

2023 Proposed Revisions to *Sanction Guidelines* and *Fitness Standards*: Open-ended Survey Comments

On September 5, 2023, CFP Board requested comments on proposed revisions to its *Sanction Guidelines* and *Fitness Standards for Candidates for CFP® Certification and Former CFP® Professionals Seeking Reinstatement* for a 90-day public comment period, which ended December 3, 2023.

For this public comment period, CFP Board created a survey platform that contextualized the proposed revisions and enabled members of the public and CFP® professionals to submit their feedback on specific issues more effectively. Most survey questions were followed by an open-ended comment box, and this document contains the open-ended responses provided by respondents. Charts showing the numeric responses to the survey questions are available for review in another document.

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A. The proposed revisions to the *Sanction Guidelines* lists 25 general aggravating and mitigating factors for the DEC to consider when determining an appropriate sanction. To what extent do you believe each of the following is an important mitigating factor (i.e., a factor that weighs in favor of lowering the sanction)?

1	We are all human beings subject to flaws. What we don't want is people who are repetitively flawed versus an exception.
2	How about not putting CFPs on blast for BKs that were out of their hands (e.g., BK due to a tumultuous divorce that racked up thousands of dollars in legal fees)?
3	Keep this simple. Bad acts must have consequences.
4	I was found to have breached my fiduciary duty due to an arbitrator who didn't follow the law (because the arbitration process does not require it) and poor representation (I hired a bad attorney). Under your new standards, I would have likely been stripped of my CFP credentials. There is a difference between poor judgment and Breach of Fiduciary Duty. Under your new rules, the "innocent people in prison" will have to find a new career. Stripping someone of their credentials should be in extreme and negligent cases only!
5	Prior to being a financial advisor and CFP professional, I was a police officer. Many MANY occasion remorse after being caught for a violation is more so a remorse of being caught and many times not remorse of doing the activity. The more lengthy the person is a CFP the more they should know what they did is wrong.
6	All of these answers should lower or do away with sanction!
7	define significant. This is a problem in the standards. In trying to tighten standards, the words are impossible to define: Such as a "thorough" plan. What is that? Already several BDs are forbidding the use of the word "Comprehensive" Plan as the attorneys believe that no plan covers all contingencies that may arise.

8	It is such a case-by-case type of evaluation - it is difficult to say one thing is always important or unimportant. Also, important - is the sanction to be imposed upon an accusation or most the allegation be proven before the sanction can be imposed.
9	I'm not really clear on how these factors are applied. If it's discretionary, there need to be guidelines informed by collective CFPs.
10	This should be limited to current and relevant situations. There needs to be a reasonable statute of limitations protecting issues from the past
11	With all the emphasis the CFP Board has on Ethics and Standards we are obligated to follow them and each CFP MUST BE HELD ACCOUNTABLE because the Public Trust is PRIMARY to the acknowledgement of the Fiduciary Duty a CFP represents
12	I am assuming the above refers to actual misconduct, i.e. not just an allegation. Particular weight should be given to length of service and intent, i.e. if someone has a long track record of excellent service and an inadvertent action resulted in an issue, that should be a strong mitigating factor as opposed to a CFP who intentionally violates guidelines and harms clients.
13	The top 3 should be mandatory, meaning that I think you should have no shot at mitigating the sanction without those. The other 4 should be truly mitigating, meaning that they could significantly reduce, depending on the factors.
14	Judgement by the committee is important. A rubric without ability to take specific instances into consideration for context is unhelpful and dilutes the intention of the CFP marks. If overly prescriptive, it makes it more difficult for the public to differentiate between situations.
15	I believe there is often nuance in these cases and that innocence should be assumed at the outset.
16	N/A
17	People have flaws and make errors, including professionals. An incident, such as a Books and Records error, shouldn't immediately go to Public Censure. I find that absurd.
18	Stop acting as a regulator and start providing value to your members. Why is your sole focus on regulation?
19	I find this line of questioning, confusing and difficult to answer.
20	honestly this feels like excessive busy work and legalese. I have to research definitions to even figure out what you're going for here. I do not know how many misconduct/harm issues you deal with as a percentage of CFPs. it seems like overkill
21	I am only filling out this survey to express my deep concern over how high the annual CFP fees are now. I've had my CFP for over 10 years now, paying thousands of dollars to continue to be able to display my CFP, and I don't feel that I get anything at all out of the money I've paid.
22	This is assuming the misconduct is actually true, and not just a relative opinion or possible bias within the DEC.
23	This is to get the answers you want Good bye
24	There are too many attorneys running our professional planning program. I do not believe you have improved the financial planning program over the ORIGINAL CODE OF CONDUCT THAT I HUNG ON THE WALL APPROX 40 YEARS AGO!!!
25	I really find this exercise is more to keep lawyers in business than to help CFPs. I want my \$455 per year used to benefit my business, the recognition of my mark as a CFP, recognize continuing education in concert with Finra and SEC requirements, and less tedious legal introspection. In other words less regulation, more positive marketing and less fees. CFP Board should not be the government. We have enough of that.

26	I think the single most important aspect is a CFP's INTENT (i.e., to profit themselves/associates at another's expense). Honest ignorance and/or even incompetence, while potentially serious, are more forgivable in my opinion than an act knowingly and/or intentionally designed to deceive, obfuscate, or otherwise impair a well-informed and optimal decision to a potentially injured party.
27	Interpretation vs facts, not interpretation of the facts. Ethical lines get blurred on both sides of the situation. I believe the clients' history and motives is important to review in conflict situations along with the advisors'.
28	There is a red asterisk after the first sentence with no reference.
29	On remorse: ok but is it real? We should all feel bad and remorseful even if a human mistake but case by case probably needs to be looked at. Remorseful for a mistake ok, remorseful for stealing not as much weight.
30	Length of time alone should not be a factor for DEC consideration. I would urge the committee to review the base sanction guidelines for severity. It appears that revocation is now a base on several of these, whereas a lower initial sanction should be implemented. Having served in a compliance capacity for almost ten years, I strongly believe in second chances.
31	Actions speak louder than words
32	These are all important items to consider because all situations may be different and should be judged on their independent merits. Obviously, if there is egregious misconduct (including fraud) then that's a different story.
33	Just because they got caught may be the only reason that they have remorse. Not sure how to determine that however.
34	This scale is not easy to understand.
35	A statement of remorse may be helpful but difficult to measure. I would prefer a detailed description of lessons learned and examples of how these lessons are put into practice.
36	Remediation prior to discovery is very important, remediation after misconduct is addressed is not nearly as important.
37	I think intent matters. Let's not sanction folks for honest mistakes that are fixed
38	However, at some point incompetence needs to weigh heavily, if a CFP is well meaning but incompetent, if the results are the same as the ill-intentioned--maybe a new line of work is in order.
39	The rules are black and white. Remorse over breaking rules or someone (who likely has an interest in the charges being lessened) should have no impact on the infraction.
40	CFP Professionals are very educated, so most of these factors could easily be manipulated by the offending individual since misconduct typically only accounts for a fraction of the individual's overall character. For example, a professional who consistently breaches the fiduciary responsibility for their financial gain is likely to be smart enough to cover his tracks by impressing his coworkers with positive character and a moving apology letter. The only factor worth considering is if an investigation confirmed there is no other evidence of misconduct AND high likelihood that bad intent was not present.
41	The CFP DEC should get rid of the guilty until proven innocent. If there is customer harm, then the DEC should be able to go hard on the certificant. If it is isolated and does not involve customer harm then there should be leniency.
42	Positive character evidence should only be used if coming from employer/coworker who holds CFP, CFA, CPA, or JD. They have all been held to higher standards by choice, in my opinion.
43	This question is very misleading because it does not make it clear if the actions listed are considered as mitigating factors.

44	It can be hard to answer without case examples. In some cases, punishment may be necessary and in some cases, clients could be coached and mislead parties involved in a complaint even though topics were covered with clients.
45	self-reporting is a high mitigating factor rather than being caught which is an aggravating factor
46	I would like to see how each factor is weighted and used to determine the remediation by the DEC.
47	Anyone can say sorry after the fact - it is more important that the <u>perpetrating party identifies, self-reports and acknowledges the issue.</u>
48	I believe the client outcome should match the severity of the sanction and details of an event should heavily weighed in the outcome of a disciplinary action. If an CFP is not forthright or attempts to deflect, hide, or otherwise obstruct the investigation, then that should be an aggravating factor.
49	I think the CFP board should be very strict to adherence to our standards. A CFP should be a fiduciary looking out for the client. They should resolve any mistakes they make with a client. Not apologize after getting caught.
50	What a poorly written question! "Aggravating should weigh to toward the sanction" is one extreme, and "Very Important" is the other extreme. The extremes read like they are giving the same answer. I feel like I'm in a Marx Brothers movie.
51	CFPs with more experience garner more trust with their clients because of their longevity. Abuse of that trust ought to be punished more harshly, rather than mitigated based on how long they've been a CFP.
52	As a CFP we are expected to know the rules and put the client's interests ahead of our own. There is NO excuse for any behavior that departs from this standard.
53	If you committed a violation, you should not have your sanction reduced because it happened a long time ago, that just means you weren't caught sooner. It also should not be reduced for acknowledging or writing a letter of remorse because you should do that anyways. Plus, it is just a carrot for someone to do it if it gets them off vs. something authentic. Remediation of harm just means they corrected what needs to be corrected, but that doesn't undo the behavior. It should be remediated no matter what. If you stole money from a client, lied about it, and paid them back, should you get a reduced sentence for paying them back what is rightfully theirs? NO! I am tired of seeing people who steal, misappropriate trades, and create financial crimes being let off easy and back into the industry after a short sanction. I'm sure their clients don't feel like they deserve to continue to serve others and potentially repeat unlawful behavior. HOLD PEOPLE ACCOUNTABLE.
54	I don't like the way the above survey is worded. It makes it very difficult to respond and analyze how the response will be interpreted.
55	If i am reading this correctly, the first question should be mitigating not aggravating. That is the basis for my responses.
56	I'm not sure more regulation is needed. There is enough regulation involved with FINRA, the SEC, the state Department of insurance and the state Division of Securities. I think some oversight is important, but I don't feel the CFP Board needs to ad an additional layer of regulation. With all of them looking over my shoulder and my BD and RIA I think there enough.
57	I do not believe there are ever mitigating circumstances to lessen a penalty. CFP are not just CFPs. They ahey are also regulated by the SEC and/or FINRA. So, if that are violating CFP regulations, they are most like violating Finra or SEC regulations. Do the crime. Pay the time.
58	The sanctions should not be handed out until a thorough review is complete. The CFP(R) should not feel "guilty until proven innocent".
59	Mistakes happen and people can make allegations anytime they want about any instance. Mitigating factors and other evidence should be used to determine appropriate levels of discipline since there are two sides to two everything. You will be able to see a pattern of bad behavior if one exists.
60	I believe there should be more significant consequences for misconduct that is not initially reported and only found out after by the board.

61	I think the old guideline provided much more clear implications based on severity whereas now it seems much more based on opinion of the review team and how they interpret aggregating and mitigating factor. It seems the new standards provide even less clarity
62	the original implication to jump to this standard should be reviewed. Intent is always a mitigating factor...someone may not even know they have committed misconduct, yet others are well aware and may be a part of their practice...the board is too academic in all its proceedings and thought processes.
63	Testimony by character witnesses should not outweigh the assessment of professional peers. Giving credit for remediation or remorse can incent cost/benefit calculations for wrongdoing.
64	Anytime harm is done it is important that remediation is given but the remorse of being caught or actual repentance for wrongdoing less important. time out of the business is away to take financial repercussion on the offender.
65	Each case should be viewed with multiple factors vs. cut and dry.
66	All of these depend on the particular circumstances to a large degree in some cases, one of these factors might be very very important and in others it's not important whatsoever
67	It is impossible to avoid mistakes, or errors in judgment. Everyone makes them. An error in judgment should not be treated in the same way as reckless behavior or malfeasance.
68	Character evidence from other clients should have more weight than that from employer or coworker
69	I think when incidents occur that are isolated incidents and can't be helped such as a bankruptcy discharge and it was not caused by the financial practice and there is an explanation, with passage of time, this should be removed from the CFP site.
70	We want our code of conduct to have the highest standards. Common errors are not a violation of the code of conduct. Intent is
71	The aggravating and mitigating factors are too subjective.
72	Regarding the acknowledgement of misconduct after detection, my reply assumes the certificant was aware of the misconduct and failed to report it, as opposed to being unaware prior to it's detection.
73	Each case should be taken on individual basis. If a CFP has done something detrimental, they probably shouldn't be a CFP any longer!
74	I'm concerned about aggravating factors proposed around harm that include not only financial or physical, but emotional and psychological. This seems like a slippery slope. especially in light of the bias/prejudice category that covers many issues that seem to contend against each other. Like if a CFP pro is politically liberal and wishes to only work with those type of clients and not be forced to serve a politically conservative client
75	The survey methodology here is flawed. Couldn't something be an aggravating factor AND very important? Respondents may split their answers, which would nullify any results.
76	Regarding the passage of a significant period of time, this is important. However, not only for a mitigating factor but for an aggravating factor. If the violation had been continuous or frequent for a period of time, it should aggravate the sanction.
77	Your question is "To what extent do you believe each of the following is an important mitigating factor?" but the choices are for "aggravating factor." This may be confusing.
78	This page was/is confusing. The first items then the next five. . .don't understand.
79	You've got this all negative...only in favor of strengthening the sanction. Why not have a mitigating factor choice weakening the sanction. Saying I'm sorry doesn't fix anything...should have little impact...taking steps to fix the situation should have a lot of mitigating impact.
80	The high standards of CFP should be the determine factor and should reflect the trust the CFP designation holds

81	If you break the rule you break the rule
82	I'm answering 'sanction' without context for our discussion here. For instance - tax liens can have extensive rationale behind them, or bankruptcy, or even a client complaint. I feel many rules are stacked against the CFP professional and that we also need a defender and not just a judge.
83	I don't understand the first column
84	Length of time as a CFP. The longer the time certified, the more likely a problem could occur. A problem occurs shortly after certification could signal a bad apple.
85	Too complicated and waaay too much emphasis be placed on sanctions and discipline. It's important to root out the bad apples, but this is way to complicated of a process. I think less than 1% of general population understands or cares about any of this stuff. When CFP professionals are perceived in the same way as a Doctor is, in terms of their value and trust, none of this matters. Focus more on promoting the CFP as a trusted partner.
86	Intentional acts and acts that are covered up indicate a stronger sanction. One that creates a record, up to exclusion from using the CFP designation. A misstep in an otherwise focused fiduciary approach might warrant a private notice or confirmation of a knowledge/educational review of the area of concern. Repeat offenses should receive an escalating response.
87	Anyone can find someone to they are a good person, and anyone can write a hollow statement of remorse. Make the punishment about the crime. Intentions and a history of behavior should be the most important factors. Remediation should be forced upon them.
88	I am not in favor on sanctions without circumstances and timing of CFP or hen this occurred. Fiduciary responsibility is now mandatory on all Erisa/Qualified accounts and doesn't matter if someone is a CFP or not. Some questions and statements seem irrelevant.
89	There should be no tolerance for financial misconduct or misleading clients.
90	I have some experience here having had a complaint myself. Dealing with the general public can be difficult and rarely are things black and white. These rules IMO are a bit stringent. I understand that the CFP board is trying to elevate the designation but it's a complex problem.
91	Questions are vague to the misconduct charged and seem to be focusing on ways that could satisfy stronger over lesser, without full knowledge of the particular offense committed. This makes it very difficult to give a reasonable and therefore appropriate answer.
92	Most CFP professional's try their hardest every day to provide the best advice to their clients. In the current environment of so many rules and regulations that need to be followed, there may be a situation where a CFP professional inadvertently does something wrong. The entire situation should be given consideration rather than just a black and white assessment of sanctions.
93	We all are required to take an Ethics course every two years so where is the restraint or the conscience of the individual before they stray or commit a violation of any ethical principle? Why accept a statement of remorse, contrition or character letter when the proverbial horse is/has been out of the barn. We should not be coddling anyone who violates an ethics principle! Instead, we should be adhering to "THE" standard within the industry we demanded and accepted when we sought the CFP marks. And, anyone who strays from those principles of ethics should not be able to continue using the CFP marks. Let's set a standard that has the highest bar to both achieve and adhere! That was why I chose the path to obtaining my CFP.
94	Length of being a CFP Professional should not warrant any leniency at all. It doesn't matter if it's day one or year 30 as a CFP the duty remains the same.

95	Not sure if it is asking if longer time as a CFP(R) professional would be a mitigating factor? It seems that someone with more time should know better, and someone who is new might simply make a mistake or not be well informed.
96	Intent is very important. If it can proven or of the CFP admits to the intent, it should carry a lot of weight. Remediation should be the bare minimum. Positive Character is important but only from other clients or respected member of the community. Not employer or co-worker. Experience is very important. An inexperienced CFP may have lacked the necessary experience/knowledge to handle a situation that resulted in a problem. I feel acknowledgement is very important. If you did something and own up to it, I have more respect and would be more likely to believe a statement of remorse.
97	Poorly designed question.
98	If a CFP® professional breaks the law, no remorse or remediation or other excuses is going to change the simple fact that he or she chose to break the law.
99	Acknowledgement of misconduct and remediation could both be used to bully someone into agreeing to a settlement where no wrongdoing occurred. This is common with large companies who accept settlements rather than take chances in court, even when they are in the right.
100	I believe the longer you have been a CFP the better you should know the rules and you should not get a lighter sanction for breaking those rules. Remorse and admittance of wrongdoing is very important for a lighter sanction.
101	Wasn't really sure how to answer these questions.
102	for lengthy experience as a CFP(r) professional, I think it is a mitigating factor IF that long experience has been sanction-free.
103	It's all very situationally dependent. Sanctions should be proportionate and be considerate of all relevant factors.
104	The big issue here is who determines this. If it is an attorney that is highered by the CERTIFIED FINANCIAL PLANNER™ Board...then this is a bad road for the CERTIFIED FINANCIAL PLANNER™ Board to go down. Should be jury of peers (volunteers).
105	If you have caused harm to a client you should pay the price.
106	If significant time has passed and the situation has effective been resolved it should be viewed as a none issue. People should display remorse when they as human beings make mistakes however facts don't care about feelings. The facts of the case such as experience as a CFP professional and was the harm mitigated should significantly guide this case
107	There needs to be consequence and process that is consistent.
108	Acknowledging one's misconduct and a statement of remorse are nice to see, and certainly are better than someone claiming they did nothing wrong. However, actions speak louder than words, and public apologies are helpful only if there are corresponding actions to support them. For example, a statement of remorse coupled with an attempt to repair any financial damage done is far superior to just a statement on its own.
109	SOMETIMES I THINK THE STANDARDS IMPOSED ARE A BIT TOO REGULATED. IF NO CRIME IS COMMITTED THE CFP BOARD SHOULD NOT GET INVOLVED.
110	Mitigating factors including isolated incident and circumstances should always be considered. Also, if a first offence or very clean previous career record should be strongly considered.
111	Length of experience was marked as not important b/c I can see a long experience with few-to-none offenses as an important mitigating factor. I can also see an inexperience CFP making a mistake and also being an important mitigating factor.
112	A statement of remorse may be disingenuous, but remediation shows accountability.

113	I think that acknowledgement is essential. Passage of time could make things worse, but also could be irrelevant depending on the nature of the infraction, as with the experience of the professional. I don't believe statements of remorse to be anything since it's impossible to judge remorse.
114	One of my associates is not a CFP, but he was sanctioned for signing his then wife's name on an insurance application from when they were married in the 1980's. Now, I know he should have never done that, but she signed the subsequent medical questionnaire and took the physical. Then, 30 years later, she files a complaint after they are divorced and I think that was far more commonplace back in the 1980's for spouses to do. I think the timing in which it happened should be considered instead of using the standards today for something that happened 30 years ago when I would have been 10 years old.
115	Extent client damaged
116	Each situation is so isolated with many factors. I understand the desire to be fair, but each sanction should depend on the unique situation. As long as sanctions are proportional and considerate of all facets.
117	Bad things happen to good people. Give them a chance.
118	A CFP® professional's lengthy experience should neither be a mitigating nor aggravating factor. The incident should be judged based on the evidence, circumstances and response.
119	People make mistakes and clients can be swayed by scumbag attorneys
120	I don't see an options to be a mitigating factor. The above is very case dependent. Of course, the individual circumstances need to be weighed and a broad brush approach is reprehensible.
121	Humans make mistakes. We must not throw away someone with a clean record because they made a mistake. Intent is a big factor.
122	Default sanctions are good to at least have some starting point. That said, many things are not really what they may first appear to be. There should be consideration of all factors in making the decision. I think length of practice without misconduct and character testimony can help shift the relative weight of mitigating vs aggravating factors. At the same time, a new certificate should not be disadvantaged merely because they haven't practiced as long and depending on severity of the infraction, perhaps that lack of experience may be a mitigating factor itself.
123	Consideration should be given to the apparent motive or intent behind the misconduct or whether misconduct was inadvertent or intentional.
124	I am a retired CFP servicing my life insurance clients. I no longer structure and monitor financial plans or do investment management. so, I have a hard time answering these questions.
125	Only in extreme situations should action be taken without a thorough investigation being completed first.
126	Timing is important for personal finance issues. I don't think the Board should for example report on a bankruptcy or personal issue longer than the 10 years from the event, assuming the reporting was done in a timely way. Right now if someone had a bankruptcy in 2000 and joined the field in 2009, the Board would report until 2019 (that is my understanding). That's not clear with intent.
127	I'm confused why "Remediation of harm caused by the misconduct" would be an aggravating factor? Could this not be as likely a part of the remorse, rather than automatically considered to be malicious (a cover-up)? I would consider that to be very situational in nature.

128	A continual thread is that experience should be an aggravating factor. I strongly disagree! I find all of the revisions more punitive than previous framework. Very disheartening. I'd like to see more fines and less shaming
129	The passage of significant time is important to consider because if the error took place a while ago, and it has not been repeatedly duplicated, then it implies an innocent mistake from which the CFP has learned and grown. Or it could also imply the general growth and development of the CFP in their career.
130	For me the intention is key. If it's a honest mistake vs intentional misconduct and pure negligence.
131	I think a CFP Advisor knows what he is doing when he does something wrong. The result is the clients are always the ones that suffer.
132	none
133	No
134	It is important that the mitigating factors have an equal weight to the aggravating factors
135	Stop with your stupid DOL rules Dan Moisand. I can't wait for your tenure to be over. You're a true idiot.
136	While I know this process & practice is needed in our industry, it is always important to remember that humans, even "the best" of us, are flawed. We must have high standards protecting clients & help those of us that have made mistakes.
137	Primary factor is intent, followed-by acknowledgement, remorse, remediation.
138	Unintentional errors that are remediated within a reasonable period of time after discovery should weight heavily as mitigating factors.
139	To me tenure does not matter... And positive feedback from their workplace is somewhat irrelevant.
140	Just to make sure, as the survey is a bit confusing on this question... since there is "should be an aggravating factor" as an option (not sure how "lacking bad intent" and "isolated" incident would be aggravating.. so just to be clear, positive character evidence, isolated and without bad intent should definitely be MITIGATING factors.
141	The last few make this sound like a parole hearing. Please don't make it such.

B. What baseline sanction do you believe is appropriate for the following categories of misconduct? The proposed sanction guideline is listed at the end of each.

1. Forgery *without* authorization of the client (*e.g.*, signing a client's signature to a document without the client's knowledge). The proposed sanction guideline is a Revocation (subject to aggravating or mitigating factors).
2. Forgery *with* authorization of the client (*e.g.*, signing a client's signature to a document at the client's direction). The proposed sanction guideline is a Revocation (subject to aggravating or mitigating factors).
3. Lack of competence in providing financial services. The proposed sanction guideline is a Suspension for Up to One Year (subject to aggravating or mitigating factors).
4. Violation of the Financial Planning Practice Standards. The proposed sanction guideline is a Suspension for Up to One Year (subject to aggravating or mitigating factors).
5. Fraud, theft, or other dishonest conduct unrelated to financial services. The proposed sanction guideline is a Suspension for at Least a Year and a Day (subject to aggravating or mitigating factors).
6. Breach of client confidentiality or privacy. The proposed sanction guideline is a Suspension for Up to One Year (subject to aggravating or mitigating factors).
7. Putting the CFP® professional's own interests ahead of the client's interests. The proposed sanction guideline is Revocation (subject to aggravating or mitigating factors).
8. Accepting a gift (*e.g.*, the cost of a vacation) that would be viewed as compromising professional objectivity. The proposed sanction guideline is a Suspension for Up to One Year (subject to aggravating or mitigating factors).
9. Misrepresenting to CFP Board that the CFP® professional participated in continuing education courses when the CFP® professional had not done so. The proposed sanction guideline is a Suspension of at Least a Year and a Day (subject to aggravating or mitigating factors).

1	i found myself choosing a baseline standard less than CFP Board recommended every time. for example a breach of privacy laws should not be a one year suspension. thats beyond the pale.
2	RE: Accepting a gift (e.g. cost of a vacation) Many principal firms already offer trips to their top producers. That compromises professional objectivity. If a client offers a gift, it is usually for doing a spectacular job with their financial plan and being a resource for all their financial security needs. I don't think it should be sanctionable.
3	Keep this simple. Bad acts must have consequences. Situations that are questionable deserve reflection. Under no circumstances should theft, fraud, or financial dishonesty be acceptable.
4	I assumed first offenses for these.
5	Breach of Fiduciary Duty is vague and can't always be quantified without a person's own interpretation. If the arbitrator is not following the law which they have no requirement to do, then a CFP can lose their career over something that is not worthy of it. Yes, the bad apples need to be removed, but there is too much grey area in determining what a Breach of Fiduciary Duty is in every circumstance.
6	No tolerance for cheaters, liars and scammers.

7	Lack of competence should require extra education, not about the subject but about delving into a subject if one is not competent
8	Given how incomprehensible and misleading the Fiduciary standard is and that the Board openly lies to the public about that standard, it's hard to determine what the sanction should be for a violation. The sanction should not be a one size fits all approach.
9	All of these deal with Trust and integrity. Do not need individuals that pull down the organization. Every instance must be looked at individually, which is being done. However, none of us is perfect!!
10	Since 1,2,4 of the questions above would cause the loss of license for anyone in FINRA, it is hard for me to believe that CFP organization would be more lenient in these situations
11	Fraud is very serious. I do not think someone who has committed fraud should be able to continue to use the CFP designation let alone practice.
12	1. Is it the accusation or must the accusation be adjudicated? 2. Lack of competence needs to be clearly defined. And again, who judges? How can a defense be made? 3. On client confidentiality, one presumes this is a willful act. If one were to get hacked and follows all the procedures of their CSP one would presume this would not apply. 4. What is a gift? Lunch, dinner? A bottle of wine? Something more? The definition should be made clear. It is currently nebulous.
13	We must be careful that the CFP board does not assume too many powers and establish higher limits that paint outcomes into a corner. Keep in mind that many of the potential issues at end are subjective and debatable in a frequently changing legislative environment.
14	Gift: notwithstanding aggravating factors, 1st violation should be a Private Censure, 2nd violation = up to 1 year suspension, 3rd violation = Revocation;; FPP Standards: #1 closely consider circumstances of each case, 1st violation = Private Censure, any subsequent = Suspension for up to 1 yr;; Lack of Competence: How do you define this and what constitutes "lack of competence"? It's possible different practitioners have different approaches and/or solutions to the same scenario, so that needs to be taken into account; Also, by virtue of passing the CFP exam and doing CE, most practitioners will at least have a base competence; unless a practitioner suffers from an accident or illness (e.g. stroke, dementia) affecting their ability to practice, this "competency" area should be approached extremely cautiously and reluctantly!
15	CFP Board is not a regulating authority, and I feel the penalties for some of these offenses, especially for a first offense, May be a bit harsh. Blatant fraud should be dealt with more severely.
16	The proposed sanction guidelines are very aggressive and really harsh, in my opinion. You suggest Suspension up to a year for both Lack of Competence and Fraud? Fraud is far worse than being competent in a particular subject area. CFP® Professionals spend years of rigorous study and passing of the exam to then lose it on an error. For example, Suspension over a year if a CE doesn't report correctly? That's far too harsh.
17	Intent of the CFP is key to answer these questions
18	For fraud theft etc. unrelated to financial services, it would be entirely dependent on the circumstances. I can't think of any good reason for committing fraud, theft etc., but this seems like it would depend on the facts.
19	Anyone in this industry is subject to all of the above methods of discipline for these infractions. How about you focus on providing meaningful tools and resources versus asking for our valuable time to give you input on how to police us.
20	again, even asking in a poll fashion with no stats is ridiculous.

21	"Fiduciary" and "Violation of FP Standards" are so broad as to be additions to every other item listed here. They seem like catch alls when something else doesn't apply. For that reason, the suggested guidelines seem inappropriate and even inconsistent- revocation for violating fiduciary standard, but suspension for violating standards- the standards indicate a fiduciary duty....
22	Fraud, theft, or other should absolutely result in revocation!
23	Competence. Require additional training.
24	Revocation for "forgery" when the client asked for and directed said advisor to sign on their behalf is NOT forgery....It may be so in the letter of the law sense, but not in the spirit of the law sense....If I TELL someone they can sign on my behalf to ease processes for whatever reason, the person signing on my behalf is NOT committing forgery unless only bureaucratic lawyerly nonsense is applied.
25	Dishonest conduct is pretty vague and difficult to pin down, as people have different definitions of honesty. Important to indicate an area beyond criminal sanction that is considered, however. Mitigating factors should be heavily considered.
26	Fact-finding processes, including legal proceedings, very often get the wrong result. Legions of innocent people languish in prisons due to well-intentioned but incorrect verdicts. The Board should err on the side of leniency in any case involving disputed facts.
27	Breach of client confidentiality is fairly nuanced; does this mean privacy was breached by email or some other type of communication? Does it mean discussing a client's situation with a third party like a CPA? Need more clarity here in order to make a determination. Breach of Fiduciary Duty is serious but does this relate to a poor investment decision, not disclosing compensation, etc? **the Lack of competence in providing financial services needs further explanation: does this mean a CFP certificant is holding themselves out to be an expert beyond their level of expertise?
28	I believe the BOARD is getting bogged down in unnecessary legalize. A financial planner is either honest and law abiding or he/she is not. All the rules and hair splitting is not going to help the public and will only serve to take up too much productive time.
29	How do you prove whether the forgery was authorized by the client?
30	Private Censure is thoroughly useless as a sanction.
31	Violation of FP practice standard would depend on the harm to the client and whether it was a technical issue or a competency issue. Filling out a check list (or not filling it out) may not be harming the client or lack of competence.
32	I believe we are too punitive focused. Of course, integrity is the most important quality in every business, especially when it comes to money, but we must endeavor to understand all mitigating factors and educate. Some penalties can be too extreme; perhaps a monetary penalty is appropriate in some situations rather than suspension or revocation.
33	I selected Revocation for many of these options to demonstrate the significance of these categories of misconduct to uphold the marks for the rest of us and remove bad actors from continuing in the profession.
34	Some of these require significant details to determine the best response. Violation of practice standards, for instance, could mean lots of different things, some being minor and others being extreme. Minor example: A client does not want implementation/monitoring included in the scope of work. But after a few months I check back in with them to make sure things are going well. Is that monitoring? Have I now violated the standards? Of course, that shouldn't be a problem, but you have to make adjustments for these things.

35	-Forgery WITH Client Authorization: While serious, I don't think this should be sanctioned (by Default) AS seriously as Forgery WITHOUT authorization of the client. Generally, forgery of any kind should of course always be avoided. But from a real-world perspective, I think it should at least hypothetically be allowed for that it's conceivable (however rare/exceptional) that there could be a situation in which the Client's best interests could actually best be served in a such a scenario (e.g., an urgent and serious decision in which the client is unable to provide a time-sensitive signature due solely to practical/technological/administrative constraints, etc.). I think the foremost consideration is what best serves the client's needs/interests; including both fully informed consent of the client and the CFP's intentions in the efforts to accomplish that. Therefore, I think the facts and circumstances should dictate the appropriate sanction/adverse action.
36	Breach of Fiduciary duty. My concern is this may be subjective rather than objective. I fully support that all CFP's should act as a fiduciary in all activities. My concern is a clear definition in many complex circumstances and potential misunderstanding by the evaluator.
37	I worry that overzealous scrutiny in ambiguous conflict situations by the CFP Board may give rise to overreaching monitoring and control of well-meaning competent CFP professionals.
38	Answers are subjective to the details of the incident. This may change answers to be more or less severe.
39	Many of these terms are case specific so it is difficult to answer accurately.
40	Suspension and take an exam to demonstrate competency.
41	Breach of Fiduciary Duty is a very broad term. In most arbitrations and court cases, it is usually one of the first causes for action. Revocation appears overly harsh as a base sanction.
42	"accepting a gift" is too broad. What? Suspended for 1 year for a sleeve of golf balls? This is a biased "fee only"/RIA promoted sanction. Registered Reps receive "stuff" all the time and has NO barring on the recommendations.
43	First offenses really should be private censure unless determined to be deliberate violations. CE violations especially should be private censure unless candidate is proven to have attempted to defraud the board then revocation is appropriate
44	If there is clear intention of fraud or intent of fraud the sanctions should be severe. Cheat once some leeway, cheat twice the sanctions should be severe.
45	Lack of competence should be mitigated before being allowed to practice. Proof of competence should be required.
46	Fraud/theft/dishonesty (proven) are outside the norm for civilians, so Revocation should be the norm (subject to...)
47	The board needs to realize that a public censure or suspension would destroy someone's career. There are many firms that do not hire someone with a ding on their record. Before you sign someone up for a lifetime of discrimination consider the facts and outcome.
48	The CFP Board should be focused on correcting behaviors rather than suspending or revoking privileges. This question makes no reference to whether the action is the CFP Professional's first or umpteenth - the sanctions should be very different for the first offense than for multiple repeat offenses and this survey does not make that distinction.
49	I think intent matters in many of these. Breach of client confidentiality how? Intentional or where you accidentally select the wrong e-mail address from a system and immediately take steps to correct? Violation of Financial Planning Practice standards - by intent or a CFP making unintentional errors - I think the penalty should be far different for the two.
50	Fraud and Theft should require revocation, dishonest conduct while important and should be punished but that could be an entire litany of severity of offenses and require subjective judgment based on each case.
51	Continuing education requirements and associated providers is more of a scam than helpful in supporting CFP knowledge and expertise.

52	domestic violence should result in suspension for one year or more; criminal activity nonrelated to financial services (with the exception of substance abuse problems when treatment is sought) should be included in suspension up to one year; violent acts should include revocation
53	"Breach" is a broad term. Was it accidental, was it a computer hack/virus. Was it a piece of paper that inadvertently did not get shredded in error? The facts and circumstances would be the deciding factor.
54	Not enough information to answer these broad categories
55	If someone lacked competence, and was otherwise without malice or ill intent, then the baseline should be requirement to develop competence in the required area.
56	Some, like lack of competency, should also have requirement to retake an exam to refresh skills required to do the job.
57	I need more context before I can select the appropriate response of those that are marked "other."
58	I don't think Public Censure or Suspension is warranted until AFTER you have investigated the "aggravating or mitigating factors." We ALL deserve our "Day in Court" to present our "case." Do NOT be quick to condemn someone.
59	There is NO excuse for less than total compliance to CFP standards. I would add another category: shoot them! Dishonest conduct by one paints all of us with the CFP credential with the same brush.
60	Breach of client confidentiality- I'm trying to think of a case where this would cause irreparable harm. Would it be for a merger/acquisition? That I could see. If it's an accidental slip up mentioning something, then the penalty seems too harsh. I would need more context and examples of this infraction. For Fraud/Theft outside of industry. If you violate these basic tenants, you should not represent the CFP marks. Lying about doing your CE is fraud, if you lie about something so mundane, then what else will you do to bend the rules?
61	I don't understand how anyone could misrepresent with today's technology that a licensee took a CFP or insurance course. In the past when CFP credits were reported manually on paper, I guess that was possible.
62	None at this time.
63	In the first item my question is what if a company offers a trip for some level of production? I do think the career agency system has issues that could cause issues. How is that dealt with?
64	lots of perception goes into whether someone is competent. I would need much more info to make a judgement
65	Breach of fiduciary duty - depends on the specifics of the breach, the intent, and the breadth of the breach. Can't say unilaterally type of suspension or revocation.
66	In addition to the suspension, increased CE should be required.
67	Lack of competence: The person should have to take a course or two and then an exam in the area that they are incompetent before being reinstated.
68	I believe circumstances and offenses are unique and the consequences should be unique. Intent matters a lot for me. Inflexible punishments are unlikely to bring justice. Justice is circumstantial in in light of many factors.
69	Some of these default sanctions seem too harsh for the misconduct listed. Others seem too lenient. For example, Forgery is an outright crime - should be Revocation. "Lack of competence" though is quite subjective and would require a comprehensive detailing g of events to determine misconduct and potential or actual harm done to a client. Even then, a Public Censure of practicing in areas not competent in, would be sufficient along with a requirement to obtain the competency.

70	There's more to the answers, these answers alone do not provide a proper measurable process, it's all 1 and done, make a mistake and be totally penalized, lack of grace.
71	Finding a CFP® Professional in breach of fiduciary duty must be completely objective. It is very damaging for advisors to have their reputation tarnished from a meritless client complaint.
72	For incompetence or violating practice standards, suspend for one year and impose education requirements. If education not completed within a year, then suspension continues until completed. I would need to see how these violations are to be proven.
73	In each and every one of these cases, it really depends on the specifics of the situation. I'm not sure that Guideline is appropriate in any of this without considering the detailed situation, other than the ones that I answered with answers other than other.
74	There may need to be more leeway in here. An error in judgment or honest mistake could be cast as breach of fiduciary duty of diligence. This is not the same as putting one's own interest ahead of the clients. Violation of planning standards also likely has a broad range of potential to get caught up for an honest mistake and needs more leeway. Simple errors (first offense) maybe should be private censure. There needs to be flexibility.
75	The Board should drop this project completely. It should focus on using carrots rather than focusing on "sticks" which would help the public more.
76	Suspension for up to one year is not severe enough - this option should be eliminated to streamline baseline sanctions. If the incident occurs more than once, will the sanction move immediately to revocation (since the adverse behavior was not an outlier) ?
77	CFP is too soft on disreputable people using our certification.
78	I think a public sanction should be removed within a set amount of time, depending on the offense.
79	re: "Forgery with authorization of the client (e.g., signing a client's signature to a document at the client's direction)." Creating a strict, standard process for assisting clients under certain extraordinary circumstances (i.e., to avoid a catastrophic event), subject to a formal method of obtaining approval, could prevent a potential disaster.
80	Breach of fiduciary duty is too subjective. It's vague, and it's unclear how the DEC makes a determination of how a violation occurs. There may be differences of opinion. The standard does not make allowances for that. What is "best interests"? Given that there are members of the deck who likely would not have any idea of what it is like to be a financial planner, setting your base to revocation seems extreme. Suggest the base is actually private censure, with room for aggravating factors. It might help to provide something that shows this standard actually matters.
81	Please keep in mind that close to 100% of all CE "courses" are 100% a waste of time. In ~20 years of being a CFP, I can think of one or two "courses" that provided ANY value. CFP Board should seriously consider waiving CE requirements once a certificate holder has ~10 or ~15 years of industry experience. Most true professionals never stop learning, but most of that learning does NOT count for CE. As a result, we are forced to spend money on a useless class that teaches nothing.
82	Breach of Fiduciary Duty is very broad. It would be good to break that down further into buckets, perhaps, and see if the standard would change depending on the sub-category/bucket
83	Requirement of additional education AND suspension

84	For accepting a gift: I agree that a substantial gift causes a conflict, but it is very common that wholesalers pay for client events and provide other business-related services to practitioners. I think it would be important to disclose these conflicts. There are all kinds of conflicts including gifts which can cause a loss of objectivity. Disclosure should be the rule and sanctions should be imposed for lack of disclosure, not the gift itself.
85	We're supposedly professionals and should always conduct ourselves in that way. There's no I should have known better!
86	The free vacation is only a potential problem, not an actual one, so why suspend for 1 year?
87	Forgery- although I have never done it, I have seen scenarios where if documents were not signed, then it would have been devastating to clients. Insurance policies, loss of homes, etc. I believe although rare, these situations can come into play. so revocation in scenarios like this would be a poor application.
88	Forgery...Revocation...Fraud or Theft... If intentional... Revocation...What about lying to your Spouse about having an affair...There's tons of loss of integrity there...do you discipline for that? If willing to lie to your spouse to that level...,are you lying to your clients about other things? If proving not acting in best interest of clients... private censure with monitoring by another CFP...if do it again Revocation and press release. Private censure as first step for all non-client harming infractions with education and follow ups. Example... CFP in financial trouble...pair up with CFP mentors to work to improve their situation...do not print articles in the media. If they don't take steps to improve...revoke their CFP.
89	Lack of competence should require a re-test.
90	make it significant to try and deter people from approaching the grey lines
91	On all of these examples, I am assuming that it is a first offense.
92	The 'private censure and other' answers are because there is an open avenue for misinterpretation on these topics. In my opinion, the CFP is a professional standard of knowledge and conduct. Public censure serves no purpose to me other than shame, private censure for topics that are professionally developmental. Suspension and revocation only in cases of intentional fraud or client harm. In no workplace context would you publicly censure a colleague or even really suspend them. You would privately coach them, then lead towards termination. In my opinion, that's what we would use. Private censure ... probation with accountability ... revocation for egregious harm.
93	How can you even consider not revoking a incompetent thief that does not do what is in the clients' best interest?
94	All my answers under Other really depend on the severity of the situation. I'm not sure having a bright line standard should be in place for each breach. For example, how was privacy breached, online through a service provider or at a cocktail party?
95	Subjectivity makes most people uneasy. Without understanding the grey area of where a line is crossed most people will error on the side of being too conservative.
96	Lots of grey area on many of these.
97	Hard and fast rules that impact the integrity of the industry such as forgery, fraud, theft, breach of confidentiality, etc. should be dealt with on a zero-tolerance level
98	For Violations of the Financial Planning standards, it depends on which standard was violated and to what extent.

99	all sanctions should have mitigating factors and the CFP Board should stop with the idea of adding aggravating. It should be clear on all sanctions and what the recourse will be without adding all the aggravating aspects. If it is violation and after a hearing and investigation for any mitigating factors and evidence points to a violation then that particular sanction violation applies. The Board should stop the appeasing attitude and treat all equally regardless of who they are or who they represent.
100	Lack of competence - suspension and have to pass the CFP exam again.
101	For Violation of the Financial Planning Practice Standards, I think it depends on the nature of the violation and the harm that was caused.
102	the baseline for fraud or theft should be more than 1 yr. "Other dishonest conduct" should be separate with baseline of less than 1 yr.
103	The circumstances need to be taken into account. i.e. It's possible a Breach could be out of control of the advisor
104	On signature signed by CFP with customer's documented authorization (i.e.. Text, email, voice mail) private censure
105	If the CFP professional states the vacation as income on their tax return, it is no longer a gift thus should not be treated as a sanctionable action. This should be noted to the CFP professionals as a viable solution to the perceived problem.
106	Frankly, I believe that the private censure sanction should be completely eliminated. If the financial professional did something seriously wrong, why keep the matter completely private? It is extremely frustrating to the person filing a valid ethics claim to never ever be told if the claim ever had any results. The ethics committee choosing to give the financial professional a tiny slap on the hand behind closed doors is completely meaningless. A private censure sends the message that an ethics claim may well disappear into a black hole without any notification of any kind of censure to the claimant whatsoever. Mostly, a private censure strongly suggests the ethics committee is less committed to discouraging misconduct and far more intent on making sure that if a claim is filed against a financial professional, the ethics committee will make sure to cover their ass.
107	For competence it should be suspension for x months and a requirement of specific educational courses. Once competency is show the suspension ends.
108	These questions were tough without details. With most I could see circumstances that might have changed my answer.
109	Not completing CE is a pretty minor offense not worthy of being listed with these others in my opinion. I would just not let them renew until they completed it. Fraud, Forgery or Breach of Confidentiality should be public and revocation. Financial Planning Standards and Fiduciary are a grey area in my opinion. We are regulated by so many authorities, and for a proper comprehensive plan we must use products and strategies from each area meaning we have to walk the tightrope of making every regulator happy, so these we need to have some common sense with and allow for explanations. Private censure at most.
110	I believe the lack of competence should be suspension in addition to some form of proctored re-testing or training. Not just a course, but an actual checking of material information to make sure the professional has actually gained the competence.
111	The breach of Fiduciary duty is such a broad scope I think the facts and circumstances should dictate punishment. There are certainly levels of conduct that are more or less egregious.
112	I'd like to understand how the group will "consider" aggravating or mitigating factors
113	Too many questions
114	It is of my opinion; revocation needs to be willful intent and not a one-time offense. I think a big fine and either private or public is the way to go.

115	There should be two levels of action. One for a violation due to misunderstanding or error and one due to deliberate disregard for the Practice Standards.
116	Forgery - it really depends on what was forged. A check or transfer where the CFP was the recipient is fraud, other things may just be out of convenience and need to be put in context. Breach of Fiduciary Duty really depends on what the breach was. Both are way too broad to not have flexibility in meting out punishments
117	Breach of confidentiality is too vague a term. There are many levels this could take, so I assume the surrounding circumstances would dictate the penalty. But a baseline of a one-year suspension seems too harsh, although I imagine only the most egregious examples of this would end up in front of the CFP Board. Accepting a gift is not smart at all, but this could be done on many different levels. So the surrounding circumstances must be understood. Obviously accepting a gift of great value should be punished more harshly than if a client did a much smaller gesture of limited dollar value. I believe strongly in the Fiduciary Duty, and in serious punishment for those who overtly violate it. Having said that, if you're going to revoke someone's CFP credentials on this issue, it should be for an extremely serious violation. I have heard other CFP's say that it's a violation of one's Fiduciary Duty to choose an investment with a higher expense ratio than other competing investments. That's a topic worthy of discussion, but it is not - on its own - a reason to question one's fulfillment of their Fiduciary responsibilities.
118	Breach of Fiduciary Duty should be circumstance dependent. This entire standard is extremely subjective, and violations should be based on facts and circumstance of each event.
119	Any kind of INTENTIONAL fraud, forgery or theft should be immediate revocation or long-term suspension. "Fiduciary" can be a very difficult thing to prove and sometimes very difficult to measure, so give the CFP certificant the ability to defend or explain themselves. Again, consider 1st offense versus pattern of behaviors. I worry this will become too rigid to be truly effective and thoughtful. Confidentiality breach should not be immediate suspension, large firms all over the country & in every industry are mishandling client information & having security breaches. Give the CFP certificant the professional courtesy of defending themselves and private censure seems more appropriate.
120	Fraud & theft are fairly clear-cut activities that should follow the guidelines of at least 1yr suspension. I dislike and would remove any catch-all phrase similar to, "other dishonest conduct". In general, I like the Private censures for many infractions that do not cause harm to client. A CFP should be allowed one to three Private censures on a topic before public censure and real pain is inflicted.
121	A lot of these situations except theft and forgery could be very mundane issues if taken by themselves. What is misrepresenting CE? Leaving a course too early but still getting credit? Or going through an elaborate forgery process? Context almost always matters
122	So much of the question is vague so it is impossible to give an honest opinion as to what the penalty should be. There should be more flexibility for the board based upon the circumstances and what was actually done.
123	I am unable to recommend a particular penalty without having all the facts.
124	depends on violation of the Financial Planning Practice Standards
125	Lying; breach of confidentiality; theft involving client funds; charging extraordinary fees without client understanding and approval and/or non-disclosure of fee calculation; acting in areas they do not have competence; unreliable (don't do what say going to do); attempt to serve in areas on no competence or experience (divorce; technical analysis of stocks; etc.).

126	It is important to understand the circumstances in each case but some of the proposed sanctions are off base and limits the desirability and credibility of the certification. This is likely to introduce competition from other designations with less unrealistic implications.
127	Confidentiality: was it on purpose? A suspension of a year seems extreme especially if it was due to an assistant accidentally sending a mass email. There needs to be greater detail given here. Is this a witch hunt or truly rooting out back actors.
128	Fiduciary should be black and white for a CFP, but employers can view it differently, and SROs can be hard on a CFP that leaves employer and employer brings up bogus charges. Gift is very gray; I think there needs to be a dollar amount or some form of company and CFP Board guideline.
129	Breach of confidentiality should be based on circumstances. i.e., was is accidental or deliberate. if deliberate, even by laziness should be revocation. Lack of competence should be the year with the option to undertake addition remediation training the first time. Then, suspension should hold, and 3 times should be revocation.
130	Regarding breach of client confidentiality - this is extremely broad and vague. This could be anything from the fact that a person is a client (against the client's wishes) to revealing at a cocktail party that the client is broke because they gambled it all away and is going to have sell their business at a fraction of its market value. These are very different things that should be handled differently. The former is maybe a private censure. The latter, I think, would be a suspension of a year or more depending on circumstances and harm done.
131	The 2 answers marked as "other" means suspension > 1 year plus public censure
132	I feel it's bad judgment to forge a signature on a document, but if client's are directing and adamant, there is pressure created by the outside dynamic where it can be simplified and even documented that the client approved the motion. I still feel it lacks judgment on the CFP's part, but revocation when authorized to do so shouldn't bring revocation. Or even in the sense a staff member did the forgery under the CFPs supervision, I don't agree the CFP professional could lose their license for that, even though they are required to supervise and can be held liable for such.
133	This is a vague concept requiring more subjective facts
134	Whatever course of action the CFP takes it should NEVER supersede State Regulatory bodies, Broker Dealers decision, FINRA, SEC, DOL, etc. The path of having the CFP trying to become their own regulatory body on top of this already heavy regulated industry takes away of what I believed the CFP meant. It was designed to create a more well-rounded advisor. Focus on education as that is what this industry lacks.
135	Answers assumed one-time infractions
136	Fiduciary duty - frequency and gravity of breach need to be weighed Violation of standards - gravity of violation needs to be assessed
137	My recommendations for Public Censure are for first offenses. I believe in second chances. Otherwise, I agree with DEC recommendations.
138	Treating violations with political consequences (releasing statements to media) is arbitrary and goes beyond how the CFP Board should behave. Making policy to limit media behavior is appropriate, NOT making policy to engage in media behavior.
139	Fiduciary Duty is very subject to conjecture.

140	Lack of competence should be private censure with requirement to complete certain coursework within a specific time period and refraining to give advice related to the area of incompetence. Fiduciary duty is really tricky when you have been advising a couple who decides to divorce. What do you do with a client who physically can't sign i.e. paralysis. You all make this so cut and dried when it is very nuanced. Fines are more effective than public censures.
141	Many of these do not need a major response like suspension or revocation since they can be a simple lapse of judgement, or human error. The more serious ones, such as fraud, theft, or forgery without consent would require the more severe responses from the board.
142	Regarding breach of privacy my answer would be influenced by whether the breach was intentional or could have reasonably been foreseen. With the prevalence of data breaches due to phishing, hacking and other IT security problems, it is unreasonable to punish the practitioner so severely in the event of a data breach.
143	Accepting a gift-must repay with penalty.
144	Lack of Competence – suggest a lack of training understanding should require additional training with suspension.
145	On the gift item, there may be a lot of gray area that should be considered, but the current standard is fine.
146	No
147	It is easier for the DEC to aggravate up than to mitigate down.
148	Under state law of most states signing a person's name at their direction is authorized under agency law. It is not something I would do in the CFP context so I am not aware of a rule one way or the other, but if the rule is that a person cannot sign someone's name, even with their approval, then you might highlight that fact that this standard might be more strict than agency law.
149	In cases of first offense, Private censure might be more adequate (subject to aggravating or mitigating factors).
150	Private censure for first offense, suspension after
151	Lack of Competence - Too Subjective; I guess mitigating factors may allow it to be used to determine Misconduct; Lack of Competence should be focused more on Supervision than the Financial Professional.
152	Any activity that would be considered a crime under federal or state law should result in revocation. A violation of practice standards may not be a crime and should result in suspension either up to or more than one year.
153	These are really difficult to answer without more specific details. My answers are somewhat "general" given the statement provided but could swing wildly given more background information.
154	At some point this becomes so arduous many will not see the advantage of being a CFP, Especially when the risk outweighs the reward. While I want to see the bad actors removed many of these items seem vague or overly reaching with punishments that could be too harsh for a reasonable mistake, especially for a first offence.

C. The Proposal does not include a process for removing a Public Sanction from CFP Board’s website. Regulators also do not remove Public Sanctions. Of the following response, what most closely aligns with your opinion on the removal of Public Sanction’s from CFP Board’s website?

1. All Public Sanctions should automatically be removed from CFP Board’s website after the passage of a period of time
2. Certain Public Sanctions (such as for conduct where there is no public harm) should automatically be removed from CFP Board’s website after the passage of a period of time
3. There should be a process for a CFP® professional to petition for removal of any Public Sanction from CFP Board’s website after the passage of a period of time, if the CFP® professional can show that removal is appropriate
4. There should be a process for a CFP® professional to petition for removal of certain Public Sanctions from CFP Board’s website (such as a Public Censure or Suspensions for conduct where there is no public harm) after the passage of a period of time, if the CFP® professional can show that the removal is appropriate
5. Public Sanctions should never be removed from the website.
6. Other
7. Don’t Know/Refused

1	Again, blasting CFPs for having a BK is unreasonable. We are humans, suffer illnesses and health complications, our partners suffer illnesses and health complications, we suffer divorces, etc. There should be a process in which the CFP can explain the background of the BK. Also, if I have a client that is completely upside down in debt in which it came to either filing BK & funding their retirement or paying down the debt & eating ramen in retirement, I'm making a professional recommendation to file BK and the amount that he/she was paying towards debt prior to the BK goes towards retirement funding.
2	Assumes if removed, there is still a way to find out the whole record.
3	Even the prisons believe in second chances....
4	My base answer is never remove. However, there have been cases where people have "won" removal of public sanctions, in other arenas, especially when evidence arose that indicated that prejudice or harassment or misconduct by the accuser against the accused occurred. Since we know that such things do occur then we need some process to repair those reports when required.
5	I agree there should be a process to petition and a time frame if the conduct resulted in no public harm.
6	Bankruptcies because of divorce or extenuating circumstances shouldn't be so harshly made public and notified to all clients.
7	Again, it depends on where this all goes. I don't want 'bad' people in my business. On the other hand, I don't want good people saddled with a minor infraction forever.
8	Public sanctions should only be for the most egregious offenses.
9	suggest 10–15-year time frame.
10	I think it would also be informative to the public if the public sanction was updated to note that CFP professional attempted to remove, provide context for the appeal and the opinion of why it is remaining on the website.
11	As you well know the CFP Board IS NOT a regulatory body, I do not believe the Board should consider itself in the same light as a regulatory body.

12	I think there should be a process (or processes) that allow for either automatic and/or manual/discretionary removal of a Public Sanction. This should appropriately balance (in rough priority order): the interests of the public welfare, fairness of the CFP professional, and administrative expediency.
13	The CFP Board should not be given the unbridled authority to ruin a career. Automatic removal of clerical, processing, accidental incorrect interpretation of CFP rules, client disputes aimed solely to hurt the CFP, should have automatic time limits for removal
14	The CFP Board wields a lot of power over the career of Financial Advisors. I strongly believe that people can change and should be allowed to redeem themselves after an appropriate sanction and that the CFP Board should create a process to allow someone to regain their reputation.
15	Should be a combination of passage of period of time + petition to remove sooner. Similar to the FINRA expungement process.
16	again initial intent should be the largest deciding factor.
17	The public sanctions that could be removed should be very limited.
18	You do this for bankruptcy, there should be a process, a path forward.
19	It is the CFP Professional's responsibility to conduct themselves accordingly AT ALL TIMES. If they engage in conduct that results in a public sanction, it is their responsibility to address this with prospective clients so that the CLIENT can make the decision to hire them or not. This encourages the offending professional to drastically improve their conduct if they want to continue in the profession while rewarding professionals who obey the rules.
20	I think they should expire after 5 years if there are no other events. For things that cause customer harm where there was direct control of this then a process for removal would be prudent.
21	I would normally have said there should be a process for removal, but that doesn't rule out vindictive or other biased behavior by the CFP Board. As a result, I chose an automatic removal after time.
22	No publishing of anything
23	It all depends on the severity of the actual act committed.
24	I believe a CFP shouldn't have the burden of carrying a sanction in perpetuity. More minor infractions should be automatically removed after a set period of time. This would be like a person filing for bankruptcy, after 7 (or so) years it is no longer tied to their credit worthiness, so long as they take the necessary steps to rectify a situation.
25	I think there are such things as forgivable acts, for example those where no actual harm was incurred, unintentional acts or where lessons were learned, processes updated, etc. in those case we should have a process for removing past public censure. The goal is to improve financial planning for all... if a public censure has improved a planners practice such that the public benefits, then only harm is thereafter created by continuing the censure.
26	After a passage of time the sanction loses any meaning.
27	There should always be some room for grace, especially if there was no public harm.
28	Potential/existing clients need to know about an advisor's record and decide whether or not to deal with that individual. Don't hide it. It's not fair to those of us who follow the rules.
29	I think clients have the right to know and to ask.
30	With these revised guidelines, please clarify what penalties such as suspension or revocation will become public sanctions automatically.
31	None at this time.

32	Rules cannot predict every situation, and sanctions can have a long-term, negative impact to livelihood. Because of this potential impact, it is my opinion that any CFP(r) professional should have the opportunity for redemption if they can make a satisfactory case they have rehabilitated or redeemed themselves by action and by passage of time as a rule-following professional.
33	in today's world where anyone for any reason can cause harm to individual whether it was so: so yes, if complaint is not warranted, nothing should be public
34	I believe in the ability for someone to be able to show good behavior and redeem themselves. I think in certain circumstances of an extreme violation the public should know
35	Again, circumstances matter
36	Public sanctions should be able to be removed at any time if it is found that they are not reflective of what happened and we're not appropriate. They should also be able to be updated to reflect a response by the CFP certificant.
37	We don't put people in jail for life for minor legal infractions, but we do this for CFP professionals. If the case is one of an error in judgment, an honest mistake, and is not likely to be repeated, the CFP professional should be appeal to appeal for removal after a period of time. The impact of disclosure of a suspension, etc. on a professional's business can be devastating, and when extended over an entire career, the financial penalty represented can end up being disproportionate to the crime.
38	The Board should drop this project completely. It should focus on using carrots rather than focusing on "sticks" which would help the public more.
39	If CFP Board does not remove certain Public Sanctions, it may cause professionals not to seek to become a CFP or maintain their designation. Staying focused on conduct where there is public harm is more meaningful for the public.
40	My opinion on how to gauge the severity of the consequence of the action in question is to try to quantify the damage/negative impact on the client, along with assessing the shortcomings shown by the planner
41	1. Why do I care if regulators do not remove public sanctions? Is CFP Board a regulator? Let the regulators regulate. Let CFP Board make competent financial planners. 2. CFPs should be able to have the sanction removed.
42	If the CFP does not have a history of infractions, and the situation is corrected, & the censor or suspension has been completed. Then after some period of time the removal is appropriate.
43	a lot depends on the circumstances for the sanction; ie a: accidental breach of fiduciary duty where remedial actions have taken place to eliminate the possible recurrence in the future....
44	Let's be real, most potential/actual clients are not checking the CFP Board's website in the first place.
45	If we are qualified to carry the CFP, then it needs removed. FINRA uses the courts to remove a client complaint (even ones with no wrongdoing), which is not professionally appropriate, cumbersome to our profession and in many ways unfair to the professional.
46	No sense in bogging down the board for every request to remove minor sanctions that caused no harm. Just remove them, but allow them to be used against the person if another problem comes up
47	There should never be public sanctions with the exception of gross intentional misconduct, but then the CFP will be revoked forever.
48	This is a case-by-case basis. If a sanction was due to a non-deliberate act and there has been sufficient time passed without incident, it is fair for it to be removed.

49	Why does Jill Schlesinger of CBS news who was censured and fined thousands by FINRA have a clean record on the CFP site? IT IS EMBARRASSING!!!!
50	No one is perfect - people make mistakes. In certain circumstances, removal should be possible.
51	Public sanctions (found in violation by DEC) should only be removed if there is new or mitigating evidence after the fact. Broker Check is an unreliable tool for consumers and CCOs reliance because of the 80% removals granted. CFP board should set the GOLD standard for accountability
52	After 5 years the public sanction should be removed if the the person did not have their CFP revoked.
53	Public Sanctions should never be removed, unless the professional can show that it was erroneous (not just that time has passed)
54	In instances where a CFP is governed by FINRA or some other SRO, significant cases of malfeasance will generally be publicly reported and/or punished. Having the CFP Board echo and/or amplify the actions of an SRO compounds this punishment. At some point, one has to question whether the merits of maintaining a CFP designation outweigh the potential perils. The more punitive the CFP Board becomes the harder it may be for advisors to justify her pursuit of this designation and for many CFP holders to justify maintaining it. While I appreciate being a long-time CFP holder for the ability it gives me to differentiate myself from other non-CFP advisors, the designation has never provided any material benefit to my business nor to me. So, from my perspective, I do believe the CFP Board should carefully consider the extent to which it wishes to use this non-essential designation as a club that can be wielded against its offending designation holders.
55	Depending on the sanction - some should be automatic but definitely allow for appeal. We're professionals here, right!?
56	I strongly feel that there needs to be an easy way to remove things. Especially with companies weaponizing sanctions when financial advisors leave companies. They use this as a tool to prevent others from leaving. This is unjust and there needs to be a way to not have a Scarlett letter on someone, if it is not deserved.
57	I see this being aligned like Brokercheck but only for founded claims, not just unfounded: unsettled claims
58	There needs to be a petition process especially when no client harm or intentional misconduct occurs.
59	I personally have a very clean record across all regulating authorities. And yet, I feel our profession more fragile than say a doctor's. If even one single client gets upset and complains, justified or not, a CFP's career can be completely derailed.
60	If it doesn't rise to the level of revocation, then why have suspensions if that's too lenient? Again, difficult to ascertain a situation that would be worthy of public censure, but not suspension and if public censure can't be removed, but suspension ends, then why would public censure be a lesser punishment?
61	People change right? Isn't that the hope that the punishment causes that, and they do better? Let there be a way for it to come down.
62	Public sanctions should be removed if the professional is later found to not have committed the act.
63	After the passage of time, I believe anything should be subject to removal, especially under this circumstance warranted a public sanction. Doesn't mean that it should be removed but there should still be a process. Suggest five years.
64	While I believe there should be a process to petition for removal of certain Public Sanctions, I think the bar should be set incredibly high so that most Public Sanctions remain for the benefit of transparency with clients.
65	There may be some categories here but, generally, I think if the infraction was not severe enough to warrant a suspension of more than a year (let alone revocation), it should not follow the person forever. Eliminating a person's livelihood is something that should be done only in the most egregious cases. By leaving the public censure out there, the impact of the suspension may last far longer than intended.
66	With no additional infractions, public sanctions should be removed automatically

67	Certain sanctions should be reported to regulatory authorities, to reduce the advisor's ability to deliver advice.
68	CFP Board should be liable for all information posted at their website. Revocation is plenty of a punishment. CFP Board should sue anyone who uses credentials without authorization (even the COLLEGE FOOTBALL PLAYOFF).
69	So, a CFP suggests a donor advised fund instead of a private foundation without understanding that a foundation would be more in line with client's wish to make grants to individuals infrequently. Under this scenario CFP demonstrates incompetence in charitable giving. So if CFP gets training in planned giving should the censure for incompetence remain on the public record forever?
70	There are two answers here that I feel are appropriate. 1) Certain Public sanctions should automatically be removed from the CFP Board's website after the passage of a period of time. 2) there should be a process for the CFP Professional to petition removal of ANY public sanction from the CFP Board's website after the passage of time. I feel they are both important because people change over time, and if they change for the better, it would be a shame to hold their past mistakes of their head indefinitely.
71	More gray area stuff
72	I do think public harm should be heavily considered in the process of removing public sanction.
73	No
74	Either remove after a period of time (i.e., 2 years) if nominal or no harm to client/public... AND possibly allow for petition of removal for certain factors.
75	Again I fear the power we are giving to an board like this harms as much as helps. We must be careful here. Inevitable power and personalities trump good intentions and have dire consequences.

D. If you believe that there should be a process for removal of a Public Sanction from CFP Board's website, what amount of time should pass before the sanction may be removed?

1. Fewer than 5 years
2. 5 years or more, but less than 10 years
3. 10 years or more, but less than 15 years
4. More than 15 years
5. Never
6. Don't know/Refused

1	Five years should be the max on any public sanction.
2	Only if there was no public harm.
3	If removal is appropriate - potentially removed after even a day.
4	It would depend on the conduct. One size fits all doesn't seem like a good option.
5	Bankruptcy is 7 years and then it goes away! Do not get too smug with organizational standards.

6	I am not so concerned with the period of time as I am with there needs to be a process to remove the sanction, especially if after the fact the sanction can be shown to be wrong.
7	5 years is reasonable.
8	If the CFP Professional has a convincing petition the Public Sanction should be removed as quickly as the petition is heard.
9	again, this feels like your in search of responsibility and things to do. there are higher priorities
10	I think it would depend on the sanction time and violation.
11	Unless a public sanction is serious enough to warrant suspension of an extended length of time, five years seems sufficient enough as a "statute of limitation" before a certificant should be able to petition removal.
12	Align with the SEC's period of time before removing an order from the ADV.
13	Depending on severity
14	It really depends on the seriousness of the infraction, the punishment initially assessed and the response of the CFP Professional.
15	This question is too broad. Some things should absolutely be deleted automatically. Other items should never be removed. Evidence should govern, not Board judgement. Some items should be one year. Instances that hurt clients unintentionally should eventually be removed if the situation was made right and the CPA understands and corrects the flaw.
16	It should be 10 years.
17	Depends on what it is. Each case should be reviewed and considered.
18	Subjective to the details of the incident
19	Subject to petition and individual review of circumstances
20	If CFP professional can show public sanction is inappropriate it should be removed immediately
21	It would depend on what the sanction was applied to.
22	Bankruptcy drops off of FINRA at 10, regardless of Chapter 7 or 11, seems reasonable.
23	The removal should only come if new information comes to light that reverses or mitigates the sanction. Otherwise, it should be permanent.
24	Really depends on what the sanction was for.
25	There is more than a time factor. It also depends on the circumstances.
26	Again, I think it depends on the offense, some things could be minor and some should stay on forever, like Fraud, theft etc. I also think based on how the advisor has handled and cooperated with CFP board and regulators should also be taken into account.
27	Depends on the nature of the sanction.
28	Again, it would depend on the actual event. The punishment should fir the event. A blanket punishment in many cases is not appropriate all the time.
29	I think a 3–5-year period for certain sanctions seems fair.
30	Clients can lie when there is money on the line (i.e., arbitration). These same clients will not suddenly turn honest when quizzed by CFP.
31	Depends
32	After the passage of time like 5 years, most people find that the event has lost its relevance.
33	It depends on the nature and harm done by the individual.

34	Depends on severity
35	I think it depends on the severity of the sanction.
36	Removal could depend on for what the public sanction was administered.
37	None at this time.
38	I'd support a minimum of 2 years
39	It would depend greatly on the violation and customer harm
40	Depends, the more severe the longer the amount of time should pass.
41	3-5 years
42	It should depend on how serious the violation was.
43	It matters a lot on the infraction and the entire circumstance
44	Again, it depends on the severity and type of misconduct. Some should never be removed. If no harm to the public was done, then being able to petition for removal after a year seems fair.
45	3 years is sufficient UNLESS there is new activity under question for misconduct
46	specifically, if no harm was done
47	It depends on the nature of the violation, but some should definitely be removed in a timely manner.
48	I say 5 years, but this should depend on the original sanction. Maybe less than 5 years for a suspension of less than 6 months or less, 5 - 10 for a suspension of 6 months to a year. Certain offenses which indicate an ongoing risk to the public, particularly where there is indicated an ethical lapse, should never be removed.
49	Prefer 10 years to be the "right" amount of time - a lot can happen in a decade!
50	Removal of sanctions after demonstrated remediation & peer review.
51	Depends on the severity of the act
52	I think it depends on what the offense was but to have it never removed seems unduly harsh.
53	I think this is dependent on the type of censure.
54	Depend on the severity of the infraction. If any harm to client \$, etc.
55	again, I think it depends on the circumstances
56	Maybe 3-5 years. "Fewer than 5 years" is too broad.
57	No clue. If fraud was committed, then it should definitely be longer than 5 years.
58	If no public harm... as soon as the situation is remediated
59	If no harm, 2-3 years to allow petition seems reasonable. Just because petition is allowed does not mean it is removed.
60	It depends on the offense
61	It depends on what led to the public censure. Public censures for fraud, forgery, felonies related to financial misconduct should never be expunged.
62	The purpose of a sanction is achieved in the moment it is created. This would cause many providers to question themselves in a manner that would result in leaving the Professional Association/Practice or to persevere and change. A standalone infraction, that is corrected and demonstrated by future behavior, should be set aside.

63	depends on the violation
64	depends on the offense
65	Time depends on the Sanction
66	Depending on severity there should be a path to redemption. Especially if the offense did not jeopardize clients in a major way
67	If no public harm, then after one-year a CFP should be able to ask that a sanction be removed if appropriate.
68	If Jill gets a free pass what's the point of these questions?
69	Why do the choices speak in absolutes? Nothing is black and white. There should be guidelines and not all infraction are the same.
70	As long as they are CFP professionals...
71	I believe it depends on the proven misconduct. If it is an aggravated act, then it should take longer to remove than a mistake. I think it depends on the intent, the history of the professional, and the nature of the offense.
72	Depending upon the type of actionable offense, a time frame for each in which the CFP Professional needs to wait.
73	5 years
74	Per my prior comment, depending on the level of sanction having a process outlined seems fair. Nobody is perfect but airing minor offenses several years later seems petty.
75	Depends on the cause of the sanction
76	I believe the CFP Board should be supportive of its CFP Professionals. It seems the approach has changed to assume the CFP Professional is guilty before proven innocent. I have been a CFP Professional for over 25 years. There is a trend to be more adversarial to the CFP Professional.
77	Depends on the violation
78	It depends on the harm that has been done. We live in a litigious society. People sue because, regardless of the stock and bond market activity, if their balances go down. My analogy is: It is like a person who falls into a river and cannot swim. If someone dives into the water to save them, the drowning person may try to grab the person saving them, without any regard to the swimmer's life. I was a lifeguard, so I know this situation well. The same can be true when it comes to money. If a person hasn't saved enough, but then arrives at retirement and realizes they don't have enough (which of course the advisor has told them all along), they may blame the advisor, regardless of the circumstances. The advisor has tried to save them, but instead of being appreciative, they person goes after the advisor. I had this happen to me once, and fortunately I had very good records, and the former client knew he was wrong.
79	For significant actions, at least ten years is likely appropriate , e.g. theft or forgery
80	People should be punished for gross violations of their responsibilities. But I do believe in second chances for those whose violations were not severe and can demonstrate a desire to do good work in the future. For those people specifically, it seems like they shouldn't wait five years for to have their public sanctions removed.
81	It depends. Facts and circumstances of each event should relate to and drive the punishment.
82	It would seem if there was no public harm and the removal is appropriate because perhaps it wasn't warranted in the first place, doing the right thing - not the timing - is what matters most.

83	I think 5 years is a good amount if appropriate circumstances are presented to justify removal. But I would say that it would have to be 5 years of continual employment as a CFP in a field related to the credential. No working a burger joint job and laying low until enough time passes to do it again.
84	I think for some it should be less than a year and for others it should be over 10 years or never. It has to be looked at more on a case-by-case basis, in my opinion.
85	It's dependent on the magnitude of the issue causing the sanction. Less for lesser; more for egregious. So the 'seriousness' of the action or event is pivotal to the punishment.
86	depends on what happened subjective to mitigating and patterns
87	depends on the reason for sanction. I would be ok with a class of offense at 3 years and a class 5 or greater.
88	Public sanction seems to be of relatively low severity respective of the other sanctions. Therefore, subject to mitigating and aggravating factors, this should not brand a person forever.
89	Again, follow guidelines of other regulatory bodies. Don't self-impose higher or more strict sanctions.
90	Based on the sanction.
91	Really depends on what the censure was for.
92	If the sanction is for Fraud or Forgery without consent, then 5 years is good. Otherwise, fewer than five years is appropriate. That 1–5-year time frame can be dependent on the level of severity and the impact of the offense.
93	No
94	Five years with no harm and no further issues. 10 years if harm and/or future issues
95	3 years.
96	Duration of time should vary based on the offense.
97	Tiered timeline based upon severity of sanction reason
98	Depends on the severity of the violation, but 5 years sounds about right, and fewer years for less serious violations.
99	I like 3-years, as of this late-2023 writing.
100	the CFP would have to make a case that removal is appropriate for this greater than 5 years, but less than 10 years answer.

E. To what extent do you support or oppose permitting the Disciplinary and Ethics Commission to have the flexibility to issue a private censure in appropriate circumstances?

1. Strongly support
2. Somewhat support
3. Neither support nor oppose
4. Somewhat oppose
5. Strongly oppose

1	Assuming no conflicts with the DEC to the event, company or individual
2	Every case will be as different as there are unique people!
3	I think private censures do not protect the public and should be used for only the most minor violations. I noted that a CFP found to be involved with workplace harassments would receive a private censure. I think this should be public. Keeping it private disrespects the individuals who have been harmed.
4	Any sort of censure should be adjudicated.
5	Most sanctions should be private
6	We live in a rapidly changing legislative landscape and much of the scope of what we do is subject to opinion and preference. Private censure should be an OPTION IN EVERY SITUATION!
7	There are all kinds of mitigating factors. The commission should implement a process for a CFP candidate to answer the allegation or sanction. The commission could make a final decision after hearing all of the details.
8	Because of the high probability that each case is unique and different, there should be MAXIMUM flexibility to tailor the action based on the particular circumstances at hand!
9	I have been a member of the AICPA for over a decade, and they have yet to ask me such trivial questions. Instead, they give me access to resources and tools that add value to my profession. What value do you provide to your members?
10	again, you are way too far in the weeds here. This should not be your job.
11	The issue with this option is well connected individuals or well known and respected CFP's may be treated better than an average CFP.
12	I think appropriate flexibility/optionality should be incorporated whenever possible, all else equal.
13	Who defines "appropriate ". Who are you giving the power to? CFPs have gone through a lot to achieve the status. They know their value. You need fewer rules that don't need babysitting. Don't try so hard to control the industry, leave room for individualized processes that work. 10 or 15 absolute rules that can't be crossed would be much more effective than giving power to a commission to "interpret per their own values ". These are motivated independent hard workers that you are trying to herd. Don't herd, lead. Set the goal and consequences. Your oversight is only to maintain a standard, not to direct the industry in a direction you feel you want them to go. You need to maintain the strength in our industry while not reducing our scope so far that we can't extraordinarily perform.

14	If we are honest with ourselves, we will admit it can be VERY HARD to comprehend and fully interpret the CFP Board's Standards. Even though we have given examples of compliance, CFP Professionals can and will interpret them differently than intended. The DEC absolutely needs to ability to weigh mitigating circumstances when deciding anything above a private censure.
15	Facts and circumstances should dictate when this is appropriate, this power should not be overly broad.
16	It all depends
17	It depends on the disciplinary offense. I would be careful to not give them too much authority where they may become overzealous with Private Censures.
18	What's the point of a censure if not made public?
19	It should drop off at some point, and be objective, not subjective and/or arbitrary.
20	It the activity merits sanction, it should be a public censure.
21	I also think there should be a no Censure option if there is no customer harm, and the CFP member brought it to the attention of the DEC.
22	I think a private censure should be the appropriate response to just about any first offense that does not involve a crime or grievous harm. Notifying the financial professional of the offense and correcting the behavior should be the first goal.
23	I think there are a lot of tremendous practioners that represent the Marks and I think it's important to protect the Marks but I also think with situations it may not be intentional and depending on the infraction private censure could be sufficient and a wakeup call for the Advisor. more Severe issues should be met with more severe repercussions.
24	would be curious to know what the appropriate circumstances would be. want to make sure it is fair and impartial.
25	It all depends on ALL the facts and circumstances in the case. It must be fair and equitable based on the facts of the case, and it must be impartial.
26	I would find it acceptable IF it could be confirmed that the individual has no connections or is in anyway known by the group issuing a private rather than public censure
27	A bad draw on a panel in judgement can ruin many years of honest behavior.
28	It depends on the offence.
29	Strongly oppose if it means the offending CFP will not be publicly disciplined. There is NO excuse for bad behavior.
30	I would want assurance that it isn't tied to any backdoor dealings or agreements, that the private censure is still available to CFP certificants to see (you can withhold their name) to create some type of oversight for what is being deemed a private censure offense.
31	The lack of detail makes answering very difficult.
32	None at this time.
33	I would like to know who the people are on the Committee, why they were selected for that committee, and are they a representative of the CFP Standards.
34	I don't know what the circumstances could be, but in general having this option would seem to provide more flexibility, which is valuable to ensure the punishment is appropriate for unpredictable situations.
35	Rules should be designed to be followed, otherwise it could be viewed as corruption or favoritism by the Board
36	It depends on the circumstances, but if an issue can be kept private that did not involve the public harm then that might be best outcome.
37	define ethics::: is Nancy pelosi voting for Obama care before reading it ethical or unethical? in our world unethical in her world no problem
38	Every situation is different and a private censure may be appropriate at times.

39	I don't completely understand the purpose of a private censure. If this is way to record a violation to weigh toward future revocation, I guess it makes some sense.
40	every situation is different and can have mitigating factors
41	For the previous question on experience, it depends on the nature of the misconduct. If it is an ethical or moral issue involving malfeasance both should be held to an equal standard. If it is an issue where a newer advisor made an error based on lack of experience, that could be a mitigating factor, whereas the experienced advisor could be presumed to have known better. In certain other cases that do not involve malfeasance, a long clean history could itself be a mitigating factor for the experienced advisor (given enough years, anyone can trip up).
42	The Board should drop this project completely. It should focus on using carrots rather than focusing on "sticks". It would help the public more using carrots.
43	If you're creating guidelines, then you'll need to define "appropriate circumstances." Also, are you imposing term limits on members of DEC?
44	A key consideration should be careful choices on whom to include in the Commission and insuring to equip them with proper, consistent guidelines for capable and consistent decision-making.
45	Why not just follow the rules. Then we get into issues where private censure is given to one , but another gets public censure or revocation . Consistency matters
46	In most cases, the default should be private censure. When a crime has been committed, the default should be higher.
47	How are members of the DEC chosen? Haven't seen any details in material provided...
48	It is important for the DEC to have discretion if it uses it appropriately. That's why I like the idea of listing aggravating and mitigating factors.
49	I assumed they had this power already.
50	This is vague. Would like to see some examples.
51	If no client harm. Articles in the press are very damaging. Use Private Sanction first with follow up or mentorship. If the CFP is uncooperative tell them the next step is Public Sanction with suspension.
52	Sometimes mistakes happen.
53	what is the point of Private Censure, either identify the action as wrong and stand by that publicly or let it go
54	This seems like it would lend itself to politics (who you know within the CFP Board/Commission).
55	IF we need this ... then a private censure is the correct course of action.
56	Seems like a good use of resources and frees up the full committee for more serious cases
57	Need to tread lightly here. Flexibility is reasonable but invites opportunity for favoritism and puts the reputation of the board at risk
58	I think for most offenses that are first time offenses and do not harm the client in a major way private censure is appropriate instead of public
59	Although u give a free pass if someone works at cbs news
60	Fully support. There may be circumstances where the CFP professional did what he or she thought was right and in the best interest of the client. The Disciplinary and Ethics Commission should be able to consider all aspects of the situation.
61	Who determines what is an "appropriate circumstance"? the D&E Commission?
62	No real harm to client or firm = private Above that = Public
63	In a case where there was human error but not malice, or where there was negligence without harm, I believe a private censure is more warranted than a public one.

64	What circumstances could possibly be appropriate to issue a private censure? A private censure suggests the Commission lacks discipline and does not take ethics violations seriously. The only circumstances that come to mind when the Commission would insist on issuing a private censure was if the financial professional under investigation had paid off the entire Commission or was getting away with a censure through bribery or blackmail.
65	provided that CFP board keeps the record for future use if the advisor re-offends
66	Under what circumstances?
67	I have to put trust in the DEC, but I would hope that private censure is rare as any issue demanding comment is likely something that should result in public censure (in my opinion). I would not want the marks to suffer if there was a belief that an individual "got off easy" for any reason. Better to err on the side of public comments than give the impression of favoritism.
68	Private Censure is fine, where deserved. Public censure is harder to justify when a certificate holder may be censured or penalized by an SRO or other legal/regulatory body.
69	Care and concern that all parties have had an opportunity to prepare a defense is needed.
70	See previous comment. In short, when people get desperate, sometimes they do desperate things, regardless of whether it is right or not. Therefore, each circumstance requires the flexibility of the context.
71	As long as it is a jury of peers and not an outside council that is not really in our industry, I support this.
72	No
73	Flexibility is the answer provided it is used properly. Flexibility because of different fact patterns is fine but flexibility because your brother in on the Commission panel is not.
74	In general, I strongly support private censure except where a direct and specific link to the CFP's action causes client harm. Fraud, theft, and the like should be public and painful. Many other infractions should be private at first.
75	Enforcement should always be dependent on circumstances. I am strongly opposed to most blanket judgements, except theft, forgery, embezzlement and similar crimes that are violations of trust.
76	I think giving flexibility to the board and confidentiality to the professional in question is better. Situations in our industry can be incredibly multi-faceted. I think intent and repeated patterns matter the most when dealing with these disciplinary issues.
77	There should be an overriding Commission to decide things; with a preponderance of consideration to protect the integrity of 'public opinion' of CFPs. Our industry must act in the highest standards in-mind with incidents to maintain the sterling impression of the public of our industry. We must however be cautious to 'gather the information' to consider in a business-like fashion and fair process to ensure fair treatment of the CFP involved. People have a propensity to 'gang-up' on an individual and often misrepresent the facts, with horrific results for the innocent. Internal investigations and discovery processes must be private to our Commission until the very end if-possible.
78	So long as there is some type of appeals process, I believe the flexibility should be provided.
79	i don't know who is on this commission, and if they are not practicing advisors, they should not be involved in anything related to this subject
80	Again, what is the purpose and what is the offense. Unfortunately, the practice standards are subjective and require education every year. Is someone being nefarious or is it an honest mistake; maybe I am reading too lightly into this survey.
81	The commission is following these rules so it seems like that is their job.
82	It's based on circumstances.
83	again, this just depends on the reason for the censure.

84	"Appropriate circumstances" is not defined well enough to provide an answer to this question
85	DEC should make recommendations to the CFP Board for action. The CFP Board should be the body that takes action. The entire survey's body and the direction of consequences considered is going to bring liability on us all.
86	Too much emphasis on public censure which aren't effective. Who reads them except the board. Employers don't review them. I've never met a client who even knew the CFP Board had a web site. Now if they were included on Brokercheck then they would get more notice Really consider fines.
87	Related to previous question whether a new and an experienced advisor should get the same penalty. Experience or lack of experience could be aggravating or mitigating depending on the nature of the conduct.
88	No
89	Small or technical infractions should be treated as such.
90	I am generally in favor of subjective rule application because it requires analysis of the facts and circumstances and does not allow laziness relying on an objective standard.
91	Flexibility is typically a good thing.
92	DEC should have discretion because every circumstance is different - an important factor (if not the most important factor) that should be factored in is how much client harm was done based on the action.
93	The DEC needs to maintain the flexibility to deliberate and approve any variation from the Sanction Guidelines - the Sanction Guidelines are just guidelines after all.
94	Too much room for bias from the DEC.

F. To what extent do you agree or disagree that CFP Board should bar an individual from ever becoming certified due to a felony conviction for the following?

1. Felony involving theft or dishonesty (such as embezzlement, perjury, or participating in a Ponzi scheme)
2. Felony involving violence (such as kidnapping or sexual assault)
3. Felony involving drug trafficking
4. Felony involving vehicular manslaughter
5. Any felony conviction, regardless of the underlying conduct

1. Strongly agree
2. Somewhat agree
3. Neither agree nor disagree
4. Somewhat disagree
5. Strongly disagree

1	Instances of lack of an individual's moral compass speaks to the organization's overall public perception and personae. It is a hard call but should be measured against overall integrity and trust standards that are being looked toward.
2	For many types of crimes, I think passage of time should be a mitigating factor. People can change over time and change their ways entirely. I think it's fair that violent crimes and financial crimes are seen as more severe bars to certification.
3	Other than fraud, I think it should depend how long it has been since the felony took place and if the individual has taken the steps to remedy themselves/others from the felony they committed.
4	Instances of lack of an individual's moral compass speaks to the organization's overall public perception and personae. It is a hard call but should be measured against overall integrity and trust standards that are being looked toward.
5	Not all felonies are created equal. We had a local nurse with a perfect record convicted of manslaughter. She was driving east bound into the sun and did not see and officer in the middle of the street directing traffic. It really could have happened to anyone.
6	If there has been rehabilitation and proof of change, I would support allowing anyone the ability to do so, provided there are notices and disclosure, and possibly even a higher standard if anything is breached.
7	If someone has paid a societal due, they shouldn't have their lives affected forever.
8	I am a retired Deputy Sheriff from Arizona. The issue here is that different states treat the same crime differently (misdemeanor v felony). For example, in Arizona, if you are texting and driving and get into a collision in which you cause injury (broken arm) to another person -- tis a Felony in the State of Arizona. This is not true in all states. There needs to be a panel that decides on the grievous nature of each crime (both misdemeanor and felony) to decide whether it is a bar from certification.
9	It is NOT in the purview of the CFP to take into scope things that are unrelated to Financial services. This would be a broad overreach of power.

10	Again, it should depend on circumstances. As an example, let's say a 15yo student forwards an explicit photo of boyfriend/girlfriend and ends up as registered sexual offender as a result, that may not preclude her/him from becoming a good FP later in life when they have matured. On the other hand, any kind of financial crimes or theft should be given much more weight.
11	People make mistakes. People change. Someone's past should not dictate all of their future options.
12	Again, people make mistakes. These guidelines aren't accounting for human error. Baring someone from becoming a CFP® in order to turn their life around because a non-financial felony conviction isn't giving grace where it could make a huge difference in their life.
13	We would need context ...
14	How are any of these questions focused on adding value to my profession? Why is your focus on bad actors instead of the majority of us?
15	if applicant has paid his/her debt to society and is working to become a productive member of society we need to be able to evaluate these circumstances on a case-by-case basis, while trying to take subjectiveness out of the equation.
16	at present people are being convicted of felonies for filming January 6th protesters. If you're going to be specific here, i think you open the org up to significant liability.
17	Any felony? That could be a DWI. I have never had a DWI, but my CPA got one about 10 years ago. He still prepares my tax return and I have referred clients to him because he is outstanding. Obviously, he made a mistake one night, but that shouldn't mean that the CPA Board or our Board should strip someone of their certification. I do think that if there were aggravating circumstances (fleeing the police, causing a wreck, etc.), the Board should have grounds to bar a certificant.
18	Considering how our justice system seems to be working now days, not sure any felony conviction regardless of circumstances is just, in the sense forgiveness and redemption are definitely possible for some people. In addition, I believe someone with the aptitude and drive to do the required studying and passing of the CFP(r) exam (especially considering the new pretentious college degree only threshold) should be granted the grace to possibly enter this profession.
19	The nature of the felony is important to consider. See my prior comment on wrongful convictions. The contested nature (or lack of it) of the accusation is important.
20	Clear objectivity and mitigating circumstances must be clearly addressed in every situation.
21	The board should consider redemption as a valid strategy. If significant time has passed and significant effort have been made by the prospective certificant to improve their conduct, then the certificant should be considered. People can be convicted of things and completely have a change of heart. However, if a person does have a criminal history they should have to speak before the Board to determine their fitness for the title. CFP Board should have the latitude to consider those with a past and then make a determination on whether or not we want this person being able to display the marks.
22	Drugs are explicitly a grey area. What is legal in one state may not be legal in another. For drug dealing, I'm going to consider that to be a personal business and not worry so much. But unwarranted violence and theft are always a bad call.
23	Absent gross criminal/personal misbehavior, I think the relevance to the CFP's ability to provide honest and competent financial advice to clients is the primary factor; with important secondary importance given to general public perception of the CFP marks/community.
24	The clients' safety is forefront. Anything that would put a less than strong client at risk should not be allowed.
25	"Somewhat agree" only because of a possible false accusation or the CFP(R) was not responsible for the outcome.

26	Theft / dishonesty is a very broad category. i.e., a Ponzi scheme is very different than being dishonest to an employer and should not yield the same consequences.
27	The last two questions would depend on the individual circumstances and how long ago they occurred, in my opinion.
28	Some may need to be evaluated on a case-by-case basis. Was the individual convicted of stealing food 20 years ago? Things like that. If the theft is one of a financial matter that should probably be an automatic bar.
29	Drug trafficking laws vary from state to state so there should be an opportunity to evaluate individual cases.
30	I wouldn't be comfortable barring a professional based on something they did as a 19-year-old.
31	No one is perfect and depending on the facts, number of incidents, someone can turn their life around and be a valuable asset to the CFP.
32	These questions are too black and white. A few of these circumstances should be evaluated based upon the particulars of the offense.
33	Again, most of these situations I would say should be removed from certification. However, let's say your attacked and then some how you are charged with a felony assault, while that seems rare unfortunately there are cases in some cities where you will be found liable or if you stop a theft and the criminal is injured I think situations like that should be a press release in celebration! Or you are not allowed or punished for defending yourself that I have a problem with and that advisor should not be punished without knowing the full circumstances. Outside of that that individual should more than likely be punished.
34	The Board should consider restorative justice. Lots of really good, talented folks make mistakes in life and in many circumstances should be given a second chance.
35	aggravating and mitigating factors would be examined for these; for vehicular manslaughter, was it after repeated DUIs? For drug trafficking, was it many years ago? For a drug use felony, was treatment sought and sobriety achieved?
36	Violent crimes against people, their property or creating inherent fear in someone's life is reprehensible and should be severely punished and dealt with harshly.
37	This should align to other professions, such as CPA or bar association membership
38	We need more professionals that are ethical/responsible at their core and not just ethical when convenient.
39	Law enforcement has become overly politicized. Don't join that party as it is crowded enough already.
40	I would agree that most felonies should be a disqualification. Especially violent ones or fraud or theft. If someone got a Felony DUI I would be in favor of disclosure but I don't that in itself should bar someone.
41	Vehicular manslaughter could potentially be due to vehicle failure of an operating system such as brakes. That's not the CDP's fault.
42	If a CFP® marks are the highest accreditation, then there has to be a standard since people trust us.
43	What about domestic abuse?
44	Felonies that can be deemed as accidental in nature should be viewed with more sensitivity.
45	Vehicular manslaughter involves potentially just one instance of poor judgment with a horrible outcome. Drug trafficking, theft and dishonesty, violence all represent repeated mental instances of poor judgment with many opportunities to stop, yet that was not chosen. The outcomes may not be worse, but the character embodiment is. For example, does a 17-year-old who is negligent for an accident that kills someone deserve to be banned for life from becoming a CFP? Or, if they are remorseful and seek remediation, is society better off allowing them a chance to earn a decent livelihood? Vehicular manslaughter can happen with only a momentary lapse of judgment. Someone who traffics drugs, steals, or is violent clearly has more intent about these decisions.

46	People make mistakes when they are young. This should not close ALL doors forever. Maybe nonviolent felonies committed 10yrs+ ago and individual has shown redemptive qualities can be certified?
47	Any white-collar felony or violent crime should result an automatic lifetime bar from certification.
48	No CFP is you have a felony.
49	I never had sex with that woman bill Clinton has gone on to make 100's of millions of dollars. I would hate to be innocent yet charged lawyers, judges are not so ethical we find
50	Vehicular manslaughter - Somewhat agree, but depends on the circumstances.
51	Again, all the above depends on the specifics of the situation
52	Any felony is too vague. If ANY FELONY is used to prohibit certification, perhaps a waiting period, after resolution.
53	I believe in second chances for felons. Depending on the crime and at what age, there could be a chance for a financial planning career. I assume there must be some vehicular manslaughter incidents that are very devastating to the driver.
54	if vehicular manslaughter was not intentional then I think it's harder to prevent them from ever being a CFP
55	Facts and circumstances should be considered and weighed as to the severity of the case in considering whether to bar an individual from becoming certified. I am vehemently opposed to anyone becoming a CFP credential holder if the person has been convicted of physically harming another individual outside of the protection of their own person.
56	Although stringent character standards are important for CFP pros, I think that there should be some path to certification if a person committed the crime when they were very young, or a significant amount of time has passed (such as 10+ years), with additional requirements to certify.
57	accidents happen and a good person with good intentions could have an accident where their negligence results in a person's death. This is unfortunate and they will have to pay for their crime through the justice system
58	Convicted of grand larceny 45 years ago. My checkbook was lost which I reported. Someone cashed a check for \$175. I was charged and convicted. That was Virginia justice in the 70s. I am a CPA and EA but can't apply to be a CFP, so I am biased.
59	Interesting question. I can easily see situations where a conviction for a non-financial related felony happens in one's distant past as a reckless 19 year old, say, but they are now a fine and upstanding citizen. I think there should be an avenue of appeal based on the circumstances. Someone convicted of financial crimes should likely be permanently barred.
60	The Board should drop this project completely. It should focus on using carrots rather than focusing on "sticks". It would help the public more using carrots.
61	Felony for Vehicular manslaughter: It would depend on the facts and circumstance of the case. The Board would be the final determinant
62	Vehicular manslaughter may be an unfortunate accident.
63	Vehicular manslaughter is the only one with some wiggle room. Perhaps they were DUI but have been sober for many years.
64	Many of these violations should be based on circumstances and not one rule applying to all.
65	I would agree with Any Felony conviction, regardless of the underlying conduct, provided that this is the starting point for the DEC, which then allows for aggravation or mitigation.
66	Don't know personal details about crime. If they are now sober, past crimes associated with insobriety can be mitigated. Terrible traffic accidents are not a crime. The reason that the bad events occurred are what matter

67	Last I checked people are fallible. Barring someone from certification for making mistakes that they have either learned from or rectified seems extreme.
68	I cannot believe we are even debating this.
69	People can change. Also, society changes. For instance, drug-related felonies in the past may not even be felonies today.
70	Again, sort of subjective, don't know all the types of felony convictions. I suppose there could be some that wouldn't be an absolute barring. Plus amount of time since time served.
71	I've never been accused or convicted of any crime, so I'm unbiased here. But are we trying to bar potential financial planners with a history of fraud and violence, or with a history of law-breaking in general? Both are worth considering, and the decision should guide policy.
72	Everything has context...a recovering Alcoholic and or drug user should not be permanently denied...perhaps 2 years sober? I know a wonderful young man who had a knee injury...got addicted to pain pills in his 30's... went to rehab and is a Pharmacist. You have to look at the individual situation.
73	I'm not concerned about someone passing around weed in college back in the day. I'm definitely concerned about someone trafficking hard drugs. A distinction should be made on the volume and severity.
74	Crimes of accident versus intention should be treated separately.
75	Many drug trafficking convictions are for minor amounts. Additionally, such convictions may be racially biased
76	I think the circumstances and timing should weigh in
77	the criminal justice system is neither fair nor impartial. What could be a felony in one jurisdiction could be a minor misdemeanor in another. Judges and prosecutors have huge discretion also. Analyze the facts.
78	It should be at the discretion of the Board. They should have to list that they are a felon, but if it was 20 years prior, they served their time and they are a different person today, then I don't think they should be ineligible solely based on their early life bad decisions.
79	Felonies that are the result of intentional (pre meditated) action, where harm (physical/financial) to another is not in doubt, should have more restrictive participation standards. We know that criminal activity peaks in adolescents and early adulthood. Being cognizant of that is important when denying participation to anyone who has committed serious crime.
80	I do believe in redemption but I am always concerned about old habits returning.
81	I think the circumstances of the crime and when it was committed could be relevant. Some people deserve a 2nd chance.
82	I would say the only exception would be a felony without criminal intent (i.e.: difference between someone who was speeding and got into a car accident than a drug trafficker or thief). I'd be fine with a blanket bar for felonies though
83	I think that candidates should be considered based on their character, with prior convictions factored in based on the circumstances, age when crime committed, time since conviction, and what the person has done since then. We should not permanently and unequivocally bar people who made mistakes when they were young that were not violent or fraudulent in nature.
84	Vehicular manslaughter can be attributed to DUI, Negligence, or other factors and should probably be judged on a case-by-case basis of the intentions, lack of judgment, and actions of the individual. The court's findings should distinguish between a bad set of circumstances or contributing behavior that demonstrates bad judgment or willful negligence. Impaired driving is willful!
85	I think there are many situations where drugs and alcohol abuse can change Somebody's brain chemistry during the addiction. And if somebody can demonstrate their ability to heal, remorse and strength of putting it behind them and moving forward, it shouldn't bar them from potentially seeking certification.

86	everything depends on the circumstances
87	Unfortunately, politicians are held to a much lower standard than we are. How about a fiduciary rule for politicians where they have to hold their constituents and nation's interest above their own? That will never happen.
88	Look at the age of when occurred and age of CFP potential status.
89	Kidnapping agree; I've read of instances where there was misuse of the calling an event under sexual misconduct (i.e. Trevor Bauer)
90	I believe in second chances overall - making a mistake around drugs or a bad choice behind the wheel seem like instances where, if applicant is able to prove is fully in the past, I would support being considered for CFP. However, kidnapping, sexual assault, and embezzlement all seem to me like disqualifiers.
91	The facts and circumstances should apply here. If someone did something in high school or college and is applying 10 years later - people change. The facts and circumstances should apply and a clear process for appeal should exist.
92	For drug trafficking, it would depend on the actual offense. May people have been arrested for drugs that are now legal in certain states but still hold the felony offense for something minor.
93	There are certain felonies that do not requires any additional context, and therefore the CFP should be barred. But there are others that cannot simply labeled wrong. Context matters with some of these.
94	This made me think a bit. Anyone convicted of a felony has obviously made some bad life choices. And it seems to me that convictions for violence and theft should lead to an outright ban. But I do know that people do dumb things early in their lives, and eventually turn the corner. I don't know how to quantify this, but I don't think it's wrong for SOME (see exclusions above) convicted felons to enter our profession after satisfying their debt to society.
95	*Any* felony conviction is too broad. What is the person was wrongly convicted, and later overturned on appeal but it took several years? What is the conviction was for something done inadvertently during an act of defense of self or others? As a former police officer, I know there is much that is not binary.
96	depends on drugs being trafficked.
97	Again, it depends. There are mitigating circumstances in every situation. The decision to bar certification should be individually judged based on fact pattern. There should be no decision made based on a policy alone.
98	It seems to me that today's judicial system can be politicized so that's why I decided to answer question number 4 as neither agree or disagree.
99	Financial intentional crimes should be more severe than something like a car accident. Drug trafficking should definitely be reason for disbarment.
100	Not all felonies rise to the level of theft, drug trafficking, or sexual assault. In general, I dislike catch-all phrases like, "Any felony."
101	Circumstances almost always matter
102	If somebody did something at 18, and they are 40 or 50 and have a phenomenal track record and uphold the standards they should get a second chance. Now, there are some situations where I think it could do the CFP a disservice to have an individual with the credentials and there probably needs to be a permanent ban.
103	Did he sell a small amount to a friend or did he smuggle a supply from another country?
104	I think you could bar for a period of time. Again, give people the opportunity to be punished and change.

105	I'd like to comment on 'some financial entities' using the term 'we're a fiduciary' in open, over-the-air advertisements. To me this is a violation of the very term. I would like the Board to consider this issue; and to make a public admonishment of using the term in general public advertisements to market their business. The term should never be commercialized. It's the broad publicity of this issue I am offended by; and not the 1:1 client meeting where we can illuminate on what the term means for us....and the client. Thank you for listening.
106	Every situation presented represents bad character and recklessness. Should not be a question regarding these situations.
107	In my opinion, I believe the underlying standard relates to trust. A severe violation of trust should be the standard. Accidents due happen and people do change their lives for the better but a violation of trust is a no-go for me.
108	if someone has a marijuana felony charge from a long time ago, they should have no issues. but if it's a more serious charge or involvement in drugs then bar them
109	There are degrees of felony and that should play into CFP certification.
110	The Commission should consider that a person could be wrongly convicted, especially there was corruption in their judicial system.
111	While some felonies may be "lesser" or committed in youth, the CFP brand should not be negatively impacted by convicted felons.
112	Vehicular manslaughter should be evaluated on a case-by-case basis. Same for felony convictions. But only could felonies unfairly impact underrepresented individuals because they lack resources to negotiate away an otherwise felony, the bar for felonies vary by state, so this is an unequal yardstick. We also are not allowing the possibility of contrition and reform to be a mitigating factor. I would be fine with a higher bar to clear, but not an outright ban.
113	So someone got convicted of a drug felony at 18. Person did their time in prison and has been drug free for last 10 years. Let them be a CFP. A rapist never since financial planning happens usually behind closed doors Vehicular manslaughter. Was the person DUI? If so, are they still a drunk or have they been sober for years. Was it at night on a poorly lit street? Was it during a heavy rain or snow storm?
114	For a felony involving drug trafficking, I think it would depend on how long ago it occurred. For example, if it was 15 years ago when the candidate was in their late teens, and they have had no other drug related crimes since then, I would feel fine with allowing them to earn the CFP designation.
115	Regarding vehicular manslaughter- CFP Board should consider the circumstances.
116	Other than to point out, there should not even be a question.
117	Manslaughter - there is a ton of gray area.
118	No
119	These answers are extremely situational. There are numerous variables that need to be considered such as length of time since conviction, severity of violation, age, has person reformed, family/community testimony of person's improvement, etc.
120	The rampant criminalization of behavior and the proliferation of strict-liability felonies and enhancement to felonies dilutes what a felony used to mean. Yes, a felony conviction is something that should be investigated, but if X years have passed and/or there is no connection to the work of a CFP, then it should not be a complete bar. I would rather have a competent ex-felon as an advisor than some of the idiots who have managed to get a CFP.
121	Again, keep to high standards & be careful with the case.
122	Not everyone has the benefit of having everything figured out from the start. People make mistakes, sometimes bad mistakes then learn, grow and change. This should apply to CFPs as well.

123	The DEC needs to be involved and review each case as appropriate.
124	There should be a time limit i.e. if the felony is more than 15 years in the past.

G. Consider situations in which candidates for CFP® certification can be barred from certification by CFP Board due to a felony conviction (such as a felony conviction for money laundering). Assuming the candidate has served the sentence, how long should CFP Board bar the individual from being certified? (The law may still permit the individual to practice financial planning.)

1. 10 years or less
2. 10-20 years
3. More than 20 years

1	never
2	poor question. Felony conviction is broad. Sanctions stronger when related to industry and less appropriate when not related to industry.
3	money laundering? seriously find another job. There' s no way they should be let back in.
4	Felony convictions involving finances, investing, or trade should completely disqualify person from CFP.
5	Should never again be certified.
6	For a felony conviction related to money laundering, if they want to practice, perhaps they should have to disclose to every client (no time limit) for as long as they practice.
7	I'm not sure. It would have to be one a case by case basis and I'd have to know the details.
8	If the conviction is financially related - then they should be barred for life. Case by case on other convictions.
9	any felony should bar forever
10	It depends on the felony. I would not treat all felonies the same.
11	Certain felony convictions, whether they've served their sentence or not, should be a bar from certification. I don't believe you can get registered as an investment advisor representative with a felony conviction. Certain felony convictions like money laundering, sex trafficking, sexual misconduct, arson, fraud, etc. etc. etc. should be a permanent bar. A better way to look at it is to look at the class of felony. For example, in Arizona, a Felony 6 is different from a Felony 1. It depends on the obvious nature of the underlying crime. There needs to be a panel that looks at each case separately.
12	Again, CFP Standards are precise. Any AML violation would cause me, as a member of public, to distrust an Advisor, especially if they hold the CFP. This is a Federal violation and should prevent advisors from the CFP, PERIOD.
13	For felonies of financial related crimes
14	The CFP should continue under current high standards or better
15	They should not be allowed to be a CFP® at all if they act in such a manner. What is the point of the Ethics if not?
16	I don't believe that an individual convicted of a felony should be eligible for the CFP designation.

17	Should entirely depend on the crime! Again, most felonies probably warrant barring professional for life, but I just don't think you can make a blanket statement regarding this.
18	Who wrote this survey? Why are our membership fees being wasted on this crap.
19	I think the context of how the applicant has lived since paying the debt to society should be considered.
20	After a felony conviction they should be barred for life- find a new career.
21	This can vary significantly depending on the type of violation.
22	Required minimums should be adopted with great caution. The appropriate length of the bar would likely be either relatively short (1 - 5 years), or permanent, but not in between.
23	People don't live long enough to handle a suspension longer than 10 years and still have a career.
24	Permanent if it's a financial crime like money laundering
25	Commensurate with the offense, time served and individual rehabilitation.
26	This is completely dependent on the type of crime. If a person was convicted of felony drug possession I would have a more lenient stance, if the crimes are financial in nature, I would have a more hardline stance.
27	A felony conviction for serious crimes should come with permanent bar. They can still work in the industry in some cases, but never as a CFP Professional.
28	Again, I think the specifics of the case (e.g., nature/type of felony conviction) are important. The most serious and relevant offenses in my opinion are those that indicate a lack of moral/ethical trustworthiness, such as knowing/intentional dishonesty or deception for personal gain at the expense of another.
29	indefinitely
30	You cheated; you lose. Done
31	It should be a minimum of 10 years, and the CFP Board or DEC should be able to weigh the circumstances of the event after that time.
32	For convictions such as money laundering, or anything violent, the candidate should never be allowed to be certified.
33	Definitely should remain as a public notice and remain on the Website
34	Circumstances should dictate this. Were there mitigating factors? Remorse? Evidence of change?
35	Any felonies involving Financial Crimes should be barred from becoming a CFP.
36	If they were a CFP that knowingly money laundered Revocation might be fine. But money laundering seems to be a charge the government can use for any crime that involves money. So it should not be an automatic permanent bar.
37	Very dependent on the felony and the circumstances of such crime. Money laundering should still be automatic. Stealing a coat when you were 18? Maybe not.
38	The recency and nature of the crime would affect my opinion here.
39	I would hope that money laundering would bar the individual forever.
40	Why would you ever want them back? Money laundering is a big deal.
41	I believe any felony conviction involving financial fraud or misconduct should result in a permanent bar.
42	This really depends on the cause of the felony conviction.
43	anything involving the handling of money and stealing should be a bar.

44	Money Laundering is a financial and generally a part of a bigger criminal activity. A different type of felony may have elicited a response of 10 years or less.
45	Money laundering and theft should be permanent.
46	For "white collar" felonies, I supported being barred for 10 years or less. For violent felonies, I support being barred for life.
47	THIS IS NOT FOR ANY OF US TO JUDGE.
48	Do not want them in the business forever. They are a scourge to our industry!
49	Felonious activity, especially that with money involved or wanton disregard for human life, should immediately remove someone from contention of a role that demands public trust.
50	Never. There is no reason to allow these individuals back into this profession. They are welcome to join a different profession.
51	If it's severe, bar them for life.
52	Law enforcement is overly politicized.
53	For money laundering or any felony consisting of financial crimes I'd be in favor of permanent revocation of CFP credentials.
54	If it's a financial crime, it's probably best not to certify the person.
55	Let's keep felons away from handling other people's assets. Duh! I can't believe you asked this question!
56	A felony - seriously, how low are you thinking of setting the bar if you are letting a felon become a CFP?
57	The law may allow it, but I don't want my own CFP® mark compared to that of a convicted criminal. That seems unfair.
58	Felonies dealing with money laundering, forgery and other financial crimes should be banned from getting licensed.
59	None at this time.
60	CFP doesn't mean Convicted Felon Practicing
61	I think a felony conviction involving money means that this individual should never get the chance to serve as a CFP.
62	To me the key factor in allowing someone to be a CFP is whether the conviction puts clients and their money at risk. This question is unclear because it depends upon the exact felony conviction. I believe a conviction for money laundering ought to be a permanent ban. That person should never be near someone else's piggy bank again. Too risky. But a conviction for vehicular manslaughter does not put clients at risk, so a ban of < 10 years makes sense.
63	It depends on the felony. First offense drunk driving, no accident should be less than murder or financial felony
64	I am STRONGLY against anyone who has stolen or forged being allowed to be certified ever. Lifetime ban on criminal dishonesty
65	Anyone who has been convicted of a felony involving financial malfeasance should never be allowed anywhere near a retail client's money. These people should go into a different line of work.
66	Today's law teachings center on preference, marginalized and endangered. lots of gray areas for some; black and white for others.
67	The more serious the felony and if it relates to financial planning the longer should be barred.
68	Without latitude for circumstances... all this is ridiculous... if a parent mistakenly leaves a child in the backseat of the car or backs up over there a child, or does something like that without malice... They might get a be guilty of manslaughter.... The counts are vague enough and justice does not always prevail. I personally don't think that we need to punish people for things like that anyway because the worst punishment is the outcome of their mistake. People who repeatedly drive drunk, I believe are murders on the other hand verses someone who never does but goes to their wedding and has too much champaign and mistakenly thinks they're OK to drive but ends up getting in a

	terrible crash and killing their new spouse.... Those should not be treated in an inflexible way. And what do any of them really have to do with being a CFP. Apply punishment on a total circumstance basis. Judgement matters in complying to rules and it should also matter in applying them and creating them.
69	They should be barred for Life.
70	I think around 7 years is appropriate for certification after a felony conviction. Although, I am not sure I would allow any certification if the felony was related to financials.
71	This states "felony conviction" then you want to lead the answer with money laundering...wrong type of question as your leading the answer
72	A person who is convicted for money laundering or a similar egregious offense has no business ever being a CFP®.
73	I don't like the idea that someone convicted of money laundering could ever become a CFP(r). I don't want to read a headline that includes CFP(r) and felony or money laundering together.
74	Any felony involving a financial crime resulting in investor losses or that results in intentional harm to another individual should bar a candidate from certification forever.
75	could be an indefinite period of time depending on the circumstances
76	I am biased since I was convicted of grand larceny \$175, 45 years ago.
77	In the case of money laundering, fraud, other financial crimes, I think that should be a permanent ban. Perhaps subject to an appeal for special situations.
78	They should be required to have a fitness evaluation before being certified.
79	Seems like we don't want CFPs with felony convictions in our profession.
80	Why allow him/her to return at all. If only one person can serve as a CFP, but the ethics, conduct, and culture of the organization are above reproach, then the CFPBOS has done its job.
81	The example is too specific. Felony conviction for having marijuana could make it 10 years or less.
82	Why are we debating this?
83	Unsure
84	If felony is not one involving dishonesty or abuse of financial system, e.g. vehicular manslaughter, I think less than 20 years but at least 10 years
85	DEC should have discretion in case of mitigating circumstances.
86	Stuff like money laundering, Ponzi, financial thief, drug traffic, human traffic, intentional stuff. Ban forever.
87	A felony conviction should permanently disqualify anyone
88	They should not be permitted to be CFPs again!
89	It depends on the felony. Money laundering? Forever. Drunk driving? Much less. But in general, if someone has kept their record clean for 10+ years, they should be certified if they've met the other requirements.
90	No idea. . . but probably shouldn't be allowed in this business if you have done money laundering.
91	Intentional Money laundering ...never again. Fraud against clients...never again. And report them to all the financial regulatory agencies. However...if a client pulled one over on the Advisor and they didn't realize it was money laundering and they cooperate with the investigation...private censure with education and follow up testing on how to prevent it in the future.

92	Depends on the nature of the felony. Felony fight-behind-a-bar? Don't care. Felony steal-from-a-bank? Very concerned.
93	felony conviction for money laundering = barred for life
94	A crime specific to our profession, should be a permanent ban. There are other jobs.
95	No one convicted of money laundering should be certified
96	depends on the facts
97	Board should review and make a decision.
98	Crimes where financial and physical exploitation were the intent should be the most restrictive on membership. In all of these cases, the integrity of the CFP Board and Ethics Committee are paramount. Knowing that the process is open, that bias is mitigated, and that there is consistency throughout will communicate the right message.
99	In most cases, never. We need to hold to a higher standard.
100	The amount of time should be at least as long as the law bars someone from being an advisor
101	CFP Board should follow State and Federal regulator restrictions and not impose further time.
102	It would be on a case-by-case basis
103	I think that candidates should be considered based on their character, with prior convictions factored in based on the circumstances, age when crime committed, time since conviction, and what the person has done since then. We should not permanently and unequivocally bar people who made mistakes when they were young that were not violent or fraudulent in nature.
104	The length of the conviction
105	If they served their time and during the time, they served they were not allowed candidacy, I think a minimal amount of time should be added provided they paid their debt to society.
106	I like 7 - 10 years in general, but it will depend on the situation.
107	depends on the circumstances
108	someone who was convicted of money laundering should not be a CFP(R) professional.
109	should be banned for life
110	They should never be allowed certification. They can be elected to congress however.
111	Felony convictions involving money, planning, sales of securities, etc. should bar someone for life. Same for any sort of violence or harm to another person or animal (outside of hunting).
112	anyone that would knowingly launder money has a moral problem
113	Depends upon the crime. Financial crimes should take precedence.
114	How could a potential client possibly trust a CFP® who has received a felony conviction for money laundering? Is the question a joke? Or is the CFP Board actually serious about allowing a felon guilty of money laundering to remain among the ranks of CFP® financial professionals?
115	For money laundering an individual should be barred for life.
116	Depends on the circumstances.
117	For things like embezzlement, I feel like that is a permanent disqualifier for holding the marks.
118	10 years

119	The reinstatement decision should be peer reviewed.
120	As a consumer, I can not imagine wanting someone who has been convicted of money laundering handling my investments.
121	The facts and circumstances should be considered before painting such a broad statement. 10 years is a significant amount of time - and they're already serving a sentence. With appropriate disclosure so the public is aware of the misconduct the amount of time should be considered based on the severity of the offense.
122	Depends
123	There should be a permanent bar.
124	Having been a victim of a Ponzi scheme, I have no mercy for people who deliberately and knowingly steal from others. They are no longer trustworthy, regardless of whether they served a sentence. In my case, the guilty man's 10-year sentence is close to being over. It scares me to think about this person being let out to do the same thing again. It is too risky.
125	If as in the example, it's money laundering you shouldn't be a CFP ever. Perhaps others after the specific length of time, maybe depending on the felony
126	Again, this is a bit vague. If the conviction is money laundering, then it should be a lifetime ban. There are some screw-ups you just can't come back from. But for other felony convictions that may not be so serious, I am open to lesser sanctions.
127	It depends, again on circumstances.
128	Anything financial or intentional should be completely removed from CFP and not reinstated. If proven to be malicious & intentional fraud.
129	Money laundering involves lying in some form or facet. I'm having a hard time understanding how a felony money laundering conviction would not bar someone from being a financial planner.
130	I think 5-7 years is plenty
131	I chose this response because it's the closest to my real response which is that the candidate or professional should be barred for life
132	While the law may permit the individual to practice financial planning CFP® professionals are held to the highest standards.
133	never let them in
134	The CFP Candidate should be permanently barred.
135	Felony convictions relating to money laundering or other financial related crimes, should be lifetime bars from certification.
136	The Conviction is that the individual is going to jail. The individual should learn and then be given the ability to make a living once they have served the time.
137	Look, this depends on a lot of factors, however if the reputation of the certifications could reasonable be diminished by an average person. then certification can not be permitted.
138	Assuming good behavior
139	Money Laundering never
140	I believe in second chances. Most of us have done things which are not who we are at the core. Making it right and not doing it again should be a consideration
141	a CFP bar of 10-years post the complete serving of the sentence seems reasonable.
142	Anything financial in nature should be a lifetime ban
143	Is it only financial related felonies this applies to? The example is, but there are a wide array of felonies.

144	CFP needs to mean the best of the best. I don't think anyone who has even a reputation for misconduct should be able to use the marks.
145	Two scenarios: Existing CFP certificant and already under the Code of Ethics and commits egregious felony - permanent bar or longer Convicted felon that was not under code at time of felony and that enters into financial planning after serving punishment - could for a shorter wait period - CFP Board might need a path for this option
146	No one convicted of money laundering, running a Ponzi scheme, or defrauding clients should ever be permitted to become a CFP
147	Again, the exact time frame for the barring would depend on the felony for which the person was convicted.
148	Depending on the crime.
149	For financial felony crimes a person should never be certified. That would be like a convicted rapist being allowed to become a physician?
150	Should not be able to become certified.
151	No
152	I see no reason to ever let them be a CFP professional
153	Once again, we used to know that money laundering is always bad. But with the modern wheels of federal criminal justice, money laundering might be simply one of the charges piled on and one that got the guilty plea. A person can be charged with money laundering by very innocent acts if the Justice Department decides it was part of a larger conspiracy or if they want the person to testify and they need leverage. Criminal convictions in general are not a magic talisman as to the fitness of anyone to do anything or whether they are trustworthy now. I would argue that I can tell more about a person through their explanation of a felony conviction than talking to the person who is crooked and has just never been caught.
154	I'd say my answer is related to the financial industry, drug trafficking, & sex related cases of felony convictions.
155	1-3 yrs.
156	Any one convicted of a felony and served their time, then I prefer that they are barred from being Certified as long as their sentence served.
157	The choice depends on the felony conviction. I could select a different answer for depending on the felony conviction. I tried to select all 3 options, now I can't deselect all. Please disregard my selection on this issue.
158	Many circumstances could be considered -- more than can be asked or answered in this question format.
159	Within 5 years of having served the sentence and there has been no further felony issues
160	This is tricky. If one has "served their time" and perhaps had their punishment, one could argue to let them in.. however, say cases as this or cases of felony violence I would think would be isolated and not overwhelmingly large, so leaning towards just not allowing them in would be the thought process. I know my answer reflects different, but it depends on the circumstances. For example, if one Jeffrey Daumer wants to be a CFP, no. If a person was convicted of a violent crime (and say murder like Daumer), but say was defending themselves, we have very different scenarios here.
161	Isn't a bar from certification a permanent bar already?
162	This truly depends on what the conviction is for.

H. Consider candidates for CFP® certification who have allegedly engaged in exam misconduct. To what extent do you agree with the following as sanctions for misconduct in the following situations.

1. Candidate shared answers with others after taking the exam
2. Took exam materials with them out of the testing center but destroyed them
3. Looked at answers on their phone while taking the exam
4. Gave advice to others on what topics to focus on for the exam after having taken the exam themselves
5. Surreptitiously obtained the exam ahead of their test date and used it to study

1. Permanent ban on CFP® certification
2. Public censure
3. 10 year ban on CFP® certification
4. 20 year ban on CFP® certification
5. No consequence
6. Private censure

1	if they cheat before they even earn the CFP not a good sign. what are they going to do when real money is on the line. I differentiate outright cheating vs generally talking to others about the exam and how it was. there is a difference.
2	I'd need to have more details on giving advice to others on what topics to focus on for the exam. I would think something like, "my exam was focused on all of the different sections," wouldn't be as harmful as, "make sure you know what a GRIT is because it was in almost every question."
3	I don't think helping another CFP candidate on focusing their studies is even misconduct. That's ridiculous. Also, how can a candidate share answers?!?!? When I took the test, we did not receive a printout with the questions, correct answers, and our answers. I just received a message on the screen saying if I passed or not.
4	It is odd to me that helping a candidate study by helping them determine what to focus on is being considered for punishment. It seems to me that encouraging the next generation of planners by giving them advice on how to prepare for the exam is a POSITIVE thing.
5	If you can't follow the basic rules for taking the exam then you're not going to be an ethical person in practice.
6	If they had ill intent when taking info from the exam site they should be revoked. If however they there their notes into their pocket while cleaning up and threw it in the garbage at the test center when they realized what they did, there should not be a punishment for an honest mistake like that. Topics on the exam are broad and I don't think there should be punishments if someone shared something like, "My test seemed to focus a lot on XXXX topic." However, if they are giving test questions and answers to someone that is about to take the test, there should be repercussions.
7	You cannot legislate "do the right thing!" A positive affirmation statement may be requested before testing and cell phones could be prohibited.
8	Cheating indicates a character flaw. These are people that should not be able to use the CFP designation.

9	1. Did they take the exam information accidentally? Did they report it? 2. On the last question - I presume we are not talking about relaying answers to folks engaged in taking the test.
10	Some of these depend on the facts and circumstances surrounding them. For example, did the person intentionally take exam materials out with them or was it an accident?
11	Ethics are ethics and the CFP Board makes that very clear. If a candidate violates any of the above, how can one be sure they will not bend the rules with clients? I believe tis goes to personal gain.
12	Dishonesty in an exam portrays a personality willing to reach their own goals through more dishonesty. We need to protect our clients.
13	Ideally a year ban and has to retake the exam for all.
14	The response assumes each exam is written uniquely, and no two exams are identical.
15	Sharing answers with others - if there is intent for personal benefit, then Private Censure. If candidate is simply discussing with others who took the exam, then No Consequence
16	How is giving advice on topics to focus on any different from an exam prep course? Again, potentially credible evidence supporting the candidate in the case of a contested accusation should allow the DEC to consider a reduced sanction.
17	It is my understanding that each exam month features multiple versions of the same test, therefore it is still incumbent upon each individual to still prepare and study rigorously for their own exam. The only situation that comes off as unethical is looking at answers on their phone while taking the exam. Even if someone theoretically obtained a copy of the exam, in reality practice exams are a close cousin of the actual sit down exam and I don't believe that should be publicly punitive.
18	Really, just don't let it happen.
19	Most of these questions are so vague and lacking an option to give feedback to each question I wouldn't even use this survey page in this work you are doing
20	If misconduct is clearly identified and substantiated, then the individual should be denied certification for at least one year or longer if type of misconduct justifies delay or denial of certification.
21	The exam and the procedures surrounding it are the sure fire way to gatekeep the profession. If a person is determined to cheat their way into the marks they do not deserve to hold them.
22	CFP Board should take a hard line stance on cheating. It should be a badge of honor to have the CFP mark, and we should only accept those willing to uphold the standards. However, I think helping others to study should be encouraged. It should be a friendly atmosphere for new planners.
23	Cheating is not allowed in any aspect of CFP world. Define cheating," taking advantage of someone else to win for yourself". And," giving someone advantage over someone else secretly ". Integrity is hard to define but we must have it in our CFP industry. AND you can't babysit.
24	I really don't think sharing questions on the exam makes a difference as there are so many ways a question can b presented. Also, there is so much material, the likelihood of a repeated question is minimal.
25	on the 2 no consequence answers- not enough information Were the materials taken by accident? Shared? Were answers discussed in general?
26	Exam integrity is important. However, point 1--advice-- is hard to prove and the DEC will likely be operating on hearsay.
27	Some of these issues self-solve if you shorten the testing window.

28	"intelligence" is not cheating. Exam advice should actually be encouraged. The point of the exam isn't to find ways to fail the candidate, but to pass the candidate. Of course, stealing the actual exam, or using a "cheat sheet", is a bridge WAY too far
29	On the question regarding looking at their phone for answers, why would you permit someone to have their phone with them inside the testing center? If this was allowed, shame on the CFP proctors!
30	Cheating on the exam or intentionally assisting others to cheat should result in permanent ban from using the CFP marks
31	I took the exam 13 years ago. How consequential are these two. Isn't that in the realm of shop talk? (Are repeat tests no longer months apart? If held more often I might agree; otherwise it is likely to blur.) Gave advice to others on what topics to focus on for the exam after having taken the exam themselves Gave advice to others on what topics to focus on for the exam after having taken the exam themselves: Public censure Gave advice to others on what topics to focus on for the exam after having taken the exam themselves: Private censure Gave advice to others on what topics to focus on for the exam after having taken the exam themselves: Permanent ban on on CFP® certification Gave advice to others on what topics to focus on for the exam after having taken the exam themselves: 10 year ban on CFP® certification Gave advice to others on what topics to focus on for the exam after having taken the exam themselves: 20 year ban on CFP® certification Gave advice to others on what topics to focus on for the exam after having taken the exam themselves: No consequence Candidate shared answers with others after taking the exam
32	took exam materials out of texting center - does not state what was done with materials prior to destruction Candidate shares answers after taking exam- does the candidate know candidates answers are correct or the candidate does not know if answers are correct and therefore could be helping candidate to get wrong answers
33	I haven't taken exam since 2006, I am assuming it is random and different for everyone. Sharing answers or topics is normal and it doesn't mean that another person would get the same questions.
34	For some of these I would prefer an option between private/public censure and 10 yr ban. I'm not sure cheating on the test is best served by a public censure if they never held the CFP, but a 1-3yr ban is possible for mid-level offense.
35	I feel that disclosing the questions and possible responses to those questions is a testament to their lack of character and should be seriously looked at.
36	Since the candidate will never know whether their answer was right, and since the exam could be different for any exam taker, I don't think it's inappropriate to discuss the exam, especially if it's in general terms like "be sure you know your tax info."
37	depends on if tests used to study were old tests (i.e. used in prep classes) depends who candidate shared answers with, if it was people that also just took the test, no problem.
38	Surreptitiously ... if you get the exact exam, we have a problem not so much if you have many exams you are studying since it is usual to prepare yourself for an exam length and style.
39	The word 'allegedly' in the question made me chose private censure for all scenarios.
40	Again, this is another poorly worded question. I am a strong proponent of academic integrity, but I can easily see someone being entrapped by poorly written policy and/or a bad draw for the panel in judgement. It is not like CFP has a good reputation in this area.
41	Case by Case basis. No "blanket" sanctions.
42	Reduce the ban time, make the candidate retake the exam.
43	Why would the CFP board condone cheating?

44	The last one is human conduct. We will discuss the hard questions or compare answers with other test-takers after the exam. However, the amount of info retained is very minimal and of little impact to someone else studying. The prep exam courses do more than this action.
45	None at this time.
46	Difficult to answer. assumption is the person cheated and was dishonest which cannot be tolerated. the giving of advice as long as no materials or specifics were given would be ok. it would fit in line with study guides.
47	I suppose some of my answers vary if the testing process has changed since I took it. At that time, there were only a handful of days a year that the test was offered in specific locations and the next time the test was offered the details of the questions were different so knowing the "answers" wouldn't have been beneficial.
48	If you cheat to get certified, you are banned. But, you should certainly be able to assist others in preparing for the exam...
49	The CFP must remain notoriously difficult to achieve and its certification process rigorously defended against abuse.
50	I found the exam to be testy. I would want standards for all. mitigating standards to allow people in I do not support.
51	In many cases, I would have chosen a 1–3-year ban.
52	Cheat on test is red flag that candidate lacks high moral character and will not be a good fiduciary. Giving advice to others, hmmm isn't that what the companies that sell study guides do? Come on!
53	Does not say what they looked at phone for... could be if their mother died in an operation or child flight went okay etc. I do not like black and white thing and these questions are all black and white. I would like to abstain from some of them but it says there's an error if you do.
54	There should be options for 1, 2, or 3 year ban.
55	Looked at answers on their phone while taking the exam: RETAKE EXAM
56	there are not enough appropriate answers these answers lead to a predetermined conclusion for the board. Additionally, how would one obtain a copy of the test? Is the CFP web data not secure? ALL ANSWERS MARKED NO CONSEQUENCES dues t the skewedness of the overall questions
57	Questions on the exam changes with each session so the sharing of answers is of little consequence. Cheating on the other hand should not be tolerated and show the lack of ethical character
58	Test prep classes often advise enrollees on what topics to study for the exam. As long as actual test questions aren't shared, there should be no consequence for discussing that information.
59	A 10 year ban seems steep but at least a 1 year ban on certification seems appropriate.
60	any attempt to share specific test questions should be punishable. However, discussing the testing topics is appropriate as the topics are made available to help candidates prepare
61	Gave advice to others situation: (1) I'm not sure on the length of time you are referring to, there is a difference if its during the exam cycle where you passed vs years later. (2) Overall, they are explaining about the topics on the exam not giving answers or detailed questions to memorize
62	I assumed in the fourth example that the candidate shared answers only with others who had just taken the exam with her/him/them.
63	Cheating can't be tolerated.
64	Confused by description of "alleged misconduct" vs. getting caught in the act
65	I don't feel giving advice to someone after you take the test is an issue. There are so many possible questions, no way the same test will be given to the next person.

66	1-5 year ban seem more appropriate for these actions
67	Since I was one of the first to take the exam, it may look very different now- so I may have a dated sense of the exam. In scenario 1 above, my answer reflects a situation where the material was inadvertently taken by the candidate, later discovered, destroyed and then reported to CFP, or reported and then destroyed. In other words, the candidate did not intend to take the materials and was trying to be forthright and honest and disclose what happened. In scenario 4 above, as phrased it is hard to imagine that there aren't enough different versions of the exam that this would be a futile attempt in the first place. There is a natural tendency for candidates who have just taken the exam, and maybe been in a study group together, to compare notes about whether they thought they did well in a certain area or didn't study enough in a certain area- say tax issues. I think that is normal and should not result in a ban. I'm having difficulty envisioning an exam result that could change just because someone said, be sure you focus on taxes, not just investments. But if, as phrased, it is meant to say the candidate is getting very specific and almost offering the precise problems he/she recalled, then that's different. I think the phrasing on scenario makes this question difficult.
68	There is a certain responsibility of CFP board to vary the exam questions. Topic advice should not be barred.
69	Cheating, stealing, copying, the exam or during the exam 10yr ban. After taking the exam, using only their memory, talking about the exam topics or potential answers with others or future test takers. is OK.
70	Isn't the overall goal to ensure that candidates know the material? If so, then what's the harm when a candidate guides a friend on what to focus on? Focus on outcome and fair play, not procedures.
71	The ones for which I indicated public censure should be retaking the exam along with public censure.
72	advice and using old exams to study should not be punishable. how would they even get a test in advance and know they would be given the same test? clear cheating, looking up answers, etc. should require re-test after 2yr waiting period.
73	Given that the topics of the exam are already clearly stated in the materials I don't see where there is any misconduct there. Giving them the sharing answers and sharing focus areas I believe to be two different things.
74	If we have varied test materials, facility controls and a time frame, the first 3 are less relevant. Intentional theft is different.
75	Study groups naturally share the material and testing strategies they are covering so the question of sharing is difficult.
76	The gave "advice" question is too vague. Many people give guidance on exams— that's not the same as giving specific information, answers, etc.
77	Not sure. I would think we would follow the examples of how the bar exam or medical boards are administered.
78	Candidates talk openly about the exam and give each other advice on your own chat boards. There is a difference between talking about the questions and giving advice than blatant cheating
79	Academic integrity should be of paramount importance. It is what trust and the credentials are based on.
80	Sharing can help others learn. Isn't that what practice tests are for?
81	Concerning: Gave advice to others on what topics to focus on for the exam after having taken the exam themselves and Candidate shared answers with others after taking the exam- I am not sure how often exams are change, but I would hope that effort is made to provide different variations of the test to candidates and to update and change questions from year to year.
82	Depends on extent to which answers on phone were necessary to pass.
83	I assumed that the removal of test materials was by accident and that they were immediately destroyed.

84	The exam has been built into this epic event. I think if the Board helped candidates understand it is challenging but not impossible to pass, we would have less of this. The stress I put myself under to pass the exam turned out to be completely unnecessary.
85	When you said shared answers, it wasn't clear if they were just discussing / processing the test or if they shared actual answers that someone else could benefit from.
86	There were no answers between no consequence and 10 years. I felt most of these should be something in between.
87	In any case, they should be required to take the exam again after some length of time has passed - like a year. Tempted to say permanent ban because if they don't understand that this is not allowed how would they ever understand what it means to be a fiduciary.
88	I feel strongly that cheating is a disqualifier - whether for their own gain or others. Giving advice and walking out (accidentally?) with exam materials is a little squishier...
89	People are required to learn the material. Not sure why it wouldn't be helpful to let them see past exams and learn the material as well as possible. I would make them retake it if they were caught cheating that is all.
90	It seems like "knowingly" engaged in these actions should be inserted. It would be a shame for a candidate to be sanctioned for an unintentional mistake.
91	Exam should be variable and hard enough that most of these don't apply
92	Re: taking exam materials out of the testing center, if it was done unintentionally and, upon discovery, the materials were destroyed and were NOT distributed to other candidates, I don't think the candidate should be punished.
93	Everyone is going to study and test differently. Just because someone might get answers to a test someone else took doesn't mean they will get that same questions when they take the test. Someone shouldn't cheat though (look at their phone) while testing.
94	Assuming advice was given on the current exam. If advice was given during a subsequent exam administration, then no punishment is appropriate.
95	Last question feels deliberately misleading. That sounds like most test preps out there and shouldn't be included with this. First question may be like the last question. For example, if post test you weren't sure about like a stock option question, you could talk with a peer about it without specifically breaking testing guidance, so that you know whether or not you are correct. I say this as someone that if I was challenged at what's right I want to know what's right so I don't mess that up. You can do that in a way that keeps with the integrity of the testing process and that should have no consequences. That is the same as trying to prepare a peer or colleague for this exam, as it is extremely rigorous. The cross talk and preparing of peers leads to greater improvement on the organization as a whole and should be encouraged within strict left and right limits. This way, we can increase numbers of CFPs while maintaining or increasing the standard to obtain the marks. The value of the CFP comes from those that come before and this current rigorous standard which must be maintained.
96	Sharing answers with others after taking the exam is fact pattern dependent. If you shared in conversation with others who have already taken the exam no punishment at all, but if you are deliberately providing answers to someone who is going to take the exam you should be barred.
97	How are you finding out if someone took materials out of the testing center? How are you determining that they destroyed them? As for the test itself, why have a certification if it can't be designed and tested in a way that is fair judge of knowledge if you study? BTW you always know what topics are on the exam itself; that's the point of education.
98	How can a candidate surreptitiously obtain an exam? Don't understand how that happens.
99	Not sure that giving advice on topics to study is helpful. All of the topics were tested!

100	If you can't be trusted in the small things, how could you possibly be expected to be trusted on the big things?
101	Having taking the exam, I know the questions come at random and different exams are administered. So I am confused how someone could obtain test materials and answers prior to the exam. The exam's structure makes it pretty foolproof.
102	For the second to last question about giving advice on test topics, there should be a shorter consequence than 10 years.
103	Questions 1 and 2 may be the result of two candidates having a conversation. The candidates may have been in a study group and may be debriefing after taking the exam.
104	I am not sure what taking materials out of the testing center or sharing answers does as when I took the exam everyone in the country took it at the same time. Therefore I have no response.
105	the test are not the same. a Candidate does not really know the correct answers.
106	The jump from Public Censure to 10 year ban is too large of a gap. 3-5 year ban would have been more appropriate.
107	Something like removing exam materials has to account for intent (especially if destroyed and/or self-disclosed).
108	"Surreptitiously obtained the exam ahead of their test date and used it to study" sounds like a Board security problem more than a candidate issue.
109	I would've liked additional choices such as 2 year ban or 5 year ban
110	Not sure how the exams work. Are some candidates taking the same exam, but at a later time? Based on how the question is asked, I guess that is the case now? Also, I would consider a shorter ban than 10 years if you are going to allow people another chance. Otherwise, those lengths of time are extremely long relative to people's career trajectories and would potentially be more punitive to older CFP candidates with less remaining career.
111	Don't you'll change up your questions? How would sharing answers to questions on your exam help someone who will take a future exam? When I took my CFP exams, there were only essay questions.
112	Giving "Advice" on what topics to study shouldn't be censured because the test is so comprehensive that the "advice" wouldn't make a difference. Either the candidate has learned the material, or they haven't. All the advice would do is have the candidate study those topics even more, which isn't really a bad thing in my mind since it'll reinforce their learning and their understanding of the topic(s).
113	Assume candidate took materials, with no mail intent, and once realized it, destroyed immediately and did not share the items.
114	gave advice to others on topics to focus on? Is not this what every class a person could take does, gets advice on what to study for?
115	I think the process is pretty tight for taking the exam. What a person remember after the exam is very limited. The companies/colleges that you go through to study for the exam, take the exams and use this information in their courses. I don't see the difference if a candidate talks to somebody about their experience after taking the exam.
116	No
117	Coaching others and giving advice is no issue in my mind unless it creeps into these other areas.
118	The last three could be interpreted as circumstantial; I wouldn't be able to recommend a punishment.
119	Talking about the test off of memory with others shouldn't by itself be a violation. Taking the test with the sole purpose of knowing what's on it to provide an edge for others should.
120	For the 'no consequence' choices, those choices are based on the understanding that each individual allowed to take the exam has different exam content from the others testing at the same time on any given exam date.

121	I have no recommendation on these circumstances, I will leave it up to the CFB Board to make these decisions. The program is forcing me to make a decision I do not want to make. Therefore, I will select Public Censure and require the candidate to wear a Sticky Note on his forehead that reads "I Am A Cheater" during meetings with clients.
122	Committee really needs to be in-touch with current societal norms, recent misbehavior penalties and upcoming legislation.
123	Many of the Ten year ban answers seem long also. Not fair answers to select from.
124	Why is there only an option for 10 year ban and 20 year ban? I think a 1 and 5-year option should be added.