

AAS Code of Ethics

The mission of the American Astronomical Society is to enhance and share humanity's scientific understanding of the Universe. We believe the advancement of astronomy requires that we provide ethical guidelines for AAS members and, for that matter, anyone involved in professional astronomical activities.

Every astronomer is a citizen of the community of science. Each of us shares responsibility for the welfare of this community. We endorse the statement of the American Physical Society that "Science is best advanced when there is mutual trust, based upon honest behavior, throughout the community." All scientists should act ethically in the conduct of their research, in teaching and education, and in relations with both members of the public and other members of the scientific community. The development of a set of ethical standards for work-related conduct requires a personal commitment to a lifelong effort to act ethically; to encourage ethical behavior by students, postdocs, colleagues and employers; and to consult with others as needed concerning ethical problems and concerns.

Upon acceptance or renewal of AAS membership, all members will be asked to acknowledge that they have read this Code of Ethics and will strive to abide by these as an AAS member. Any AAS member or meeting attendee who experiences or witnesses a violation of the AAS Code of Ethics should report that violation to the AAS Committee on Ethics.

The American Astronomical Society believes that the following are the **minimal** standards of ethical behavior relating to the profession. Any conduct that is not specifically addressed by this Code of Ethics is not necessarily ethical or unethical. It is the responsibility of all members of our Society to familiarize themselves with ethical issues, as well as institutional and government guidelines, policies and procedures related to the oversight and maintenance of ethical standards for research and conduct. It is also incumbent on senior members of our profession to inform more junior members, as well as remind their colleagues and peers of such guidelines, policies and

procedures.

Conduct Towards Others

All people encountered in one's professional life should be treated with respect. At no time is abusive, demeaning, humiliating or intimidating behavior acceptable; abuses of power are unacceptable. Scientists should work to provide an environment that encourages the free expression and exchange of scientific ideas. They should promote equality of opportunity and treatment for all their colleagues, regardless of gender, race, ethnic and national origin, religion, age, marital status, sexual orientation, gender identity and expression, disabilities, veteran status, etc. Scientific ability must be respected wherever it is found. This principle is clearly stated in our by-laws. (See aas.org/about/governance/constitution-and-bylaws) .

More senior members of the profession, especially research supervisors, have a special responsibility to facilitate the research, educational, and professional development of students and subordinates. This includes providing safe, supportive work environments (e.g., free from unwanted advances), fair compensation, appropriate acknowledgment of their contribution to any research results, as well as respect for them as individuals and protection of their academic freedom (e.g., freedom to disagree with or dispute wider community held positions without fear of retaliation). In addition, supervisors should encourage the timely advance of graduate students and young professionals in their career aspirations, be they in or out of the traditional career track.

Outlined below in more detail are examples of unacceptable behaviors, such as bullying and unlawful harassment, sexual or otherwise. The behaviors described may be intentional or unintentional. However, where an allegation is made, it is the effect of the behavior upon the individual that is important. These behaviors should not be directed towards colleagues, peers, subordinates or students.

Sexual and Gender Based Harassment

Sexual harassment is defined as unwanted conduct of a sexual nature. There are generally two types of sexual harassment:

a) ‘Quid pro quo’ harassment where submission or refusal to submit to unwelcome sexual attention, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature are used as the basis for decisions such as preferential treatment, hiring, promotions, etc.

b) “Hostile work environment” where the harassment creates an offensive and unpleasant working environment. Hostile work environment often includes sexually-oriented conduct that is sufficiently pervasive, persistent or so as to unreasonably interfere with an individual’s job performance or has the purpose or effect of creating an intimidating, hostile or offensive work environment. Hostile work environment can also result from a single egregious act.

Sexually-oriented conduct can include verbal sexual harassment (e.g., innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks, etc.), non-verbal sexual harassment (e.g., the distribution, display or discussion of any written or graphic material, etc.) or physical sexual harassment (e.g., unwelcome, unwanted, unrequested or uninvited physical contact).¹ Such behaviors may also give rise to a hostile educational environment for students in violation of Title IX of the Educational Amendments of 1972.

Other Harassment

Harassment because of race, religion, color, gender, age, national origin, disability, marital status, sexual orientation, gender identity expression, or any other protected class violates the AAS Code of Ethics.

The following behaviors, although not all inclusive, may give rise to a hostile work environment in violation of Title VII of the Civil Rights Act

¹ The policies of many universities and colleges now prohibit romantic or sexual relationships between their faculties and any undergraduate students enrolled in their college as well as between faculty and graduate students they are teaching or supervising.

of 1964 or other applicable laws; verbal harassment (e.g. comments that are offensive or unwelcome, including epithets, slurs, teasing and negative stereotyping), non-verbal harassment (e.g., obscene gestures, distribution, display or discussion of any written or graphic material, or material that ridicules, denigrates, insults, belittles or shows hostility or disrespect toward an individual or group, etc.) or physical harassment which includes unwelcome, unwanted physical contact,(e.g., violating an individual's personal space or physical assault).

Bullying

Bullying is defined as unwelcome or unreasonable behavior that demeans, intimidates, humiliates, or sabotages the work of people, either as individuals or as a group. Bullying behavior is most often pervasive, persistent and part of a pattern, but it can also occur as a single egregious incident. It is usually carried out by an individual, but can also be an aspect of group behavior. Generally, exercising appropriate authority or directing the work of others pursuant to their position responsibilities is NOT considered bullying behavior.

Although not all inclusive, the following are examples of bullying behaviors: verbal bullying (e.g., slandering, ridiculing or maligning a person, abusive and offensive remarks, etc.), physical bullying (e.g., pushing, poking, assault or threat of assault or damage to a person's work area or property), gesture bullying (e.g., non-verbal threatening gestures), exclusion (e.g., professionally excluding, or disregarding a person in work-related activities) or sabotaging an individual's work.

Research

Data and research results should be recorded and maintained in a form that allows review, analysis, and reproduction by others. It is incumbent on researchers involved in (especially publicly-supported) studies to make results available in a timely manner. The fabrication, falsification or selective reporting of data with the intent to mislead or deceive is unethical, unacceptable and fraudulent, as is the appropriation of unpublished proprietary data or research results from

others without permission and attribution. Data obtained from public databases should be cited in accordance with the guidelines and recommendations from which it is obtained.

Astronomers occasionally perform research involving human subjects. Examples of such research include educational studies and surveys. The regulations governing human subjects research are lengthy and complex. Certain types of minimal-risk research may be exempt from oversight, including some forms of education-related research. However, the investigator is not allowed to make the determination of exempt status on their own. Researchers should contact the Institutional Review Board at their home institution, which will rule on any exemptions or approvals of human subject research.

It should be recognized that honest error is an integral part of the scientific enterprise. It is not unethical to be wrong, provided that errors are promptly acknowledged and corrected when they are detected.

Publication and Authorship Practices

As implicit conditions for publishing in journals of the AAS, authors are expected to adhere to basic standards of professional ethics and conduct that are common across all areas of scholarly publishing. Authors, editors and referees should also be aware of the professional and ethical standards that have been adopted for the AAS journals (<http://aas.org/publications/professional-and-ethical-standards-aas-journals>) . Authors affirm that their work is original and has not been published elsewhere.

All persons who have made significant contributions to a work intended for publication should be offered the opportunity to be listed as authors. This includes all those who have contributed significantly to the inception, design, execution, or interpretation of the research to be reported. People who have not contributed significantly should not be included as authors. Other individuals who have contributed to a study should be appropriately acknowledged. The sources of financial support for any project should be acknowledged/disclosed. All collaborators share responsibility for any paper they coauthor, and

every coauthor should have the opportunity to review a manuscript before its submission. It is the responsibility of the corresponding author to ensure this.

Proper acknowledgement of the work of others should always be given. Appropriate and comprehensive referencing is an essential part of any astronomical research publication. Authors have an obligation to their colleagues and the scientific community to include a set of references that communicates the precedents, sources, and context of the reported work. Deliberate omission of a pertinent author or reference is unacceptable. Data provided by others must be cited appropriately, even if obtained from a public database.

All authors are responsible for providing timely corrections or retractions if errors are found in published works with the corresponding author bearing primary responsibility.

Plagiarism is the act of reproducing text, ideas or other materials from other papers without properly crediting the source. Such material is regarded as plagiarized regardless of whether it is inserted verbatim or has been modified or paraphrased. Citations to others' work or one's own, must be clear, complete, and correct. Plagiarism is unethical behavior and is never acceptable.

These statements apply not only to scholarly journals, but to all forms of scientific communication including but not limited to press releases, proposals, websites, posters, talks, popular books, and podcasts.

Peer Review

Peer review is an essential component of many aspects of the scientific process such as evaluating research proposals, publishing research results, and evaluating colleagues for career advancement. Peer review can serve its intended function only if the members of the scientific community are prepared to provide thorough, fair, and objective evaluations based on requisite expertise. Although peer

review can be difficult and time-consuming, scientists have an obligation to participate in the process.

Reviewers should disclose conflicts of interest resulting from direct competitive, collaborative, or other relationships with those they are reviewing and recuse themselves from cases where such conflicts preclude an objective evaluation. It is unethical to seek to gain an advantage by means of reviewing the work of others, either through use of private information or biased reviews of other's work. Privileged information or ideas that are obtained through peer review must be kept confidential and not used for competitive gain.

Conflicts of Interest

Many activities of scientists and educators have the potential for a conflict of interest (referees for journal articles, reviewers for proposals or applications, the organizing of panels and committees, etc.). Any professional relationship or action that may either be, or be perceived to be, a conflict of interest should be fully disclosed.

Organizations like NSF, NASA, etc. have "conflict of interest" policies that are particularly relevant to AAS members who serve on review panels or on scientific organizing committees for meetings. Members should educate themselves on the scope of what constitutes a conflict of interest under various circumstances. Additional items not specifically addressed here can be conflicts of interest. When in doubt, members should disclose and ask for clarification. Here we give examples that fall into three categories: 1) any affiliations of the reviewer with the applicant's institution (e.g. affiliations include current or recent past employee, membership on a visiting committee, board or search committee), 2) relationships with the proposing investigator or others associated with the proposal, including family or close personal relationships, professional or business relations, associations such as a thesis advisor or thesis student or recent scientific collaborations, and 3) other affiliations or relationships. Conflict of interest may also include, but is not limited to, situations where the outcome of a deliberation will influence the professional or financial status of one of the reviewers or participants (e.g., on proposals that will indirectly benefit one's home institution), or

situations where decisions will affect the status of a person who is close to one of the reviewers or participants.

Most organizations or activities have mechanisms for managing conflicts, for example, through recusal. Although not all conflicts of interest require recusal, disclosure is critical. If a conflict of interest cannot be properly managed, the activity should be avoided or discontinued.

Information and Resources

There are many sources of ethics information and case studies appropriate to astronomers. We specifically mention:

- The American Physical Society Guidelines for Professional Conduct. (www.aps.org/policy/statements/02_2.cfm)
- The DHHS Office of Research Integrity guide: An Introduction to the Responsible Conduct of Research. (ori.dhhs.gov/documents/rcrintro.pdf)
- The Federal policy on research misconduct. (www.ostp.gov/cs/federal_policy_on_research_misconduct)
- The National Academies' On Being a Scientist. (www.nap.edu/catalog.php?record_id=12192)
- Doing Global Science: A Guide to Responsible Conduct in the Global Research Enterprise (<http://interacademycouncil.com/24026/29429.aspx>)
- NSF's Conflict of Interest definitions https://www.nsf.gov/od/ogc/panelists_conflict_of_interest_training.jsp
- Examination of the scientific review process: Ten best practice by Illana Harrus, 2015, arXiv151103694.
- Creating the Office of the Ombuds. (<http://www.agreeinc.com/ombudsman.html>)
- Guide to Recognizing Bullying. (https://www2.worksafebc.com/pdfs/Bullying/B&H_HowToRecognize.pdf)

- Harvard FAS Policy on Sexual and Gender-based Harassment (<http://www.fas.harvard.edu/sexual-gender-based-harassment-policyresources>)
- NSF Press Statement 16-002 on harassment by grantees (http://www.nsf.gov/news/news_summ.jsp?cntn_id=137466&dm_i=1ZJN,40MD0,E29OER,EIPX9,1)
- The U.S. Department of Health and Human Services OHRP has extensive information and resources on human subjects research. (<http://www.hhs.gov/ohrp/>)
- APS Forum on Education Newsletter, article discusses Human Subjects Research Training and Physics Education Research. (<http://www.aps.org/units/fed/newsletters/fall2010/sitaryhomsen.cfm>)

This list is expected to grow.

Handling Concerns of Ethical Breaches

The AAS Committee on Ethics (COE) has been established by the Council of the AAS in order to promote a high level of ethical conduct by astronomers through development and sponsorship of educational activities for AAS members and other astronomers, overseeing the investigation of complaints concerning the ethical conduct of AAS members and AAS sponsored meeting attendees, and the recommendation of sanctions when a violation of the Code has occurred. Members of the Appeals Panel will be drawn from the COE.²

The AAS President will appoint the chair and members of the COE. Final decisions on responses to complaints will lie with the AAS President, who may consult with the AAS Executive Committee as needed.

The Examiner of complaints concerning the ethical conduct of an AAS member is an employee of a professional organization contracted by the AAS to investigate complaints filed. The Examiner will investigate complaints by gathering information from the official report, complainant, respondent, and any witnesses. The Examiner will suggest actions for mediation or sanctions to the COE.

The Secretary's office will be the primary record keeper with regard to complaints and follow-up actions. The Secretary's office will report statistical information (including demographics) about these records to Council annually.

The Executive Office and Officer have the primary responsibilities of administratively supporting the COE and the Secretary in the completion of their responsibilities and supporting members in understanding provisions of the AAS Ethics Code.

² ETF recommends that at least 2 of the Appeals Panel members be unconflicted COE members who did not serve on the initially assigned review committee.

Summary of the Procedure for Code of Ethics Complaints

- a) Complaints can be initially received by the AAS Executive Officer, other Society Officers or Chair of the Committee on Ethics (COE). Other Society Officers include the President, Past President or President Elect, Senior Vice President, Secretary, and Treasurer. All complaints will be given to the COE chair for further review.
- b) The determination of cause for action is initially made by the Chair of COE. The COE Chair may consult with the AAS President³ as needed.
- c) If no cause for action is found (for instance, because action alleged in the complaint is not covered in the ethics code or action on the complaint has been initiated and is ongoing elsewhere, etc.), a record of the complaint and report of the reasons for no action will be given to and kept by the AAS Secretary's office. This report will also be provided to the complainant.
- d) If cause is found to proceed, the respondent is informed and asked to submit a written response to the complaint. A COE subcommittee is appointed to oversee handling of the complaint and the complaint is referred either to the AAS Examiner or other entity with jurisdiction as appropriate, e.g., publication complaints may be sent to the Publications Board or research complaints may be referred to a respondent's home institution for further investigation.
- e) If the respondent is found to be in violation of the AAS Code of ethics, sanctions are recommended by the COE subcommittee and imposed by the AAS President in consultation with the Council as appropriate.
- f) Any respondent who is found to be in violation of the code will have an opportunity to appeal the finding, as well as any sanctions. Appeals will go to an Appeals Committee that will render a final recommendation.

³ The AAS President may also consult with the AAS Executive Committee as appropriate and necessary. Consultation with the Executive Committee is the case for all instances in this document where the AAS President is expected to review or is required to make a judgment.

- g) The AAS will not tolerate any form of retaliation against persons who file a complaint or assist in the investigation. Retaliation is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action.

ENFORCEMENT OF THE CODE OF ETHICS

Jurisdiction

The COE chair, in consultation with the AAS President, shall have jurisdiction to receive and determine the advancement of any timely complaint of a violation of the AAS Code of Ethics by a current member of AAS in any category of membership or an attendee of an AAS sponsored meeting. In the event that the respondent resigns from AAS subsequent to the filing of a complaint against them, COE shall have discretion to resolve the complaint as if the respondent were still a member. The meaning of 'timely' shall be flexible and left to the discretion of the COE. In assessing the timeliness of a complaint, the COE may take into account factors such as the seriousness of the complaint, recurrence of the violation, career status of the complainant and/or respondent at the time the alleged breach occurred, etc.

In the event that a complaint alleges conduct which is, or may be, the subject of other legal or institutional proceedings, COE may, in its discretion, defer action with respect to the complaint until the conclusion of the other legal or institutional proceedings. COE or its Chair may use those findings as a basis for considering AAS actions.

Filing of Complaint

- a) Any AAS member or attendee of an AAS supported meeting who perceives, experiences or witnesses that an AAS member or AAS supported meeting attendee has violated an AAS

ethical standard may file a complaint with the COE or Society Officer.

- b) A complaint may be initiated by COE on its own behalf.
- c) Initial contact with the COE chair is encouraged to clarify whether concerns about a possible ethical violation are covered by the Code. If it appears that a potential complaint may be covered by the Code, a copy of the Code and the complaint form shall be made available to the potential complainant. If appropriate, dispute resolution through mediation will be encouraged.
- d) The complaint form shall include the name and address of the complainant; the name and address of the respondent; the provisions of the Code of Ethics alleged to have been violated; a statement that other legal or institutional proceedings involving the alleged conduct have not been initiated or, if initiated, the status of such proceedings; a full statement of conduct alleged to have violated the Code of Ethics, including the sources of all information on which the allegations are based; copies of any documents supporting the allegations; and any other pertinent information to the complaint.
- e) The completed, formal complaint form, and the identities of the complainant and respondent will be confidential during the initial part of the investigation process (preliminary screening of complaint to assess if a possible breach has occurred).
- f) Anonymous complaints shall not be accepted. However, witnesses to, as well as, victims of an ethical violation may bring a complaint. If material in the public domain is provided anonymously, COE may choose to use such material in support of a complaint.
- g) Individuals who make allegations of ethics code breaches in bad faith will be subject to disciplinary action.

Preliminary Screening of Complaint

- a) Initial complaints may be received by the COE, or Society Officers, however, the complaint must be formally filed with the Secretary's office so that a record can be kept.

- b) The COE chair, in consultation with the AAS President, shall screen each complaint to determine whether the alleged conduct is covered by the Code. The AAS Executive Office will provide support with any administrative help needed. If the complaint does not include the information required, the COE chair shall so inform the complainant, who will be given the opportunity to provide additional information. If no response is received from the complainant within 30 days, the matter will be closed and the complainant so notified. No record will be kept of incomplete complaints.
- c) If the complaint is complete, the Chair of COE will evaluate whether there is cause for action. Cause for action shall exist when the respondent's alleged actions and/or omissions, if proved, would in the judgment of the Chair of COE, in consultation with the AAS President, constitute a breach of ethics. For purposes of determining whether cause for action exists, incredible, speculative, and/or internally inconsistent allegations may be disregarded. If cause for action exists, a formal case is initiated, as set forth below.
- d) If cause for action is not sufficiently demonstrated, the complaint will be dismissed at this stage. The COE Chair will notify the complainant of the reason(s) why action will not be taken. A record of the complaint and report on the reasons for dismissal will be given to and kept by the AAS Secretary's office.
- e) Receipt of multiple complaints about an individual respondent may constitute a cause for action.

Notice of Complaint and Procedure for Resolution

(In these sections, COE may refer to a sub-committee of the COE)

- a) If cause for action is found, the COE chair shall provide a copy of the complaint form and all supporting materials, and a copy of the Code of Ethics and these Policies and Procedures, to the respondent. The respondent will be asked for a written response to the complaint and will have a maximum of 30 days to provide this response.

- b) The COE chair will name a sub-committee of the COE to oversee the case. The COE chair, in consultation with the AAS President, will assign the Examiner or other entity with jurisdiction to investigate the complaint⁴.
- c) Other entities with jurisdiction over a complaint may conduct investigations according to their own procedures and policies. The COE will follow-up with requests for information on the resolution of those complaints. If no information about proceedings is forthcoming within 30 days of the COE request, the COE may reassign the complaint to the Examiner for investigation.
- d) Any person appointed to serve on the sub-committee or as Examiner shall agree to maintain the confidentiality of the proceedings as set forth in the Code of Ethics and these policies and procedures.

If possible and appropriate, the Examiner may suggest mediation through a non-conflicted representative of the COE. Mediation services will, in most cases, be by written correspondence or telephone. If informal dispute resolution is declined, the members of COE shall not be informed which party declined. The representative shall report to the COE subcommittee only whether or not a matter has been resolved to the satisfaction of the parties. If either or both the complainant and the respondent decline dispute settlement through mediation or if mediation fails to resolve the complaint or the complaint is deemed inappropriate for a mediated settlement, the COE shall notify the respondent that the case will go forward in accordance with these policies and procedures. The Examiner will suggest another course of action.

Investigation and Recommendation

- a) If the COE Chair, in consultation with the AAS President determines that there is sufficient evidence to proceed with the

⁴ The COE Chair may begin assignment of the case to the COE sub-committee and Examiner before written response is received from the respondent.

- complaint, the COE chair will name a sub-committee of the COE to oversee the case. The COE chair, in consultation with the AAS President, will assign the Examiner or other entity with jurisdiction to investigate the complaint.
- b) If the complaint goes to the Examiner, they may communicate with the complainant, respondent, any witnesses, or other sources of information necessary to carry out its functions. The Examiner shall conduct business through written correspondence and/or verbal communication. The Examiner shall submit a written report of the findings and any suggestion for mediation or sanction to the COE within thirty (30) days, unless a longer period is necessary in the opinion of the COE Chair. A copy of the Examiner's findings and recommendation shall be given to and kept by the Secretary's office.
 - c) The COE will decide whether to accept the Examiner's suggestions, or whether to recommend changes. The COE must submit its report to the AAS President (and COE Chair if not on the subcommittee) within 30 days of receiving the Examiner's report. A copy of the COE's report shall be given to and kept by the Secretary's office.
 - d) The President will receive both the COE report and the Examiner's report. The AAS President, in consultation with the COE Chair and AAS Executive Committee as necessary will accept, modify or reject the COE recommendation.
 - e) The AAS President will notify the complainant and respondent of the findings, determination and any sanctions by written report (and verbally, if possible).
 - f) The complainant and respondent may submit a response in writing within a time frame of not more than thirty (30) days. Responses will be archived by the Secretary's office.
 - g) If a sanction is imposed, the President shall instruct the Executive Officer to take the appropriate actions, except that such notice shall be postponed if an appeal is filed.

Sanctions

In any case where the outcome of an investigation determines that a violation of the Code of Ethics has occurred, no sanction or one or more of the following may be imposed as appropriate:

- a) *Private Reprimand*. In cases where there has been an ethics violation but the violation did not cause serious personal and/or professional harm, an educative letter concerning the violation, including any stipulated conditions of redress, may be sent to the respondent. Failure to comply with stipulated conditions of redress in a reprimand may result in the imposition of a more severe sanction.
- b) *Denial of Privileges*. In appropriate cases, findings may suggest that the respondent shall be denied one or more of the privileges of AAS membership and/or the opportunity to participate in AAS-sponsored activities including but not limited to appointment to the editorial boards of any AAS publications, election or appointment to any AAS offices and committees, receipt of any AAS awards, publishing in or serving as an editor of one or more AAS sponsored journals, presenting a paper or otherwise participating at one or more meetings sponsored by AAS, or receiving research or scholarship assistance from any program sponsored by AAS.
- c) *Public Censure*. Where findings suggest that the seriousness of the violation warrants more than a private reprimand, it may direct that a copy of the letter of censure be made public in an appropriate manner.
- d) *Termination of Membership*. In cases where there has been an ethics violation and the violation caused serious personal and/or professional harm, the AAS membership of the respondent of the may be terminated for a period to be determined with respect to the findings of the investigation and recommendations. In accordance with AAS Bylaws, termination of membership must be voted on by Council. Eligibility to renew membership at the expiration of this period may be automatic or may be conditioned on a future review by COE that eligibility is appropriate.

- e) *Notification of a Sanction to a Home Institution.* In cases where there has been an ethics violation and the violation caused serious personal and/or professional harm, the home institution of the respondent may be notified of a sanction resulting from a complaint to the AAS.

Appeal of Determination

A respondent who is found to have violated the Code of Ethics and who receives a sanction may appeal this determination by filing a Notice of Appeal and Statement of Reasons no later than thirty (30) days after receipt of the notice of determination. If an appeal is filed, the President of AAS shall appoint a three-member Appeal Panel to review all information considered by the COE and, within sixty (60) days, make a decision to uphold or reverse the determination. The Appeal Panel may set aside COE's determination that a violation has occurred or it may determine that the sanction imposed by COE is not appropriate and impose a less severe sanction. The Appeal Panel shall recommend a course of action to the President who accepts or rejects the finding. This constitutes the final decision of AAS with respect to the matter at hand. Both respondent and complainant shall be notified of the final appeal determination. A record shall be given to and kept by the Secretary's office.

Reinstatement

If the Council votes to terminate an AAS membership, or there is a suspension or denial of privileges based on violations of the AAS Code of Ethics, the sanctioned member may re-apply for AAS membership/privileges by petitioning the Council and demonstrating they understand the damage caused by their actions, that they will follow AAS policies in the future and that they understand that any future violations of the AAS Code of Ethics may result in permanent termination of their AAS membership.

Confidentiality

- a) The filing of a complaint against an AAS member and all proceedings shall be kept confidential by the Examiner, COE, the Appeal Panel, the President and Executive Committee of AAS prior to a final determination of the matter, except that information regarding complaints may be shared with the Secretary, Executive Officer, any staff designated by the Secretary or Executive Officer to assist the COE, and AAS legal counsel. Determinations of violations of the Code of Ethics by COE or by an Appeal Panel shall be kept confidential, except in the case of termination of membership or unless disclosure of the determination to the public is part of another sanction.
- b) The COE may disclose such information when compelled by a valid subpoena or by a final court order.
- c) Notwithstanding the foregoing, COE may publish reports of its determinations in order to educate the membership about the requirements of the Code of Ethics, but will not make the identities of the parties public except as provided for above.
- d) Initiation of legal action against the AAS or its officers or employees shall constitute a waiver of confidentiality by the person initiating such action.
- e) Records relating to the investigation of complaints of violations of the Code, whether or not it is determined that a violation occurred, shall be maintained in a secure place, for a minimum of 15 years by the AAS Secretary's office. These records should always remain confidential, unless otherwise provided for in other parts of this code.
- f) Permission to use statistical information in these materials for research and educational purposes may be granted by the AAS President and the information provided by the Secretary.

Details of Responsibilities and Operating Policies

Authority of COE and its Chair

The Committee on Ethics and its Chair are charged with education of the membership on the provisions of the AAS Ethics Code and guiding the process of resolving complaints about code breaches.

COE is authorized to:

- a) Publicize the Code of Ethics to the members of AAS and other interested persons.
- b) Educate the members of AAS and other interested persons concerning the ethical obligations of members under the AAS Code of Ethics through articles, seminars, lectures, casebooks, or other materials.
- c) Recommend to the AAS Council changes in the Code of Ethics and its policies and procedures.
- d) Provide counsel and information to individual members of the AAS, informally and confidentially regarding their ethical obligations under the AAS Code of Ethics.
- e) Refer allegations of code violations to the appropriate authority for investigation.
- f) Ensure that the Secretary receives all records (e.g., complaint filings and reports) of activities regarding each complaint.
- g) Adopt such rules and procedures governing the conduct of all matters within its jurisdiction as are consistent with the Constitution and By-Laws of the Society, the Code of Ethics, and these Policies and Procedures.

Responsibilities of the Executive Office

The Executive office and officer have the primary responsibilities of administratively supporting the COE in the completion of their responsibilities and supporting members in understanding provisions of the AAS Ethics Code.

- a) Forward complaints to the COE Chair as necessary.
- b) Work with COE in the administration of 2(a)-(g) above.

- c) Forward inquiries about the AAS ethics code to the COE and report any such inquiries to the Secretary's office for recording.

Responsibilities of the AAS Secretary's office

The Secretary's office will be the primary record keeper with regard to complaints and followup actions. The Secretary's office will report information about these records to Council.

- a) Collect and archive reports from the Examiner and COE on any filing, resolutions or escalations of complaints referred to them by the COE or the executive office.
- b) Report on an annual basis statistics (including demographics) of ethics complaints to the AAS Council, including the number and types of complaints received, the number recommended for informal resolution, and any other pertinent information regarding the involvement of the COE and Executive Office.

Responsibilities of the Examiner

The Examiner is an employee of a professional organization contracted by the AAS to investigate complaints filed. The Examiner will suggest actions for mediation or sanctions to the COE.

- a) Work with COE to understand jurisdictions, investigate complaints and resolve conflicts, where possible and appropriate.
- b) Investigate complaints referred by the COE chair and reports findings and recommends actions to the COE.
- c) Report information of any complaint, resolution or other actions to Secretary's office for recording.
- d) As a professional, contracted organization, the Examiner will keep their status on training up-to-date in order to effectively deal with conflicts and complaints.

OPERATING RULES OF THE COMMITTEE ON ETHICS

Membership

The members of COE shall be appointed by the President of the Society. After the end of their term of office, a member of COE may continue to participate in any matter to which they were previously assigned, and such member may participate in reaching the findings and recommendation with respect to that (and only that) matter.

Officers

The Chair of COE shall be appointed by the AAS President and shall serve a term of one (1) year beginning at the conclusion of the summer AAS meeting. These appointments will be renewable at the discretion of the President. The Chair shall have primary responsibility for carrying out the mandate of COE.

Meetings

A regular meeting of COE shall be held annually in connection with the annual winter meeting of the Society. Additional meetings may be held, upon the call of the Chair, from time to time in person or by conference call.

Conflicts of Interest

No member of COE shall participate in the deliberations or decision of any matter with respect to which the member has a conflict of interest as outlined in the Code of Ethics.

OPERATING RULES OF AAS Examiner

Authority and Jurisdiction

The Examiner will be assigned by the COE chair, in consultation with the AAS President, to investigate complaints. The Examiner will have the authority to talk with the complainant, respondent and any witnesses. The Examiner will submit a written report of findings to

the (subcommittee of the) COE along with a recommendation for mediation or sanctions.

Appointment

Examiner shall be hired by the Executive Officer in consultation with the AAS President, as well as the AAS Council and COE, as appropriate.

Conflicts of Interest

No AAS Examiner shall participate in the deliberations or decision of any matter with respect to which the person has a conflict of interest as outlined in the Code of Ethics.