



Fair Admissions Hearing Procedures

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Table of Contents

1	Introduction.....	1
2	Purpose	1
3	Scope	1
4	Right to Modify Policy	1
5	Fair Admissions Hearing Procedures	1
5.1	Request for Admissions Hearing	1
5.1.1	Notice to Applicant.....	1
5.1.2	Response by Applicant	1
5.1.3	Setting up the Hearing	2
5.1.4	Postponements and Extensions	2
5.2	The Hearing Committee	2
5.2.1	Composition; Chair	2
5.2.2	Role of the Chair.....	2
5.3	The Admissions Hearing	2
5.3.1	Rights of the Parties and Order of Proceedings.....	2
5.3.2	Burden of Proof.....	3
5.3.3	Failure to Appear at the Hearing.....	3
5.3.4	Admissibility of Evidence.....	3
5.3.5	Advice and Representation	3
5.3.6	Record of the Hearing.....	3
5.4	Hearing Committee Decision and Board Action.....	3
5.5	Hearing Costs.....	4
5.6	Confidentiality.....	4
5.7	Illinois Law	4

Revision Log

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10/08/2025	Melissa Young	Updates to include time limit for presentations and scheduling timelines.	2.0

1 Introduction

Membership decisions are made by the Board of Directors (the “Board”) of the American Association of Orthopaedic Surgeons (the “Association”). Membership in the Association also confers membership in the American Academy of Orthopaedic Surgeons (the “Academy”). Occasionally, the Board will vote to reject an application and will notify the applicant of the reason(s) for its decision. In such cases, it is important that the applicant has an opportunity to request a hearing to evaluate that decision.

2 Purpose

The following Hearing Procedures (“Procedures”) are designed to provide applicants who wish to become Fellows or Members of the Association with procedures for appealing a membership rejection decision by the Board. The Procedures are intended to supplement the current AAOS Bylaws and Membership Policy and Procedures.

3 Scope

These Procedures apply to any applicant whose application for Fellow or Member has been rejected by vote of the Board.

4 Right to Modify Policy

The Association reserves the right to modify these Procedures at any time. Changes and modifications will be effective when approved and posted.

5 Fair Admissions Hearing Procedures

5.1 Request for Admissions Hearing

5.1.1 Notice to Applicant

When the Board votes to reject an application for membership, the Association shall send written notice to the applicant (the “Applicant”). A link to (or copy of) the Association Bylaws and these Procedures shall accompany the notice.

The notice shall outline which of the eligibility requirements and/or considerations for fellowship or membership have not been met, and basis for the Board’s decision.

5.1.2 Response by Applicant

The Applicant shall have thirty (30) days following receipt of notice to submit in writing a request for an Admissions Hearing or notice of intent to withdraw their application.

5.1.3 Setting up the Hearing

The Association shall refer the Applicant's request for hearing to the designated Hearing Committee. Within sixty (60) days after receipt of such request, the Hearing Committee will schedule the Admissions Hearing and give the Applicant written notice of its time and date. Admissions Hearings will be held virtually. The hearing date shall be at least thirty (30) days after the date of the hearing notice. Additionally, the Hearing Committee shall notify the Membership Council, and the Membership Council will identify a representative to participate in the Admissions Hearing. The Membership Council representative shall not serve as a member of the Hearing Committee or participate in the Hearing Committee's deliberations or vote.

5.1.4 Postponements and Extensions

AAOS has sole discretion to extend any time limitations.

5.2 The Hearing Committee

5.2.1 Composition; Chair

The President of the Association will appoint three (3) Fellows of the Association to serve on the Hearing Committee and designate one of the three members to serve as the Hearing Committee Chair. Members of the Committee shall not (1) have actively participated in the consideration of the application, or (2) participate in a hearing that involves an Applicant with whom that individual has a personal relationship or is in partnership or in direct economic competition. However, mere knowledge of the matter involved or of the Applicant shall not preclude a Fellow from serving on the Hearing Committee.

5.2.2 Role of the Chair

The Chair shall ensure that all hearing participants have a reasonable opportunity to be heard and to present relevant oral and documentary evidence, and that professionalism is maintained throughout the proceedings. The Chair shall participate in the Committee's deliberations and vote, and in the development of the Committee's written recommendation and report to the Board.

5.3 The Admissions Hearing

5.3.1 Rights of the Parties and Order of Proceedings

No later than fourteen (14) days prior to the hearing, the Applicant and Membership Council representative may submit a statement and any materials they intend to rely on at the hearing. The submission should be directed to the AAOS Office of General Counsel, who will distribute the materials and statements to each party and the members of the Hearing Committee in advance of the hearing. The hearing shall still proceed if no materials are received.

At the hearing, the Applicant and the Membership Council representative shall have the following rights: to present their case; to introduce documents or other materials, including third-party statements in support of their character or position; and to present rebuttal evidence at the discretion of the Chair. The Applicant will present first, followed by the Membership Council representative. Each side will have a maximum of thirty (30) minutes for their presentation. After each side presents, Members of the Hearing Committee may address questions to the Applicant and to the Membership Council

representative, even if the Applicant elects not to offer their own testimony in support of their application. Each party may then have the opportunity to briefly make any rebuttal or closing statement, at the discretion of the Chair.

5.3.2 Burden of Proof

The Applicant has the burden of submitting evidence to prove their eligibility and qualifications for fellowship or membership. The Hearing Committee shall uphold the Board's rejection unless it finds that the Applicant has provided sufficient evidence showing that the Board's rejection was arbitrary and not supported by the evidence.

5.3.3 Failure to Appear at the Hearing

Any Applicant who requests an Admissions Hearing and fails to appear or who withdraws their Application prior to the Admissions Hearing shall be deemed to have voluntarily accepted the decision of the Board. The Board's decision shall automatically be deemed a "final action."

5.3.4 Admissibility of Evidence

The rules of law relating to the examination of witnesses and presentation of evidence do not apply at the Admissions Hearing. The Chair shall permit presentation of relevant evidence to assist the Hearing Committee in its consideration of the issues and to ensure that the Applicant has an adequate opportunity to be heard.

5.3.5 Advice and Representation

The purpose of the Admissions Hearing is intra-professional resolution of matters bearing on the qualities desired in Fellows or Members of the Association. Accordingly, an Applicant has the right to seek representation by legal counsel (at the Applicant's cost), or by a Fellow of the Association in good standing, or the Applicant may choose to represent themselves at the Admissions Hearing. No later than fourteen (14) days prior to the Hearing, the Applicant must notify the Association that they intend to have legal counsel or other permitted representation at the Admissions Hearing.

5.3.6 Record of the Hearing

The Admissions Hearing will be held virtually and will be recorded. The transcript will be generated from the recording and may contain minor errors due to audio quality or transcription limitations. Participants will be notified that the session is being recorded, and by remaining in the meeting, all participants consent to being recorded and transcribed. A copy of the transcript of the Admissions Hearing will be provided to the applicant with the written report and recommendation of the Hearing Committee. Thirty (30) days following the Admissions Hearing, the recording will be destroyed in compliance with the AAOS Record Maintenance and Retention Policy.

5.4 Hearing Committee Decision and Board Action

Upon conclusion of the hearing, each side shall be dismissed. The Hearing Committee shall then meet in executive session to conduct its deliberations and develop its written report and recommendation. Within forty-five (45) days of the Admissions Hearing, this report and recommendation shall be sent to the Applicant and the Membership Council and submitted to the Board for consideration. The written recommendation and report of the Hearing Committee is not a final action and remains confidential.

The Board shall review all recommendations received from the Hearing Committee at its next regularly scheduled meeting and shall render its final decision regarding the Applicant. The Board may affirm, modify, or reverse the Hearing Committee recommendation.

The decision of the Board shall be final and effective immediately. A copy of the Board's written decision, including the primary reason(s) for its decision, shall be sent to the Applicant and the Membership Council no later than thirty (30) days after the Board's decision.

5.5 Hearing Costs

The Applicant shall be responsible for any costs related to the presentation of their case, including any expenses of any representatives or legal counsel, and any evidence they produced for the Admissions Hearing. The Association shall bear the costs of the Hearing Committee members, the representative of the Membership Council, and related hearing costs.

5.6 Confidentiality

The Association membership application and admission process is confidential, including any Admissions Hearings governed by these procedures.

5.7 Illinois Law

The privilege of being considered for election as Fellows or Members of the Association is governed by the law of the state of Illinois, where the Association's principal offices are located. Illinois law provides that an Applicant may not seek judicial review of an adverse decision on his or her application except where membership has been held by a court of relevant jurisdiction to be an economic necessity.