public webpage in the open calls for volunteer groups or activities for both elected and appointed positions.

*(Adopted May 21, 2014; revised December 8, 2014)*

#### **6.01.08 Centralized Records**

PAEA shall maintain a centralized, secured electronic record of disclosure forms for those who have been appointed or elected to PAEA. The records shall be maintained for the duration of the individual’s term of service.

*(Adopted May 21, 2014; most recent revision December 16, 2015)*

#### **6.01.09 Leadership Positions in Other Organizations**

**POLICY:** Because members of the Board and division/council/committee chairs receive and handle confidential, sensitive and/or proprietary information about PAEA finances, strategic planning, and organizational strengths and weaknesses, it would be a persistent and unresolved COI for those PAEA leaders to hold director, officer, chair, or other leadership positions in organizations whose missions and activities constitute a COI for PAEA.

### **PROCEDURE FOR MEMBERS OF THE BOARD OF DIRECTORS**

During their tenure, members of the Board shall not serve:

- As site visitors for the Accreditation Review Commission on Education for the Physician Assistant
- On the Board, as a Commissioner, or in a similar position for the National Commission on Certification of Physician Assistants, the nccPA Health Foundation’s Board, Accreditation Review Commission on Education for the

Physician Assistant, PA Foundation, or the American Academy of Physician Assistants

- As an external liaison except by appointment of the Board
- In positions that are directly related to PAEA products (e.g., testing products)
- As a paid consultant for a case or engagement that may involve PAEA, PAEA members, PAEA vendors, or their direct competitors.

Board candidates must agree to cease any of the aforementioned involvement prior to start of service if elected to the Board.

Board members' COI disclosure statements will be made publically available.

*(Adopted May 21, 2014; most recent revision December 16, 2015)*

#### **6.01.10 EC Evaluation for Perceived or Actual COI**

##### **PROCEDURES:**

The EC staff advisor shall conduct preliminary reviews for perceived or actual COI and answer questions regarding COI.

The EC shall:

- Review disclosure forms brought forward by the EC staff advisor
- Consider COI cases/inquiries
- Request additional information and allow the input of the leader or member with the COI, in its discretion
- Make a determination on the existence of a COI
- Formulate and advise a course of action to resolve the COI and/or advise other related actions

PAEA reserves the right to modify a timeline for any procedure or process. If a change occurs, PAEA will notify the affected party or parties.

*(Adopted May 21, 2014; most recent revision December 16, 2015)*

#### **6.01.11 Disclosure Forms with Perceived or Actual COI**

When the EC staff advisor identifies a disclosure form with a perceived or actual COI, the form is forwarded to the EC chair. The EC staff advisor also shall notify the CEO and the appropriate staff advisor. The EC shall review the disclosure forms brought forward by the EC staff advisor. The EC shall also conduct reviews when a PAEA member initiates self-disclosure by submitting an inquiry to the EC and when a perceived or actual COI is identified by a PAEA member and leader.

When a perceived or actual COI is identified, the following steps shall be taken:



1. The EC chair and CEO shall determine if legal counsel is needed to consult with the review panel.
2. In its discretion, the EC Chair and CEO may request additional information from the individual with the perceived or actual COI.
3. Members of the Board who serve on the EC shall recuse themselves from deliberations in the event that the case is appealed to the Board.
4. The EC chair shall appoint a review panel consisting of a total of three members. The chair may serve as one of the three members. If the chair is not included as a named member of the review panel, he/she is consultative only and shall not participate in the vote of the review panel.
5. If the perceived or actual COI was reported as an inquiry, the EC chair shall state in a written communication to the Inquirer that
  - a) PAEA has reviewed the inquiry and it shall be taking further corrective action or
  - b) PAEA has reviewed the inquiry, and it has been determined that there is no violation of the Code.

The review panel shall:

- Review cases of perceived or actual COI.
- Confer via telecommunication, electronic documents, or in person.
- Make decisions by consensus.
- Keep their deliberations non-public.
- Report the decision within 10 business days of appointment.
- Report its decision in writing regarding whether a violation has taken place and, if there is a violation, its recommended course of action to the full EC minus those members who serve on the Board of Directors. The EC, minus members of the Board of Directors, reviews the panel's recommendations and reviews and affirms by consensus.

For each case, the review panel shall make one of the following determinations

1. **Unmanageable COI.** The person cannot be considered for appointment to the PAEA position due to the identified conflict.
2. **Manageable COI.** The person is notified that certain actions shall be considered necessary in the event of appointment as a PAEA leader.
3. **No Concern.**

*(Adopted May 21, 2014; most recent revision December 16, 2015)*

### **6.01.12 Conflict of Interest Sanctions**

When a leader's manageable or unmanageable COI is determined to exist, potential actions and sanctions include

- Recusal on discussion and decision-making on certain issues/topics. Recusal includes
  - The person shall not speak to an issue and shall not vote
  - May be asked to leave the room

- In order to be considered for a PAEA position, the leader or member shall resign from an external position.
- Removal of the leader from his/her PAEA position.
- Termination or suspension of PAEA benefits and privileges.
- Recommendation to the Board of Directors to revoke PAEA membership.

**POLICY:** The Board of Directors shall approve sanctions for manageable or unmanageable COI.

For cases deemed of no concern, no further action shall be required. For cases deemed unmanageable and manageable by the EC, the EC shall forward its recommended sanction(s) to the Board of Directors within three business days. The Board of Directors shall:

- Consult with legal counsel
- Review the EC's recommended sanctions including the EC's comments on the pros and cons of each possible recommended course of action
- Ask questions and seek any additional information needed
- Make the final decision about course of action(s) to be imposed
- Make the final decision on whether to report the EC decision and Board-approved course of action to the person's institution/program.
- Make a final decision within seven business days
- Notify the EC of its decision and provide the EC with any reports or written documentation regarding its review

After receipt of the determination by the Board of Directors, the EC shall

- Notify the affected PAEA member within three business days of the final decision including sanction(s) to be imposed
- Notify the appropriate council and division chairs if a determination is made that a member's COI is manageable and how the COI will be managed
- Notify the program or institution as determined by the Board of Directors

*(Adopted May 21, 2014; most recent revision December 16, 2015)*

### **6.01.13 Alleged Violations of the PAEA Code of Ethics**

#### **Submittal of Inquiry**

**POLICY:** To register an inquiry regarding an alleged violation of the Code, including COI, the inquirer shall submit the required forms and documents as listed herein.

Anonymous inquiry is discouraged given the difficulty in evaluating such an inquiry because of the inability to follow up with inquirer during and following investigation.

Note: See Section 6.01.01 for the policies and procedures that apply to resolution of COIs.

#### **PROCEDURES:**

All inquiries shall be:

- Filed in writing and signature by the Inquirer(s) is highly encouraged (see policy above)
- Submitted on the required forms and documents, as outlined below
- Be sent to PAEA through the U.S. postal service to the PAEA national office, email (ethics@PAEAonline.org), Fax (703-548-5539), or express delivery services.

### **Required Forms and Documents**

The following forms and documents shall be submitted in order for the EC to review and process an inquiry:

- Cover letter
- Submittal Form: Alleged Violations of PAEA Code of Ethics (Appendix D)
- Authorization Form: Waiver of Confidentiality. Alleged Violations of PAEA Code of Ethics (Appendix D)
- All available supporting documentation, data, and information to support the allegation

*(Adopted May 21, 2014; most recent revision December 16, 2015)*

### **6.01.14 Consideration of Inquiry**

The EC chair in consultation with the CEO and, as needed, legal counsel, shall determine, whether the inquiry

- Is frivolous/unfounded, or
- Can be readily addressed and resolved, or
- Merits EC review
  - If the CEO and EC chair do not agree, an EC review panel reviews the inquiry.
- If the EC chair and CEO determine that the complaint merits a full review, the complaint shall be submitted to an EC review panel. The EC chair shall state in a written communication to the Complainant that PAEA has reviewed the complaint and shall be taking further corrective action.
  - If the EC chair and CEO determine the inquiry is unfounded and there is no violation of the Code, the EC chair shall state in a written communication to the Inquirer that PAEA has reviewed the inquiry, and it has been determined that there is no violation of the Code. In this event, the Inquirer is allowed to resubmit his/her inquiry and provide further clarification.
  - If the EC chair and CEO determine that the inquiry merits a full review, the inquiry shall be submitted to an EC review panel.
  - The EC chair shall state in a written communication to the Inquirer that PAEA has reviewed the inquiry and shall be taking further action.

The EC chair shall appoint a review panel consisting of three members. The chair may serve as one of the three members. If the chair is not included as a named member of the review panel, he/she is consultative only and shall not participate in the vote of the review panel.

Ethics Council Review Panel shall:

- Shall review the inquiry and response and m.
- May review items and issues raised in the documentation.
- Be responsible for contacting the Inquirer and Respondent for any follow-up or additional information that may be needed.
- Determine if there is sufficient information supporting a possible violation.
- Notify the Respondent and the Inquirer of their decision within five business days as to whether or not there is sufficient information supporting a possible violation.
- Make a determination on whether to hold a hearing within five business days of receiving the Respondent's response to the inquiry, make a determination on whether to hold a hearing.
- Make a determination after the hearing on whether a violation has taken place.
- Make a recommendation on course of action, if a violation has taken place.

PAEA reserves the right to modify a timeline for any procedure or process. If a change occurs, PAEA will notify the affected party or parties within 5 business days.

If the review panel determines there is sufficient information supporting a possible violation, the Respondent shall have 25 business days from the day of notification to file a formal response to the inquiry along with appropriate documentation and shall be sent to PAEA through the U.S. postal service to the PAEA national office, email ([ethics@PAEAonline.org](mailto:ethics@PAEAonline.org)), Fax (703-548-5539), or express delivery services. Failure by the Respondent to provide a response within 25 business days shall result in a default judgment with no right to appeal. The Respondent's response to the inquiry shall include all data, information, and documentation supporting his/her position. The Inquirer's inquiry and Respondent's response shall be provided to the full EC except to the members of the Board of Directors serving on the EC.

*(Adopted May 21, 2014; most recent revision December 16, 2015)*

### **6.01.15 Hearing**

If the review panel holds a hearing, the hearing may be conducted through electronic media or face-to-face. A written record of the hearing shall be prepared by the EC staff advisor, or as otherwise determined by the PAEA attorney or EC chair.

The following individuals may be present at the hearing:

- Respondent
- Respondent's representative(s)
- Members of the EC review panel
- The EC chair if he/she is not a member of the panel

- PAEA attorney
- PAEA CEO
- PAEA EC staff advisor

#### The Respondent

- Has the right to appear at the hearing along with representation (advocate, attorney)
- Shall notify the EC in advance of the hearing if he/she will have representation at the hearing
- Shall not have the power to subpoena
- Shall pay his/her expenses to be present at the hearing

#### The review panel may recommend:

- Reprimand in writing
- Suspend, for a specified period, certain PAEA benefits and privileges (e.g., loss of eligibility to serve on a volunteer group or activity for two years; loss of eligibility to present at the Forum for two years)
- Removal of the PAEA leader or member from their position
- Informing other agency/institution/organization/board/legal counsel
- Reporting the decision to the person's institution/program. Legal counsel/review shall be sought in such situations
- Termination of PAEA membership

The review panel reports its determination in writing regarding whether a violation has taken place and its recommended sanction to the full EC. The EC reviews the panel's recommendations and reviews and affirms by consensus.

The EC shall send a notification of determination and course of action to the Respondent and his/her representation. PAEA notifications shall be sent via a method that requires a signed receipt. PAEA shall send notifications

1. To the Board of Directors within two business days
2. To the PAEA attorney, if not present, within two business days
3. To the Respondent within four business days

The Respondent may appeal the decision to the Board. The appeal to the Board shall be filed within 15 business days of the date of notification of the decision.

*(Adopted May 21, 2014; most recent revision December 16, 2015)*

#### **6.01.16 Appeals Process for Cases Determined to Violate the Code**

**POLICY:** The Respondent shall have the right to file an appeal of decisions by the EC. Appeals shall be submitted to the Board. The Board's determination on an appeal is final and binding; no further appeals are allowed.

**PROCEDURE:**

If the Respondent wishes to appeal the EC decision, they shall submit his/her appeal in writing to the PAEA President in care of the PAEA office. Acceptable methods of delivery include U.S. postal service, email, Fax, or express delivery services. If the action is against the PAEA President, the appeal shall be submitted to the President Elect. The Appeal shall state the specific grounds for the appeal. Grounds may include, but are not limited to:

- Material errors of fact
- New facts of the case, including newly identified means of COI management
- Perceived violations of procedure

The Respondent may request to present their case to an appeals task force during the appeals hearing. The Respondent shall include in the appeal if they are requesting that his/her legal counsel be present at the appeals hearing. The request for legal counsel to be present shall be subject to prior approval and sole discretion of the chair of the appeals task force. Notification of receipt of the appeal shall be sent to the Respondent by a method requiring signed receipt. The notification to the Respondent shall include a summary, including timeline, of the process.

PAEA reserves the right to modify a timeline for any procedure or process. If a change occurs, PAEA will notify the affected party or parties.

*(Adopted May 21, 2014)*

**6.01.17 Appeals Task Force Review and Final Board Decision**

After the appeal is received, the PAEA President shall, within five business days, appoint an appeals task force consisting of three members of the Board, one of whom shall be appointed as chair. The EC chair shall be a non-voting member of the task force.

The appeals task force shall determine if the appeal shall be accepted or denied. The Respondent shall be notified of this decision within five business days. Within 45 business days of its formation, the appeals task force shall meet in person, by telephone, or by videoconference for a hearing. The decision of the appeals task force shall be made within 25 business days after the appeals task force hearing.

*Exception COI Case Process and Timeline:*

- The appeals task force shall determine and submit its recommendation to the Board within 10 business days.
- The Board shall consider the recommendation and make its final determination within five business days.
- The Respondent and the Respondent's program shall be notified within three business days.

The recommendation of the appeals task force shall be determined by consensus.

- The chair of the appeals task force may consult PAEA legal counsel.
- The appeals task force may request additional information from any party.

- The appeals task force shall receive all the EC records of the case for review.
- The recommendation shall be whether to affirm, modify, or overturn the decision and sanctions imposed by the EC.
- If the task force determination is to modify the EC's recommendation regarding a course of action, the task force shall determine what course of action shall be imposed.
- The appeals task force shall report its recommendation to the full Board.

The Board shall review the task force's recommendation and make the final determination on the appeal including any changes in course of action.

#### The Board of Directors

- Shall confer via telecommunication, electronic documents, or in person.
- Shall make decisions by consensus.
- Shall render its final decision within 15 business days from receipt of the task force's report.
- The Respondent shall be informed of the decision, including potential course of action, in writing within four business days of the hearing via a method that requires a signed receipt.

Copies of the final decision shall be sent to the EC. The final decision shall be recorded in PAEA's centralized records.

*(Adopted May 21, 2014; most recent revision December 16, 2015)*

#### **6.01.18 PAEA Staff**

**POLICY:** The conduct (behavior and attitudes) of PAEA staff shall be consistent with the ethical guidelines laid out in this document.

#### **PROCEDURE:**

The Board shall make determinations regarding alleged violations by the CEO. The CEO shall make determinations for PAEA staff. Unmanaged conflicts and unethical conduct may result in termination. Determinations regarding employment status in such cases shall be consistent with the laws governing the District of Columbia.

*(Adopted May 21, 2014; most recent revision December 16, 2015)*

#### **6.02. Antitrust**

**BACKGROUND/RATIONALE:** PAEA is organized to ensure quality PA education through the development and distribution of educational services and products specifically geared toward meeting the emerging needs of PA programs, the PA profession, and the health care industry. PAEA supports the policy of competition served by the antitrust laws and is uncompromising in its intent to comply strictly in all respects to those laws. It is an individual responsibility of every member of PAEA to be guided by PAEA's policy of strict compliance with the antitrust laws in all PAEA activities.

**POLICY:** PAEA is not intended to, and may not, play any role in the competitive decisions of its members or their employers or employees, or in any way restrict competition among its member programs or the PA profession. It shall be the special responsibility of any committee chairperson and Association officers to assure that this policy is known and adhered to in the course of activities pursued under their leadership. It is not PAEA's role to act as an arbiter or judge of competitive conduct of its members. As such, this statement of antitrust policy is not a mechanism through which members should charge another member with alleged illegal action. Courts of law are the proper places for such allegations.

**PROCEDURES:** The CEO of PAEA or designee will ensure that all Association officers and chairpersons, upon appointment or election, review the PAEA antitrust policy and sign a statement acknowledging their responsibility to adhere to it.

The signed statement will be retained in the national office files for the duration of the officer or chair's term.

*(Adopted October 16, 2007; most recent revision December 16, 2015)*

### **6.03. Whistleblower Policy**

**POLICY:** PAEA's Code of Ethics requires Board members, other volunteers, and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. Employees and representatives of the organization must practice honesty and integrity in fulfilling their responsibilities and comply with all applicable laws and regulations.

This policy governs:

- The submission of concerns regarding questionable accounting or auditing matters by employees, directors, officers and other stakeholders of the organization, on a confidential and anonymous basis.
- The receipt, retention, and treatment of complaints received by the organization regarding accounting, internal controls, or auditing matters.
- The protection of directors, volunteers, and employees reporting concerns from retaliatory actions.

#### **Reporting Responsibility**

Each PAEA director, volunteer, and employee has an obligation to report in accordance with this policy (a) questionable or improper accounting or auditing matters, and (b) violations and suspected violations of PAEA's Code.



### **Authority of Audit Committee**

All reported concerns will be forwarded to the Audit Committee in accordance with the procedures set forth herein. The Audit Committee shall be responsible for investigating, and making appropriate recommendations to the Board of Directors, with respect to all reported concerns.

### **No Retaliation**

This policy is intended to encourage and enable directors, volunteers, and employees to raise concerns with the Organization for investigation and appropriate action. No Board member, volunteer, or employee who, in good faith, reports a concern shall be subject to retaliation or, in the case of an employee, adverse employment consequences. Moreover, a volunteer or employee who retaliates against someone who has reported a concern in good faith is subject to discipline up to and including dismissal from volunteer position or termination of employment.

### **PROCEDURES:**

#### **Employees**

Employees should first discuss their concern with their immediate supervisor. If, after speaking with his or her supervisor, an individual continues to have reasonable grounds to believe the concern is valid, he or she should report the concern to PAEA's director, human resources. In addition, if the individual is uncomfortable speaking with his or her supervisor, or the supervisor is a subject of the concern, the individual should report his or her concern directly to the director, human resources.

If the concern was reported verbally to the director, human resources coordinator, the reporting individual, with assistance from the director, human resources coordinator, shall reduce the concern to writing. The director, human resources coordinator is required to promptly report the concern to the chair of the Audit Committee, who has specific and exclusive responsibility to investigate all concerns. If the director, human resources coordinator for any reason, does not promptly forward the concern to the Audit Committee, the reporting individual should directly report the concern to the chair of the Audit Committee. Contact information for the chair of the Audit Committee may be obtained through the electronic library documents/rosters. Concerns may also be submitted anonymously. Such anonymous concerns should be in writing and sent directly to the chair of the Audit Committee.

#### **Directors and Other Volunteers**

Directors and other volunteers should submit concerns in writing directly to the chair of the Audit Committee. Contact information for the chair of the Audit Committee may be obtained from the director, human resources.

#### **Handling Reported Violations**

The Audit Committee shall address all reported concerns. The chair of the Audit Committee shall immediately notify the Audit Committee, the President, of any such report. The chair of the Audit Committee will notify the sender and acknowledge receipt of the Concern within five business days, if possible. It will not be possible to acknowledge receipt of anonymously submitted concerns.

The Audit Committee will promptly investigate all reports, and appropriate corrective action will be recommended to the Board of Directors, if warranted by the investigation. In addition, action taken must include a conclusion and/or follow-up with the inquirer for complete closure of the concern.

The Audit Committee has the authority to retain outside legal counsel, accountants, private investigators, or any other resource deemed necessary to conduct a full and complete investigation of the allegations.

### **Acting in Good Faith**

Anyone reporting a concern must act in good faith and have reasonable grounds for believing the information disclosed indicates improper accounting or auditing practice, or a violation of the Code. The act of making allegations that prove to be unsubstantiated, and that prove to have been made maliciously, recklessly, or with the foreknowledge that the allegations are false, will be viewed as a serious disciplinary offense and may result in discipline up to and including dismissal from the volunteer position or termination of employment. Such conduct may also give rise to other actions including civil lawsuits.

### **Confidentiality**

Reports of concerns, and investigations pertaining thereto, shall be kept confidential to the extent possible, consistent with the need to conduct adequate investigation.

Disclosure of reports of concerns to individuals not involved in the investigation will be viewed as a serious disciplinary offense and may result in discipline, up to and including termination of employment. Such conduct may also give rise to other actions, including civil lawsuits.

*(Adopted May 26, 2009; most recent revision December 16, 2015)*

## **6.04. Intellectual Property Policy**

**POLICY:** It is the policy of PAEA that Intellectual Property created or worked on by employees, volunteers, or independent contractors in the performance of service to PAEA is to be the property of PAEA. The Intellectual Property under this policy includes works, developments, and creative ideas conceived or worked on individually, in any PAEA Advisory body or Board of Directors and encompasses such works as photographs, website content, written works, works of art, video/music works, computer software, as well as names, slogans, logos, and symbols that identify any PAEA product or service. Intellectual property created by employees within the scope of their employment is considered a “work made for hire” under the U.S. copyright laws and PAEA automatically owns all copyright rights to the work. By virtue of their appointment, volunteers and independent contractors who create intellectual property for PAEA agree to assign and transfer their rights in the property to PAEA.

*(Adopted February 12, 2014; revised December 8, 2014)*

## **6.05. Communications and Public Relations**

**BACKGROUND/RATIONALE:** The Association can either greatly profit or suffer irreparable harm through poor public relations or communications policies. This policy is intended to help protect against conflicting statements or endorsements made by the Association.

### **6.05.01. Commercial Considerations**

**POLICY:** Positions or actions of the Association must be representative of its members and must not be influenced by commercial considerations. All Association interaction with commercial entities must benefit the Association and be consistent with the mission and goals of the organization.

*(Adopted October 16, 2007; reapproved December 19, 2013)*

### **6.05.02. Speaking for the Organization**

**POLICY:** Only the President, CEO, and other persons designated by the Board of Directors may make public statements concerning Association policies or activities. No member may use membership or official position in the Association to promote personal proprietary gain. This policy shall not be deemed to restrict the activities of members and staff when not acting on behalf of the Association.

*(Adopted October 16, 2007; reapproved December 19, 2012; revised December 8, 2014)*

### **6.05.03. Website**

**POLICY:** The materials contained on the Physician Assistant Education Association website ([www.PAEAonline.org](http://www.PAEAonline.org)) are copyrighted to the Physician Assistant Education Association. PAEA is not responsible for the content of any materials on the website provided by third parties and makes no claims regarding the ownership, accuracy, or completeness of the information or materials contained on external websites.

*(Adopted October 16, 2007; revised June 4, 2011)*

### **6.05.04. Use of Information Resources and Graphics**

**POLICY:** The information resources of the Physician Assistant Education Association are provided to facilitate the business of PAEA and its members. Use of PAEA information or graphics, icons, and logos for commercial purposes, other than those approved by the Association, is not permitted.

*(Adopted October 16, 2007; reapproved December 19, 2012)*

### **6.05.05. Copyright**

**POLICY:** Unless otherwise noted, all materials contained on the website or published materials of the Association are copyright protected. Materials may be downloaded or reprinted only under the terms of the “fair use” provisions applicable to noncommercial scientific and educational purposes. Reprinting or electronic reproduction of any

document or graphic in whole or in part for any commercial use is expressly prohibited unless prior written consent is obtained from PAEA and/or the author of such documents.

*(Adopted October 16, 2007; revised June 4, 2011)*

### **6.06. Advertising**

**POLICY:** Physician Assistant Education Association (PAEA) publications and services may contain only advertising that is consistent with the Association's mission and goals. PAEA editorial staff for appropriateness will review all advertisements. PAEA accepts advertisements for the Journal of Physician Assistant Education from companies and institutions with products and services related to the course of study of physician assistant students. The appearance of advertising in the Journal of Physician Assistant Education does not constitute an endorsement by the Physician Assistant Education Association of a product's value or of any claims made by the vendor.

**PROCEDURES:** Advertisements should be submitted to the PAEA national office staff for review and acceptance. Advertising charges will be listed on the PAEA website. Advertising policy appeals should be made in writing and submitted to the national office.

*(Adopted October 16, 2007; reapproved December 19, 2012)*

### **6.07. Staff Compensation Policy**

**POLICY:** PAEA seeks to provide a competitive salary and benefits package for all Association employees. Toward that end, salaries and benefits are reviewed annually during a formal evaluation process. PAEA establishes as its compensation philosophy that it will target its employee compensation and benefits at the median of the market with the ability to pay above that range in cases of strong performance and increased tenure. The market is defined as organizations similar to PAEA in size, type of mission, budget and geographic area. Benchmarking is conducted primarily through salary survey reviews of comparable organizations.

*(Adopted August 21, 2009; revised May 29, 2010; revised April 30, 2014; revised July 16, 2014)*

### **6.08. Files and Record Management**

**POLICY:** The Association will retain records in an orderly fashion for time periods that comply with legal and governmental requirements and as needed for general business requirements.

**PROCEDURES:** This policy applies to all business documentation generated by the Association. However, this does not necessarily cover internal or certain day-to-day business correspondence. The Association will retain records according to the schedule provided as Appendix F.

*(Adopted May 26, 2009; most recent revision December 16, 2015)*

## **6.09. Privacy Policy**

***Note:** This policy is externally focused and is posted on the website and elsewhere as a “stand alone” policy. For this reason, the tone, formatting, and structure are slightly different from other policies in this manual.*

### **Physician Assistant Education Association Privacy Policy — Your Privacy Rights**

*Last Updated: May 29, 2010*

The Physician Assistant Education Association (“PAEA”) is concerned about user privacy, and has prepared this privacy policy to provide details about the personal information it collects and how it uses and protects that information. PAEA encourages individuals to read this policy carefully and to contact PAEA with questions about PAEA’s privacy practices using the contact information that is listed at the end of this policy.

#### **6.09.01 Scope**

This Privacy Policy governs the collection, use, and disclosure of personal information by PAEA. For purposes of this policy, “personal information” means non-public information that could be used to identify an individual or the program in which an individual is enrolled or employed. Personal information does not include information about an individual that cannot reasonably be used to identify or be associated with an identifiable individual. Much of this policy, which covers all aspects of PAEA’s activities, is applicable only to certain categories of users.

#### **6.09.02 Personal Information That PAEA Collects**

PAEA collects different types of personal information about different categories of individuals, including information submitted through PAEA’s websites, as part of registration or participation in PAEA educational programs (including workshops and seminars), participation in PAEA surveys or other research efforts, and through the Central Application Service for Physician Assistants (CASPA). For instance, PAEA may collect individuals’ contact information, demographic data (such as gender, ethnicity, or age), and financial information (such as the credit card numbers that individuals use to pay for PAEA products or services).

PAEA’s websites also include technologies that are standard on the Internet. For instance, our web server automatically logs user agent information (such as IP address and information about a user’s web browser). Other standard technologies include “cookies,” which users usually can decline to provide by modifying their browser settings, and “beacons,” which identify that a particular web page or e-mail has been opened.

Occasionally, PAEA might also obtain information about individuals from other sources, such as educational institutions or organizations serving the needs of physician assistants (PAs) and combine this data with other information that it has collected.

### **6.09.03 How PAEA Uses the Personal Information It Collects**

PAEA uses the personal information that it collects in the following ways.

- *CASPA*. The centralized application service available through the CASPA Web Portal provides applicants a simplified process for applying to PA programs. PAEA uses the personal information that is collected on the centralized application for the purpose of sending the materials to PA programs designated by an applicant and to administer the CASPA program.
- *Provision of Services*. PAEA uses personal information to provide and enhance products and services, including, but not limited to, conferences, workshops, reports, faculty resources, and various student and educational institution services.
- *Research and Survey Responses*. PAEA uses personal information to perform analysis, including analysis for the purposes of enhancing recruitment, selection, and retention of well-qualified PA students; operating and improving programs in the recruitment, selection, development, and retention of well-qualified faculty; promoting interprofessional education and practice; and facilitating the pursuit and dissemination of research and scholarly work.
- *Other Purposes*. PAEA also may use the personal information it collects to respond to requests for information; to communicate with individuals about products or services that may be of interest; to investigate possible violations of and enforce its contracts, including any terms and conditions associated with PAEA products and services and protect its legal rights; and to perform other functions as described to individuals at the time of collection or with their consent.

### **6.09.04 With Whom PAEA Shares Personal Information**

PAEA does not share personal information in identifiable form except as described in this policy. Further, when PAEA does share information, it will only share information to the extent PAEA determines the information is reasonably needed to fulfill the purposes described below:

- *PA Programs and Applications*. Personal information that PA program applicants provide to PAEA through CASPA will be shared with the PA programs designated by the applicant. In addition, PAEA may share personal information obtained through CASPA with other entities (including programs not designated by the applicant and central application services for other professions) to investigate any questions about the accuracy of that information or if PAEA believes that an applicant does not conform with PAEA policies. In these circumstances, PAEA also may share personal information with others to the

extent that it believes it is appropriate in connection with any investigation that PAEA conducts.

- *Service Providers.* PAEA may share personal information with organizations or individuals that perform functions on PAEA's behalf. For example, service providers may process payments for PAEA products and services or may operate PAEA's website. These service providers are granted access to PAEA information for the sole purpose of performing their functions for PAEA.
- *Data Reporting and Analysis.* For research purposes, PAEA may share personal information (either on an individualized or aggregated basis) with the Physician Assistant Data Consortium (which consists of PAEA, the American Academy of Physician Assistants (AAPA), and the National Commission on Certification of Physician Assistants (NCCPA)) and similar collaborations, subject to confidentiality commitments from those recipients. PAEA also may publicly release survey results and data analysis, but any personal information so released will be in aggregated or anonymized form only.
- *Marketing.* It is PAEA's policy not to share information with third parties for those parties' marketing purposes, with the sole exception of sharing e-mail addresses of conference attendees with exhibitors.
- *Legal Matters.* PAEA may share personal information in response to a subpoena or similar investigative demand, a court order, a request for cooperation from a law enforcement or other government agency, or as otherwise required by law; to defend against legal claims; to investigate, prevent, or take other action regarding illegal activity, suspected fraud, suspected violations of terms and conditions associated with PAEA products or services, or other wrongdoing; to protect and defend the rights, property or safety of the company, its users, its employees, or others; or in connection with a substantial corporate transaction, such as a merger.
- *Other Purposes.* PAEA may share personal information as otherwise described at the point of collection or pursuant to an individual's consent.

Also, to the extent an individual posts information about himself or herself in a public setting, such as a public forum or social media service that PAEA operates, PAEA would not consider that information confidential and may share it with others.

#### **6.09.05 Access To Personal Information In PAEA Database**

Users can make a request to review and update personal information contained in PAEA's databases that they have supplied by contacting PAEA at [info@paeasonline.org](mailto:info@paeasonline.org).

#### **6.09.06 Third Parties**

The privacy practices of third parties are not covered by this policy, which only applies to the collection, use and disclosure of personal information by PAEA. However, when

PAEA shares information with one of its vendors or service providers, it will obligate them by contract to comply with this privacy policy.

#### **6.09.07 How PAEA Protects Personal Information**

PAEA uses commercially reasonable security measures (including physical, electronic and procedural measures) to help safeguard personal information from unauthorized access and disclosure. However, no system for transmitting or storing information electronically can be guaranteed to be completely secure.

#### **6.09.08 Children's Privacy**

PAEA does not knowingly collect personal information from children under the age of 13. If PAEA learns that it has collected personal information from a child under the age of 13, it will delete that information from its database.

#### **6.09.09 Changes to this Privacy Policy**

PAEA may occasionally update this privacy policy, and any personal information that it collects will be subject to the version of the policy that is in effect at the time of the collection. PAEA will post the current version of this policy on its website, [www.paeaonline.org](http://www.paeaonline.org).

#### **6.09.10 How to Contact PAEA**

Individuals with questions about this policy or PAEA's personal information-handling practices should contact PAEA at [info@paeaonline.org](mailto:info@paeaonline.org), (703) 548-5538.

### **6.10. Data Management and Dissemination**

**POLICY:** PAEA's practices related to general management and dissemination of its data are governed by its comprehensive privacy policy (see section 6.09). In addition, specific data policies in this section may apply. The comprehensive PAEA Research Department Data Request and Sharing Policies are located in Appendix C of this Manual.

*(Adopted May 29, 2010; Revised June 5, 2013)*

#### **6.10.01. Ownership and Classification of Data**

**POLICY:** PAEA retains ownership of all data collected via its surveys. These data are classified into three categories:

**Unrestricted data** are easily or generally available through web sites, reports, publications, or other means of public access.

**EXAMPLE:** *Report on PA Educational Programs in the United States*, PA Programs Directory, CASPA Summary Report

**Restricted data** are generally not published or available for general consumption, and can only be released by permission of the Research Council, the PAEA Board of Directors, or designated staff. Released restricted data will not include program or individual identification.



Example: Annual Survey data; CASPA applicant and matriculant data

**Confidential data** contain individual or program-identifying information and cannot be released without specific permission from PAEA following a written request for data.

Example: Program-specific data on curriculum changes

**PROCEDURE:**

- The Research Council PAEA Data will classify PAEA datasets or PAEA designated staff.

*(Adopted May 29, 2010; revised December 8, 2014)*

**6.10.02. Release of Data**

**POLICY:** PAEA will not release restricted or confidential data (as defined in 6.10.01) that identifies any individual, PA program, or institution. Data representing subsets of PA programs will be released only when a minimum of five programs meet the subset criteria.

Unrestricted data may be publicly reported by PAEA and may be released on request by the appropriate PAEA staff member. Release of restricted and confidential data must be approved by the Research Council or designated PAEA staff. Appeal of a rejection of data release can be made to the Research Council first and final decision rests with the Board of Directors of PAEA.

**PROCEDURES:**

- PAEA staff will disseminate data according to the stipulated guidelines.
- Research Council, directs and supervises staff action related to release of data.
- All requests for restricted or confidential data will be reviewed for approval by PAEA staff with oversight by the chair and members of the Research Council.
- In cases of dispute, the PAEA Board of Directors makes the final decision on granting or denying data requests.
- Requests for data must be in writing, and must include
  - Name of the person requesting data/principal investigator
  - Affiliated institution (academic, research, or governmental)
  - Program director name (if applicable)
  - Contact information
  - Others involved in the research effort
  - A description of what data are requested
  - Purpose/aims of the study
  - Methodology
  - Methods of dissemination of findings
  - IRB status

*(Adopted May 29, 2010; revised December 8, 2014)*

### **6.10.03. Obligations of Data Recipient**

**POLICY:** Data released by PAEA upon written request may be used only for the specific requested reasons or purposes. The dataset or subset of it cannot be re-released in any form to any other individual or entity for any purpose. The source of the data must be properly cited in any published works or other forms of dissemination.

**PROCEDURES:**

- Violation of these stipulations may result in forfeiture of any further access to PAEA data and possible legal action.

*(Adopted May 29, 2010; most recent revision December 16, 2015)*

### **6.10.04. Cost of Data Processing**

**POLICY:** Program Representatives may make a reasonable number of requests for specific datasets from PAEA staff, as long as the requests do not exceed one hour will be charged at an hourly rate noted in the PAEA Research Department Data Request and Sharing Policies in the Appendix C to this Manual. Requests from non-members for data analysis will be subject to approval and to a fee negotiated in advance.

**PROCEDURES:**

- The Board of Directors is responsible for setting any fees related to processing and release of data.

*(Adopted May 29, 2010; most recent revision December 8, 2014)*

## **6.11. By the Numbers: Report on Physician Assistant Educational Programs in the United States**

### **6.11.01 Obligation to Provide Data**

**POLICY:** Pursuant to Bylaws article 3.07, “Member Programs must agree to provide, and Member Programs must provide, data for the annual program survey and curriculum survey upon PAEA request. Furthermore, Member Programs are strongly encouraged to cooperate with PAEA staff to facilitate strong response rates for other Association surveys ”

**PROCEDURES FOR ANNUAL PROGRAM SURVEY:**

- PAEA staff will send each member program a link to the annual program survey. Programs will have a specific period of time in which to complete the survey by the published deadline. Staff will send periodic reminders and make every effort to assist programs with providing their data.
- Research staff will notify the Board of programs that have not completed the survey by the deadline.

- The CEO will formally notify programs of noncompliance with the bylaws requirement to supply data, by writing to the program director and copying the program director's immediate supervisor.
- From receipt of the letter, a program will have 30 days to respond and 60 days to complete the survey.
- Failure to complete the survey within 60 days will result in the program's membership being revoked.

*(Adopted August 21, 2009; most recent revision December 16, 2015)*

#### PROCEDURES FOR OTHER PAEA SURVEYS:

- PAEA staff will send each member program a link to the survey. PAEA may request that the program director forward the survey invitation to program staff, faculty, or students. Programs will have a specific period of time in which to complete the survey. Staff will send periodic reminders and make every effort to assist programs with providing their data. PAEA staff will provide the Board with notification of non-respondent programs.

#### **6.11.02 Security and confidentiality**

**POLICY:** PAEA will take all reasonable precautions with staff access limited to the Research Department and those with IRB training and a need to know to protect data submitted by PA programs and will report data only in the aggregate. Access to salary and other confidential data will be available only to designated staff.

*(Adopted August 21, 2009; most recent revision December 16, 2015)*

#### **6.11.03 Access to Report Data**

**POLICY:** All PAEA member programs will have access to all reports of survey data collected from programs, faculty, and students. Reports will be available online to the general public after one year.

*(Adopted August 21, 2009; most recent revision December 16, 2015)*

#### **6.11.04 Benchmarking**

**POLICY:** PAEA member programs may request specific data reports for purposes of accreditation, promotion, research, and other program uses. Multiple requests for data reports by member programs may be subject to limitations based on availability of staff time and other resources.

**PROCEDURES:** All filled requests will be in accordance with the most recent data policies and procedures found in the Research section of PAEA website.

*(Adopted August 21, 2009; most recent revision December 16, 2015)*

## **6.12. Mailing List Rental and Usage**

**POLICY:** PAEA does not rent its mailing list, either US mail or e-mail, for commercial purposes. PAEA will make its mailing lists available, in whole or in part, to PAEA member programs for educational and informational purposes. PAEA may distribute its mailing lists to other non-commercial organizations for purposes that support the advancement of PA education, the PA profession, or the provision of high quality, cost-effective healthcare by PAs. Provision of mailing lists does not imply endorsement by PAEA. PAEA reserves the right to deny any request at their discretion.

**PROCEDURES:** Requests for use of the mailing list should be addressed to Member and Administrative Services. Requests must include the intended use of the mailing list and the educational/informational purpose. Each request will be considered on an individual basis.

*(Adopted October 16, 2007; most recent revision December 16, 2015)*

## **6.13. Endorsement**

**BACKGROUND/RATIONALE:** This policy is intended to provide guidance in endorsing commercial and noncommercial products or positions.

**POLICY:** Endorsements shall be requested through the Board. The Board will determine whether a product for which endorsement is requested falls under commercial endorsement, the purview of the board, or noncommercial endorsement, the purview of the membership. Nothing in this policy shall be deemed to restrict the activities of members and staff when not acting on behalf of the Association.

*(Adopted October 16, 2007; revised July 17, 2009; revised December 8, 2014)*

### **6.13.01. Commercial Endorsements**

**POLICY:** Endorsement of commercial products, i.e., educational products, program equipment, or consulting services, will be evaluated and approved by the Board. The Board may refer requests to the appropriate PAEA advisory bodies and/or consultants for review and recommendations. All commercial endorsements will be subject to legal contract between the Association and the commercial vendor.

*(Adopted October 16, 2007; revised July 17, 2009; revised December 8, 2014)*

### **6.13.02. Noncommercial Endorsements**

**POLICY:** The Board will bring Endorsement of noncommercial products and position statements from other organizations to the general membership for their vote and approval. The Board may refer requests for noncommercial endorsements to the appropriate PAEA advisory bodies and/or consultants for review and recommendations prior to presentation to the general membership for their vote and approval. Nothing in this policy will constrain the Board's ability to respond to time-sensitive policy issues.

*(Adopted October 16, 2007; revised July 17, 2009; revised December 8, 2014)*

#### **6.14. Nondiscrimination**

**POLICY:** PAEA will not discriminate against the Association’s staff or other employees, members, or students on the basis of gender, age, race, color, religious belief, national origin, marital status, disability, citizenship status, sexual preference or any other basis as defined in federal, state, or local civil right laws.

**PROCEDURES:** Incidents of discrimination for any reason should be brought to the immediate attention of the Association’s CEO or president as is appropriate. The charge of discrimination will be brought to the attention of the Board and legal counsel as appropriate.

*(Adopted April 17, 2008; most recent revision December 16, 2015)*

## GLOSSARY

**Program Representative:** The term used by PAEA to refer to individuals who are eligible to serve the Association, as defined in PAEA Bylaws Article 3.08: A program director of a Member Program or designee may name an unlimited number of Program Representatives. A Program Representative is an individual integral to the teaching or administration of the Member Program.

Program Representatives should be integral to the teaching or administration of a member PA program; these may include: PA faculty, program and medical directors, academic/clinical coordinators, basic science faculty, or other individuals who hold appointments and actively contribute to the PA educational process for that program. Program Representatives are authorized to designate themselves as “members” of PAEA.

**Advisory Bodies:** Per Bylaws Article 3.09: All volunteer groups with non-Board members as members shall be considered advisory bodies. Per Bylaws Article 6.01: The Board may, by resolution adopted by a majority of the Board members then in office, create and dissolve such advisory bodies as it deems appropriate, whether standing or ad hoc. Advisory bodies may include, but are not limited to, divisions, councils, committees, and subcommittees.

