

# ***DISCIPLINARY POLICY AND PROCEDURES***

## **I. DISCIPLINARY POLICY**

Scrum Alliance members and individuals holding or applying for any Scrum certifications (collectively, “practitioners”) may be subject to disciplinary action for matters stemming from fraudulent use of Scrum Alliance certification; legal actions; violation of the Scrum Alliance *Code of Ethics*, or violation of Scrum Alliance’s policies, as described below. Scrum Alliance retains the right to impose discipline under this policy for any individual who was a member of Scrum Alliance, held any Scrum Alliance certification, or was applying to Scrum Alliance for certification when the violation triggering the disciplinary proceeding occurred.

Even where no adverse disciplinary decision is reached, Scrum Alliance may use examples of disciplinary actions to inform and educate practitioners; however, Scrum Alliance will disguise the underlying facts to avoid directly identifying real individuals or circumstances.

### **A. Use of Fraudulent Credentials**

Scrum Alliance may, at its discretion, deny, suspend, or terminate an individual’s certification, eligibility for future certification, and/or right to use Scrum Alliance’s marks permanently or for such time as may be determined by Scrum Alliance; issue a letter of censure, and/or take such other actions as may be deemed appropriate, including taking legal action, if Scrum Alliance determines that the individual engaged in the use of a “fraudulent credential.”

For purposes of this policy, use of “fraudulent credentials” shall include:

- Using deceptive means to obtain, maintain, or attempt to obtain or maintain Scrum Alliance certification or membership, including but not limited to submitting or assisting another person to submit to Scrum Alliance any document or testimony that contains a material misstatement of fact or that omits a material fact.
- Engaging or attempting to engage in fraud, bribery, or cheating to complete any Scrum Alliance course or to pass any Scrum Alliance examination.
- Continuing to hold oneself out as having Scrum Alliance certification and/or Scrum Alliance membership, including by use of a Scrum badge, if certification and/or membership is suspended or terminated.
- Assisting another individual to do any of the above.

## B. Legal Action or Violation of Scrum Alliance's Code of Ethics

### *1. Automatic Denial or Termination*

Scrum Alliance will automatically deny or terminate an individual's certification and/or membership, eligibility for certification and/or membership, and/or right to use Scrum Alliance's marks permanently or for such time as may be determined by Scrum Alliance, if Scrum Alliance determines that the individual is the subject of any of the following:

- Conviction of (including pleading guilty to) or pleading no contest to a felony that is related to an individual's use of any Scrum Alliance certification or Scrum Alliance membership, including to offer and sell Scrum-related services to third parties (e.g., training, coaching, mentoring, and the like), or that relates to fraud or any cybercrime.
- Court martial conviction of (including pleading guilty to) violation of the Uniform Code of Military Justice where the maximum permissible punishment for the offense is one year or more in military prison and the offense relates to fraud or any cybercrime.
- Adjudication by a court, licensing board, or federal employer that the individual is mentally incompetent.

### *2. Discretionary Denial, Termination, Suspension, or Censure*

Scrum Alliance may, at its discretion, deny, suspend, or terminate an individual's certification and/or membership, eligibility for certification and/or membership, and/or right to use Scrum Alliance's marks permanently or for such time as may be determined by Scrum Alliance, issue a letter of censure, and/or take such other actions as may be deemed appropriate, including taking legal action if Scrum Alliance determines that the individual is the subject of any of the following:

- Conviction of (including pleading guilty to) or pleading no contest to any felony.
- Court martial conviction of (including pleading guilty to) any violation of the Uniform Code of Military Justice where the maximum permissible punishment for the offense is one year or more in military prison.
- Conviction of (including pleading guilty to) or pleading no contest to a misdemeanor or violation of the Uniform Code of Military Justice that relates to fraud or any cybercrime, sexual assault or battery, violence (including domestic violence), child pornography, or sexual crimes against children.

- Violation of the Scrum Alliance *Code of Ethics*.
- Use of fraudulent credentials.

### C. Suspension Pending Adjudication or Investigation

Scrum Alliance may, at its discretion, suspend an individual's certification and/or membership, eligibility for certification and/or membership, and/or right to use Scrum Alliance's marks pending investigation or the outcome of a third-party adjudication, if it determines that the individual fails to respond or provide requested information to Scrum Alliance in response to a notice of disciplinary proceeding, or if Scrum Alliance determines that the individual is subject to:

- Credible allegations of fraud or any cybercrime relating to the use of any Scrum Alliance certification, including any offer and sale of Scrum-related services to third parties (e.g., training, coaching, mentoring, and the like).

## II. DISCIPLINARY PROCEDURES

Scrum Alliance staff are responsible for reviewing complaints, administering the disciplinary process, and issuing decisions under the *Disciplinary Policy*, subject to review in accordance with Scrum Alliance's *Review Policies and Procedures* and, as applicable, Section 2.5(A) of the Scrum Alliance Bylaws. A. Notification of Disciplinary Proceeding

1. Scrum Alliance shall issue a Notice of Disciplinary Proceeding to the individual whose conduct is under review. The Notice shall describe the allegations or information that triggered the disciplinary proceeding and inform the individual that disciplinary actions may be taken by Scrum Alliance.

2. The Notice of Disciplinary Proceeding also shall provide the individual 30 calendar days to submit a written response to the allegations.

3. The Scrum Alliance shall make a reasonable effort to determine the facts of the matter. Based on the available facts, including a statement from the individual if submitted, The Scrum Alliance shall determine what, if any, disciplinary action is warranted.

### B. Possible Actions and Notification of Decision

#### 1. *Possible Actions*

Scrum Alliance may take a combination of any of the actions listed in the *Disciplinary Policy and Procedures* or such other action that may be deemed appropriate in the particular

circumstance if Scrum Alliance determines that allegations against the individual are true and violate Scrum Alliance's *Code of Ethics* or otherwise trigger disciplinary action or suspension under Scrum Alliance's *Disciplinary Policy and Procedures*.

## 2. *Notification of Decision*

If Scrum Alliance determines that no action should be taken, Scrum Alliance shall issue a written Notice of Decision to the individual advising him or her that no action shall be taken and the matter shall be closed.

If Scrum Alliance determines that a disciplinary action should be taken, Scrum Alliance shall issue a written Notice of Adverse Decision to the individual and, in the case of termination, a written Termination Notice stating the reasons for such termination and the proposed effective date of the termination.

a. The Notice of Adverse Decision shall describe (a) the basis for disciplinary action (b) the applicable section(s) of Scrum Alliance's *Disciplinary Policy and Procedures* and, if applicable, the *Code of Ethics*, and (c) the disciplinary action taken in the matter.

b. The Notice of Adverse Decision shall also inform the individual that he or she may accept the disciplinary action or submit a timely Request for Review in accordance with Scrum Alliance's *Review Policies and Procedures*. If the individual does not submit a written Request for Review in accordance with Scrum Alliance's *Review Policies and Procedures*, the decision of Scrum Alliance shall be the final decision of Scrum Alliance on the matter and shall not be subject to any subsequent review absent extraordinary circumstances, as determined solely by Scrum Alliance.

c. The Notice of Adverse Decision shall also inform the individual that after a final adverse disciplinary decision has been reached, Scrum Alliance may remove the individual's name and badge from the Certificant Directory on the Scrum Alliance website and may, as deemed appropriate, disclose lessons-learned from the disciplinary action and the underlying facts thereof. Scrum Alliance may provide a copy of the final Decision Letter to the individual's employer, complainant(s) and other interested parties, including to individuals seeking information about the individual's Scrum Alliance certification designations, as solely determined by Scrum Alliance.

## C. Review of Adverse Decisions

If Scrum Alliance determines that the individual's membership and/or certification should be terminated, such adverse decision is subject to review pursuant to Scrum Alliance's

Review Policies and Procedures and Section 2.5(A) of the Scrum Alliance Bylaws. All other adverse decisions are subject to review pursuant to Scrum Alliance's *Review Policies and Procedures*. An individual requesting review of any adverse decision must submit a written Request for Review within 30 calendar days of the date of the Notice of Adverse Decision. If the individual does not submit a timely request for review or request for appeal, the decision will be final.

#### D. Application for Reestablishment of Eligibility Following Disciplinary Action

1. Applications to reestablish eligibility for certification or membership shall be considered and acted upon at the discretion of Scrum Alliance, except in such cases where the termination is permanent or the period of termination is expressly limited to a specific period of time.

2. An individual whose eligibility for certification or membership has been denied or terminated by Scrum Alliance for a specified time period may apply to reestablish eligibility with Scrum Alliance following expiration of such time period.

3. To re-establish eligibility, the individual must submit a full statement that includes relevant details that pertain to the individual circumstances. If Scrum Alliance's decision related to an individual's criminal or military justice conviction, the individual may not apply to reestablish eligibility until all sentences have been served and, unless the Review Committee grants an exception, until all judgments have been satisfied.

The individual statement should include:

- An acknowledgement of the individual actions and a statement of why Scrum Alliance should consider the request.
- An attestation indicating that no new *Code of Ethics* violations have occurred since termination.
- A description of how individual has met any Scrum Alliance stipulations.

The individual must also submit relevant supporting documentation that will be verified by Scrum Alliance. Examples of supporting documentation to be provided include, depending on the underlying issue:

- Written notice that any criminal sentences or probationary periods have been served, or other legal requirements have been met.

- Documents meeting requirements stipulated by Scrum Alliance.

4. Scrum Alliance may also place such other conditions on reestablishment of eligibility for certification or membership or on maintaining reestablished eligibility as Scrum Alliance in its discretion deems appropriate.

#### E. Responsibility for Notification of Address Changes

Scrum Alliance members and individuals holding or applying for any Scrum certifications are solely responsible for ensuring that their Scrum Alliance account includes their current mailing and email address. If an individual does not receive notice(s) from Scrum Alliance related to disciplinary review or action due to failure to notify Scrum Alliance in a timely manner of a change of address, that lack of notification shall not be considered as the basis for an appeal or reconsideration of any decision in the matter.

## ***REVIEW POLICIES AND PROCEDURES***

### I. Policies and Procedures for Review of Adverse Disciplinary Decisions

#### A. Termination of Certification and/or Membership.

After receipt of a timely Request for Review of a decision by Scrum Alliance to terminate an individual's certification and/or membership, the individual shall have the opportunity to appeal to the Board the termination of the individual's status as a Scrum Certified Member or Uncertified Scrum Member in accordance with the provisions of Section 2.5(A) of the Scrum Alliance Bylaws.

#### B. Adverse Decisions Other Than Termination.

After receipt of a timely Request for Review of a 's decision by Scrum Alliance to impose discipline other than to terminate the individual's certification and/or membership, the individual shall have the opportunity to seek review of the adverse decision by the Review Committee.

### II. Composition of the Scrum Alliance Review Committee

A. The voting members of the Review Committee shall consist of no fewer than three Scrum Alliance representatives, none of whom shall be staff members; representatives may include Scrum coaches or Scrum trainers.

B. Scrum Alliance Review Committee members may not participate in discussions of, or vote on, any review in which the member has or has had a substantial personal or professional relationship with the individual at issue.

C. For Review Committee proceedings for a Scrum trainer who is not also a certified Scrum coach, the Committee members shall be Scrum trainers. For Review Committee proceedings for a Scrum coach who is not also a certified Scrum trainer, the Review Committee members shall be Scrum trainers. For Review Committee proceedings for an individual who is both a Scrum trainer and a Scrum coach or for Foundational practitioners (e.g., CSMs, CSPOs, CSPs, etc.), the Committee may consist of Scrum trainers, Scrum coaches, or both.

### III. Review Committee Notices

A. After receipt of a timely Request for Review to the Review Committee, Scrum Alliance shall notify the individual in writing of the date by which the Review Committee will review the case.

B. The individual must submit to Scrum Alliance at least 30 days prior to the Review Committee meeting a detailed written statement of the basis for the appeal of the adverse decision and any relevant supporting documentation that the individual wishes the Review Committee to consider.

### IV. The Review Record

A. For requests for review by the Review Committee or by the Board, Scrum Alliance staff shall prepare the Review Record, which shall constitute the Review Record, as applicable:

1. The Notice of Adverse Decision received by the individual.
2. Any materials considered by Scrum Alliance in reaching the Notice of Adverse Decision.
3. Publicly available records relevant to the matter.
4. The Request for Review and any supporting documentation submitted by the individual or prepared by Scrum Alliance staff.
5. Any other relevant material, including correspondence with the individual, submissions by complainants, or materials from the Scrum Alliance record of the individual.
6. A Review Summary, prepared by Scrum Alliance staff, which shall also be sent to the individual seeking review, at least 20 days prior to the meeting of the Review Committee or, as applicable, of the Board.

7. If the individual makes supplemental written submissions in advance of the Review Committee or Board meeting, those will be shared with the Review Committee or Board and will be made part of the Review Record.

V. Review Committee Meetings for Adverse Decisions Other than Termination of Certification or Membership

Except where the adverse decision is termination of Scrum Alliance certification and/or membership the Review Committee shall meet to consider and reach a determination based on the Review Record.

The Review Committee may meet in-person or by telephone. Other Scrum Alliance staff may attend and participate in the meeting but may not vote. The individual seeking review may not attend the meeting but must submit in writing any information or arguments that he or she or it wishes to be considered in advance of the Review Committee meeting.

After discussion, the Review Committee will reach a determination based on the Review Record before it, by majority vote of those members present, which, if any, action is appropriate under the circumstances. The Review Committee may affirm, modify, or reverse the Adverse Disciplinary Decision, in accordance with Scrum Alliance's *Disciplinary Policy and Procedures*. The Review Committee may impose conditions on the individual, such as the completion of continuing education, in which case the Review Committee will also specify an alternative decision that shall become effective if the individual declines to accept the conditions within the specified timeframe.

A decision by the Review Committee to terminate an individual's certification and/or membership status as a Scrum Certified Member or Uncertified Scrum Member may be appealed to the Board in accordance with the provisions of Section 2.5(A) of the Scrum Alliance Bylaws by filing a request for appeal within 30 calendar days of the date of the Review Committee Decision Letter. In the event of an appeal, the Review Committee Decision Letter and the minutes of the Review Committee's meeting about the individual's case shall be added to the Review Record. If the individual does not submit a timely request for appeal, the Review Committee decision will be final.

VI. Review Committee Notifications

If the adverse decision under review is a disciplinary sanction other than termination of Scrum Alliance certification and/or membership, the individual will be notified in writing of the Review Committee's decision within 30 calendar days of the decision. If recommended by the Review Committee, the notification may also include an agreement to be signed by the



individual and returned to Scrum Alliance as a condition of the decision. If the Review Committee determines that no adverse action should be taken, Scrum Alliance shall issue a written Notice of Review Committee Decision advising the individual that no adverse action shall be taken and the matter will be closed. If the Review Committee determines that a disciplinary action should be taken, such as a Letter of Censure or a termination of eligibility or registration, Scrum Alliance shall issue a written Notice of Review Committee Decision to the individual. The written Notice of Review Committee Decision will describe (a) the basis for disciplinary action (b) the applicable section(s) of Scrum Alliance's *Code of Ethics* and/or *Disciplinary Policy and Procedures*, and (c) the disciplinary action taken in the matter.

The Notice of Review Committee Decision shall also inform the individual that after a final adverse disciplinary decision has been reached, Scrum Alliance may, as deemed appropriate, publicly disclose the disciplinary action and the underlying facts thereof, including reporting the outcome of the disciplinary action to interested parties and on Scrum Alliance's website. Such reporting may include providing a copy of the final Decision Letter to the individual's employer, the complainant(s), and other interested parties, including to individuals seeking information about the individual registration status, as solely determined by Scrum Alliance. The decision by the Review Committee shall become effective as of the date of the final Decision Letter.

#### VII. Board of Directors Review for Termination of Certification and/or Membership

After receipt of a timely Request for Review of a decision by Scrum Alliance staff or by the Review Committee to terminate an individual's certification and/or membership, the individual shall have the opportunity to be heard either orally or in a written meeting of the Scrum Alliance Board of Directors pursuant to Section 2.5(A) of the Scrum Alliance Bylaws. Scrum Alliance staff shall submit the Review Record to the Board of Directors prior to any such meeting.

The decision to rescind or confirm the termination of the individual's certification and/or membership shall be submitted to the full Board of Directors, and the final decision on the matter shall be made in accordance with Section 2.5(A) of the Scrum Alliance Bylaws.

#### VIII. Submissions to Scrum Alliance

Whenever there is a requirement for a statement, request or other writing to be submitted to the Scrum Alliance, such writing should be submitted by mail and/or email to the following address(es):

Scrum Alliance

7237 Church Ranch Blvd Ste 410  
Westminster, CO 80021  
[conductreview@scrumalliance.org](mailto:conductreview@scrumalliance.org)