

THE PROFESSIONAL GOLFERS' ASSOCIATION OF AMERICA



**PGA**<sup>TM</sup>

**2013**

**CONSTITUTION BYLAWS  
AND REGULATIONS**

---

“Believing that the growth for the game  
of golf, and its high standing in this  
country are largely due to the efforts of its  
early professional exponents, and  
because of their ideals of sportsmanship  
and ethical practices, The Professional  
Golfers’ Association of America is  
dedicated to the perpetuation of those ideals.”

---

THE PROFESSIONAL GOLFERS’ ASSOCIATION OF AMERICA

100 AVENUE OF THE CHAMPIONS, BOX 109601, PALM BEACH GARDENS, FL 33418-3653 • 561-624-8400 • [www.PGA.com](http://www.PGA.com)

OFFICERS 2013

<b>President</b> TED BISHOP, PGA <i>The Legends Golf Club</i> <i>Franklin, Ind.</i>	<b>Vice President</b> DEREK A. SPRAGUE, PGA <i>Malone Golf Club</i> <i>Malone, N.Y.</i>	<b>Secretary</b> PAUL K. LEVY, PGA <i>Sunrise Company</i> <i>Indian Wells, Calif.</i>	<b>Honorary President</b> ALLEN WRONOWSKI, PGA <i>Hillendale Country Club</i> <i>Phoenix, Md.</i>
--	--	--	--

District Number	Term Expires In November of	Director	District Number	Term Expires In November	Director
1	2013	SUZY M. WHALEY, PGA <i>Farmington, Conn.</i>	10	2013	MICHAEL A. AHRNSBRAK, PGA <i>Winchester, Va.</i>
2	2013	LEO DE GISI, PGA <i>Medford, N.J.</i>	11	2015	BILL HULBERT, PGA <i>Yorba Linda, Calif.</i>
3	2015	BUD ROUSEY, PGA <i>Pensacola, Fla.</i>	12	2015	DANIEL L. KOESTERS, PGA <i>Las Cruces, N.M.</i>
4	2014	JAMES ANTKIEWICZ, PGA <i>Presto, Pa.</i>	13	2013	STEPHEN A. COX, PGA <i>Bonita Springs, Fla.</i>
5	2013	GIL GUSWEILER, PGA <i>Cincinnati, Ohio</i>	14	2013	R. MICHAEL HAYWOOD, PGA <i>Tucson, Ariz.</i>
6	2015	JAMES J. RICHESON, PGA <i>Kohler, Wis.</i>	INDEPENDENT	2015	DOTTIE PEPPER <i>Saratoga Spring, N.Y.</i>
7	2015	BOB PHILBRICK, PGA <i>Oklahoma City, Okla.</i>	INDEPENDENT	2013	JOHN JACOB <i>Aventura, Fla.</i>
8	2014	CHRIS THOMSON, PGA <i>Lincoln, Neb</i>	PLAYER DIRECTOR		PAUL D. GOYDOS, PGA <i>Coto de Caza, Calif.</i>
9	2014	SCOTT BRANDT, PGA <i>St. George, Utah</i>			

PAST PRESIDENTS

The first officers were elected at the PGA Annual Meeting at the Radisson Hotel in Minneapolis, June 26, 1916.  
They were: Robert White, President; James Maiden, Vice-President; George Fotheringham, Vice-President;  
and Herbert Strong, Secretary-Treasurer

Years	President	Section	Years	President	Section
1917-1919	*Robert White	Metropolitan	1975-1976	*Henry Poe	Dixie
1920	*Jack Mackie	Metropolitan	1977-1978	*Don Padgett	Indiana
1921-1926	*George Sargent	Southeastern	1979-1980	*Frank Cardi	Metropolitan
1927-1930	*Alex Pirie	Metropolitan	1981-1982	Joe Black	Northern Texas
1931-1932	*Charles Hall	Southeastern	1983-1984	Mark Kizziar	South Central
1933-1939	*George Jacobus	New Jersey	1985-1986	Mickey Powell	Indiana
1940-1941	*Tom Walsh	Illinois	1987-1988	James Ray Carpenter	Gulf States
1942-1948	*Ed Dudley	Colorado	1989-1990	Patrick J. Rielly	Southern California
1949-1951	*Joe Novak	Southern California	1991-1992	Dick Smith	Philadelphia
1952-1954	*Horton Smith	Michigan	1993-1994	Gary Schaal	Carolinas
1955-1957	*Harry Moffitt	Northern Ohio	1995-1996	Thomas H. Addis III	Southern California
1958-1960	*Harold Sargent	Southeastern	1997-1998	Ken Lindsay	Gulf States
1961-1963	*Lou Strong	Illinois	1999-2000	Will Mann	Carolinas
1964-1965	*Warren Cantrell	Texas	2001-2002	Jack Connelly	Philadelphia
1966-1968	*Max Elbin	Middle Atlantic	2003-2004	M.G. Orender	North Florida
1969-1970	*Leo Fraser	Philadelphia	2005-2006	Roger Warren	Carolinas
1971-1972	*Warren Orlick	Michigan	2007-2008	Brian Whitcomb	Pacific Northwest
1973-1974	*William Clarke	Middle Atlantic	2009-2010	Jim Remy	New England

\*Deceased

Chief Executive Officer  
PETER BEVACQUA  
*Palm Beach Gardens, Fla.*

Chief Operating Officer  
DARRELL CRALL  
*Palm Beach Gardens, Fla.*

Chief Championships Officer  
KERRY HAIGH  
*Palm Beach Gardens, Fla.*

# **THE PROFESSIONAL GOLFERS' ASSOCIATION OF AMERICA**

## **TABLE OF CONTENTS**

### **CONSTITUTION**

---

Article I	Name and Purpose	1
Article II	Membership	1
Article III	Organization	1
Article IV	Meetings	3
Article V	PGA Tour	4

### **BYLAWS AND REGULATIONS**

---

Article I	Definitions	5
Article II	Code of Ethics	7
Article III	Apprentices	15
Article IV	Election to Membership	18
Article V	Classes of Membership	22
Article VI	Rights of Membership	28
Article VII	Review of Membership Issues	29
Article VIII	Professional Development Program	30
Article IX	Section Affiliations	31
Article X	Obligations	33
Article XI	Reporting Requirements	35
Article XII	Sections	36
Article XIII	The Officers	38
Article XIV	The Board of Directors	40
Article XV	The Chief Executive Officer	43
Article XVI	Amendments	44
Article XVII	Insurance	45

APPENDIX	Annual Meeting Regulation	46
	Golf Professionals in the Reserves or National Guard who Are called to Active Duty	47

---

**ARTICLE I  
NAME AND PURPOSE**

---

**Section 1. NAME**

This Association shall be called "The Professional Golfers' Association of America," an association incorporated in the State of Florida, and shall be referred to as "the Association."

---

**Section 2. PURPOSE**

The mission of The PGA is to promote the enjoyment and involvement in the game of golf and to contribute to its growth by providing services to golf professionals and the golf industry.

The PGA will accomplish this mission by enhancing the skills of its professionals and the opportunities for amateurs, employers, manufacturers, employees, and the general public.

In so doing, The PGA will elevate the standards of the professional golfer's vocation, enhance the economic well-being of the individual member, stimulate interest in the game of golf, and promote the overall vitality of the game.

---

**ARTICLE II  
MEMBERSHIP**

---

**Section 1. MEMBERS**

Members of the Association shall include golf professionals and others who qualify for membership in accordance with the Bylaws and Regulations.

---

**ARTICLE III  
ORGANIZATION**

---

**Section 1. SECTIONS**

The Association shall be divided into geographical areas as may be determined, from time to time, by the Board of Directors of the Association in accordance with the Bylaws. These areas shall be called "Sections" and the chartered name of each Section shall be " \_ \_ \_ Section, PGA of America."

- (a) **Charters**  
The Board of Directors of the Association may charter a Section or revoke a charter of a Section in accordance with the Bylaws and Regulations of the Association.
- (b) **Constitution, Bylaws, and Regulations**  
Each Section shall adopt a Constitution in a form approved by the Board of Directors of the Association. Each Section shall adopt Bylaws and Regulations not inconsistent or at variance with the Constitution, Bylaws, Regulations and Policies of the Association.
- (c) **Chapters**  
Any Section may charter Chapters within its boundaries. Such Chapters shall be subordinate to the Section and may conduct business in accordance with the Constitution, Bylaws, and Regulations of the Section, which shall not be inconsistent or at variance with the Constitution, Bylaws and Regulations of the Association.
- (d) **Financial Obligations**  
Each Section shall manage its financial affairs in a fiscally sound manner and shall be responsible for its financial obligations and those of its Chapters.

---

**Section 2. OFFICERS**

- (a) Elected Officer  
The Officers shall be the President, Vice President and Secretary who shall serve a term and have powers and duties specified in the Bylaws.
- (b) Chief Executive Officer  
The Chief Executive Officer shall be selected by the Board of Directors and whose duties and responsibilities are specified in the Bylaws.
- (c) Officer's Committee  
Between meetings of the Board of Directors, the President, Vice President and the Secretary shall constitute an Officers' Committee which shall be authorized to act for the Association in accordance with the Bylaws, Regulations, and Policies adopted by the Board of Directors.

---

**Section 3. BOARD OF DIRECTORS**

- (a) Composition  
The Board of Directors shall be composed of the three Officers, the Honorary President, a Player Director elected by the Player Directors on the PGA TOUR Tournament Policy Board and such other Directors as set forth in the Bylaws.
- (b) Authority and Responsibility  
The Board of Directors shall conduct its business and shall be responsible for the management of the Association in accordance with the Articles of Incorporation, Constitution, Bylaws, and Regulations. Between Annual Meetings, the Board of Directors shall have full authority in all matters, including the power to interpret the Constitution and Bylaws and to give direction in cases not provided for therein. In matters involving emergencies, the good of the Association, or Article V, the Board of Directors shall have complete and final authority.
- (c) Policies and Procedures  
The Board shall conduct its business in accordance with the Bylaws.

---

**Section 4. AMENDMENTS**

- (a) Procedure  
The Delegates to the Annual Meeting may amend the Constitution in the following manner:
  - (1) The Sections or the Board of Directors may propose amendments to the Constitution by Resolutions submitted to the Officers' Committee in accordance with the Bylaws.
  - (2) The Officers' Committee shall harmonize all such proposed amendments and shall submit them to all Sections in accordance with the Bylaws.
  - (3) Proposed amendments may be amended by a majority of those voting and may be adopted by a two-thirds majority of those voting at the Annual Meeting.

All amendments to the Constitution shall become effective when adopted or at the time specified in the amendment.

---

## **Section 5. INDEMNIFICATION**

The Association shall indemnify every person who was or is a party or was or is threatened to be made a party to any action, suit, or proceeding, whether civil, criminal, administrative or investigative, by reason of the fact that he was or is a Director, Officer, employee or agent of the Association, or was or is serving at the request of the Association as a Director, Officer, employee, agent or trustee of another Association, partnership, joint venture, trust, employee benefit plan, or other enterprise, against expenses (including counsel fees and costs), judgments, fines and amounts paid in settlement actually and reasonably incurred by him in connection with such action, suit or proceeding, to the full extent permitted by applicable law. Such indemnification may, in the discretion of the Board of Directors, include advances of his expenses in advance of final disposition of such action, suit or proceeding, subject to the provisions of any applicable statute.

The Association Indemnification shall extend to Officers, Directors and Employees of subsidiary entities of the Association.

---

## **Section 6. INTERPRETATION**

All disputes or issues regarding the interpretation of this Constitution, Bylaws and Regulations shall be interpreted and resolved by the Board of Directors whose decision shall be final.

---

## **Section 7. DISSOLUTION**

The Association shall use its funds only to accomplish the objectives and purpose specified in the Constitution and no part of said funds shall inure or be distributed to the Members of the Association. On dissolution of the Association, any funds remaining shall be distributed to one or more regularly organized and qualified charitable, educational, or philanthropic association selected by the Board of Directors.

---

## **Section 8. RULES OF ORDER**

The Rules contained in Roberts' Rules of Order shall confirm the conduct of meetings of the Association in all cases to which they are applicable and in which they are not inconsistent with the Constitution, Bylaws or any Regulations the Association may adopt.

---

# **ARTICLE IV MEETINGS**

---

## **Section 1. ANNUAL MEETING**

The Association shall meet annually at a time and place to be designated by the President with the advice and consent of the Board of Directors. The Delegates to the Annual Meeting shall be the Members of the Board of Directors, all Past Presidents, two Delegates from each Section and two Player Directors elected by the Player Directors. A majority of such Delegates shall constitute a quorum.

---

## **Section 2. SPECIAL MEETINGS**

- a) Special Meetings of the Delegates may be called by the Board of Directors with the Secretary issuing notice at least ten (10) days prior to the day of the meeting. Delegates may appoint Alternates in accordance with the Bylaws.

- b) Special Meetings of the Delegates may be called by requisition to the Secretary, signed by the Presidents and Secretaries of one-third of the Sections, certifying that the Members of the Sections, for the good and welfare of the Association, desire such a meeting. The Secretary shall issue notices for a Special Meeting at least 30 days previous to the day of the meeting, state the resolutions to be submitted, and no other business shall be transacted. Fifteen votes shall constitute a quorum, and no resolution rescinding or varying one previously passed or adopted shall be carried except by two-thirds vote of the Members voting at such a meeting.
- 

### **Section 3. CREDENTIALS**

Delegates to the Annual Meeting or to a Special Meeting shall present credentials in the form prescribed by the Secretary before being seated at the Meeting.

---

### **Section 4. EXECUTIVE SESSION**

At any meeting, it shall be the privilege of the presiding Officer to declare an Executive Session at which time all but voting Delegates and staff designated by the presiding Officer shall retire from the meeting.

---

### **Section 5. PRESIDING OFFICER**

At general meetings of the Association, the President or in his absence, the Vice President, or in their absence the Secretary, shall preside.

---

### **Section 6. EXPENSES OF DELEGATES**

The reasonable expenses of the Delegates and the Executive Director/Secretary from each Section to the Annual or Special Meetings shall be paid by the Association in accordance with the Policies adopted by the Board of Directors.

---

### **Section 7. HONORARY MEMBERS AND OFFICERS**

Any Annual Meeting may elect Honorary Members of the Association and two Honorary Directors. The immediate Past President shall automatically be the Honorary President.

#### *Honorary Membership Regulation*

*Individuals may be nominated for Honorary Membership at the Annual Meeting, provided a majority of the Officers approve of the individual in writing, prior to the applicable Annual Meeting.*

---

## **ARTICLE V PGA TOUR**

---

### **Section 1. PGA TOUR**

Pursuant to the Statement of Principles, as thereafter amplified and modified, the Association and the PGA TOUR have a close and intertwined relationship of many years' standing. The PGA President shall be a voting member of the PGA TOUR Tournament Policy Board. The Vice President of the PGA shall attend Tournament Policy Board meetings as an observer without a vote. The Honorary President shall be a voting member of the Champions TOUR Division Board. The PGA TOUR name and marks are owned by the Association and licensed back to the PGA TOUR for use in connection with its activities. The Association and the PGA TOUR have working and legal relationships with respect to the operation of each organization. The Board of Directors shall have complete authority to contract and work with the PGA TOUR in accordance with all existing and future agreements.

## BYLAWS & REGULATIONS

---

### ARTICLE I DEFINITIONS

---

#### REFER TO PGALINKS.COM FOR THE MOST CURRENT VERSION OF THE PGA CONSTITUTION AND BYLAWS

---

##### Section 1. PGA Recognized Golf Facilities

PGA Recognized Golf Facilities shall include golf courses and golf ranges which meet the requirements established by the Association. All PGA Recognized Golf Facilities shall be fully equipped to teach golf and demonstrate the use of all types of golf equipment and, with the exception of PGA Recognized Golf Ranges, shall include a golf shop adequate for the display and sale of golf equipment and apparel. The Section in which the golf facility is located shall be responsible for verifying that a golf facility meets the standards established by the Association.

*The Board of Control is responsible for recognizing Golf Facilities.*

- (a) The term "PGA Recognized Golf Course" shall refer to a golf facility which has at least nine (9) holes. Each hole shall have a minimum hole length of 60 yards and have a total yardage of not less than 1,000 yards for nine (9) holes or 1,500 yards for 18 holes. The golf facility shall have at least 14 acres in total course area, exclusive of clubhouse, golf shop and parking areas, and be entirely planted in grass (except for artificial tee mats).
- (b) The term "PGA Recognized Golf Range" shall refer to a golf range which has a minimum of 15 tees, 150 feet of teeing area, and a depth of at least 600 feet. The range shall have adequate parking facilities allowing at least one parking place for each tee and a building adequate to properly handle the administrative requirements of a PGA Recognized Range. A Professional shall be available for private and group instruction.

*PGA Recognized Indoor Golf Facilities:*

*An indoor golf facility refers to an indoor facility approved by the Board of Directors, offers and conducts golf instruction, is fully equipped to teach golf and is large enough to sufficiently handle golf instruction.*

*Operation of PGA Recognized Golf Range:*

*A PGA Recognized Golf Range must in fact be operated as a golf range.*

*Facilities Under Construction:*

*The Board of Control is responsible for recognizing golf facilities and golf ranges under construction.*

*Regulations for determining if a Facility is under Construction:*

1. *Member submits request to Section to recognize a facility as under construction;*
2. *Upon the recommendation of a Section, a facility shall initially be recognized as a facility under construction;*
3. *Every six (6) months, the Members employed at the facility must substantiate to the Section that progress is being made towards completing and opening the facility;*
4. *The Section shall verify that progress is being made and give their recommendation to the Board of Control; and*

- 5 The Board of Control shall use all or part of the following in determining whether to continue to classify a facility as under construction:
- a. Financing in place;
  - b. Routing plan accepted and paid for;
  - c. Architect hired with contract complete;
  - d. Irrigation contract consummated;
  - e. Contractor identified and hired;
  - f. Has ground been broken; and
  - g. Section recommendations.
- (c) The term "PGA Recognized Retail Facility" shall be defined as a stand-alone retail golf specialty store or as sporting goods stores with golf departments similar in size and merchandise inventory to a stand-alone golf shop.
- 

## **Section 2. Employment Definitions**

- (a) The term "Head Golf Professional" shall refer to an individual whose primary employment is:
- (1) The ownership and operation of a golf shop at a PGA Recognized Golf Facility; or
  - (2) The supervision and direction of the golf shop and supervision of teaching at a "PGA Recognized Golf Facility".
- (b) The term "Assistant Golf Professional" shall refer to an individual who is primarily employed at a PGA Recognized Golf Facility and who spends at least 50% of the time working on club repair, merchandising, handicapping records, inventory control, bookkeeping and tournament operations.
- (c) The term "Director of Golf" shall refer to an individual who directs the total golf operation of a PGA Recognized Golf Facility, including the golf shop, golf range, golf car operations (if applicable) and supervision of the Head Golf Professional.
- (d) The term "Director of Instruction" shall refer to an individual who is managing, supervising and directing the total teaching program at a PGA Recognized Golf School or PGA Recognized Golf Facility.
- (e) The term "Approved Tournament Player" shall refer to an individual who is an exempt player on the PGA TOUR or LPGA TOUR and other "Senior or Developmental" Tours recognized by the PGA TOUR or LPGA TOUR and approved by the PGA Board of Directors.
- (f) The term "Apprentice" shall refer to an individual registered in the PGA Professional Golf Management Program.
- (g) The term "Golf Clinician" shall refer to an individual whose main source of income is golf shows or clinics.
- 

## **Section 3. Other Definitions**

- (a) The term "PGA Golf Management University Program at (name of college/university)" shall refer to golf management programs conducted by accredited colleges and universities, which are recognized by the Board of Directors.
- (b) The term "PGA Recognized Golf School" shall refer to a golf school recognized by the Board of Directors.

*Refers to a golf school recognized by the Board of Directors, which promotes the game of golf, has an official name and written materials to describe its programs, and conducts its programs at PGA Recognized Golf Facilities, which can sufficiently handle classes to teach the game of golf.*

- (c) The term "PGA Recognized Golf Association" shall refer to an organization recognized by the Board of Directors.

*They shall promote the game of golf, have tax exempt status and operate from a place of business. To verify that these guidelines are satisfied, the organizations may be required to provide tax records, job descriptions, mission statements, business plans, organizational charts and/or other information the Association deems necessary.*

- (d) The term "PGA Recognized Professional Golf Association" shall refer to International Association of Golf Professionals recognized by the Board of Directors.

---

## ARTICLE II CODE OF ETHICS

---

### Section 1. Dedication

Believing that the growth of the game of golf and its high standing in this country is largely due to the efforts of its early PGA Professionals and because of their ideals of sportsmanship and ethical practices, the Association is dedicated to the perpetuation of those ideals. In the fulfillment of the purpose to which it is dedicated, the Association enjoins upon its members and apprentices rigid observance of a Code of Ethics. Membership in the Association confers no vested right to the holder thereof but is a conditional privilege that is revocable for cause.

---

### Section 2. Authority

The Association Board of Directors has the inherent power and duty to prescribe standards of conduct for members and apprentices, to determine what constitutes grounds for discipline of members and apprentices, to discipline members and apprentices for cause, and to revoke the membership and/or apprenticeship of every member or apprentice whose conduct materially breaches the Code of Ethics of the Association.

---

### Section 3. Definitions

Wherever used in these rules the following words or terms shall have the meaning herein set forth unless the use thereof shall clearly indicate a different meaning:

- (a) Association Counsel: A licensed attorney representing the Association in any proceeding under these rules.
- (b) The Board of Directors: The Board of Directors of the Association as defined in Article XIV of the Bylaws.
- (c) The Board of Control: The Board of Control of the Association as defined in Article VII of the Association Bylaws.
- (d) Designated Reviewer: The designated reviewer is the Secretary of the Association that is responsible for review and other specific duties as assigned by the Board of Directors with respect to a particular code of ethics matter. If a designated reviewer recuses or is unavailable, any other board member or Section representative as designated by the Secretary of the Association may serve as designated reviewer in that matter. The designated reviewer will be selected, from time to time, by the board members from the Section of such Section Board of Inquiry (as defined below). On such reassignments responsibility for all pending cases from a particular Section Board of Inquiry from each Section shall pass to the new designated reviewer. The Section shall notify the General Counsel of changes in the designated reviewing members for a particular committee.
- (e) Complainant or Complaining Witness: Any person who has complained of the conduct of any member or apprentices of the Association to any Section or agency of the Association.

- (f) Diversion to Professionalism Enhancement Programs: The removal of a disciplinary matter from the disciplinary system and placement of the matter in a skills enhancement program in lieu of a disciplinary sanction.
- (g) Executive Committee: The executive committee of the Section or of the Association.
- (h) Final Adjudication: A decision by the authorized disciplinary authority issuing a final sanction for professional misconduct that is either not appealed by choice or by exhaustion of the appellate process or that is subject to appellate review.
- (i) Chief Executive Officer: The chief executive officer of the Association.
- (j) Professionalism Enhancement Programs: Programs operated either as a diversion from disciplinary action or as parts of a disciplinary sanction that are intended to provide educational opportunities to members and apprentices of the Association for enhancing skills and avoiding misconduct allegations.
- (k) Probable Cause: A finding by an authorized agency that there is cause to believe that a member or apprentice of the Association is guilty of misconduct justifying disciplinary action.
- (l) Referral to Professionalism Enhancement Programs: Placement of a member or apprentice in skills enhancement programs as a disciplinary sanction.
- (m) Respondent: A member or apprentice of the Association that is subject to these rules and who is accused of misconduct or whose conduct is under investigation.
- (n) Staff Counsel: The General Counsel of the Association or his/her designee and/or legal counsel for a Section.

---

#### **Section 4. Entities**

The exclusive jurisdiction of the Association over the discipline of persons admitted to the Association as members or apprentices shall be administered in the following manner: The following entities are hereby designated as agencies of the Association for this purpose and with the following responsibilities, jurisdiction, and powers. The Board of Directors, the Association's Board of Control, and Section Boards of Inquiry of each Section shall each have such jurisdiction and powers as are necessary to conduct the proper and speedy disposition of any investigation or cause, including, but not limited to, the power to request the attendance of witnesses and request the production of books, records, or other documentary evidence. Each member of such entities has power to administer oaths and affirmations to witnesses in any matter within the jurisdiction of the entity. In the event that an action giving rise to a Code of Ethics inquiry occurs outside of the Section boundaries from which a member or apprentice is affiliated, then either one or more Section Board(s) of Inquiry may submit a report to the Board of Control summarizing the conduct that occurred outside the Section boundaries. In the event that a question arises over which Section should be involved in gathering evidence, then one or more Sections may request guidance from the Association General Counsel as to the proper way to proceed in the evidence gathering process.

##### **(a) Board of Directors of the Association**

- (1) Responsibility of Board. The Board of Directors is assigned the responsibility of maintaining high ethical standards among the members and apprentices of the Association. The Board of Directors shall supervise and conduct disciplinary proceedings in accordance with the provisions of these rules.
- (2) Authority to File a Formal Complaint. No formal complaint shall be filed by the Association in disciplinary proceedings against a member or apprentices of the Association unless there shall first be a finding under these rules that probable cause exists to believe that the respondent is guilty of misconduct justifying disciplinary action, or unless the respondent has been determined or adjudged to be guilty of the commission of a felony or if a member or apprentice has been charged with commission of a felony under applicable law that warrants the imposition of discipline as set forth herein.

- (3) Appeals from the Board of Control. The Board of Directors has the jurisdiction to hear appeals that arise from decisions of the Board of Control. All decisions rendered by the Board of Directors for Code of Ethics appeals shall be final.
- (b) Counsel for the Association  
The Association may employ staff counsel or the Sections may retain outside counsel for Association to perform such duties, as may be assigned, under the direction of Board of Directors.
  - (c) Code of Ethics Committee  
There shall be such code of ethics committees as are herein provided, each of which shall have the authority and jurisdiction required to perform the functions hereinafter assigned to it and which shall be constituted and appointed as follows:
    - (1) Section Board of Inquiry. There shall be at least 1 Section Board of Inquiry for each Section of the Association. Such committees shall be designated as Section Board of Inquiry and shall be appointed by the Section President, with approval by majority vote by the Section Executive Committee. Members of Section Board of Inquiry must be members in good standing of the Association. The Section Board of Inquiry shall have jurisdiction and the power to proceed in all matters properly before them. The Section Board of Inquiry shall have the jurisdiction to investigate complaints and to submit a report of its findings to the Board of Control. In addition, The Section shall have the exclusive jurisdiction for all Section tournament violations and ethics charges arising from any Section tournament program for "Minor Penalties" as defined herein.
      - (A) Membership, Appointment, and Eligibility for Section Boards of Inquiry. Each Section Board of Inquiry shall be appointed by the Section President and shall consist of not fewer than 3 members. All appointees shall be Section Members with no less than five (5) years of membership in the Association  
No member of a Section Board of Inquiry or the Board of Control shall perform any committee function when that member:
        - (i) is related by blood or marriage to the complainant or respondent;
        - (ii) has a financial, business, property, or personal interest in the matter under consideration or with the complainant or respondent;
        - (iii) has a personal interest that could be affected by the outcome of the proceedings or that could affect the outcome; or
        - (iv) is prejudiced or biased toward either the complainant or the respondent.

Upon notice of the above prohibitions the affected members should recuse themselves from further proceedings. The Section Board of Inquiry chair shall have the power to disqualify any member from any proceeding in which any of the above prohibitions exist and are stated of record or in writing in the file by the chair. A qualified member of the Section may be appointed to replace the recused committee member for the applicable case at the discretion of the Section President. In the case of the Board of Control, no replacement of a recused member shall occur.
      - (B) Terms. The terms of the members shall be for 1 year from the date of administration of the oath of service on the Section Board of Inquiry or until such time as their successors are appointed and qualified. Continuous service of a member may continue for so long as the member is willing to serve and for so long as the President of a Section desires the service of the member (subject to meeting all qualifications to serve on the committee).

(C) Officers. There shall be a chair and vice-chair designated by the Designated Reviewer of Section Board of Inquiry.

(D) Oath. Each new member of a Section Board of Inquiry shall subscribe to an oath to fulfill the duties of the office.

(E) Removal. Any member of a Section Board of Inquiry may be removed from office by the applicable Section President.

(d) Board of Control

The Board of Control shall be the national body with the jurisdiction to investigate and to hear initial Code of Ethics cases arising from alleged infractions of the Code of Ethics arising from acts committed in connection with a PGA of America national programs (i.e. PGA of America tournament, PGA of America Growth of the Game program and any other PGA of America national program). The Board of Control shall also render decisions for all Code of Ethics cases submitted to it for review by the Section Boards of Inquiry.

---

**Section 5. Review of Inquiries, Complaint Processing and Initial Investigatory Procedures**

- (a) Screening of Inquiries. Prior to opening a disciplinary file, Association counsel shall review the inquiry made and determine whether the alleged conduct, if proven, would constitute a violation of the Rules Regulating The Association warranting the imposition of discipline. If Association counsel determines that the facts, if proven, would not constitute a violation of the Rules warranting the imposition of discipline, Association counsel may decline to pursue the inquiry. A decision by Association counsel not to pursue an inquiry shall preclude further action and review under the Rules. The complainant and respondent shall be notified of a decision not to pursue an inquiry and shall be given the reasons therefore.
- (b) Complaint Processing and Association Counsel Investigation. If Association counsel decides to pursue an inquiry with the concurrence of the chair of the applicable Section Board of Inquiry or the chair of the Board of Control (dependent upon which Entity has jurisdiction), then a disciplinary file shall be opened and the inquiry shall be considered as a complaint, if the form requirement of subdivision (c) is met. Association counsel shall delegate the investigation of the allegations contained in the complaint to the appropriate entity representatives (either to the applicable Section Board of Inquiry or to the Board of Control). In the event that the applicable Section Board of Inquiry chair or the Board of Control chair disagree with the recommendation to proceed with the case, then the case shall proceed to the hearing phase to enable to applicable Entity to decide the merits of the case.
- (c) Form for Complaints. All complaints, except those initiated by Association, shall be in writing.
- (d) Dismissal of Disciplinary Cases. Association counsel may dismiss disciplinary cases if, after complete investigation, Association counsel determines that the facts show that the respondent did not violate the Rules and Association counsel's decision is approved by the Section Board of Inquiry chair or the Board of Control chair. In the event that either the applicable Section Board of Inquiry chair or the Board of Control chair are not in agreement with the decision to dismiss the case rendered by Association Counsel, then the hearing shall be held by the applicable Entity to decide the merits of the case. Dismissal by Association counsel, that is approved by the applicable Entity as set forth above, shall preclude further action or review under the Rules. If a disciplinary case is dismissed as set forth herein, the complainant shall be notified of the dismissal and shall be given the reasons therefore.
- (e) Diversion to Professionalism Enhancement Programs. Association counsel may recommend diversion of disciplinary cases as provided elsewhere in these rules if, after complete investigation, Association counsel determines that the facts show that the respondent's conduct did not constitute disciplinary violations more severe than Minor Misconduct. The Board of Control will be required to concur with Association counsel's recommendation.

- (f) Referral to Section Board of Inquiry. Association counsel may refer disciplinary cases to a Section Board of Inquiry for its further investigation as authorized elsewhere in these rules.
- (g) Information Concerning Closed Inquiries and Complaints Dismissed by Staff. When Association counsel does not pursue an inquiry or dismisses a disciplinary case, such action shall be deemed a finding of no probable cause for further disciplinary proceedings and the matter shall become public information.

---

## **Section 6. Notice and Knowledge of Rules**

Every member and apprentice of the Association is within the jurisdiction and subject to the disciplinary authority of the Association and of its agencies under this rule and is charged with notice and held to know the provisions of this rule and the standards of ethical and professional conduct prescribed by the Association.

---

## **Section 7. Rules of Professional Conduct**

Violation of the Rules of Professional Conduct by members or apprentices as adopted by the rules governing Association is a cause for discipline.

---

## **Section 8. Misconduct and Minor Misconduct**

The standards of professional conduct to be observed by members and apprentices of the Association are not limited to the observance of rules and avoidance of prohibited acts, and the enumeration herein of certain categories of misconduct as constituting grounds for discipline shall not be deemed to be all-inclusive nor shall the failure to specify any particular act of misconduct be construed as tolerance thereof. The commission by a member or apprentice of any act that is unlawful or contrary to honesty and professional integrity, whether the act is committed in the course of the member's or apprentice's actions as a PGA Golf Professional or otherwise, whether committed within or outside the member's or apprentice's Section, and whether or not the act is a felony or misdemeanor, may constitute a cause for discipline.

---

## **Section 9. Criminal Misconduct**

Unless modified or stayed by a State Supreme Court as provided elsewhere herein, a determination or judgment of guilt of a member or apprentice of the Association by a court of competent jurisdiction of any crime or offense that is a felony under the laws of such jurisdiction is cause for automatic expulsion from membership or apprenticeship in the Association. In addition, whether the alleged misconduct constitutes a felony or misdemeanor the Association may initiate disciplinary action regardless of whether the respondent has been tried, acquitted, or convicted in a court for the alleged criminal offense; however, the Board of Control may, in its discretion, withhold prosecution of disciplinary proceedings pending the outcome of criminal proceedings against the respondent. The acquittal of the respondent in a criminal proceeding shall not necessarily be a bar to disciplinary proceedings nor shall the findings, judgment, or decree of any court in civil proceedings necessarily be binding in disciplinary proceedings.

---

## **Section 10. Discipline by Foreign or Federal Jurisdiction; Choice of Law**

Disciplinary Authority. A member or apprentice of the Association is subject to the disciplinary authority of the Association, regardless of where the conduct occurs. A final adjudication in a disciplinary proceeding by a court that a member or apprentice is guilty of misconduct justifying disciplinary action shall be considered as conclusive proof of such misconduct in a disciplinary proceeding under this rule.

---

## Section 11. Generally

A judgment entered, finding a member or apprentice of the Association guilty of misconduct, shall include one or more of the following disciplinary measures:

- (a) Admonishments. An order finding Minor Misconduct and adjudging an admonishment may direct the respondent to appear before the body that issued the admonishment. A memorandum of administration of an admonishment shall thereafter be made a part of the record of the proceeding.
  - (b) Minor Misconduct. Minor Misconduct is the only type of misconduct for which an admonishment is an appropriate disciplinary sanction.
- (1) Criteria. In the absence of unusual circumstances misconduct shall not be regarded as minor if any of the following conditions exist:
    - (A) the misconduct involves misappropriation of the funds or property of an employer in excess of \$1,000.00;
    - (B) the misconduct resulted in or is likely to result in actual prejudice (loss of money, legal rights, or valuable property rights) to an employer or other person in the amount of \$1,000 or more;
    - (C) the respondent has been disciplined in the past 3 years from the date that the most recent misconduct occurred;
    - (D) the Major Misconduct involved is of the same nature as misconduct for which the respondent has been disciplined in the past 5 years from the date that the most recent misconduct occurred;
    - (E) the misconduct includes dishonesty, misrepresentation, deceit, embezzlement or fraud on the part of the respondent; or
    - (F) the misconduct constitutes the commission of a felony under applicable law.
  - (2) Discretion of Section Board of Inquiry/Board of Control/Board of Directors. Despite the presence of 1 or more of the criteria described in subsection (1) above, a Section Board of Inquiry may investigate a charge for Minor Misconduct or diversion to a professionalism enhancement program when unusual circumstances are present and submit a report of the facts and special circumstances involved to the Board of Control.
  - (3) Recommendation of Minor Misconduct. If the Board of Control finds the respondent guilty of Minor Misconduct or if the respondent shall admit guilt of Minor Misconduct and the Board of Control concurs, then the Board of Control shall determine a penalty. The report and finding of Minor Misconduct shall become final unless rejected by the respondent within 15 days after service of the report. If rejected by the respondent, the report shall be referred to Association counsel for a hearing on complaint of Minor Misconduct to be heard by the Board of Control. Association counsel shall prepare the case showing a finding of probable cause. A hearing will be set with the Board of Control and the respondent shall be provided written notice of the time, date, and place of the hearing and shall have the opportunity to appear in person or by tele-conference either with or without counsel. If the report of Minor Misconduct is not rejected by the respondent, notice of the finding of Minor Misconduct along with the penalty rendered by the Board of Control shall be given, in writing, to the complainant.

- (4) Admission of Minor Misconduct. A respondent may tender a written admission of Minor Misconduct within 15 days after respondent's receipt of a report by the Section Board of Inquiry. The Section Board of Inquiry also will have submitted the same report to the Board of Control. The respondent may tender a written admission of Minor Misconduct to Association counsel or the Board of Control. An admission of Minor Misconduct may be conditioned upon acceptance by the Board of Control, but the respondent may not condition the admission of Minor Misconduct upon the method of administration of the admonishment or upon nonpayment of costs incurred in the proceedings. If a respondent's admission is accepted by the Board of Control, the respondent may not thereafter reject a report of the Board of Control recommending an admonishment for Minor Misconduct. If the admission of Minor Misconduct is rejected, such admission shall not be considered or used against the respondent in subsequent proceedings.
- (c) Minor Misconduct Charges Arising From Section Tournament Events. Each Section shall have the exclusive and final jurisdiction for all Section Tournament Disciplinary Matters for "Minor Penalties" as defined in this paragraph and shall follow the procedures set forth in the Code of Ethics Procedure Manual for all such Section tournament program disciplinary matters:
- (d) Probation. The respondent may be placed on probation for a stated period of time of not less than 1 month or more than 2 years, which shall be determined by conditions stated in the order. The judgment shall state the conditions of the probation, which may include but are not limited to the following:
- (1) completion of a professionalism enhancement program as provided elsewhere in these rules;
  - (2) the satisfactory completion of a course of study or a paper on professional ethics approved by the Association;
- Failure to observe the conditions of the probation or a finding of probable cause as to conduct of the respondent committed during the period of probation shall terminate the probation. In such event, even though such finding of probable cause shall be made after the expiration of the period of probation, the judgment shall be reconsidered by the Board of Control and an appropriate judgment shall be entered. On termination of probation for failure to observe the conditions of probation or on a finding of probable cause for misconduct committed during the period of probation, the member or apprentice may be punished for contempt or suspended from membership or apprenticeship in the Association, and any such suspension shall continue until the respondent may be reinstated to membership/apprenticeship as provided elsewhere in these rules.
- (e) Reprimand. A reprimand shall be administered in the manner prescribed in the judgment but all such reprimands shall be reported to each Section. Due notice shall be given to the respondent of any proceeding before the Board of Control set to administer the reprimand. The respondent shall be offered the opportunity to appear either personally or via conference call before the Board of Control and such appearance shall be made a part of the record of the proceeding.
- (f) Suspension. The respondent may be suspended from membership or apprenticeship for a definite period of time not to exceed two (2) years. During such suspension the respondent shall continue to be a member or apprentice of the Association but without the privilege of participating in Association and/or Section golf tournaments, and shall not have the right to exercise the rights of membership as set forth in Article VI Section 1 of the Bylaws. Upon the expiration of the suspension period and the satisfaction of all conditions accompanying the suspension, the respondent shall become eligible to all of the privileges of members and apprentices in Association.

- (g) **Permanent Expulsion.** A judgment of permanent expulsion terminates the respondent's status as a member or apprentice of the Association. Permanent expulsion shall preclude readmission. A former member or apprentice who has not been permanently expelled may only be admitted again upon full compliance with the rules and regulations governing admission to the Association, which shall include, but not necessarily be limited to full completion of all apprentice program requirements. Except as might be otherwise provided in these rules, no application for readmission may be tendered within 5 years after the date of a suspension in excess of 2 years or such longer period as the Association might determine in the suspension order and thereafter until all ordered restitution and outstanding disciplinary costs have been paid.

Permanent Expulsion shall be the mandatory sanction for members or apprentices found guilty of:

- (1) Conviction of theft (inclusive of but not limited to embezzlement, conversion, or any similarly named felony in the nature of theft and misappropriation of funds) from an employer, student, member or guest at a golf facility or from funds or accounts received or disbursed by a member or apprentice in the course of employment in an amount that exceeds \$1,000 in cash, property, or any other item(s) of value;
  - (2) Conviction of any felony of the first degree (or its equivalent in any jurisdiction) where the punishment of such a felony includes either/or (a) death or imprisonment in a state penitentiary or in a state correctional facility where the sentence includes imprisonment for one year or more and/or (b) payment of a fine or restitution of more than \$1,000.
  - (3) Conviction of any crime of a sexual nature including, but not necessarily limited to (a) aggravated sexual assault crimes; (b) any sexual assault crimes involving the commission of any actions of a sexual nature on a minor (whether a felony or a misdemeanor)
  - (4) Conviction of any crime involving physical assault that is a first degree felony as defined in (1) above.
  - (5) Conviction of any crime involving the felonious use of a firearm
- (h) **Restitution.** In addition to any of the foregoing disciplinary sanctions and any disciplinary sanctions authorized elsewhere in these rules, the respondent may be ordered or agree to pay restitution to a complainant or other person if the disciplinary order finds that the respondent has illegally converted the property of others. In such instances the amount of restitution shall be specifically set forth in the disciplinary order or agreement and shall not exceed the amount or the equivalent value of the converted property. The disciplinary order or agreement shall also state to whom restitution shall be made and the date by which it shall be completed. Failure to comply with the order or agreement shall not preclude further proceedings under these rules.
- (i) **Disciplinary Resignation.** A respondent may be allowed to resign membership in Association in lieu of defending against allegations of disciplinary violations. If accepted by the Association, a disciplinary resignation terminates the respondent's status as a member or as an apprentice of the Association. A former member or apprentice whose disciplinary resignation has been accepted may only be admitted again upon full compliance with the rules and regulations governing admission to the Association. Notwithstanding the foregoing, in the event that a member or apprentice was convicted of a felony as set forth in section (g) above "Expulsion", then the former member or apprentice shall be permanently expelled and shall not be eligible for reinstatement. Disciplinary resignation is the functional equivalent of expulsion in that both sanctions terminate the membership or apprenticeship in the Association and would require readmission to membership or apprenticeship to the Association as otherwise provided in these rules, no application for admission may be tendered within 5 years after the date of the order of the Association that accepted the disciplinary resignation or such additional time as the respondent may have stated in the petition for disciplinary resignation. A petition that states that disciplinary resignation is without leave to apply for readmission shall preclude readmission to the Association.

---

## Section 12. Suspensions

- (a) Any Member or Apprentice who is in suspended status for more than two (2) years shall be considered to be expelled and shall again be eligible for membership or registration in the PGA Professional Golf Management Program only by being re-elected or re-registered.
- (b) Any Member or Apprentice who is more than two (2) months delinquent on a PGA Credit Union loan shall be automatically suspended, unless excused with cause by the Board of Control or unless arrangements have been made with the Credit Union.

### Rights of Suspended Professionals:

*Suspended individuals shall lose all rights of membership and the privilege to play in National or Sectional golf tournaments in accordance with tournament administration procedures established by PGA of America and the Sections. Life and liability insurance shall not be denied to suspended Members as a result of their suspension. Individuals employed by a suspended Member may not be denied any rights or privileges. Commencing January 1, 1994, time in suspended status shall not count towards Life Member status.*

*Apprentices working for Suspended Professionals: See Article III, Section 4(a).*

---

## ARTICLE III APPRENTICES

---

The PGA Professional Golf Management Program is a training and certification program for aspiring Golf Professionals. Registrants in the program shall be referred to as Apprentices. Apprentices are not Members of the Association and do not enjoy any rights of membership, but may attend Section Meetings.

---

## Section 1. Registration

Individuals who meet the following requirements shall be eligible to register in the PGA Professional Golf Management Program:

- (a) Have a high school diploma or be at least 18 years of age and have the equivalent of a high school education;  
High School Equivalency:
  - (1) *An evaluation by a university or college level institution selected by the Association shall be used to determine high school equivalency.*
  - (2) *Acceptance as a regular full-time student at an accredited college in the U.S. shall be considered ample proof of high school equivalency.*
- (b) Be eligibly employed as defined in Section 4, of this Article;
- (c) Complete an Apprentice Orientation administered by the Section in which they reside in accordance with guidelines established by the Board of Directors;  
Professional Readiness Orientation  
*The Professional Readiness Orientation will satisfy the requirement of attending an Apprentice Orientation. If a Section wishes to conduct its own voluntary Apprentice Orientation, the Section should do so prior to the applicant completing the PRO.*
- (d) Pay all required fees;
- (e) Be endorsed by the Member by whom employed, other individuals shall be endorsed by their immediate supervisor.

- (f) Demonstrate that they can play a creditable game of golf by successfully passing a 36-hole Playing Ability Test in accordance with guidelines established by the Board of Directors.

PAT Regulation

1. *Effective 1/1/2003, one of the following must be completed to register into the PGA Golf Management Program:*
  - a. *Pass the Player's Ability Test or;*
  - b. *Attempt the PAT at least once since 1/1/2003 and shoot one 18-hole score in a PAT since 1/1/2003 that is equal to or less than the PAT target score for 18 holes plus five strokes.*
2. *The 36-hole PAT requirement must be successfully passed, prior to testing at the Level 3 Checkpoint.*
3. *Individuals who register into the PGA Professional Golf Management Program without having fully passed the PAT are required to attempt the PAT at least twice a year in accordance with the policy established by the PGA Board of Directors. Individuals who fail to meet this requirement shall be suspended.*

Validation period for PAT

*Individuals registering or re-registering into the PGA Professional Golf Management Program shall have successfully completed the Playing Ability Test within the two years prior to registration.*

Waiver of Playing Ability Test for Members of PGA Recognized Professional Golf Associations:

*The Board of Directors may waive the requirement that the Playing Ability Test be successfully completed by Members of PGA Recognized Professional Golf Associations.*

Playing Ability Test Target Score

*Successful completion of the test shall be achieved by shooting a combined score which does not exceed the target score. The target score is computed by multiplying the appropriate USGA approved course rating which recognizes the appropriate course rating for men and women, by two (2) and adding 15. For example, if the course rating is 72, the target score would be  $72 \times 2 + 15 = 159$ .*

Exemption from Playing Ability Test:

*Individuals who are or have been exempt players on the PGA TOUR or LPGA TOUR and other "Senior or Developmental" Tours recognized by the PGA TOUR and LPGA Tour and approved by the PGA Board of Directors shall be deemed to have completed the Playing Ability Test.*

ADA Guidelines for the Playing Ability Test

*Individuals with disabilities, as defined under the Americans With Disabilities Act, that receive a written evaluation from the PGA of America's Director of Instruction or his/her designee indicating that the student has the requisite skills to play golf at an acceptable level with the exception of length, to allow such an individual to take the PAT from a set of forward tees set to a length suggested by the PGA of America's Director of Instruction of his/her designee, to reasonably accommodate that person's special needs. In order to maintain the integrity of the PAT, the total yardage of any such adjusted PAT shall not be allowed to be less than 5, 200 yards. The target score shall remain the same with the only difference being a lesser overall yardage for the test.*

- (g) Complete the Professional Readiness Orientation, prior to registering into the PGA Professional Golf Management Program in accordance with the PGA Bylaws.

---

## Section 2. Renewal

Registrants in the PGA Professional Golf Management Program shall be eligible to renew their registration annually at the beginning of each fiscal year provided that they are eligibly employed as defined in Section 4, of this Article and pay required annual Apprentice fees.

Apprentices who became ineligibly employed due to the loss of their supervising PGA Professional shall enter a grace period of a minimum of six (6) months or until the end of that fiscal year, whichever is longest. If, by the end of the grace period such Apprentice is not eligibly employed, the Apprentice shall be dropped from the Apprentice rolls at that time.

---

## Section 3. Reregistration

Former registrants in the PGA Professional Golf Management Program may reregister in the PGA Professional Golf Management Program provided that they (i) are eligibly employed as defined in Section 4, of this Article; (ii) successfully pass the Playing Ability Test as defined in Section 1 (g), of this Article; and (iii) pay all required fees.

---

## Section 4. Eligibility

(Reference Article IV, Section 2 (a) (b) for Experience Credits Provisions)

- (a) To be eligibly employed for registration in the PGA Professional Golf Management Program individuals shall be primarily employed on a full-time basis in a job classification set forth in Article V, Section 1 (b) (1) - (23)

- 1) As a Head Golf Professional (B-1, B-2, B-7), Director of Golf (B-4) or General Manager (B-13) at a “PGA Recognized Golf Course” or “PGA Recognized Golf Range”;

*Only one Apprentice per facility is eligible to register and earn credits in any of these classifications: B-1, B-2, B-4, B-7, or B-13.*

- 2) As a B-6 or B-8 under the supervision of a PGA Member Head Professional, PGA Member Director of Golf, PGA Member General Manager, PGA Member Director of Instruction or LPGA Class A Head Professional at a “PGA Recognized Golf Course”, “PGA Recognized Golf Range”, or “PGA Recognized Golf School”; or

*Assistant and Teaching Professionals to Class “F” Members:*

*Apprentices employed as Assistant Golf Professionals and Teaching Professionals to Class “A” Head Professionals, Directors of Golf or General Managers who are subsequently reclassified to Class “F” or become suspended shall continue to be registered in the PGA Professional Golf Management Program and be eligible to earn credits toward Membership, so long as they remain employed by or under the direction of the same Professional.*

- 3) As an Apprentice (B-11) at the PGA National Office, PGA Section, the PGA Tour or LPGA Office.

- 4) Following successful completion of Level 1, Apprentices may transfer to any of the following classifications and earn experience credits:

- (i) B-9, B-10, B-12, B-14, B-15, B-16, B-17, B-18, B-19, B-20, B-21, B-22, B-23.

- (ii) as a B-6 at a “PGA Recognized Indoor Facility” under the supervision of a PGA Member Director of Instruction.

---

## **Section 5. Limit of Participation**

Individuals, who do not make acceptable progress in accordance with the guidelines established by the Board of Directors, will be suspended from participation in the PGA Professional Golf Management Program.

### *Limit of Participation Regulation*

*If an applicant passes the PAT within two-years or after registering as an apprentice, the PAT will remain valid for eight years from the initial registration date. If the apprentice is not elected to membership at the end of the eight-year period all the PGA Professional Golf Management Program must be completed in its entirety, including the PAT.*

*The Board of Control may extend the Limit of Participation period or allow for early termination based on extenuating circumstances.*

---

## **Section 6. Appeal**

Individuals who are denied registration, reregistration or renewal of their registration in the PGA Professional Golf Management Program may appeal such decision to the Board of Control in accordance with the provisions of Article VII.

---

## **ARTICLE IV ELECTION TO MEMBERSHIP**

---

### **Section 1. Election Requirements**

In order to be eligible for election to membership in the Association, an individual must satisfy the following requirements:

- (a) Be primarily employed in an area required by an Active Classification with the exception of classifications that are transfer only classifications not eligible for original election.
- (b) Except for Approved Tournament Players, be awarded 36 or more combined experience and educational credits as defined in the Bylaws and Regulations.
- (c) Except for Approved Tournament Players, be a citizen of the United States of America or be a resident or temporary resident alien.
- (d) Successfully pass the Playing Ability Test as defined in Article III, Section 1 (f).
- (e) Successfully complete training and examination requirements as prescribed by the Board of Directors.

*The Board of Directors may permit Members of PGA Recognized Professional Golf Associations to attempt to successfully complete the PGA Professional Golf Management Program examination requirements without attending the seminars.*

- (f) Successfully complete a Membership Interview administered by the Section in which they are employed in accordance with guidelines established by the Board of Directors.

### *Changes in Section during Election Process*

*The new Section may accept any portion of the Membership Interview of the previous Section.*

- (g) Otherwise fully meet the terms and conditions of the Association's Constitution, Bylaws and Regulations.

---

## Section 2. Experience Credits

- a) Experience credits shall be awarded as follows:

*Individuals initially registering in the PGA Professional Golf Management Program may be awarded up to six (6) experience credits for employment during the twelve (12) months prior to registration. Experience credits shall be earned only by Apprentices in good standing. Apprentices shall not earn work experience credits while in a suspended status.*

- 1) One (1) credit for each month primarily employed in a job classification set forth in Article V, Section 1 (b) (1) - (23) with or without the supervision of a PGA Professional:

- a) As a B-1, B-2, B-4, B-7, or B-13 at a “PGA Recognized Golf Course” or “PGA Recognized Golf Range”;

*Only one Apprentice per facility is eligible to register and earn credits in any of these classifications: B-1, B-4, B-7, or B-13.*

- b) As a B-6 or B-8 under the supervision of a PGA Member Head Professional, PGA Member Director of Golf, PGA Member General Manager, PGA Member Director of Instruction or LPGA Class A Head Professional at a “PGA Recognized Golf Course”, “PGA Recognized Golf Range”, or “PGA Recognized Golf School”; or

- c) As a B-11 at the PGA National Office, PGA Section, the PGA Tour or LPGA Office.

*Any Apprentice earning credits under the eligibility in affect through June 30, 2009: “One (1) credit for each month primarily employed in a job classification set forth in Article V, Section 1 (b) (1) - (23) with or without the supervision of a PGA Professional” will continue to earn credits in that manner, provided their employment situation does not change. Should an individual have a change in employment after June 30, 2009, they must meet the eligibility in affect at that time.*

- d) Following successful completion of Level 1, Apprentices may transfer to any of the following classifications and earn experience credits:

- i) B-9, B-10, B-12, B-14, B-15, B-16, B-17, B-18, B-19, B-20, B-21, B-22, B-23.

- ii) as a B-6 at a “PGA Recognized Indoor Facility” under the supervision of a PGA Member Director of Instruction.

- 2) One-half credit when an Approved Tournament Player plays at least 36 holes per event in a PGA TOUR or LPGA TOUR co-sponsored or approved tournament.

- b) Awarding of experience credits shall be governed by the following rules:

- (1) Credits may be awarded for experience gained while employed as an Assistant Golf Professional at a PGA Recognized Golf Facility under construction.
- (2) No credit shall be awarded to Approved Tournament Players for participation in qualifying rounds of golf tournaments.
- (3) Approved Tournament Players may not earn more than twelve (12) experience credits in any calendar year for participating in golf tournaments.

- (4) Experience may be cumulative over a period of years, but no experience may be counted unless it is on a full-time basis at the time experience is gained. It shall be the responsibility of applicants to establish at any time to the satisfaction of the Association that they are eligibly employed in the golf profession on a full-time basis.
- (5) United States citizens or resident aliens eligibly employed outside the United States may be awarded experience credits provided they receive advance approval from the Board of Control.  
  
Apprentices eligibly employed outside the United States will become affiliated with a Section should the individual so decide to affiliate with a Section.
- (6) A maximum of six (6) credits may be earned in a calendar year on the PGA TOUR's or the LPGA TOUR's "Developmental Tours". The maximum total credits for these recognized Tours shall be 18.
- (7) Credits may be earned for experience gained for eligible employment (excluding clerical and bookkeeping positions) at a PGA Section Office. Credits may be earned for experience gained while employed by the PGA National Office, the PGA TOUR and/or the LPGA.
- (8) The Board of Directors may award experience credits to Members of PGA Recognized Professional Golf Associations.

*A comparison, of the membership requirements of all PGA Recognized Professional Golf Associations and the requirements that would be accepted by The PGA of America, shall be mailed to the Sections.*

---

### **Section 3. Educational Credits**

Educational credits shall be awarded as follows:

- (a) Twelve (12) credits for having a Bachelor's Degree from an accredited four (4)-year college/university or six (6) credits for having an Associate's degree from an accredited two (2)-year college/university. A maximum of twelve (12) credits may be awarded under this provision.
  - (b) Sixteen (16) credits for graduation from a PGA Golf Management University Program College or University. Credits for graduation from a PGA Golf Management University Program College or University shall only be awarded if the individual becomes a registered Apprentice within two (2) years of graduation and stays within the Acceptable Progress Guidelines.
  - (c) One (1) credit for attendance at any of the Association's multi-day workshops. A maximum of three (3) credits may be earned through Association workshop attendance. Each workshop shall be in a different subject area.
- 

### **Section 4. Transition Rules**

The Board of Directors shall be responsible for adopting transitional rules to accommodate non-retroactive changes in policies regarding experience and educational credits.

---

### **Section 5. Amateur Status**

Apprentices who are granted reinstatement of amateur status or who participate in amateur golf events as amateurs shall lose all experience credits at the time of such reinstatement or participation.

---

## **Section 6. Election Regulations**

The Board of Directors shall be responsible for promulgating regulations for election to membership. Applicants shall be responsible for providing information as may be required to support their application for membership. Any applicant whose application is rejected may appeal the decision to the Board of Control in accordance with the provisions of Article VII.

*The Board of Control may grant extensions for extenuating circumstances.*

### *Election Procedure PGA Professional Golf Management Program:*

- (a) *The completed application shall be sent to the National Office with the Level III work experience kit.*
- (b) *The National Office shall process the application and notify the Section that the apprentice will be attending the Level III Checkpoint and the Membership Orientation shall be conducted.*
- (c) *If the Membership Orientation is not completed, prior to the Level III Checkpoint, completion of the Final Experience shall suffice as completion of the Membership Orientation. (Sections may withhold playing privileges if they want them to complete their orientation).*
- (d) *The election date shall be the date of completion of the Final Experience or the date the National Office has been notified that all membership requirements have been satisfied, whichever is the latter.*
- (e) *The National Office is responsible for collecting and billing of all membership fees in accordance with Article X.*

---

## **Section 7. Resignation from Membership**

Members may resign their membership from the Association in accordance with guidelines established by the Board of Directors provided that all financial obligations to the Association have been satisfied.

### *Resignation Procedure:*

*Resignation procedure requires sending a letter of resignation to the National Office. The date of resignation shall be the date the letter is received at the National Office unless another date is approved by the Section and National Office.*

---

## **Section 8. Reinstatement to Membership**

Former Members terminated for any reason other than disciplinary action may apply for reinstatement to Membership provided that (i) their reinstatement is approved by their Section; and (ii) all financial obligations to the Association, including penalties and accrued interest, are satisfied.

### **(a) Active Classification Reinstatement.**

Former Members who are (i) employed in a capacity that would entitle them to an active classification and have completed all PDP requirements from prior PDP periods; or (ii) are not eligible for classification as Life Members, may apply for reinstatement to membership not more than one (1) time, provided they successfully complete the Membership Interview required of all individuals applying for membership.

Members who are reinstated to active classification lose their amateur status, if applicable. Individuals elected to A-3 classification may be reinstated only after they have satisfied all membership requirements for the new classification.

### **(b) Inactive Classification Reinstatement.**

Former Members who (i) have completed all PDP requirements from prior PDP periods; (ii) are employed in a capacity that would not entitle them to an active classification; and (iii) are not eligible for classification as Life Members may be reinstated not more than one (1) time to inactive classification. Members who are reinstated to inactive classification lose their amateur status, if applicable.

---

### Section 9. Re-election

Former Members who are not otherwise eligible for reinstatement to membership shall be required to meet all current election requirements in addition to the reinstatement requirements to again become Members of the Association.

---

### Section 10. Citizenship

The membership of Members who are no longer U.S. citizens, resident aliens or temporary resident aliens shall be terminated.

---

## ARTICLE V CLASSES OF MEMBERSHIP

---

Members shall be classified as Active or Non-Active based on their employment status, standing with the Association and length of membership in the Association.

*Members shall provide sufficient documentation to reasonably verify their employment status, including but not limited to sources of income, time spent on the job and responsibilities.*

---

### Section 1. Active Classifications

Members who are primarily employed in the area required by their classification and who meet any of the following requirements shall be eligible for membership and shall be classified as Active Members of the Association:

- (a) **Master Professional** - The Master Professional classification recognizes PGA Members who have successfully completed advanced professional training. The Board of Directors shall establish the requirements to be classified as Master Professional, including the requirement that such Members shall have served, for a minimum of six (6) years, in the capacities of Class "A" Head Golf Professional and/or Director of Golf at PGA Recognized Golf Facilities.

*Effective June 4, 1996, there will be no new elections to the Master Professional classification.*

*Certified Master Professional requirements are available from the National Office.*

- (b) **Class "A" Members**

- (1) PGA Members employed as Head Golf Professionals at PGA Recognized Golf Courses (A-1).
- (2) PGA Members employed as Head Golf Professionals at PGA Recognized Golf Ranges (A-2).
- (3) PGA Members who are exempt players on the PGA TOUR, LPGA TOUR and other Tours recognized by the PGA TOUR or LPGA TOUR and approved by the PGA Board of Directors (A-3).
- (4) PGA Members who are Directors of Golf at PGA Recognized facilities (A-4).
- (5) Past Presidents of the Association, regardless of their current occupation or profession (A-5).
- (6) PGA Members employed at PGA Recognized Golf Facilities, PGA Recognized Golf Schools, and PGA Recognized Indoor Facilities as either golf instructors, supervisors of golf instructors or individuals who instruct PGA Professionals How to Teach (A-6).
- (7) PGA Members employed as Directors of Golf or Head Golf Professionals at PGA Recognized Golf Facilities under construction (A-7).
- (8) PGA Members who are employed as Assistant Golf Professionals at PGA Recognized Golf Facilities (A-8).
- (9) PGA Members who are employed in professional positions in management, development, ownership, operation and/or financing of a facility (ies) (A-9).

*Employment at more than Two Facilities*

*Individuals who are involved in the management of more than two facilities, regardless of positions, titles or responsibilities shall be classified A-9.*

- (10) PGA Members who are employed as Golf Clinicians (A-10).
- (11) PGA Members who are employed by the Association, a Section or the PGA TOUR in an administrative capacity and PGA Members who are employed full-time as employees of golf associations recognized by the Board of Directors (A-11).
- (12) PGA Members who are employed as golf coaches at accredited colleges, universities and junior colleges (A-12).
- (13) PGA Members who are employed as General Managers/Directors of Club Operations who have successfully completed the requirements set forth by the PGA Board of Directors (A-13).

*General Managers/Directors of Club Operations*

*General Managers and/or Directors of Club Operations shall manage the entire golf facility including golf operations, golf course maintenance, club house administration, food and beverage operation and other recreational activities at the facility.*

- (14) PGA Members who are employed as Director of Instruction at a PGA Recognized Golf School or PGA Recognized Facility (A-14).
- (15) PGA Members whose primary employment is ownership or management of golf products or services at a "PGA Recognized Retail Facility" provided such employment specifically excludes primary employment as a clerk. "PGA Recognized Retail Facility" shall be defined as a stand-alone retail golf specialty stores or as a sporting goods stores with golf departments similar in size and merchandise inventory to a stand-alone golf shop (A-15).
- (16) PGA Members who are primarily employed in the design of golf courses as architects or PGA Members who are primarily employed in an ownership or management capacity as golf course builders (A-16).
- (17) PGA Members primarily employed in the management of all activities in relation to maintenance, operation and management of a golf course. PGA Members in this classification are required to satisfy the criteria of either a Golf Course Superintendent or Assistant Golf Course Superintendent as defined by the Golf Course Superintendent's Association of America (A-17).
- (18) PGA Members primarily employed in the reporting, editing, writing or publishing of golf-related publications in any form of media (inclusive of, but not necessarily limited to, newspapers, magazines, the Internet) or in the broadcasting or commentating about golf events on network television, cable networks, the Internet or any other form of related media (A-18).
- (19) PGA Members primarily employed in an executive, administrative or supervisory position with a golf industry manufacturer or golf industry distributor (A-19).

*A-19 Regulation*

*The A-19 classification may include members primarily employed in an executive, administrative or supervisory position with a golf industry company that provides direct consumer distribution of golf goods or services that benefit PGA Members and/or PGA Member affiliated facilities (A-19).*

- (20) PGA Members primarily employed by one or more golf manufacturing or distributing companies involved in the wholesale sales and distribution of golf merchandise or golf-related supplies to golf facilities, retail stores or any other golf outlets (A-20).

*A-20 Regulation*

*The A-20 classification may include members primarily employed by a golf manufacturing or distributing company that provides direct consumer distribution of golf goods or services that benefit PGA Members and/or PGA Member affiliated facilities (A-20).*

- (21) PGA Members primarily employed in the coordination, planning and implementation of golf events for organizations, businesses, or associations (A-21).

- (22) PGA Members primarily employed in the provision of services as a rules official for recognized golf associations, recognized golf tours or recognized golf events (A-22).
- (23) PGA Members primarily employed in the business of club fitting must use a recognized fitting system or a comparable system, must have all the necessary equipment normally associated with club fitting and must have access to a PGA Recognized Golf Range or a range at a PGA Recognized Golf Course to monitor ball flight. A PGA Member primarily employed in club repair must have an established place of business with all necessary equipment normally associated with club repair or must service one or more golf tours or series of golf events (A-23).

**(See Section 6. Transfer Only Classifications - Not Eligible for Original Election)**

- (24) PGA Members primarily employed within the golf industry who are not eligible for another Active classification (A-24).

**A-24 Regulation**

*In order to be eligible to transfer to the A-24 classification, the following criteria must be met:*

- 1. The PGA Member must be primarily employed in the golf industry. For purposes of the regulation, the term "Golf Industry" is defined as a business that provides primarily golf-related products or golf-related services to consumers, wholesalers, distributors, retailers, PGA affiliated facilities or others.*
- 2. The primary employment may include employment with Internet-based companies that provide golf-related products or services; teaching golf instruction in non-traditional golf facilities (i.e., facilities that are not PGA recognized) that have not previously allowed active classification with the PGA of America; or other forms of employment deemed by the Section and/or Board of Control resulting from an appeal, to fulfill the requirements of this classification.*
- 3. The Board of Directors shall have final authority to determine whether a particular employment situation fulfills the requirements for A-24 classification in the event of an appeal from the Board of Control or upon a request of the Board of Control to review a particular matter for guidance.*

**Eligibility for Two (2) Classifications:**

*With the exception of A-3s, any Member who is eligible for two (2) different classifications should be placed in the classification in which the Member spends a majority of their time; however, if equal, the Member shall have a choice, with the approval of the Section. Approved Tournament Players shall be classified A-3 unless they substantiate to the Board of Control they are eligible for another classification. Approved Tournament Players who are not classified as A-3 Members shall have their classification reviewed by the Board of Control two (2) times annually.*

Primary Employment Regulations:

1. *The employment must show a pattern of employment that is regular, continuous, at the place of employment and provide the public with golf related goods and/or services.*
2. *Sections may request all or part of the following information to determine that individuals are properly classified:*
  - a. *A description of the type of club and activity;*
  - b. *List of duties performed;*
  - c. *Sources of income;*
  - d. *Authority granted by employer;*
  - e. *Hours of operation of facility;*
  - f. *Employment contract;*
  - g. *Lesson Log Book;*
  - h. *Tax documents;*
  - i. *Letter from employer;*
  - j. *Responsibility for the inventory, hiring and firing, devotion to the work schedule, conducting and planning of tournaments;*
  - k. *Days at the facility for the last week, month or more; and*
  - l. *Individuals may submit any additional information they feel appropriate.*

Eligible Employment Regulation

*PGA Members and Apprentices that are employed in more than one profession shall be subject to the following:*

*The National Office shall determine if a professional is eligibly employed based on the documentation provided by the professional and the recommendation of the Section. Should the National Office and Section disagree, the matter shall be submitted to the Board of Control. The Board of Control's decision shall be binding by the Section and the National Office.*

*Professionals are not determined to be eligibly employed until approval is obtained.*

*The following guidelines shall be used to determine eligible employment:*

1. *Professionals that satisfy the following are considered employed in the golf industry and eligible for an active classification regardless of other income or profession:*
  - a. *Employment must be in an area required by their classification and must average at least 36 hours a week for the entire season. The length of the season is determined by the Section.*
  - b. *Employment must fulfill all national and state guidelines including wage and hour requirements, income tax reporting requirements and social security tax requirements.*
  - c. *Upon request individuals may be requested to provide to the Section or to the Association applicable income and tax records where cause exists to assist in determining the proper classification. The failure of the member/apprentice to provide the requested information by the deadline stated in the written request for information may result in a dismissal of the case with the inquiry/appeal denied summarily at the sole discretion of the body that requested the information*
2. *Professionals must document to the Section and the National Office as often as a quarterly basis (or another specified time period as agreed by the National Office and Section) that they are satisfying the eligible employment guidelines and the requirements of their classification.*

3. *On an individual basis, the Board of Control may modify the eligible employment requirements for extenuating circumstances such as adverse weather, injury, illness, etc.*
- 

## **Section 2. Non-Active Classifications**

Members meeting any of the following requirements shall not be eligible for active Membership and shall be classified as Non-Active Members:

- (a) Class "F" Members are Members who fail to meet the requirements of the Professional Development Program;
- (b) Life Members are Members who are not eligible for classification as Active Members and who have held a minimum of 20 years in an Active Classification (whether continuous or not) may elect to classify as either:
  - (i) Life Member-Active; or
  - (ii) Life Member-Retired.
- (c) Retired Members are Members who are retired and have achieved a total of 65 years or more for age and years of Active classifications and who are not eligible for another classification.

*The Board of Control may grant Retired classification for extenuating circumstances, such as, serious illness and other material hardships resulting in the individual's inability to continue to fulfill eligible employment requirements.*

- (d) Inactive Members are Members who are not eligible for classification as Active or Life Members.
- (e) Life Member Century are Life Members who are fully retired, are no longer active in the Association in any manner and have achieved a minimum age of 75 years and a minimum of 25 years of Active classifications. This is a one-time only permanent transfer into Life Member Century.

*The Board of Control may grant Life Member Century classification for extenuating circumstances, such as, serious illness and other material hardships.*

---

## **Section 3. Honorary Members**

Honorary Members may be elected by the Delegates to the Annual Meeting for their outstanding contributions to the game of golf.

### *Honorary Membership Regulation*

*Individuals may be nominated for Honorary Membership at the Annual Meeting, provided a majority of the Officers approve of the individual in writing, prior to the applicable Annual Meeting.*

---

## **Section 4. Classification Procedures**

- (a) If non-temporary changes in the employment status of Members (excluding unemployment) place them in different classes of Membership, they shall be transferred to the appropriate classification.
- (b) Active Members, who become unemployed, are not eligible for classification as Life Members, and who do not elect to be classified as Inactive Members shall enter a one (1) year grace period. If, by the end of that grace period, such Members continue not to be eligible for classification as Active or Life Members, they shall be reclassified as Inactive Members at the beginning of the Association's next fiscal year.
- (c) Prior to transferring to an active classification, Inactive Members must successfully complete the Membership Interview required of all individuals applying for membership.
- (d) Members who believe that they are improperly reclassified shall have the right to appeal only to the Board of Control in accordance with Article VII.

- (e) Members must maintain payroll records to verify employment. Said records shall be made available upon request of Section or Association where cause exists to determine the classification.
- (f) The Golf Clinician classification shall be subject to annual review. This review shall include documents demonstrating performance and income.
- (g) Individuals elected to A-3 classification may transfer to another active classification only after they have satisfied all membership requirements for the new classification.

*A-3 Regulation:*

*Allow A-3 Members, who have acquired a minimum of 36 credits, the opportunity to select the "test-out" option of the PGA Professional Golf Management Program under the same guidelines as members of International PGAs.*

- (h) Individuals transferring from Life Member-Retired and Retired Member classifications to another classification must complete all PDP requirements from prior PDP periods.

*Change in Classification:*

*Classification changes shall be made by the National Office based on the recommendation from the Section. Should the National Office and the Section disagree on the appropriate classification, the matter shall be submitted to the Board of Control. The Board of Control's decision shall be binding by the Section and National Office.*

---

## **Section 5. Annual Review of A-3 Classification**

Individuals classified as A-3 Members, who do not participate in at least twelve (12) or more PGA or LPGA co-sponsored or Approved Tournaments in the preceding year, shall be governed by the following rules:

- (a) Individuals who have accumulated thirty-six (36) or more combined experience and educational credits as defined in the Bylaws and Regulations and who do not participate in at least twelve (12) or more PGA or LPGA co-sponsored or Approved Tournaments in the preceding year shall enter a one (1) year grace period. If, during such grace period, they do not complete all requirements necessary to transfer to any active classification they shall be reclassified to Inactive at the beginning of the next fiscal year.
- (b) Individuals who have not accumulated thirty-six (36) credits and who no longer are Approved Tournament Players shall be terminated from membership.
- (c) The following individuals shall be exempt from these rules so long as they retain their membership in the PGA TOUR or LPGA TOUR:
  - (1) Members of a PGA of America Ryder Cup Team or United States Solheim Cup Team;
  - (2) Current or former champions of any of the men's or women's Majors, as defined by the PGA Board of Directors;
  - (3) Current or former leading money or point winners; or
  - (4) The Vardon Trophy and Vare Trophy winners.

*Review of A-3 Members:*

*Only those A-3 Members who qualify for their respective TOUR during the first six (6) months of a calendar year shall be subject to these rules.*

---

## **Section 6. Transfer Only Classifications Not Eligible for Original Election**

PGA Members transferring to classification A-24 must have been elected to Membership under one of the other A-1 through A-23 Active classifications. Applicants for membership in classification A-24 shall not be eligible for original election.

---

## ARTICLE VI RIGHTS OF MEMBERSHIP

---

### Section 1. Rights of Membership

Except as otherwise provided herein, Members of the Association shall have all of the rights of membership. These rights shall include the following:

- (a) voting;
- (b) holding office;
- (c) using the Association name, initials and emblem in accordance with guidelines established by the Board of Directors; and
- (d) attending the Annual Meeting of the Association as an observer.

*Rights and Privileges:*

*It is a privilege rather than a right to play in golf tournaments and participate in Section programs. Therefore, except for the rights set forth above, a Section may impose reasonable restrictions on certain classes of membership regarding participation in sectional events so long as such restrictions are not unduly discriminatory.*

---

### Section 2. Restrictions on Rights

Members in the following classifications shall have all the rights of membership except that they shall not have the right to vote and hold office:

- (a) Inactive Members

*Inactive Members may use the PGA name, initials and emblem provided that:*

- (1) The Inactive Member is employed in the golf industry;*
- (2) The PGA name, initials and emblem are used only on business stationery, business cards and on the business site; and*
- (3) The PGA name, initials and emblem are not used for any commercial use.*

- (b) Class "F" Members

In addition, Class "F" Members shall not have the right to use the Association name, initials or emblem.

- (c) Life Member-Retired

- (1) Past Presidents of Sections shall retain voting privileges in the Section in which their Presidency was served, even if they have transferred to Life Member-Retired status.
  - (2) Sections may allow Life Member-Retired Members to vote on Section issues provided they satisfy the Meeting Attendance requirement of the most recent three-year period of the Professional Development Program.

- (d) Retired Members

Retired Members may use the PGA name, initials and emblem as determined by the Board of Directors. The PGA name, initials and emblem may not be used for any commercial use and must include a "Retired" designation.

- (e) Life Member Century

The PGA name, initials and emblem may not be used for any commercial use.

---

### **Section 3. Association Employees**

Employees of the Association or the Sections shall not be eligible to serve as Sectional Officers or be Members of the Association's Board of Directors or the Sections' Board of Directors.

*As a matter of employment policy, the PGA and its Sections may restrict employees who are Members of the Association from enjoying certain rights or privileges of membership.*

---

## **ARTICLE VII REVIEW OF MEMBERSHIP ISSUES**

---

### **Section 1. Board of Control**

The Board of Control shall be composed of the Secretary of the Association, who shall be Chairperson, and four (4) Members of the Association appointed annually by the President. Appointments shall be made so that each geographic area, i.e., Northeast, Southeast, Midwest and West, is represented. Specific boundary determinations of each geographic area shall be determined by the Board of Directors. In order to be eligible to serve on the Board of Control, the Members, other than the Secretary of the Association, must not be Members of the Board of Directors and must be either past National Officers, past National Directors or past Section Officers. A quorum shall consist of three (3) members of the Board of Control. The Board of Control shall meet at least quarterly at a time and place as set by the Chairperson; provided, however, that a majority of the members of the Board of Control may elect not to meet during any quarter if no actions are required.

*The rotation schedule of the Board of Control shall be as follows:*

*West           Appointed January 2013*

*Midwest      Appointed January 2014*

*Northeast    Appointed January 2015*

*Southeast     Appointed January 2016*

---

### **Section 2. Appeals to Board of Control by Individuals**

Members and Apprentices may appeal any decision which is appealable to the Board of Control in accordance with regulations adopted by the Board of Directors.

Any decision appealed to the Board of Control may be overruled by a majority vote of the Board of Control. All membership actions shall be held in abeyance during any appeal pending a decision by the Board of Control. Members and Apprentices shall have the right to appear at their appeal hearing with the Board of Control and also may have witnesses appear at this hearing on their behalf.

*Procedures for Board of Control Appeals:*

*All appeals to the Board of Control must be made within thirty (30) days of receipt of notice of the decision being appealed. All decisions shall be provided to the individual in writing by personal delivery or registered or certified mail.*

---

### **Section 3. Appeals to Board of Directors**

Members and Apprentices may appeal the following decisions to the Association's Board of Directors in accordance with regulations adopted by the Board of Directors:

- (a) Decisions of the Board of Control, which are appealable to the Board of Directors as set forth in the Constitution and Bylaws.
- (b) Membership classifications.
- (c) Other decisions, which are able to be appealed to the Board of Directors as set forth in the Constitution and Bylaws.

Any decision appealed to the Board of Directors may be overruled by a two-thirds vote of the Board of Directors. All actions shall be held in abeyance during any appeal pending the Board of Directors' decision. Members and Apprentices shall have the right to appear at their appeal hearing with the Board of Directors and also may have witnesses appear at this hearing on their behalf. Decisions of the Board of Directors shall be final.

*Procedures for Board of Directors Appeals:*

*All appeals to the Board of Directors must be made within thirty (30) days of receipt of notice of the decision being appealed. All decisions shall be provided to the individual in writing by personal delivery or registered or certified mail.*

---

#### **Section 4. Discretionary Review by Board of Control**

In addition to those matters specifically reserved to the Board of Control in the Constitution and Bylaws, the Board of Control shall have control over all membership matters. In order for a subject to be considered by the Board of Control pursuant to this section, the matter must be referred to the Board of Control by a Section, the Board of Directors or a staff member at the National Office. The Board of Control may at its sole discretion elect to review such membership matters. All decisions of the Board of Control shall be reported to and subject to review by the Board of Directors at its discretion. The Board of Directors shall have the power by a two-thirds vote to uphold, reverse or modify the decision of the Board of Control in accordance with regulations adopted by the Board of Directors. In the event that the Board of Directors reviews a decision of the Board of Control, the decision of the Board of Directors shall be final.

*Discretionary Review by Board of Control:*

*If the Board of Directors does not review a decision of the Board of Control at its next regularly scheduled meeting, which is at least sixty (60) days following the decision of the Board of Control, the decision of the Board of Control shall be final. A written copy of all decisions made by the Board of Control for such matters shall be immediately provided to the individual, the individual's Section and the National Office.*

---

### **ARTICLE VIII PROFESSIONAL DEVELOPMENT PROGRAM**

---

#### **Section 1. Policy**

All Members, except those in the following classifications, shall be required to satisfy the requirements of the Association's Professional Development Program:

A-3  
A-5  
Life Member-Retired  
Life Member-Century  
Retired Member

*(Reference Appendix for information regarding Golf Professionals in the Reserves or National Guard who are called to Active Duty)*

*(Reference Article VI, Section 2 (c) (2) for Life Member- Retired Members who wish to vote on Section issues)*

---

## **Section 2. Program Requirements**

The Board of Directors shall be responsible for determining the requirements of the Professional Development Program. The Program shall require that a minimum number of points be earned in three (3) -year periods.

*The Board of Control may waive or reduce the requirements for a Member for extenuating circumstances, inclusive of, but not necessarily limited to, illness, financial problems, Members that can demonstrate appropriate extenuating circumstances, or other conditions, which may have prevented the Member from satisfying the requirements.*

---

## **Section 3. Violations**

Members who do not satisfy the requirements of the Professional Development Program shall be reclassified as Class "F" Members of the Association at the beginning of the next fiscal year. They shall remain in this classification until they earn the deficit requirements of the previous period and an amount equal to the deficit in the new period. Class "F" Members who do not satisfy these requirements by the end of the Professional Development Program period in which they were transferred to Class F shall be terminated from membership.

So long as they are Members of the Association, Class "F" Members may not be transferred into any other classification until they satisfy these requirements.

Members may appeal their classification as Class "F" Members or their termination from membership, as a result of these provisions, to the Board of Control in accordance with the provisions of Article VII.

---

# **ARTICLE IX**

## **SECTION AFFILIATIONS**

---

### **Section 1. Section Affiliations - Members**

All Members who are employed, and Members who are unemployed but permanently reside within the boundaries of a Section of the Association, shall be Members of that Section.

*Section Affiliation:*

*Excepting Honorary Members, a Section shall not have as a Member, in any class, any person who is not a Member of the Association.*

Members who are employed as Head Golf Professionals or Directors of Golf in more than one Section shall be Members of all such Sections; provided that any rights to vote, hold office, play in Sectional Championships and/or be eligible for national awards, shall only apply to their principal Section, which shall be defined as the Section in which they are employed a majority of the time. In cases where Members are employed for equal amounts of time in more than one (1) Section, the Members may choose which Section to be principally affiliated with.

*A Member must notify the Secretary of the new Section of the Member's employment and the Member must pay dues to both Sections.*

*Members who supervise PGA Professionals in other Sections may have a secondary affiliation with the Sections where the PGA Professionals are employed subject to all conditions set forth above. The Section shall determine all privileges in the secondary Sections.*

---

**Section 2. Section Affiliations - Apprentices**

All Apprentices who are employed within the boundaries of a Section of the Association shall be registered in the PGA Professional Golf Management Program of the Section in which they are principally employed.

---

**Section 3. Changes in Section Affiliations - Members**

- (a) Members, who, as a result of a change in employment or residence, are required to become Members of a different Section shall be required to change their Section affiliation at the time of such change.
  - (b) In the cases of changes in Section affiliations during the year, no additional dues shall be required to be paid to the new Sections and no refund of dues shall be paid to the former Sections.
  - (c) A member employed outside of the United States, at the member's option and with the approval of the National Board of Directors, can affiliate with a Section.
- 

**Section 4. Unaffiliated Members**

Members in any classification who are employed and Members who are unemployed outside the boundaries of a local Section qualify for Unaffiliated Membership.

*A Member who is employed outside of the United States may:*

- i) Continue to be affiliated with the Section the Member was most recently affiliated with, provided the Section approves of the affiliation; or*
- ii) Become affiliated with another Section provided the Section approves of the affiliation. In the event of a disagreement between the Section and the Member about the affiliation issue, the issue shall be submitted to the Board of Control for resolution. The decision of the Board of Control shall bind the Section and the Member.*

---

## ARTICLE X OBLIGATIONS

---

### Section 1. Annual Member Dues and Apprentice Fees

- (a) Members shall pay annual dues to the Association as follows:

Master Professionals	\$100
Class "A" Member	\$100
Life Member-Active	\$100
Life Member-Retired	\$ 25
Life Member-Century	\$ 25
Retired Members	\$ 25
Inactive Members	\$100
Class "F" Members	\$100

Past Presidents and Honorary Members of the Association shall pay no dues.

- (b) Apprentices shall pay annual fees of \$60.

*Section Dues and Fees:*

*The National Office shall bill Members and Apprentices for Section dues and fees. Annual Section dues and fees shall be charged based on the Member's or Apprentice's Section affiliation as of May 1st. In the event that a Member or Apprentice changes their Section affiliation during a fiscal year, no additional dues or fees shall be charged or refunded and the new Section shall not be entitled to a prorated amount from the prior Section. A Section may not charge Apprentices a higher fee than the highest fee of a Class "A" Member.*

*Section shall not charge more to A-3 or Inactive Members*

*A Section shall not charge A-3 or Inactive Members more than the National Fees for A-3 and Inactive Members respectively, without approval from the Board of Directors.*

*Section shall not charge more to Life Member Century Members*

*A Section shall not charge Life Member Century Members more than the National Fees for Life Member Century Members.*

---

### Section 2. Special Assessment

In addition to their annual dues, Members shall be assessed the total sum of \$75, payable at the rate of \$15 per year. Such assessments shall be contributed to the Association's Capital Reserve Fund.

*Special Assessment:*

*In the event of a reinstatement or re-election of a Member who has not paid the entire assessment, the Member shall continue to be assessed \$15 annually until the assessment is paid so long as they are in an active classification.*

---

### Section 3. Member Initiation Fees

Individuals elected, re-elected or reinstated to membership shall pay an initiation fee as determined by the Board of Directors. One-half of such initiation fees shall be paid to the Sections.

---

#### **Section 4. Apprentice Registration Fees**

Individuals who register or re-register in the PGA Professional Golf Management Program shall pay a registration/re-registration fee as determined by the Board of Directors.

*Section Registration Fees:*

*Sections may also charge registration or re-registration fees not to exceed national fees set forth above.*

---

#### **Section 5. Billing of Member Dues and Apprentice Fees**

Members and Apprentices shall be billed for dues and fees payable to the Association and the Sections on May 1st of each year. All dues and fees shall be payable within sixty (60) days of the billing date.

*(Reference Appendix for information regarding Golf Professionals in the Reserves or National Guard who are called to Active Duty)*

---

#### **Section 6. Timing of Dues and Fees**

Members and Apprentices who fail to pay dues or fees within sixty (60) days of the billing date shall be immediately suspended from membership or registration in the PGA Professional Golf Management Program and shall not be entitled to any rights or privileges of membership until their dues or fees are paid. Such Members and Apprentices shall be assessed \$100 late payment fee. Members and Apprentices who fail to pay amounts due (including late payment fee) within ninety (90) days of billing date shall then be terminated from membership or the PGA Professional Golf Management Program.

Members and Apprentices who do not pay their dues and fees within ninety (90) days of the billing date, but pay all amounts due (including \$100 late payment fee and a \$100 re-establishment fee) by the start of the following fiscal year may re-establish membership provided approval is received from the Officers of their Section.

---

#### **Section 7. Proration of Dues and Fees**

The Board of Directors shall be responsible for adopting such other regulations regarding the proration of national annual dues and fees to be assessed at the time of election, re-election, reinstatement, reclassification, registration, re-registration, termination and/or resignation.

*Proration of Dues:*

*Sectional and National dues for Members and Apprentices shall be prorated on a monthly basis.*

---

#### **Section 8. Re-establishing Life Membership**

Life Members who have been terminated for non-payment of dues may re-establish membership not more than one (1) time, even though they may not be active in the golf profession, provided they pay the current dues (excluding initiation fee) prorated on a monthly basis, plus the amount of the delinquency (including late payment fees) when they were dropped from the membership rolls.

---

## ARTICLE XI REPORTING REQUIREMENTS

---

### Section 1. Employment Reporting

- (a) Members and Apprentices shall be required to report to the Association or Sections within ten (10) business days, changes in employment and/or classifications.
- (b) Members or Apprentices who fail to comply with these provisions shall be fined as follows:
  - (1) \$50 for notifications received between the 11th and 30th business day;
  - (2) \$75 for notifications received between the 31st and 60th business day; and
  - (3) \$100 if notification is not received within sixty (60) business days.

All such fines shall be retained by the Section(s) in which the violations occurred.

- (c) Members and Apprentices who are fined for such violations shall be automatically suspended from membership or registration in the PGA Golf Management University Program until the fines are paid. Members and Apprentices in violation of this policy may appeal such fines and decisions to the Board of Control in accordance with the provisions of Article VII.
- (d) The Board of Directors shall prescribe regulations for enforcing the provisions of this Section, including the requirement that the Association and its Sections shall be responsible for keeping each other fully informed in a timely manner.

**Business Day:**

*A business day is defined to be any day on which the PGA National Office is open for business. The ten (10) day notification period starts upon initial knowledge of accepting/leaving a position.*

**Employment Change:**

*The National Secretary is responsible for providing job change information received as a result of these requirements to the Section within three (3) business days. When notification of an employment change is received at the National Office and it is determined that a fine is applicable, the Member or Apprentice shall be sent a certified letter, along with a copy to the Section, advising the Member or Apprentice of the amount of the fine and the fact that the Member or Apprentice is suspended until the fine is paid.*

---

### Section 2. Membership Classification Questionnaire

- (a) Prior to the beginning of the Association's fiscal year, the Sections may annually advise the Association of the names of PGA Members to whom a questionnaire shall be sent for the purpose of evaluating the employment status of such Members. It shall be mandatory that such questionnaires be completed and returned to the Association.
- (b) Any Members who fail to comply with this rule shall be suspended from membership and shall not enjoy any rights of membership until the questionnaire is completed and returned. The membership of Members who fail to complete and return the questionnaire by December 31 of any year shall be terminated.

**Reinstatement - Membership Classification Questionnaire and Survey:**

*Members who are suspended due to failure to complete and return the questionnaire may be reinstated by completing and returning the questionnaire at any time during the suspension period (the period of time between the date the questionnaire was due and the next December 31).*

---

### **Section 3. Association Surveys**

- (a) Subject to the approval of the Delegates to the Annual Meeting, the Association may annually survey PGA Members and/or Apprentices for the purpose of acquiring and keeping abreast of statistical data vital to the progress of the Association and its programs. It shall be mandatory that such surveys be completed and returned to the Association at such time as prescribed by the Board of Directors.
- (b) Members or Apprentices who fail to comply with this rule shall be suspended from membership or registration in the PGA Professional Golf Management Program and shall not enjoy any rights of membership until the surveys are completed and returned. Members or Apprentices who fail to complete and return the questionnaires at such time, as prescribed by the Board of Directors, shall be terminated from membership or registration in the PGA Professional Golf Management Program.

---

### **Section 4. Employment Verification**

- (a) Changes in employment and classification must be verified by the PGA member with the most management authority at the place of employment. For individuals who have the most management authority at the place of employment, the employment must be verified by the immediate supervisor.
- (b) If the above information is not available by virtue of death or for other reasons, reasonable certification of employment may be approved by the Section.

---

## **ARTICLE XII SECTIONS**

---

### **Section 1. Section Charters**

The Board of Directors may charter a Section upon the organization of not less than fifty (50) Master Professionals and Class "A" Members, providing that the proposed Section includes an area which is not less than approximately 140 miles square. A proposed Section, desiring a charter as a Section that does not meet these requirements, may be approved by a two-thirds vote of the Board of Directors and the Section or Sections in which the new Section resides.

---

### **Section 2. Chapters**

Sections may charter Chapters within their boundaries which are subordinate to the Sections, subject to the following guidelines:

- (a) The names of the Chapters shall be "\_ \_ \_ Chapter, \_ \_ \_ Section, PGA of America", indicating the geographic area included within the boundaries of the Chapter.
- (b) The jurisdiction of the Chapters shall extend only to discussion and action concerning local problems, which pertain solely to the area covered by the Chapters.
- (c) Chapters shall only be organized with the consent of the Section in which the Chapters are located.
- (d) Chapters shall exercise only those powers authorized by the Section and all actions of the Chapters shall be subject to the review and approval by the Section Executive Committee.
- (e) The Sections shall have complete authority in their discretion and at any time to withdraw the charters of any Chapters.
- (f) At least ten (10) Members of the Association must reside within the boundaries of a Chapter in order to be eligible to be chartered by the Sections.

*Procedure for Modifying Boundaries:*

- (a) A Member or Apprentice with approval of facility must request boundary change;*
  - (b) The request should be approved by Club President or General Manager;*
  - (c) Both the Section in which the facility is located and the Section in which the facility wants to become a Member must approve the request;*
  - (d) After the first three (3) steps are completed, the Section Affairs Committee must approve request; and*
  - (e) The Board of Directors shall make the final decision as to whether or not to approve or disapprove the request.*
- 

**Section 3. Revocation of Section Charters**

- (a) Sectional charters may be rescinded at any time by two-thirds vote of the Board of Directors for any action detrimental to the best interests of the Association or for any violation of the Constitution, Bylaws or Regulations of the Association.
  - (b) Before a Section charter is rescinded, the Association shall notify the Officers of the Section in writing of the cause or causes for said rescission and the time and place set for a hearing on the charges.
  - (c) The Section shall have an opportunity to appear before the Board of Directors and present evidence in its behalf.
  - (d) Any decision of the Board of Directors may be appealed to the Delegates at the next Annual Meeting. Such Section shall not enjoy any of the privileges of the Association unless reinstated by the Delegates to the Annual Meeting.
- 

**Section 4. Officers**

Each Section shall elect Section Officers who shall be Master Professionals, Class "A" Members or Life Members whose duty it shall be to carry out the decisions of the Association and to govern and direct the affairs of their respective Section in accordance with the Constitution and Bylaws of the Section.

---

**ARTICLE XIII  
THE OFFICERS**

---

**Section 1. Election of Officers**

- (a) The Officers shall be elected at an Annual Meeting by a majority of those voting.
- (b) The term of office shall be two (2) years.
- (c) The Officers shall not be eligible to be elected to the same office for more than one (1) two (2) -year term.
- (d) Candidates for the Officers may be proposed by the Sections to the Association at least sixty (60) days in advance of the Annual Meeting.
- (e) The Association shall forward the names of all candidates to all Sections at least thirty (30) days prior to the Annual Meeting.
- (f) If there are fewer than two (2) nominees for any office at the time of the election, oral nominations for such office may be made from the floor of the Annual Meeting.
- (g) The Board of Directors shall establish guidelines for National Office elections. The guidelines shall establish maximum expenses, procedures, and shall define assistance to be provided by the Association to the candidates.

---

**Section 2. The President**

The President of the Association shall serve as the Chairperson of the Board of Directors and shall have the following powers and duties:

- (a) To preside at all meetings of the Association and of the Board of Directors;
- (b) To appoint such committees and their chairpersons as may be deemed necessary;
- (c) To serve as the chief spokesperson for the Association on all issues. The President shall keep the Officers, Board of Directors and Chief Executive Officer advised of such statements;
- (d) To represent the Association among PGA Members and Apprentices, the golfing public and other organizations;
- (e) To consult and advise the Chief Executive Officer of all matters pertaining to the Association's policies, progress and finances;
- (f) To authorize the Chief Executive Officer to sign contracts and other obligations of the Association within the guidelines of policy adopted by the Board of Directors; and
- (g) Such other powers and duties as may be prescribed by law, the Board of Directors or the Constitution, Bylaws or Regulations of the Association.

---

### **Section 3. The Vice President**

The Vice President is primarily responsible for the financial affairs of the Association. The Vice President shall have the following powers and duties:

- (a) To cause a complete annual financial report to be submitted to the Board of Directors and to the President and Secretary of each Section at least thirty (30) days prior to the Annual Meeting;
- (b) To review all financial reports which are issued by the Association;
- (c) To cause to be kept the accounts of the Association and direct the collection of all monies belonging to or due the Association and shall deal with the same under the direction of the Board of Directors. The Vice President shall have the authority to sign all checks and withdraw funds of the Association, but may delegate this authority to the Chief Executive Officer or others;
- (c) To direct that all Officers and employees of the Association who are authorized to withdraw funds of the Association shall be bonded in an amount specified by the Board of Directors; and
- (d) Such other powers and duties as may be prescribed by law, the Board of Directors or the Constitution, Bylaws or Regulations of the Association.

---

### **Section 4. The Secretary**

The Secretary is primarily responsible for the membership matters of the Association. The Secretary shall have the following powers and duties:

- (a) To cause the minutes of all meetings of the Association to be kept and cause the call for such meetings to be made;
- (b) To cause a roll of Members to be maintained;
- (c) To be responsible for the maintenance of all correspondence and documents belonging to the Association; and
- (d) Such other powers and duties as may be prescribed by law, the Board of Directors or the Constitution, Bylaws or Regulations of the Association.

---

### **Section 5. Vacancies**

- (a) In the event of the absence or temporary disability of the President, the Vice President shall perform the duties of the President. If the President resigns, dies or becomes totally incapacitated, the President shall be succeeded by the Vice President.
- (b) In the event of the absence or temporary disability of the Vice President, the Secretary shall perform the duties of the Vice President. If the Vice President resigns, dies or becomes totally incapacitated, the Vice President shall be succeeded by the Secretary, who shall become Vice President/Secretary for the remainder of the term of office.
- (c) In the event of the absence or temporary disability of the Secretary, the Vice President shall perform the duties of the Secretary. If the Secretary resigns, dies or becomes totally incapacitated, the Secretary shall be succeeded by the Vice President, who shall become Vice President/Secretary for the remainder of the term of office.

- (d) The Delegates at the Annual Meeting may remove any individual from office by a majority of those voting.
- (e) If not otherwise provided for in the Bylaws, the Board of Directors shall fill any vacancy in the offices of the President, Vice President or Secretary.

---

## ARTICLE XIV THE BOARD OF DIRECTORS

---

### Section 1. Composition

The Board of Directors shall be composed of the three (3) Officers, the Honorary President, a Player Director elected by the Player Directors on the PGA TOUR Tournament Policy Board, Directors representing each of the Association's Districts and two (2) Independent Directors.

*Oath of Office:*

*See Appendix (Annual Meeting) for the Oath of Office.*

---

### Section 2. Powers and Duties

- (a) The Board of Directors shall be responsible for the management of the Association.
- (b) Between Annual Meetings, the Board of Directors shall have full authority in all matters, including the power to interpret the Constitution and Bylaws and to give direction in cases not provided for therein; the Board of Directors shall keep the Sections and Members apprised on a timely basis of such matters.
- (c) The Board of Directors, by two-thirds vote, may promulgate regulations which govern the rules and policies set forth in the Constitution and Bylaws of the Association. All orders and regulations made by the Board of Directors shall be binding, unless set aside by two-thirds majority of those voting at an Annual Meeting.

*Regulations Procedure:*

1. *Modifications, additions or deletions to the Regulations shall first be considered by the Board of Directors.*
  2. *The new proposed Regulations shall be mailed to the Sections with the minutes of the Board of Directors minutes.*
  3. *The Sections are to direct all comments to their District Director prior to the next Board of Directors meeting.*
  4. *The Regulations shall be approved or rejected at the next Board of Directors meeting.*
  5. *The approved Regulations shall be mailed to all Sections to update their copy of the Bylaws and Regulations. Members and Apprentices shall receive updated copies of the Bylaws and Regulations periodically.*
  6. *The Board of Directors may approve Regulations for immediate implementation if it is for the good of the Association or in case of an emergency. The Sections shall be notified of all such Regulations.*
- (d) All complaints and disputes between Sections or between Members of the Association shall be decided by the Board of Directors.
  - (e) The Board of Directors shall have the power to establish educational, benevolent, relief, welfare, retirement, building, reserve and other funds to accomplish the mission and objectives of the Association. The Board of Directors shall establish regulations for the administration of these funds.
  - (f) The Board of Directors shall have the right to review upon appeal any action by any Officer or Committees of the Association, or any Sectional Officer or Committee, and to prescribe regulations governing such appeal.

*Authority to Adopt or Amend Charter:*

*The Board of Directors of the Association, pursuant to authority vested in them at the time of and in connection with the incorporation of the Association, may, by two-thirds vote, adopt, alter or amend the Charter or Articles of Incorporation of the Association in such manner as in their best judgment and discretion may be required to carry out and effectuate the provisions of the Association's Constitution and Bylaws, the mandates of the Association's Delegates and the administration of the Association's affairs.*

---

**Section 3. Meetings**

The Board of Directors shall meet immediately prior to the Annual Meeting and at such other times as are determined by the Board of Directors. At all meetings of the Board of Directors, a majority of the Members shall constitute a quorum.

*Minutes and Agenda:*

*The minutes and agenda shall be mailed to all Past Presidents, Section Presidents, immediate past Board of Directors for a three-year period, and Section Executive Directors.*

---

**Section 4. Special Meetings**

The President may call a Special Meeting of the Board of Directors. If any Member of the Board of Directors requests a Special Meeting, the Secretary shall call such a meeting provided a majority of the Board of Directors has concurred in such requirements.

---

**Section 5. Ballots**

Between meetings, the Secretary shall conduct mail ballots at the request of the President. Any Member of the Board of Directors who fails to respond to such ballot within ten (10) days shall be considered to have voted in the affirmative.

---

**Section 6. District Directors**

- (a) District Directors shall be elected by and shall be from the Section in the District which has least recently been represented by a Director on the Board of Directors.
- (b) The term of office for the District Directors shall be three (3) years.
- (c) In the event of the death, disability, resignation or refusal to serve on the part of any District Director, the respective Section from which said Director was elected shall choose the successor to serve the unexpired term.
- (d) The Association's Sections shall be organized into the following Districts:
  - No. 1 Connecticut, New England and Northeastern New York
  - No. 2 Metropolitan, New Jersey and Philadelphia
  - No. 3 Dixie, Gulf States and Tennessee:
  - No. 4 Central New York, Western New York and Tri-State
  - No. 5 Michigan, Northern Ohio and Southern Ohio
  - No. 6 Illinois, Wisconsin and Indiana
  - No. 7 Gateway, South Central and Midwest
  - No. 8 Minnesota, Nebraska and Iowa
  - No. 9 Rocky Mountain, Colorado and Utah
  - No. 10 Kentucky, Middle Atlantic and Carolinas
  - No. 11 Northern California, Southern California and Aloha
  - No. 12 Sun Country, Northern Texas and Southern Texas
  - No. 13 North Florida, South Florida and Georgia
  - No. 14 Pacific Northwest and Southwest

District Directors:

- (a) *In cases where two (2) Sections in a District have been represented by a District Director at the same time because of realignment of Sections within Districts or other reasons, the Section which was organized first shall be entitled to select the District Director to represent that District.*
- (b) *Sections may not "trade" their turn to have a District Director, if a Section chooses to pass; it must take its turn at the end of the line.*
- (c) *If a District Director moves out of the Section from which elected to the Board of Directors, to another District, the District Director must be replaced on the Board of Directors at the time the transfer to the new Section becomes effective by either:*
  - (i) *a Section member in good standing from the Section from which the District Director was elected provided there is more than one year remaining in the unexpired term by the time the transfer to the new Section becomes effective. The Section member replacement shall fulfill the unexpired term of the departing District Director; or*
  - (ii) *the Incoming District Director, if there is less than one year remaining in the unexpired term by the time the transfer to the new Section becomes effective. In this event, the Incoming District Director will fulfill the unexpired term and also serve as the District Director for the term for which he/she was elected. The rotation of District Directors within the District shall remain unchanged.*

*In the event the District Director moves to a Section within his/her District, the District Director may remain for the duration of his/her term provided each Section within the District submits written support to the Board of Directors requesting that the incumbent District Director remains the District Director. In the event the District Director does not receive written support from each Section within the District, then the District Director must be replaced on the Board of Directors at the time the transfer to the new Section becomes effective or, as soon as, practicable thereafter. In the event any Section from the District does not support allowing the District Director to remain for the duration of the unexpired term, then the Section from which the District Director was elected shall fill the vacancy in accordance with the provisions set forth in (i) and (ii) above.*

- (d) *An Incoming Director must be elected at a general Membership meeting of the Section, or by the Board of Directors of the Section.*
- (e) *Due to the fact that such action might be construed to be an endorsement or could be in conflict with PGA policies, it is the official policy of the PGA of America that Officers and Members of the Board of Directors should not accept appointments to either paid or unpaid positions on Boards or companies engaged in commercial activities related to golf.*
- (f) *Incoming Directors should be elected at least one (1) year in advance. Incoming Directors shall receive Board materials for all Board of Director Meetings occurring during the year preceding their respective terms of office. Incoming Directors may attend all Board of Directors meetings occurring during the year preceding their initial term of office. The Association shall pay the reasonable meeting attendance expenses for at least one (1) meeting.*

---

**Section 7. Independent Directors**

- (a) *Independent Directors, who are not Members of the Association, shall be elected by the Board of Directors from a list of one (1) or more names submitted by the President.*
- (b) *The term of office for the Independent Directors shall be three (3) years. Independent Directors may serve more than one (1) term provided that they cannot serve consecutive terms.*
- (c) *In the event of the death, disability, resignation or refusal to serve on the part of any Independent Director, the Board of Directors shall elect a successor to serve the unexpired term from a list of names submitted by the President.*

---

**Section 8. Player Directors**

- (a) The Player Director shall be elected by the Player Directors on the PGA TOUR Tournament Policy Board and shall also serve on the Rules Committee.
- (b) The term of office for the Player Director shall be one (1) year.
- (c) In the event of the death, disability, resignation or refusal to serve on the part of the Player Director, the Player Directors on the PGA TOUR Tournament Policy Board shall elect a successor to serve the unexpired term.

---

**ARTICLE XV  
CHIEF EXECUTIVE OFFICER**

---

**Section 1. Duties and Responsibilities**

- (a) The Chief Executive Officer shall be the Administrator of the Association.
- (b) The Chief Executive Officer, acting pursuant to policies, rules and directives prescribed by the Board of Directors, shall be responsible to the Officers for the day-to-day operations of the Association.
- (c) The Chief Executive Officer may represent the Association on behalf of the Officers before other organizations and general public.
- (d) The Chief Executive Officer may speak for the Association. The Chief Executive Officer shall keep the Officers and the Board of Directors advised of such statements.
- (e) The Chief Executive Officer shall have such other duties and responsibilities as are assigned by the Board of Directors.

---

**Section 2. Selection of the Chief Executive Officer**

The Board of Directors shall select the Chief Executive Officer of the Association.

---

**ARTICLE XVI  
AMENDMENTS**

---

**Section 1. Amendments Procedure**

- (a) The Delegates to the Annual Meeting may amend the Constitution and Bylaws of the Association in the following manner:
- (1) The Sections or the Board of Directors may propose, in draft form, amendments to the Bylaws by resolutions submitted by July 1 prior to the Annual Meeting.
  - (2) The proposed resolutions shall be harmonized and then submitted to the Sections in final form no later than 30 days prior to the first day of the General Session of the Annual Meeting.
  - (3) Proposed amendments may be amended by a majority and may be adopted by a two-thirds majority of those voting at the Annual Meeting.
  - (4) Amendments to the Bylaws shall be effective as specified in the amendment.
- (b) The Board of Directors may amend the Bylaws between Annual Meetings in the following manner:
- (1) Board of Directors may propose amendments to the Bylaws by a 2/3 majority of those voting.
  - (2) Proposed amendments shall be mailed to all voters for ratification.  
*Proposed amendments shall be mailed to the voters in a timely manner.*
  - (3) Proposed amendments shall be adopted if a 2/3 majority of those returning votes are in favor.  
*Except in emergency situations, voters will be provided at least 45 days to consult with their membership, Board of Directors, and/or colleagues.*  
*An Officer of the Section shall notify the National Office in writing of the Section's votes within the allotted time frame.*
  - (4) Each Section shall be allowed two votes, each member of the Board of Directors shall be allowed one vote, the PGA TOUR shall be allowed two votes, and each of the Past Presidents shall be allowed one vote.  
*All Sections and voters will be notified of results of the vote on the proposed amendments in a timely manner.*

---

**ARTICLE XVII**  
**INSURANCE**

---

**Section 1. Life Insurance**

The Association shall provide life insurance coverage in an amount determined by the Board of Directors for all Members of the Association. The Members shall pay the costs of such coverage.

---

**Section 2. Professional Liability Insurance**

The Association shall provide professional liability insurance coverage for all members and apprentices of the Association, with the exception of Life Member Century who will be exempt from this, provided the Board considers the coverage to be financially feasible. The professional liability insurance coverage shall cover the members, other than life Member Century members, and apprentices in their professional duties as golf professionals. The amount of the coverage and the specific definition of a golf professional's professional duties shall be determined by the Board of Directors. The members, other than Life Member Century members who will not be provided the professional liability insurance, and apprentices shall pay the costs of such coverage.

---

## APPENDIX

---

### ANNUAL MEETING REGULATION

#### Tournament Player Delegates:

*In order to be eligible to represent the Tournament Players at the Annual Meeting, a delegate or alternate must be a tournament player (A-3) and those in any other classification (such as a professional at a Tournament Player Club) shall not be eligible.*

*A Player Director representing the Tournament Players may be recognized as a delegate and have two (2) votes; however, under these circumstances, the Player Director could not also cast a vote as a Member of the Board of Directors.*

#### Annual Meeting:

##### *Order Of Business and Oath*

**Section 1.** *The following order of business shall be observed at the Annual Meeting of the Association:*

1. *Roll call;*
2. *Reading of the minutes of the previous Annual Meeting;*
3. *Reading of minutes of Special Meetings;*
4. *Report of the President;*
5. *Report of the Vice-President;*
6. *Report of the Secretary;*
7. *Reports of Committees;*
8. *Consideration and action on Proposed Resolutions;*
9. *New Business;*
10. *Open Forum;*
11. *Election and installation of Officers; and*
12. *Adjournment.*

*The Oath of Office, to be administered to all Officers and Members of the Board of Directors of the Association by a former President of the Association, shall be as follows:*

*"I (name) \_\_\_\_\_, as an Officer/Member of the Board of Directors of The Professional Golfers' Association of America, do hereby affirm that I shall at all times adhere to and uphold the Association's Constitution, Bylaws, Rules and Regulations, and that I shall otherwise conduct my activities in a manner that shall be in keeping with my position as an Officer/Member of the Board of Directors of the Association and which shall reflect credit upon the Association and its Members."*

---

**GOLF PROFESSIONALS IN THE RESERVES OR NATIONAL GUARD**  
**WHO ARE CALLED TO ACTIVE DUTY REGULATION**

**Apprentices**

***Acceptable Progress in the PGA Professional Golf Management Program.*** Acceptable progress in the PGA Professional Golf Management Program as defined by the Board of Directors is held in abeyance.

***Service Credits.*** No service credits may be earned while on Active Duty, however they will continue up to the day they are eligibly employed prior to Active Duty and shall begin immediately when they become eligibly employed after Active Duty.

**Members**

***Life Membership Credits.*** Life Membership credits shall be credited only for the rest of the fiscal year and one (1) additional year (same as the grace period).

***Professional Development Points.*** PDP requirements will not be required while on Active Duty and will be prorated upon return from Active Duty.

**Dues** shall not be charged while called to Active Duty, however, if the dues have been paid, no refund will be issued.

**Life Insurance and Liability Insurance** will be continued while on Active Duty. Premiums will be billed to individuals and will be collected upon return from Active Duty.



**THE PROFESSIONAL GOLFERS' ASSOCIATION OF AMERICA**

**CODE OF ETHICS BYLAWS  
AND REGULATIONS**



**PGA™**

# **THE PROFESSIONAL GOLFERS' ASSOCIATION OF AMERICA**

## **TABLE OF CONTENTS**

### **CODE OF ETHICS BYLAWS**

---

	<b>Article II, Code of Ethics Preamble</b>	
Section 1	Dedication	1
Section 2	Authority	1
Section 3	Definitions	1
Section 4	Entities	3
Section 5	Review of Inquiries, Complaint Processing and Initial Investigatory Procedures	6
Section 6	Notice and Knowledge of Rules	7
Section 7	Rules of Professional Conduct	7
Section 8	Misconduct and Minor Misconduct	7
Section 9	Criminal Misconduct	8
Section 10	Discipline by Foreign or Federal Jurisdiction ; Choice of Law	8
Section 11	Generally	8

### **CODE OF ETHICS REGULATIONS**

---

I	Diversion of Disciplinary Cases to Professionalism Enhancement Programs	13
II	Confidentiality	14
III	Procedures Upon Criminal or Professional Misconduct; Discipline Upon Determination or Judgment of Guilt of Criminal Misconduct	16
IV	Code of Ethics Procedures	18

### **SECTION TOURNAMENT POLICY**

---

	Discipline, Penalties and Appeals	22
--	-----------------------------------	----

### **FORMS**

---

III	Statement of Ethics Violations Fact Sheet	25
IV	Initial Screening Inquiry Sheet	26

## **ARTICLE II CODE OF ETHICS**

### **CODE OF ETHICS PREAMBLE**

#### **Section 1. Dedication**

Believing that the growth of the game of golf and its high standing in this country is largely due to the efforts of its early PGA Professionals and because of their ideals of sportsmanship and ethical practices, the Association is dedicated to the perpetuation of those ideals. In the fulfillment of the purpose to which it is dedicated, the Association enjoins upon its members and apprentices rigid observance of a Code of Ethics. Membership in the Association confers no vested right to the holder thereof but is a conditional privilege that is revocable for cause

#### **Section 2. Authority**

The Association Board of Directors has the inherent power and duty to prescribe standards of conduct for members and apprentices, to determine what constitutes grounds for discipline of members and apprentices, to discipline members and apprentices for cause, and to revoke the membership and/or apprenticeship of every member or apprentice whose conduct materially breaches the Code of Ethics of the Association.

#### **Section 3. Definitions**

Wherever used in these rules the following words or terms shall have the meaning herein set forth unless the use thereof shall clearly indicate a different meaning:

- (a) Association Counsel: A licensed attorney representing the Association in any proceeding under these rules.
- (b) The Board of Directors: The Board of Directors of the Association as defined in Article XIV of the Bylaws.
- (c) The Board of Control: The Board of Control of the Association as defined in Article VII of the Association Bylaws.

- (d) Designated Reviewer: The designated reviewer is the Secretary of the Association that is responsible for review and other specific duties as assigned by the Board of Directors with respect to a particular code of ethics matter. If a designated reviewer recuses or is unavailable, any other board member or Section representative as designated by the Secretary of the Association may serve as designated reviewer in that matter. The designated reviewer will be selected, from time to time, by the board members from the Section of such Section Board of Inquiry (as defined below). On such reassignments responsibility for all pending cases from a particular Section Board of Inquiry from each Section shall pass to the new designated reviewer. The Section shall notify the General Counsel of changes in the designated reviewing members for a particular committee.
- (e) Complainant or Complaining Witness: Any person who has complained of the conduct of any member or apprentices of the Association to any Section or agency of the Association.
- (f) Diversion to Professionalism Enhancement Programs: The removal of a disciplinary matter from the disciplinary system and placement of the matter in a skills enhancement program in lieu of a disciplinary sanction.
- (g) Executive Committee: The executive committee of the Section or of the Association.
- (h) Final Adjudication: A decision by the authorized disciplinary authority issuing a final sanction for professional misconduct that is either not appealed by choice or by exhaustion of the appellate process or that is subject to appellate review.
- (i) Chief Executive Officer: The chief executive officer of the Association.
- (j) Professionalism Enhancement Programs: Programs operated either as a diversion from disciplinary action or as parts of a disciplinary sanction that are intended to provide educational opportunities to members and apprentices of the Association for enhancing skills and avoiding misconduct allegations.
- (k) Probable Cause: A finding by an authorized agency that there is cause to believe that a member or apprentice of the Association is guilty of misconduct justifying disciplinary action.
- (l) Referral to Professionalism Enhancement Programs: Placement of a member or apprentice in skills enhancement programs as a disciplinary sanction.

- (m) Respondent: A member or apprentice of the Association that is subject to these rules and who is accused of misconduct or whose conduct is under investigation.
- (n) Staff Counsel: The General Counsel of the Association or his/her designee and/or legal counsel for a Section.

#### **Section 4. Entities**

The exclusive jurisdiction of the Association over the discipline of persons admitted to the Association as members or apprentices shall be administered in the following manner: The following entities are hereby designated as agencies of the Association for this purpose and with the following responsibilities, jurisdiction, and powers. The Board of Directors, the Association's Board of Control, and Section Boards of Inquiry of each Section shall each have such jurisdiction and powers as are necessary to conduct the proper and speedy disposition of any investigation or cause, including, but not limited to, the power to request the attendance of witnesses and request the production of books, records, or other documentary evidence. Each member of such entities has power to administer oaths and affirmations to witnesses in any matter within the jurisdiction of the entity. In the event that an action giving rise to a Code of Ethics inquiry occurs outside of the Section boundaries from which a member or apprentice is affiliated, then either one or more Section Board(s) of Inquiry may submit a report to the Board of Control summarizing the conduct that occurred outside the Section boundaries. In the event that a question arises over which Section should be involved in gathering evidence, then one or more Sections may request guidance from the Association General Counsel as to the proper way to proceed in the evidence gathering process.

##### **(a) Board of Directors of the Association**

- (1) Responsibility of Board. The Board of Directors is assigned the responsibility of maintaining high ethical standards among the members and apprentices of the Association. The Board of Directors shall supervise and conduct disciplinary proceedings in accordance with the provisions of these rules.
- (2) Authority to File a Formal Complaint. No formal complaint shall be filed by the Association in disciplinary proceedings against a member or apprentices of the Association unless there shall first be a finding under these rules that probable cause exists to believe that the respondent is guilty of misconduct justifying disciplinary action, or unless the respondent has been determined or adjudged to be guilty of the commission of a felony or if a member or apprentice has been charged with commission of a felony under applicable law that warrants the imposition of discipline as set forth herein.

- (3) Appeals from the Board of Control. The Board of Directors has the jurisdiction to hear appeals that arise from decisions of the Board of Control. All decisions rendered by the Board of Directors for Code of Ethics appeals shall be final.

(b) Counsel for the Association

The Association may employ staff counsel or the Sections may retain outside counsel for Association to perform such duties, as may be assigned, under the direction of Board of Directors.

(c) Code of Ethics Committee

There shall be such code of ethics committees as are herein provided, each of which shall have the authority and jurisdiction required to perform the functions hereinafter assigned to it and which shall be constituted and appointed as follows:

- (1) Section Board of Inquiry. There shall be at least 1 Section Board of Inquiry for each Section of the Association. Such committees shall be designated as Section Board of Inquiry and shall be appointed by the Section President, with approval by majority vote by the Section Executive Committee. Members of Section Board of Inquiry must be members in good standing of the Association. The Section Board of Inquiry shall have jurisdiction and the power to proceed in all matters properly before them. The Section Board of Inquiry shall have the jurisdiction to investigate complaints and to submit a report of its findings to the Board of Control. In addition, The Section shall have the exclusive jurisdiction for all Section tournament violations and ethics charges arising from any Section tournament program for “Minor Penalties” as defined herein.

- (A) Membership, Appointment, and Eligibility for Section Boards of Inquiry. Each Section Board of Inquiry shall be appointed by the Section President and shall consist of not fewer than 3 members. All appointees shall be Section Members with no less than five (5) years of membership in the Association

No member of a Section Board of Inquiry or the Board of Control shall perform any committee function when that member:

- (i) is related by blood or marriage to the complainant or respondent;
- (ii) has a financial, business, property, or personal interest in the matter under consideration or with the complainant or respondent;

(iii) has a personal interest that could be affected by the outcome of the proceedings or that could affect the outcome; or

(iv) is prejudiced or biased toward either the complainant or the respondent.

Upon notice of the above prohibitions the affected members should recuse themselves from further proceedings. The Section Board of Inquiry chair shall have the power to disqualify any member from any proceeding in which any of the above prohibitions exist and are stated of record or in writing in the file by the chair. A qualified member of the Section may be appointed to replace the recused committee member for the applicable case at the discretion of the Section President. In the case of the Board of Control, no replacement of a recused member shall occur.

- (B) Terms. The terms of the members shall be for 1 year from the date of administration of the oath of service on the Section Board of Inquiry or until such time as their successors are appointed and qualified. Continuous service of a member may continue for so long as the member is willing to serve and for so long as the President of a Section desires the service of the member (subject to meeting all qualifications to serve on the committee).
- (C) Officers. There shall be a chair and vice-chair designated by the Designated Reviewer of Section Board of Inquiry.
- (D) Oath. Each new member of a Section Board of Inquiry shall subscribe to an oath to fulfill the duties of the office.
- (E) Removal. Any member of a Section Board of Inquiry may be removed from office by the applicable Section President.

(d) Board of Control

The Board of Control shall be the national body with the jurisdiction to investigate and to hear initial Code of Ethics cases arising from alleged infractions of the Code of Ethics arising from acts committed in connection with a PGA of America national programs (i.e. PGA of America tournament, PGA of America Growth of the Game program and any other PGA of America national program). The Board of Control shall also render decisions for all Code of Ethics cases submitted to it for review by the Section Boards of Inquiry.

## **Section 5      Review of Inquiries, Complaint Processing and Initial Investigatory Procedures**

- (a) Screening of Inquiries. Prior to opening a disciplinary file, Association counsel shall review the inquiry made and determine whether the alleged conduct, if proven, would constitute a violation of the Rules Regulating The Association warranting the imposition of discipline. If Association counsel determines that the facts, if proven, would not constitute a violation of the Rules warranting the imposition of discipline, Association counsel may decline to pursue the inquiry. A decision by Association counsel not to pursue an inquiry shall preclude further action and review under the Rules. The complainant and respondent shall be notified of a decision not to pursue an inquiry and shall be given the reasons therefore.
- (b) Complaint Processing and Association Counsel Investigation. If Association counsel decides to pursue an inquiry with the concurrence of the chair of the applicable Section Board of Inquiry or the chair of the Board of Control (dependent upon which Entity has jurisdiction), then a disciplinary file shall be opened and the inquiry shall be considered as a complaint, if the form requirement of subdivision (c) is met. Association counsel shall delegate the investigation of the allegations contained in the complaint to the appropriate entity representatives (either to the applicable Section Board of Inquiry or to the Board of Control). In the event that the applicable Section Board of Inquiry chair or the Board of Control chair disagree with the recommendation to proceed with the case, then the case shall proceed to the hearing phase to enable to applicable Entity to decide the merits of the case.
- (c) Form for Complaints. All complaints, except those initiated by Association, shall be in writing.
- (d) Dismissal of Disciplinary Cases. Association counsel may dismiss disciplinary cases if, after complete investigation, Association counsel determines that the facts show that the respondent did not violate the Rules and Association counsel's decision is approved by the Section Board of Inquiry chair or the Board of Control chair. In the event that either the applicable Section Board of Inquiry chair or the Board of Control chair are not in agreement with the decision to dismiss the case rendered by Association Counsel, then the hearing shall be held by the applicable Entity to decide the merits of the case. Dismissal by Association counsel, that is approved by the applicable Entity as set forth above, shall preclude further action or review under the Rules. If a disciplinary case is dismissed as set forth herein, the complainant shall be notified of the dismissal and shall be given the reasons therefore.

- (e) **Diversion to Professionalism Enhancement Programs.** Association counsel may recommend diversion of disciplinary cases as provided elsewhere in these rules if, after complete investigation, Association counsel determines that the facts show that the respondent's conduct did not constitute disciplinary violations more severe than Minor Misconduct. The Board of Control will be required to concur with Association counsel's recommendation.
- (f) **Referral to Section Board of Inquiry.** Association counsel may refer disciplinary cases to a Section Board of Inquiry for its further investigation as authorized elsewhere in these rules.
- (g) **Information Concerning Closed Inquiries and Complaints Dismissed by Staff.** When Association counsel does not pursue an inquiry or dismisses a disciplinary case, such action shall be deemed a finding of no probable cause for further disciplinary proceedings and the matter shall become public information.

## **Section 6      Notice and Knowledge of Rules**

Every member and apprentice of the Association is within the jurisdiction and subject to the disciplinary authority of the Association and of its agencies under this rule and is charged with notice and held to know the provisions of this rule and the standards of ethical and professional conduct prescribed by the Association.

## **Section 7      Rules of Professional Conduct**

Violation of the Rules of Professional Conduct by members or apprentices as adopted by the rules governing Association is a cause for discipline.

## **Section 8      Misconduct and Minor Misconduct**

The standards of professional conduct to be observed by members and apprentices of the Association are not limited to the observance of rules and avoidance of prohibited acts, and the enumeration herein of certain categories of misconduct as constituting grounds for discipline shall not be deemed to be all-inclusive nor shall the failure to specify any particular act of misconduct be construed as tolerance thereof. The commission by a member or apprentice of any act that is unlawful or contrary to honesty and professional integrity, whether the act is committed in the course of the member's or apprentice's actions as a PGA Golf Professional or otherwise, whether committed within or outside the member's or apprentice's Section, and whether or not the act is a felony or misdemeanor, may constitute a cause for discipline.

## **Section 9 Criminal Misconduct**

Unless modified or stayed by a State Supreme Court as provided elsewhere herein, a determination or judgment of guilt of a member or apprentice of the Association by a court of competent jurisdiction of any crime or offense that is a felony under the laws of such jurisdiction is cause for automatic expulsion from membership or apprenticeship in the Association. In addition, whether the alleged misconduct constitutes a felony or misdemeanor the Association may initiate disciplinary action regardless of whether the respondent has been tried, acquitted, or convicted in a court for the alleged criminal offense; however, the Board of Control may, in its discretion, withhold prosecution of disciplinary proceedings pending the outcome of criminal proceedings against the respondent. The acquittal of the respondent in a criminal proceeding shall not necessarily be a bar to disciplinary proceedings nor shall the findings, judgment, or decree of any court in civil proceedings necessarily be binding in disciplinary proceedings.

## **Section 10 Discipline by Foreign or Federal Jurisdiction; Choice of Law**

**Disciplinary Authority.** A member or apprentice of the Association is subject to the disciplinary authority of the Association, regardless of where the conduct occurs. A final adjudication in a disciplinary proceeding by a court that a member or apprentice is guilty of misconduct justifying disciplinary action shall be considered as conclusive proof of such misconduct in a disciplinary proceeding under this rule.

## **Section 11 Generally**

A judgment entered, finding a member or apprentice of the Association guilty of misconduct, shall include one or more of the following disciplinary measures:

- (a) **Admonishments.** An order finding Minor Misconduct and adjudging an admonishment may direct the respondent to appear before the body that issued the admonishment. A memorandum of administration of an admonishment shall thereafter be made a part of the record of the proceeding.
- (b) **Minor Misconduct.** Minor Misconduct is the only type of misconduct for which an admonishment is an appropriate disciplinary sanction.
  - (1) **Criteria.** In the absence of unusual circumstances misconduct shall not be regarded as minor if any of the following conditions exist:
    - (A) the misconduct involves misappropriation of the funds or property of an employer in excess of \$1,000.00;
    - (B) the misconduct resulted in or is likely to result in actual prejudice (loss of money, legal rights, or valuable property rights) to an employer or other person in the amount of \$1,000 or more;

- (C) the respondent has been disciplined in the past 3 years from the date that the most recent misconduct occurred;
  - (D) the Major Misconduct involved is of the same nature as misconduct for which the respondent has been disciplined in the past 5 years from the date that the most recent misconduct occurred;
  - (E) the misconduct includes dishonesty, misrepresentation, deceit, embezzlement or fraud on the part of the respondent; or
  - (F) the misconduct constitutes the commission of a felony under applicable law.
- (2) Discretion of Section Board of Inquiry/Board of Control/Board of Directors. Despite the presence of 1 or more of the criteria described in subsection (1) above, a Section Board of Inquiry may investigate a charge for Minor Misconduct or diversion to a professionalism enhancement program when unusual circumstances are present and submit a report of the facts and special circumstances involved to the Board of Control.
- (3) Recommendation of Minor Misconduct. If the Board of Control finds the respondent guilty of Minor Misconduct or if the respondent shall admit guilt of Minor Misconduct and the Board of Control concurs, then the Board of Control shall determine a penalty. The report and finding of Minor Misconduct shall become final unless rejected by the respondent within 15 days after service of the report. If rejected by the respondent, the report shall be referred to Association counsel for a hearing on complaint of Minor Misconduct to be heard by the Board of Control. Association counsel shall prepare the case showing a finding of probable cause. A hearing will be set with the Board of Control and the respondent shall be provided written notice of the time, date, and place of the hearing and shall have the opportunity to appear in person or by tele-conference either with or without counsel. If the report of Minor Misconduct is not rejected by the respondent, notice of the finding of Minor Misconduct along with the penalty rendered by the Board of Control shall be given, in writing, to the complainant.

- (4) Admission of Minor Misconduct. A respondent may tender a written admission of Minor Misconduct within 15 days after respondent's receipt of a report by the Section Board of Inquiry. The Section Board of Inquiry also will have submitted the same report to the Board of Control. The respondent may tender a written admission of Minor Misconduct to Association counsel or the Board of Control. An admission of Minor Misconduct may be conditioned upon acceptance by the Board of Control, but the respondent may not condition the admission of Minor Misconduct upon the method of administration of the admonishment or upon nonpayment of costs incurred in the proceedings. If a respondent's admission is accepted by the Board of Control, the respondent may not thereafter reject a report of the Board of Control recommending an admonishment for Minor Misconduct. If the admission of Minor Misconduct is rejected, such admission shall not be considered or used against the respondent in subsequent proceedings.
- (c) Minor Misconduct Charges Arising From Section Tournament Events. Each Section shall have the exclusive and final jurisdiction for all Section Tournament Disciplinary Matters for "Minor Penalties" as defined in this paragraph and shall follow the procedures set forth in the Code of Ethics Procedure Manual for all such Section tournament program disciplinary matters:
- (d) Probation. The respondent may be placed on probation for a stated period of time of not less than 1 month or more than 2 years, which shall be determined by conditions stated in the order. The judgment shall state the conditions of the probation, which may include but are not limited to the following:
- (1) completion of a professionalism enhancement program as provided elsewhere in these rules;
  - (2) the satisfactory completion of a course of study or a paper on professional ethics approved by the Association;

Failure to observe the conditions of the probation or a finding of probable cause as to conduct of the respondent committed during the period of probation shall terminate the probation. In such event, even though such finding of probable cause shall be made after the expiration of the period of probation, the judgment shall be reconsidered by the Board of Control and an appropriate judgment shall be entered. On termination of probation for failure to observe the conditions of probation or on a finding of probable cause for misconduct committed during the period of probation, the member or apprentice may be punished for contempt or suspended from membership or apprenticeship in the Association, and any such suspension shall continue until the respondent may be reinstated to membership/apprenticeship as provided elsewhere in these rules.

- (e) Reprimand. A reprimand shall be administered in the manner prescribed in the judgment but all such reprimands shall be reported to each Section. Due notice shall be given to the respondent of any proceeding before the Board of Control set to administer the reprimand. The respondent shall be offered the opportunity to appear either personally or via conference call before the Board of Control and such appearance shall be made a part of the record of the proceeding.
- (f) Suspension. The respondent may be suspended from membership or apprenticeship for a definite period of time not to exceed two (2) years. During such suspension the respondent shall continue to be a member or apprentice of the Association but without the privilege of participating in Association and/or Section golf tournaments, and shall not have the right to exercise the rights of membership as set forth in Article VI Section 1 of the Bylaws. Upon the expiration of the suspension period and the satisfaction of all conditions accompanying the suspension, the respondent shall become eligible to all of the privileges of members and apprentices in Association.
- (g) Permanent Expulsion. A judgment of permanent expulsion terminates the respondent's status as a member or apprentice of the Association. Permanent expulsion shall preclude readmission. A former member or apprentice who has not been permanently expelled may only be admitted again upon full compliance with the rules and regulations governing admission to the Association, which shall include, but not necessarily be limited to full completion of all apprentice program requirements. Except as might be otherwise provided in these rules, no application for readmission may be tendered within 5 years after the date of a suspension in excess of 2 years or such longer period as the Association might determine in the suspension order and thereafter until all ordered restitution and outstanding disciplinary costs have been paid.

Permanent Expulsion shall be the mandatory sanction for members or apprentices found guilty of:

- (1) Conviction of theft (inclusive of but not limited to embezzlement, conversion, or any similarly named felony in the nature of theft and misappropriation of funds) from an employer, student, member or guest at a golf facility or from funds or accounts received or disbursed by a member or apprentice in the course of employment in an amount that exceeds \$1,000 in cash, property, or any other item(s) of value;
- (2) Conviction of any felony of the first degree (or its equivalent in any jurisdiction) where the punishment of such a felony includes either/or (a) death or imprisonment in a state penitentiary or in a state correctional facility where the sentence includes imprisonment for one year or more and/or (b) payment of a fine or restitution of more than \$1,000.

- (3) Conviction of any crime of a sexual nature including, but not necessarily limited to (a) aggravated sexual assault crimes; (b) any sexual assault crimes involving the commission of any actions of a sexual nature on a minor (whether a felony or a misdemeanor)
  - (4) Conviction of any crime involving physical assault that is a first degree felony as defined in (1) above.
  - (5) Conviction of any crime involving the felonious use of a firearm
- (h) Restitution. In addition to any of the foregoing disciplinary sanctions and any disciplinary sanctions authorized elsewhere in these rules, the respondent may be ordered or agree to pay restitution to a complainant or other person if the disciplinary order finds that the respondent has illegally converted the property of others. In such instances the amount of restitution shall be specifically set forth in the disciplinary order or agreement and shall not exceed the amount or the equivalent value of the converted property. The disciplinary order or agreement shall also state to whom restitution shall be made and the date by which it shall be completed. Failure to comply with the order or agreement shall not preclude further proceedings under these rules.
- (i) Disciplinary Resignation. A respondent may be allowed to resign membership in Association in lieu of defending against allegations of disciplinary violations. If accepted by the Association, a disciplinary resignation terminates the respondent's status as a member or as an apprentice of the Association. A former member or apprentice whose disciplinary resignation has been accepted may only be admitted again upon full compliance with the rules and regulations governing admission to the Association. Notwithstanding the foregoing, in the event that a member or apprentice was convicted of a felony as set forth in section (g) above "Expulsion", then the former member or apprentice shall be permanently expelled and shall not be eligible for reinstatement. Disciplinary resignation is the functional equivalent of expulsion in that both sanctions terminate the membership or apprenticeship in the Association and would require readmission to membership or apprenticeship to the Association as otherwise provided in these rules, no application for admission may be tendered within 5 years after the date of the order of the Association that accepted the disciplinary resignation or such additional time as the respondent may have stated in the petition for disciplinary resignation. A petition that states that disciplinary resignation is without leave to apply for readmission shall preclude readmission to the Association

## **CODE OF ETHICS REGULATIONS**

### **I: DIVERSION OF DISCIPLINARY CASES TO PROFESSIONALISM ENHANCEMENT PROGRAMS**

- A. Authority of Board. The Board of Control and the Board of Directors are hereby authorized to sanction professionalism enhancement programs to which eligible disciplinary cases may be diverted as an alternative to disciplinary sanction*
- B. Types of Disciplinary Cases Eligible for Diversion. Disciplinary cases that otherwise would be disposed of by a finding of Minor Misconduct or by a finding of no probable cause with a letter of advice are eligible for diversion to professionalism enhancement programs.*
- C. Limitation on Diversion. A respondent who has been the subject of a prior diversion within 5 years shall not be eligible for diversion.*
- D. Approval of Diversion of Cases at Staffing or Grievance Committee Level Investigations. The Association shall not offer a respondent the opportunity to divert a disciplinary case that is pending at staff or Section Board of Inquiry level investigations to a professionalism enhancement program unless staff counsel and the Board of Control chair concur.*
- E. Contents of Diversion Recommendation. If a diversion recommendation is approved as provided in subdivision (d), the recommendation shall state the professionalism enhancement program(s) to which the respondent shall be diverted, shall state the general purpose for the diversion, and the costs thereof to be paid by the respondent.*
- F. Service of Recommendation on and Review by Respondent. If a diversion recommendation is approved as provided in subdivision (d), the recommendation shall be served on the respondent who may accept or reject a diversion recommendation in the same manner as provided for review of recommendations of minor misconduct. The respondent shall not have the right to reject any specific requirement of a professionalism enhancement program.*
- G. Effect of Rejection of Recommendation by Respondent. In the event that a respondent rejects a diversion recommendation the matter shall be returned for further proceedings under these rules.*
- H. Effect of Diversion. When the recommendation of diversion becomes final, the respondent shall enter the professionalism enhancement program(s) and complete the requirements thereof. Upon respondent's completion of a professionalism enhancement program, the Association shall terminate its investigation into the matter and its disciplinary files shall be closed indicating the diversion. Diversion into the professionalism enhancement program shall not constitute a disciplinary sanction.*

- I. Effect of Completion of the Professionalism Enhancement Program. If a respondent successfully completes all requirements of the professionalism enhancement program(s) to which the respondent was diverted within the time limit prescribed by the Board of Control then the Association's file shall remain closed.*
- J. Effect of Failure to Complete Professionalism Enhancement Program. If a respondent fails to fully complete all requirements of the professionalism enhancement program(s) to which the respondent was diverted, including the payment of costs thereof, the Association may reopen its disciplinary file and conduct further proceedings under these rules. Failure to complete the professionalism enhancement program shall be considered as a matter of aggravation when imposing a disciplinary sanction.*
- K. Costs of Professionalism Enhancement Programs. The Association will determine the costs of professionalism enhancement programs and publish the amount of the costs thereof that shall be assessed against and paid by a respondent. The Association reserves the right to use the services of third parties to provide the professionalism enhancement programs and the respondent shall remit payment directly to such Association approved third party in that event.*

## **II. CONFIDENTIALITY**

- A. Scope of Confidentiality. All matters including files, preliminary investigation reports, interoffice memoranda, records of investigations, and the records in hearings and other proceedings under these rules, except those disciplinary matters conducted in courts or in other tribunals, are the property of the Association. All of those matters shall be confidential and shall not be disclosed except as provided herein. When disclosure is permitted under these rules, it shall be limited to information concerning the status of the proceedings and any information related to the disclosure of the final judgment as set forth herein.*

*Nothing in these rules shall prohibit the complainant, respondent, or any witness from disclosing the existence of proceedings under these rules, or from disclosing any documents or correspondence served on or provided to those persons.*

- a. Pending Investigations. Disciplinary matters pending at the initial investigatory and Section Board of Inquiry levels shall be treated as confidential by the Association, unless any information is required to be disclosed to a court or tribunal, or any other governmental authority.*
- b. Minor Misconduct Cases. Any case in which a finding of Minor Misconduct has been entered shall be reported in a case decision book (which may be a written publication or an electronic publication at the discretion of the Association), which shall not include the name of the member or of the apprentice, but will include a summary of the facts of the case and the penalty assessed in the case.*

- c. *Probable Cause Cases.* Any disciplinary case in which a finding of probable cause for further disciplinary proceedings has been entered shall be public information. For purposes of this subdivision a finding of probable cause shall be deemed to have been made in those cases for the filing of a formal complaint without the prior necessity of a finding of probable cause.
- d. *No Probable Cause Cases.* Any disciplinary case that has been concluded by a finding of no probable cause for further disciplinary proceedings shall be public information.
- e. *Diversion or Referral to Professional Enhancement Program.* Any disciplinary case that has been concluded by diversion to a professionalism enhancement program shall be public information upon the entry of such a recommendation.
- f. *Proceedings on Determination or Adjudication of Guilt of Criminal Misconduct.* Proceedings on determination or adjudication of guilt of criminal misconduct, as provided elsewhere in these rules, shall be public information.
- g. *Professional Misconduct in Foreign Jurisdiction.* Proceedings based on disciplinary sanctions entered by a foreign court or other authorized disciplinary agency, as provided elsewhere in these rules, shall be public information.
- h. *Reinstatement Proceedings.* Reinstatement proceedings, as provided elsewhere in these rules, shall be public information.
- i. *Disciplinary Resignations.* Proceedings involving petitions for disciplinary resignation, as provided elsewhere in these rules, shall be public information for matters where a felony conviction is involved.
- B. *Public Record.* The public record shall consist of the record before a Section Board of Inquiry, the record before the Board of Control, the record before the Board of Directors, and any reports, correspondence, papers, recordings, and/or transcripts of hearings furnished to, served on, or received from the respondent or the complainant.
- C. *Limitations on Disclosure.* Any material provided to the Association that is confidential under applicable law shall remain confidential and shall not be disclosed except as authorized by the applicable law. If this type of material is made a part of the public record, that portion of the public record may be sealed by the grievance committee chair, or the Association.
- D. *Response to Inquiry.* Authorized representatives of the Association shall respond to specific inquiries concerning matters that are in the public domain, but otherwise confidential under the rules, by acknowledging the status of the proceedings.
- E. *Notice to Employers.* Employers shall be notified by the Association of a membership suspension of one year or more, permanent suspension, or expulsion of a member or apprentice at the time that a Code of Ethics action becomes final or at the time when the Association is notified that a member or apprentice has been convicted of a felony and has been suspended or expelled pursuant to these rules. The notice shall be provided to the employer in

*writing within 30-days of receipt of the final decision or of the receipt of evidence of a felony conviction.*

- F. Production of Disciplinary Records Pursuant to Subpoena. The Association, pursuant to a valid subpoena issued by a regulatory agency, may provide any documents that are a portion of the public record, even if the disciplinary proceeding is confidential under these rules. The Association may charge a reasonable fee for identification of and photocopying the documents.*
- G. Evidence of Crime. The confidential nature of these proceedings shall not preclude the giving of any information or testimony to authorities authorized to investigate alleged criminal activity.*
- H. Chemical Dependency and Psychological Treatment. That a member or apprentice has voluntarily sought, received, or accepted treatment for chemical dependency or psychological problems shall be confidential and shall not be admitted as evidence in disciplinary proceedings under these rules unless agreed to by the member or apprentice who sought the treatment.*

*For purposes of this subdivision, a member or apprentice shall be deemed to have voluntarily sought, received, or accepted treatment for chemical dependency or psychological problems if the member or apprentice was not under compulsion of law or rule to do so, or if the treatment is not a part of conditional admission to the Association or of a disciplinary sanction imposed under these rules.*

*It is the purpose of this subdivision to encourage members or apprentices to voluntarily seek advice, counsel, and treatment available to them, without fear that the fact it is sought or rendered will or might cause embarrassment in any future disciplinary matter.*

- I. Response to False or Misleading Statements. If public statements that are false or misleading are made about any otherwise confidential disciplinary case, the Association may disclose all information necessary to correct such false or misleading statements.*
- J. Disclosure by Waiver of Respondent. Upon written waiver executed by a respondent, the Association may disclose the status of otherwise confidential disciplinary proceedings and provide copies of the public record to the respondent's current and/or former employers or any other person or entity listed in the waiver.*

### **III PROCEDURES UPON CRIMINAL OR PROFESSIONAL MISCONDUCT; DISCIPLINE UPON DETERMINATION OR JUDGMENT OF GUILT OF CRIMINAL MISCONDUCT**

#### **A. Definitions.**

- a. Judgment of Guilt. For the purposes of these rules, "judgment of guilt" shall include only those cases in which the trial court in the criminal proceeding enters an order adjudicating the respondent guilty of the offense(s) charged.*

- b. *Determination of Guilt. For the purposes of these rules, “determination of guilt” shall include only those cases in which the trial court in the criminal proceeding enters an order withholding adjudication of the respondent’s guilt of the offense(s) charged.*
  - c. *Convicted Member or Apprentice. For the purposes of these rules, “convicted member or apprentice” shall mean a member or apprentice who has had either a determination or judgment of guilt entered by the trial court in the criminal proceeding.*
- B. *Determination or Judgment of Guilt. Determination or judgment of guilt of a member or apprentice of the Association by a court of competent jurisdiction upon trial of or plea to any crime or offense that is a felony under the laws of any State, or under the laws in which any other court making such determination or entering such judgment exercises its jurisdiction, shall be conclusive proof of guilt of the criminal offense(s) charged for the purposes of these rules.*
- C. *Notice of Determination or Judgment of Guilt. Upon the entry of a determination or judgment of guilt against a member or apprentice of the Association by a court of competent jurisdiction upon trial of or plea to any offense that is a felony under the laws applicable to such court, such convicted member or apprentice shall within 30 days of such determination or judgment notify the Secretary of the Association of such determination or judgment. Notice shall include a copy of the order(s) whereby such determination or judgment was entered.*
- D. *Suspension by Judgment of Guilt (Felonies). Upon receiving notice that a member or apprentice of the Association has been determined or adjudicated guilty of a felony, Association counsel will file a “Notice of Determination or Judgment of Guilt” to the Board of Control. A copy of the judgment shall be attached to the notice. Upon the filing with the Board of Control by Association Counsel and service upon the respondent of a notice of determination or judgment of guilt for offenses that are felonies under applicable law, the respondent shall stand suspended as a member of the Association on the eleventh day after filing of the notice of determination or judgment of guilt unless the respondent shall, on or before the tenth day after filing of such notice, file a petition to terminate or modify such suspension.*
- E. *Petition to Modify or Terminate Suspension.*
  - a. *At any time after the filing of a notice of determination or judgment of guilt, the respondent may file a petition with the Board of Control to modify or terminate such suspension and shall serve a copy thereof upon the Secretary of the Association.*
  - b. *If such petition is filed on or before the tenth day following the filing of the notice, the suspension will be deferred until entry of an order on the petition.*
  - c. *If such petition is filed after the tenth day following the filing of the notice of judgment of guilt, the suspension shall remain in effect pending disposition of the petition. Modification or termination of the suspension shall be granted only upon a showing of good cause.*

- d. *Felony convictions set forth in Article II Section 11(b) (1) (A) – (F) shall be automatic permanent expulsions from PGA Membership/Apprenticeship and there shall be no right to appeal from an automatic permanent expulsion under these rules.*
- F. *Response to Petition to Modify or Terminate Automatic Suspension. The Association shall be allowed 20 days from the filing of a petition to modify or terminate automatic suspension to respond to the same. Association counsel will oppose all petitions to modify or withhold an automatic suspension on a notice of determination or judgment of guilt unless recommended by the designated reviewer and the Board of Control concurs in not opposing such a petition.*
- G. *Term of Suspension.*
  - a. *Maximum Term of Suspension. Unless the Board of Control permits an earlier application for reinstatement, the suspension imposed on the determination or judgment of guilt shall remain in effect for 2 years and thereafter until civil rights have been restored and until the respondent is reinstated under the rules set forth herein.*
  - b. *Continuation During Appeal. A final termination of the criminal cause resulting in the affirmation of a determination or judgment of guilt shall continue the suspension until expiration of all periods for appeal and rehearing.*
  - c. *Continuation of Suspension Until Final Disposition. If an appeal is filed by the respondent from the determination or judgment of the trial court in the criminal proceeding, and on review the cause is remanded for further proceedings, the suspension shall remain in effect until the final disposition of the criminal cause.*
  - d. *Termination and Expunction of Suspension. A final disposition of the criminal cause resulting in acquittal will terminate the suspension. Upon motion of the respondent, the Board of Control may expunge a suspension entered under this rule when a final disposition of the criminal cause has resulted in acquittal.*
  - e. *Effect of Expunction. A respondent who is the subject of a disciplinary history record that is expunged under this rule lawfully may deny or fail to acknowledge the sanctions covered by the expunged record, except when the respondent is a candidate for election or appointment to National office unless the felony conviction included in the list of felonies requiring permanent expulsion as set forth in Rule 2-5.1(g) hereof.*
- H. *Separate Disciplinary Action.*
  - a. *Initiation of Action. The Association may, at any time, initiate separate disciplinary action against the respondent.*
  - b. *Conclusive Proof of Probable Cause. A determination or judgment of guilt, where the offense is a felony under applicable law, shall constitute conclusive proof of probable cause and the Board of Control may hold a hearing without there first having been a separate finding of probable cause.*

- c. *Determination or Judgment of Guilt as Evidence.* A determination or judgment of guilt, whether for charges that are felony or misdemeanor in nature, shall be admissible in disciplinary proceedings under these rules, and in those cases where the underlying criminal charges constitute felony charges, determinations or judgments of guilt shall, for purposes of these rules, constitute conclusive proof of the criminal offense(s) charged. The failure of a trial court to adjudicate the convicted member or apprentice guilty of the offense(s) charged shall be considered as a matter of mitigation only.

#### **IV CODE OF ETHICS PROCEDURES**

- A. *A Section Board of Inquiry is required to consider all charges of misconduct forwarded to it by Association counsel whether based upon a written complaint or not.*
- B. *Conduct of Investigation.* The conduct of the investigation by the Section Board of Inquiry may include, but not necessarily be limited to, gathering of evidence from eyewitnesses to the Section Board of Inquiry the Complaint is filed with. A complaint received by the Section Board of Inquiry direct from a complainant shall be reported by the Section Board of Inquiry or by the Section Executive Director to the appropriate Association counsel. A written report to Association counsel shall include the following information: complainant's name and address, respondent's name, date complaint received by the Section, copy of complaint letter or summary of the oral complaint made, and the name of the Section Board of Inquiry member assigned to the investigation. Formal investigation by a Section Board of Inquiry may proceed after the matter has been referred to Association counsel.
- C. *Investigation of the conduct in question.* The Section Board of Inquiry shall compile eyewitness testimony and other evidence (such as copies of business records or of financial records that are related to the charge) and include all information acquired in its written report. The findings of the Section Board of Inquiry shall not be bound by the rules of evidence.
- D. *No Delay for Civil or Criminal Proceedings Required.* An investigation shall not be deferred or suspended without the approval of the Board of Control even though the respondent is made a party to civil litigation or is a defendant or is acquitted in a criminal action, notwithstanding that either of such proceedings involves the subject matter of the investigation. Notwithstanding the foregoing, Association counsel may recommend postponing or suspending the action until the conclusion of any criminal or civil court proceedings.
- E. *Counsel and Investigators.* Upon request of a Section Board of Inquiry, Association counsel may provide assistance to the Section Board of Inquiry and/or Section counsel to assist the committee in an investigation. Association counsel shall assist each Section Board of Inquiry in carrying out its investigative and administrative duties.

- F. Quorum, Panels, and Vote.*
- a. Quorum. Three members of the Section Board of Inquiry shall constitute a quorum.*
  - b. Panels. The Section Board of Inquiry may be divided into panels of not fewer than 3 members. Division of the Section Board of Inquiry into panels shall only be upon concurrence of the Designated Reviewer and the chair of the Section Board of Inquiry. The Chair of the Section Board of Inquiry shall be appointed by the Section President.*
  - c. Determination of Probable Cause. All findings of probable cause shall be made by affirmative vote of a majority of the Section Board of Inquiry members present, which majority must number at least 2 members. If the Section Board of Inquiry determines that probable cause exists in the matter, then it should include this finding in its report to the Board of Control. Likewise if the Section Board of Inquiry determines that no probable cause exists, then it shall indicate that in its report to the Board of Control.*
- G. Rights and Responsibilities of the Respondent. The respondent may be required to submit evidence or written testimony to the Section Board of Inquiry. At a reasonable time before any finding of probable cause is made, the respondent shall be advised of the conduct that is being investigated and the rules that may have been violated. The respondent shall be provided with all materials considered by the Section Board of Inquiry and shall be given an opportunity to make a written statement, sworn or unsworn, explaining, refuting, or admitting the alleged misconduct.*
- H. Rights of the Complaining Witness. The complaining witness is not a party to the disciplinary proceeding. Unless it is found to be impractical by the chair of the grievance committee due to unreasonable delay or other good cause, the complainant shall be granted the right to be present at any grievance committee hearing when the respondent is present before the committee. Neither unwillingness nor neglect of the complaining witness to cooperate, nor settlement, compromise, or restitution, will excuse the completion of an investigation. The complaining witness shall have no right to appeal.*
- I. Finding of No Probable Cause.*
- a. Authority of Section Board of Inquiry. A Section Board of Inquiry may conclude that no probable cause exists to believe that the respondent has violated these rules. If the Section Board of Inquiry determines that no probable cause exists, then it shall submit this finding in its report to the Board of Control.*
  - b. Submission of Report to the Board of Control. The Section Board of Inquiry shall submit its report to Association counsel and to the Board of Control indicating that it did not find probable cause in its investigation.*

- c. Effect of No Probable Cause Finding. A finding of no probable cause by a Section Board of Inquiry shall not preclude the Board of Control from hearing the case if the Board of Control reviews the report and determines that probable cause exists.*
  - d. Disposition of Committee Files. Upon the termination of the Section Board of Inquiry's investigation, the committee's file shall be forwarded to Association counsel.*
- J. Letter Reports in No Probable Cause Cases. Upon finding of no probable cause by the Board of Control, Association counsel will submit a letter report of the no probable cause finding to the complainant, presiding member, investigating member, and the respondent, including any documentation deemed appropriate by Association counsel and explaining why the complaint did not warrant further proceedings. Reports issued by a Section Board of Inquiry in connection with findings of no probable cause shall be signed by the presiding member of the committee. Letter reports and letters of advice shall not constitute a disciplinary sanction.*
- K. Preparation, Forwarding, and Review of Section Board of Inquiry Complaints. If a Section Board of Inquiry finds probable cause, the committee shall promptly prepare a record of its investigation and a formal complaint. The record before the Section Board of Inquiry shall consist of all reports, correspondence, papers, and/or recordings furnished to or received from the respondent. The Chair of the Section Board of Inquiry shall submit its report to Association counsel and to the Board of Control for action.*

---

## ***Section Tournament Policy***

### ***Discipline, Penalties, and Appeals***

*Each PGA of America Member or Apprentice Participant (“Participant”) in a Section golf tournament acknowledges the right and authority of the Section to (i) fine and suspend from tournament play; and/or to (ii) fine and permanently bar the Participant from Section tournaments. Any Participant in a Section event hereby releases the PGA of America Section, the PGA of America, the PGA Tournament Corporation, Inc., rules officials, each director, officer, member, employee, agent or representative of any of the foregoing jointly and severally, individually and in their official capacity, of and from any and all claims, demands, damages and causes of action whatsoever, in law or equity, arising out of or in connection with any such decision or action by the Section, PGA of America or any appellate body.*

*Fines are due and payable within thirty (30) days unless the Participant has made a written appeal. Should the appeal be denied, the fine will be due and payable within thirty (30) days of such denial of appeal; and the Participant will be ineligible to participate in any Section tournament and any other PGA of America tournaments and the tournaments of any other PGA Section until said fine is paid in full.*

#### ***A. Advance Notification of Proposed Disciplinary Action***

*Except for penalties under the Rules of Golf and for “Minor Penalties” (as hereafter defined), any Participant subject to disciplinary action or penalty defined as a “Major Penalty” shall first be notified of such proposed action in writing. Such notice may be presented to the Participant by a tournament official. Within thirty (30) days from the receipt of the notice, the Participant shall submit to the Section Tournament Director or the Section Executive Director such facts or evidence of mitigating circumstances as may apply. Within thirty (30) days of receipt of such information from the Participant, the Section Tournament Director or the Section Executive Director shall notify the Participant in writing of the imposition of the proposed disciplinary action or penalty, or that the proposed action has been dismissed. After the imposition of any penalty hereunder, the Participant shall have the right to appeal to the Section Board of Inquiry as set forth in Section E herein.*

#### ***B. Rules of Golf***

*Any Participant in a Section tournament who breaches the Rules of Golf of the United States Golf Association or Local Rules in effect for the conduct of such event shall be subject to the penalties provided in such Rules as well as any other penalties imposed by the Section consistent with this policy. The decision of the Section Rules Officials/ and/or the Section Tournament Committee with respect to such Rules breach shall be final and conclusive.*

C. *Conduct Unbecoming a Professional*

*Any Participant deemed guilty of conduct unbecoming a professional while participating in a Section tournament or in activities related thereto (e.g. practice rounds, hospitality events, etc.) shall be subject to fine, suspension and/or permanent disbarment from Section tournament play as provided in this policy. A fine of \$100 shall be levied for the first offense. A fine of \$150 shall be levied for the second offense, and a prohibition from participating in Section events for one year shall be levied for the third offense. Any Participant that is found guilty of more than three offenses for conduct unbecoming a professional charge may, at the sole discretion of the Section, be permanently prohibited from participating in all Section and PGA of America tournaments and also may be subject to PGA of America Code of Ethics charges. Notwithstanding the foregoing, the Section reserves the right to pursue Code of Ethics charges against any PGA Member/Apprentice for conduct charges related to the conduct of any Participant at Section golf tournaments and related events at the sole discretion of the Section in compliance with the procedures for Code of Ethics hearings as set forth in this Article II of the Bylaws.*

D. *Classes of Penalties for Section Tournament Offenses*

1. *MINOR PENALTIES.*

*A Minor Penalty is a fine of not more than \$150 and/or suspension from tournament play for two or less tournaments. A Minor Penalty may be imposed by the Section tournament officials responsible for the conduct of the tournament.*

2. *MAJOR PENALTIES.*

*A Major Penalty is a fine in excess of \$150, suspension from tournament play for three or more tournaments, and/or permanent disbarment from Section tournament play.*

E. *Appeals*

1. *MINOR PENALTIES.*

*Appeals from Minor Penalties shall be to the Tournament Committee Chairperson (or his/her designee). Such appeal may be in writing or oral. Such appeal shall be received by the Tournament Committee Chair no later than thirty (30) days subsequent to the infraction. The Tournament Committee Chair shall render the decision on appeal in writing within thirty (30) days of the receipt of the appeal and submit a final report to the Section Executive Director. The Section Executive*

*Director shall submit this final report to the Association General Counsel. Such decision shall be final.*

*Notwithstanding the foregoing, in the event that the Section determines that it would prefer that a Minor Penalty shall be submitted to the Board of Control for a hearing in lieu of action by the Section, then the Section Board of Inquiry will follow the same procedures set forth herein for all matters submitted to the Board of Control for Code of Ethics procedures.*

2. **MAJOR PENALTIES.**

*Within thirty days from the date of notification of a Major Penalty, the Participant may submit a written appeal to the Section Board of Inquiry. Failure to file such an appeal shall be deemed conclusively to be an admission of the charges specified in the notification.*

*Thereafter, the Section Board of Inquiry will prepare a report of the matter to the Board of Control and the matter will be set for a hearing before the Board of Control in accordance with all applicable procedures set forth herein for ethics appeals heard by the Board of Control. The Board of Control shall hear the appeal either at the next regularly scheduled Board of Control hearing or at an expedited meeting that may be held in person or via conference call at the discretion of the Chair of the Board of Control. The decision of the Board of Control shall be final. An appeal shall operate to stay the effective date of any penalty, except suspension from a Section tournament then in progress or scheduled for the calendar week in which the alleged violation occurred, until after a final decision on the appeal.*

*All fines must be paid within thirty (30) days from the imposition of the fine, or in the event of an appeal, within (30) days from the decision rendered by the Board of Control in the event the Board of Control upholds the findings of the Tournament Committee Chair.*

---

**III**  
**PGA CODE OF ETHICS**  
**STATEMENT OF ETHICS VIOLATION**  
**FACT SHEET**

**Date:** \_\_\_\_\_

**Name of Member/Apprentice:** \_\_\_\_\_

**Member/Apprentice #:** \_\_\_\_\_

**Section:** \_\_\_\_\_

**Name of Members of Section Board of Inquiry:**

---

---

---

---

---

---

---

**Description of Incident:**

1. Where did incident occur?
2. When did incident occur?
3. Describe the incident in detail. Include the date(s), place(s) and names of any eyewitnesses to the incident.
4. Attach written accounts of witnesses.
5. Attach written account from the member/apprentice.

**Submit To:** PGA General Counsel  
100 Avenue of the Champions  
Palm Beach Gardens, FL 33418

**IV**  
**PGA CODE OF ETHICS**  
**INITIAL SCREENING INQUIRY**  
**SHEET**

**Date:** \_\_\_\_\_

**Section Board of Inquiry**

\_\_\_\_\_ **Section**

**Submitted By:** \_\_\_\_\_

**Submit To:** PGA General Counsel  
100 Avenue of the Champions  
Palm Beach Gardens, FL 33418

**Name of Accused Member/Apprentice:** \_\_\_\_\_

**Member/Apprentice #:** \_\_\_\_\_

**Description of Incident:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**General Counsel Comments:**

- ( ) Facts if proven **would constitute** a breach of the PGA Code of Ethics.
- ( ) Facts if proven **would not constitute** a breach of the PGA Code of Ethics.
- ( ) This matter will be dismissed. The Section Board of Inquiry may resubmit an Initial Screening Inquiry for review at a later date for further review.

**General Counsel Recommendation to Section Board of Inquiry:**

- ( ) Please collect the evidence required in the **Statement of Ethics Violation Fact Sheet**. Please submit the **Statement of Ethics Violation Fact Sheet** to the General Counsel when it is completed.
- ( ) The facts submitted in the **Initial Screening Inquiry Sheet** would not substantiate a Code of Ethics breach if proven. See instructions under General Counsel Comment.

# 2014 OFFICERS

**President**  
TED BISHOP, PGA  
*The Legends Golf Club,  
Franklin, Ind.*

**Vice President**  
DEREK A. SPRAGUE, PGA  
*Malone Golf Club  
Malone, N.Y.*

**Secretary**  
PAUL K. LEVY, PGA  
*Sunrise Company  
Indian Wells, Calif.*

**Honorary President**  
ALLEN WRONOWSKI, PGA  
*Hillendale Country Club  
Phoenix, Md.*

District Number	Term Expires in November of	Director	District Number	Term Expires in November of	Director
1	2016	DONNIE LYONS, PGA <i>Danvers, MA</i>	10	2016	RICK MURPHY, PGA <i>Greensboro, NC</i>
2	2016	DANIEL J. PASTERNAK, PGA <i>Morristown, NJ</i>	11	2015	BILL HULBERT, PGA <i>Yorba Linda, Calif.</i>
3	2015	BUD ROUSEY, PGA <i>Pensacola, Fla.</i>	12	2015	DANIEL L. KOESTERS, PGA <i>Las Cruces, NM</i>
4	2014	JAMES ANTKIEWICZ, PGA <i>Presto, Pa.</i>	13	2016	JACK T. BINSWANGER, PGA <i>Sarasota, Fla.</i>
5	2016	CHAD SEYMORE, PGA <i>Westfield Center, OH</i>	14	2016	DAN HILL, PGA <i>Seattle, WA</i>
6	2015	JAMES J. RICHARDSON, PGA <i>Kohler, Wis.</i>	INDEPENDENT	2015	DOTTIE PEPPER <i>Saratoga Spring, NY</i>
7	2015	BOB PHILBRICK, PGA <i>Oklahoma City, Okla.</i>	INDEPENDENT	2016	LYNN SWANN <i>Sewickley, PA</i>
8	2014	CHRIS THOMSON, PGA <i>Lincoln, Neb.</i>	PLAYER DIRECTOR		PAUL D. GOYDOS, PGA <i>Coto de Caza, Calif.</i>
9	2014	SCOTT BRANDT, PGA <i>St. George, Utah</i>			

## PAST PRESIDENTS

The first officers were elected at the PGA Annual Meeting at the Radisson Hotel in Minneapolis, June 26, 1916. They were Robert White, President; James Maiden, Vice-President; George Fotheringham, Vice-President; and Herbert Strong, Secretary-Treasurer.

Years	President	Section	Years	President	Section
1917-1919	*Robert White	Metropolitan	1975-1976	*Henry Poe	Dixie
1920	*Jack Mackie	Metropolitan	1977-1978	*Don Padgett	Indiana
1921-1926	*George Sargent	Southeastern	1979-1980	*Frank Cardi	Metropolitan
1927-1930	*Alex Pirie	Metropolitan	1981-1982	Joe Black	Northern Texas
1931-1932	*Charles Hall	Southeastern	1983-1984	Mark Kizziar	South Central
1933-1939	*George Jacobus	New Jersey	1985-1986	Mickey Powell	Indiana
1940-1941	*Tom Walsh	Illinois	1987-1988	James Ray Carpenter	Gulf States
1942-1948	*Ed Dudley	Colorado	1989-1990	Patrick J. Riley	Southern California
1949-1951	*Joe Novak	Southern California	1991-1992	Dick Smith	Philadelphia
1952-1954	*Horton Smith	Michigan	1993-1994	Gary Schaal	Carolinas
1955-1957	*Harry Moffitt	Northern Ohio	1995-1996	Thomas H. Addis III	California
1958-1960	*Harold Sargent	Southeastern	1997-1998	Ken Lindsay	Gulf States
1961-1963	*Lou Strong	Illinois	1999-2000	Will Mann	Carolinas
1964-1965	*Warren Cantrell	Texas	2001-2002	Jack Connelly	Philadelphia
1966-1968	*Max Elbin	Middle Atlantic	2003-2004	M.G. Orender	North Florida
1969-1970	*Leo Fraser	Philadelphia	2005-2006	Roger Warren	Carolinas
1971-1972	*Warren Orlick	Michigan	2007-2008	Brian Whitcomb	Pacific Northwest
1973-1974	*William Clarke	Middle Atlantic	2009-2010	Jim Remy	New England

\*Deceased

**Chief Executive Officer**  
PETER BEVACQUA  
*Palm Beach Gardens, Fla.*

**Chief Operating Officer**  
DARRELL CRALL  
*Palm Beach Gardens, Fla.*

**Chief Championships Officer**  
KERRY HAIGH  
*Palm Beach Gardens, Fla.*

**PROFESSIONAL GOLFERS' ASSOCIATION OF AMERICA**

**OTHER BOARD POLICIES**

**2004**

**TABLE OF CONTENTS**

<b>DESCRIPTION</b>	<b>PAGE NUMBER</b>
<b>Promotional Materials Concerning PGA Professionals to Employers .....</b>	<b>2</b>
<b>Guidelines for New Sections, PGA Section Activity and Use of Section Name and Logo Regulation .....</b>	<b>3</b>

## **PROMOTIONAL MATERIALS CONCERNING PGA PROFESSIONALS TO EMPLOYERS**

*Allowance for the PGA to mail promotional materials to employers concerning PGA Professionals in order to assist them in their understanding of the value of a PGA Professional. Promotional materials would be inclusive of, but not necessarily limited to: information about career counseling, information about CareerLinks, information about support programs concerning the PGA Professional and statistical information on the industry.*

**GUIDELINES FOR NEW SECTIONS, PGA SECTION ACTIVITY AND  
USE OF SECTION NAME AND LOGO REGULATION**

**Guidelines for New Sections:**

- (a) The Section must have operated as a chapter of a Section for a minimum of two (2) years.
- (b) The Section must file a letter of intent to become a separate Section with the parent Section and the National Body of the PGA. Each of the two (2) groups involved must approve the letter of intent. A yearly report must be filed with the Section and the National Office covering past activities, treasury and all business concerning the growth of the Chapter.
- (c) At the end of two (2) years, the approved Chapter must file a formal brief requesting status as a separate Section for consideration through normal channels as all other business is conducted.
- (d) The new Section would be placed at the bottom of the list insofar as the nomination of a District Director is concerned. (If new names are adopted by both segments of the old Section, they must agree which new Section shall have precedence.)

**PGA Section Activity Guidelines:**

*Sections would be permitted to conduct activities, which meet the following guidelines:*

- (a) They further the mission of the PGA and support the strategic objectives of the Association; they promote the game of golf; educated/train Members, etc.;
- (b) They are conducted primarily within the geographic boundaries of the Section;
- (c) They primarily benefit and involve Members, golfers, manufacturers and/or employers located within the geographic boundaries of the Section; and
- (d) The program is entirely owned by the Section. However, Sections would be permitted to endorse or sanction golf tournaments, golf cards and handicapping services owned by third parties provided that the other criteria set forth above are met and that written approval is obtained from the PGA.

*Any activities or programs which do not meet these guidelines completely may not be conducted by the Section without the expressed written approval of the PGA.*

*A Section is not required to administer an activity. If a Section finds that a third party is better qualified to administer a program, such as a golf card or a tournament, it may retain that company to do so. However, any agreement with a third party must be approved by the PGA in advance to ensure that the Section adequately controls the use of the logo and to ensure that there are not better resources available from the PGA or another Section.*

**Use of Section Name and Logo:**

*To promote the PGA and its Sections as one organization serving Members and golfers, it is important that everyone use the same logo in promoting their activities. Therefore, the PGA will require that each Section adopt the National logo as the Section logo with the name of the Section underneath the logo (as implemented previously on Section stationery). The PGA and the Sections will enter into an agreement which will provide the Section with the right to use the logo, subject to the following guidelines:*

- (a) The Section may use the Section name and logo in promoting all of its activities, assuming that they meet the guidelines set forth earlier.
- (b) The licensing of the PGA and/or Section names, initials and/or logos or any implied endorsement of a product or service conducted or owned by third parties will not be permitted without the expressed written permission of the PGA. Such approval should not generally be expected due to prior agreements between the PGA and the PGA TOUR.
- (c) The Section may purchase products which bear the Section logo provided that the products are not for resale, are distributed primarily within the boundaries of the Section, and are purchased from vendors approved by the PGA. This will be a simple process and merely ensures that the vendor utilizes the correct logo and agrees not to use the logo on any other items.
- (d) The Section may designate a golf facility as its "home," subject to the written permission of the PGA. Any involvement with a golf facility by a Section should include PGA involvement from the beginning. Due to the complexity involved in developing golf facilities, it is not possible to develop specific guidelines. Therefore, the Sections should work with the PGA throughout the project to ensure that all activities are approved.

*No other use of the Section name, initials or logo will be permitted without the expressed written permission of the PGA.*



# PGA Board-Approved Tours

As of November 21, 2013

## Women's Tours

- LPGA Tour
- Symetra Tour
- Ladies European Tour
- Ladies Professional Golf Association of Japan
- Ladies Professional Golf Association of Korea
- Australian Ladies Professional Golf (ALPG)

## Men's Tours

- PGA TOUR
- Champions Tour
- Web.com Tour
- European Tour
- European Sr. Tour
- Japan Golf Tour
- PGA Tour of Australasia
- Sunshine Tour
- OneAsia Tour
- Asian Tour