

NATIONAL CERTIFICANT FOR THERAPEUTIC MASSAGE AND BODYWORK COMMUNITY

IMPORTANT INFORMATION AND REQUEST FOR ACTION:

Dated December 29th, 2006

We, the undersigned, are a concerned group of volunteers from various committees who feel compelled to come forward to you, the certificants, to update and inform you of recent activities at the National Certification Board for Therapeutic Massage and Bodywork (NCBTMB). As you may already know, Neal Delaporta and Monica Reno, directors of the Board of the NCBTMB were recently forced to resign or were removed due to their lapsed certifications. There was also an attempt to remove the current Chair-Elect, Donna Feeley, whose certification date was incorrectly listed in the NCBTMB database. For the record, we are not condoning lapsed certification. However we do believe in a fair and equitable due process. Therefore, when these duly elected directors were forced to resign or be removed, we began an inquiry to the Board of Directors (BOD) and the Chair, Elizabeth McIntyre, as to how and why this happened. Because of that inquiry, we feel that the BOD and the Chair of the BOD, Elizabeth McIntyre, in particular did NOT properly exercise their power as entrusted to them via the bylaws of our organization.

Therefore, we are asking the following actions to be taken:

- An independent investigation into the actions of the Chair, Elizabeth McIntyre, and the BOD with a recommended remediation to be followed, to include reinstatement of these two elected Board members. The investigation should include the entire rationale and process regarding the dismissal of Board members.
- Accountability and transparency from our Board of Directors in accordance with our charter as a 501-c-6 not-for-profit organization. While it would be easier to not question what has happened, step aside, or quit, we are dedicated volunteers who believe in the Mission and core values of the NCBTMB, and look forward to a healthy NCBTMB that can succeed and fulfill its mission.
- Your support to help rectify this situation and accomplish these objectives. Please contact the NCBTMB to express your concern regarding this matter:
 - email address: info@ncbtmb.com
 - phone number: 800-296-0664 or 630-627-8000
 - hardmail address: National Certification Board for Therapeutic Massage & Bodywork (NCBTMB), 1901 S. Meyers Rd., Ste. 240, Oakbrook Terrace, IL 60181-5243
 - fax: 866-402-1890

The bases for these requests are described below:

In the past month, we sent two letters to the BOD asking for either a satisfactory explanation of the actions that occurred, or an immediate reinstatement of Neal Delaporta and Monica Reno. The response to our first letter did not address our concerns and certainly did not address the reinstatement of these two elected Board Members. We received no formal response to our second letter, although we did eventually receive an informal e-mail from the Chair of the Board, Elizabeth McIntyre, stating her reasons for the “removal/resignation” of Board Members Delaporta and Reno. We are not satisfied with her explanation. In fact, it has only fostered more questions and concerns that the Board is not carrying out its due diligence regarding this matter. Chair McIntyre did not engage the full BOD to make this decision or move them to vote on her course of action. In the same time frame, Chair-Elect Donna Feeley was also unknowingly removed from her duties as Executive Committee member by the same claim that her certification had expired. It had not; but during the interim of proving herself eligible, she was excluded from participating in the decision process to remove Delaporta and Reno. It appears to us that the Chair of the BOD, Elizabeth McIntyre, exercised an inappropriate use of power; and that the majority of the BOD members, who supported this decision, simply want this to go away; that they wish to “move-on.”

The Bylaws, Policies and Procedures, Mission, Values, Position Descriptions and public documents of the NCBTMB clearly address this matter and were clearly breached:

1. **Breach of Bylaws.** There is only one Bylaw that addresses the removal of a director; it is Section 6.7. It reads: “**Removal.** *The Board of Directors may, by two-thirds vote of its at-large members, remove any Director for cause.*” While we understand that Section 6.2 requires directors to maintain their certification, it does not give or require any procedure to be followed when a director’s certification has lapsed. Section 6.7 is the ONLY bylaw that addresses the removal of a director. Since the removal of the Board members occurred prior to Board deliberation, it is apparent that there was no vote by the BOD, let alone a 2/3 majority vote, to remove directors Delaporta and Reno and Chair-Elect Donna Feeley. Therefore Section 6.7 was violated.
2. **Unilateral Action by the Chair.** Chair Elizabeth McIntyre acted unilaterally without any prior approval of the BOD in demanding these resignation/removals. Section 13.2 of the bylaws specifically states that no member of the BOD may act for the BOD. Specifically it reads: “**Authority.** *No member of the Board of Directors, elected officers, or employees of the Corporation may act on behalf of the Board of Directors or hold him or herself out to the public as authorized to act on behalf of the Board of Directors without the express consent of the Board of Directors.*” Therefore, Section 13.2 was violated.
3. **Failure of Due Process.** This entire process happened without the ability of directors Delaporta and Reno to be present or otherwise speak prior to the decision regarding the matter. This is a serious breach of their due process rights.
4. **Continued Board Inaction.** Once these actions were reported to the rest of the BOD, their inaction to reverse Chair McIntyre’s actions allowed her violation of Sections 6.7 and 13.2 to continue. Of particular concern is that two Board members who

supported Chair McIntyre's actions, directly benefited by gaining positions on the Executive Committee of the Board as a result of her actions.

5. **Failure to Notify.** The policies and procedures of the NCB state that certificants will receive notice of their impending certification expiration 6 months and 90 days prior to expiration. Neal Delaporta and Monica Reno did NOT receive these notifications.
6. **Failure to Grant a Grace Period.** It is standard policy of the NCBTMB to allow certificants a 1-year grace period when their certification has expired. This grace period was NOT extended to directors Delaporta and Reno. No policies or procedures of the NCBTMB state that directors are to be treated any differently than other certificants in this regard.
7. **Unjustifiable attempt to remove current Chair-Elect Donna Feeley.** Just as alarming was the simultaneous attempt by Chair McIntyre to remove the current Chair-Elect, Donna Feeley, for the same reasons as directors Delaporta and Reno. Feeley was also accused of having a lapsed certification but proved otherwise. She was presumed guilty prior to having a reasonable chance to prove that her certification was and is valid. Ironically, the very database used as "evidence" was already publicly in question regarding its accuracy. During this entire process, Feeley was unknowingly excluded as a member of the NCBTMB Executive Committee and was not afforded her elected right to participate in decisions regarding directors Delaporta and Reno. Given that key decisions were discussed and made during the time of her exclusion, we feel that all actions that occurred without her participation are rendered invalid.

These Policies and Procedures, had they been followed, would have given Neal Delaporta and Monica Reno, two duly elected and valuable Board members, a proper hearing before the entire BOD instead of a unilateral removal by Chair Elizabeth McIntyre. Further, they would have given the BOD the opportunity to bring a positive solution to the matter. Neal Delaporta and Monica Reno could have been given an appropriate amount of time to quickly bring themselves into compliance with the bylaw that states eligibility criteria for Board Members. Volunteers such as Delaporta and Reno should not be considered easily dispensable or interchangeable. Their experience should be valued and retained. We know that there is past history of this very situation and the Board Member in question was able to come into compliance without losing the position elected to by the certificant community.

We strongly support national certification and the ideals for which it stands and believe national certification has played and should continue to play a key role in being a fundamental part of the professionalism of therapeutic massage and bodywork. We believe a healthy national certification program is critically important for the future health and success of the profession. What we want is for the quality of the organizational part of national certification to match its ideals, and restore confidence in the NCBTMB.

We want to THANK YOU in advance for the contribution of your voicing your concerns and requiring the due diligence of the NCBTMB Board Members on all the above matters.

Respectfully yours,

Wanda Beals (Continuing Education committee)
Jill Bielawski (Exam committee)
Neal Delaporta (former Director)
Cindy Gillan (Exam committee)
Bev Giroud (Exam committee)
Bob Helfrich (Chair, Continuing Education committee)
Kathleen Hill (Continuing Education committee)
Houston LeBrun (Leadership Development committee)
Stephanie Manriquez (Continuing Education committee)
Georgia Martin (Exam committee)
Bonnie Massey (Continuing Education committee)
John McKinley (Continuing Education committee)
Joe Muscolino (Exam and Continuing Education committees)
Marybeth Nein (Item Writing Committee)
Kristie Odom (Exam committee)
Terry Norman (Exam committee)
Monica Reno (former Director)
Rich Rieger (Continuing Education committee)
Alton Sanders (Exam committee)
Judy Silcock (Continuing Education committee)