

Code of Ethics

Preamble

The American Astronomical Society (AAS) includes people of different abilities, backgrounds, and perspectives who share an interest in promoting and advancing the astronomical sciences. Therefore the meaning of, and adherence to, guidelines for responsible scientific, educational, and research conduct and best practices in any code of ethics will likely be subjects of continual debate among community members. However, having no widely agreed-upon community standards for responsible scientific, educational, and research conduct would be irresponsible and would erode the authority with which any of us conduct our work.

This AAS Code of Ethics is presented as a set of guidelines and best practices for professional behavior, including participation in AAS-sponsored activities (e.g., meetings, publications, Society governance, etc.) and in other astronomical activities (e.g., research, education, publishing, peer review, etc.). In order to promote and uphold these guidelines and best practices, they must be communicated to the membership and to others interacting with the astronomy community. However, these guidelines hold no authority or meaning if they are breached without consequence. Therefore, a process to guide the resolution of suspected breaches is also an important component of the AAS Code of Ethics.

Within the larger astronomical community, there are many stakeholders (e.g., universities, research institutions, associations, funding agencies, collaborations, individuals, etc.). Each stakeholder bears responsibility for upholding a set of common scientific, educational, and ethical standards and for assigning consequences when these standards are breached. The AAS is only one of these stakeholders. In many cases of ethical breach, the AAS is not the entity where primary jurisdiction for investigative or corrective measures resides. The AAS has neither the personnel, financial or technical resources, nor oversight authority to accept responsibility for investigating and adjudicating suspected breaches of ethics that are the rightful jurisdiction and responsibility of other community stakeholders.

A society is an organized group of persons associated together for some purpose. The American Astronomical Society is organized around the mission to enhance and share humanity's scientific understanding of the universe. This mission requires conducting scientific activities in an ethical way. As the elected board of the AAS, the Board of Trustees has a responsibility to inform the community of stakeholders what this means — in other words, to set the norms for professional behavior of its members and thereby within the astronomical sciences.

While much of the AAS Code of Ethics concerns what astronomers should not do and what actions can be taken when astronomers do violate the Code, it is important to acknowledge the good that members of our community do in contributing to the health of the profession and the AAS. Astronomers design, build, and operate state-of-the-art research facilities; make amazing discoveries; share research results with the scientific community and the public through publications and outreach activities; and teach and mentor students, junior colleagues, and peers so that the next generation of astronomers can continue to explore our universe.

Ethics Statement

The mission of the American Astronomical Society (AAS) is to enhance and share humanity's scientific understanding of the universe. The advancement of the astronomical sciences requires a commitment to ethical behavior in professional activities. This Code of Ethics provides ethical guidelines for AAS and Division members and affiliates as well as for others 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 maintenance of a set of ethical standards for work-related conduct requires a commitment to a lifelong effort: to act ethically in one's professional activities; to encourage ethical behavior by students, postdocs, colleagues, and employers; and to consult with others as needed regarding ethical problems and concerns.

Upon acceptance or renewal of AAS or Division membership, all members and affiliates will be asked to acknowledge that they have read this Code of Ethics and agree to abide by it. Any AAS or Division member or affiliate, or any meeting attendee (regardless of membership status) who experiences or witnesses a possible violation of the AAS Code of Ethics, may report it as described in "Filing a Complaint" below.

The AAS believes that this Code expresses the minimal standards of ethical behavior relating to the profession. 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 colleagues and peers, of such guidelines, policies, and procedures. Conduct that is not specifically addressed by this Code of Ethics is not necessarily ethical or unethical.

Conduct Toward Others

All people encountered in 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 fair treatment for all their colleagues, regardless of gender, race, ethnic and national origin, religion, age, marital status, sexual orientation, gender identity and expression, disability, veteran status, etc. Scientific ability must be respected wherever it is found. This principle is clearly stated in our 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 bullying or harassment), reasonable and 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 academic 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 important to resolve the situation in a way that ensures that the behavior has been appropriately addressed.

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.

Behaviors that, if engaged in because of race, religion, color, gender, age, national origin, disability, marital status, sexual orientation, gender identity expression, or any other protected class, may give rise to a hostile work environment in violation of Title VII of the Civil Rights Act of 1964 or other applicable laws. These include, but are not limited to, the following: verbal harassment (e.g., comments that are offensive or unwelcome, including epithets, slurs, teasing, and stereotyping), nonverbal harassment (e.g., obscene gestures; distribution, display, or discussion of inappropriate written or graphic material or material that ridicules, denigrates, insults, belittles, or shows hostility or disrespect toward an individual or group), or physical harassment, including unwelcome, unwanted physical contact (e.g., physical assault or violating an individual's personal space).

Sexual Harassment

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

- “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 affects decisions such as preferential treatment, hiring, or promotions.
- “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 or persistent 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. A 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), nonverbal sexual harassment (e.g., the distribution, display, or discussion of sexually oriented written or graphic material), 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.

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 aggressive, 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. Exercising appropriate authority, directing the work of others pursuant to their job responsibilities, and respectful scientific debate are not considered bullying behavior.

Examples of bullying behaviors include, but are not limited to, verbal bullying (e.g., threatening, slandering, ridiculing, or maligning a person; making abusive or offensive remarks), physical bullying (e.g., pushing, poking, assaulting, threatening assault, or damaging a person’s work area or property), gesture bullying (e.g., nonverbal threatening gestures), 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 studies (especially publicly supported ones) 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 of the source from which they are obtained.

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 that could be misleading are promptly acknowledged and corrected when they are detected.

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

Publication and Authorship

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 be aware of the professional and ethical standards that have been adopted for the 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. As stated in the National Academy of Science document *On Being a Scientist*, “The list of authors establishes accountability as well as credit,” and “an author who is willing to take credit for a paper must also bear responsibility for its errors or explain why he or she had no professional responsibility for the material in question.” Other individuals who have contributed to a study should be appropriately acknowledged. The sources of financial support for any project should be acknowledged and disclosed. Every coauthor has an obligation to review a manuscript before its submission, and every coauthor should have the opportunity to do so. It is the responsibility of the corresponding author to ensure this opportunity.

Proper acknowledgement of the work of others should always be given. Deliberate, wanton omission of a pertinent author or reference is unacceptable. 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. 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 that could be misleading 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 sources without proper credit. 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 and correct. Plagiarism is unethical behavior and is never acceptable.

These statements apply not only to scholarly journals, but also to other 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 members of the scientific community are prepared to provide thorough, fair, timely, and objective evaluations based on requisite expertise. Materials provided in confidence for peer review must not be used or disclosed in any way by the reviewers, and discussions among reviewers must be held in strictest confidence outside those involved directly in the review. Although peer review can be difficult and time-consuming, scientists have an obligation to participate in the process.

Conflicts of Interest

Many activities of scientists and educators have the potential for a conflict of interest (e.g., refereeing journal articles, reviewing proposals or applications, organizing/chairing panels and committees). Any professional relationship or action that may either be, or may 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 or advisory 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. Examples typically fall into one of three categories:

- affiliation of the reviewer with the applicant's institution (e.g., current or recent past employment; membership on a visiting committee, board, or search committee),
- relationship with the proposing investigator or others associated with the proposal, including family or close personal relationships, professional or business relations, thesis advisor or thesis student, or recent scientific collaborations, and
- affiliations or relationships among panel members as specified above.

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 directly or 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.

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.

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, including the following:

- American Physical Society: APS Guidelines for Professional Conduct
- Dept. of Health and Human Services Office of Research Integrity: ORI Introduction to the Responsible Conduct of Research
- Federal Research Misconduct Policy
- National Academies: *On Being a Scientist: A Guide to Responsible Conduct in Research*
- InterAcademy Council: *Doing Global Science: A Guide to Responsible Conduct in the Global Research Enterprise*
- National Science Foundation: NSF Grant Policy Manual: Conflict of Interest Policies
- Examination of the Scientific Review Process: Ten Best Practice Suggestions for an Improved Process, Ilana Harrus, 2015
- WorkSafeBC: How to Recognize Workplace Bullying and Harassment
- Harvard Faculty of Arts and Sciences: Sexual & Gender-Based Harassment Policy/Resources

- NSF Press Statement 16-002: The National Science Foundation [NSF] Will Not Tolerate Harassment at Grantee Institutions
- NASA Anti-Harassment Policy and Procedures
- Dept. of Health and Human Services Office for Human Research Protections
- American Educational Research Association Code of Ethics
- Regulations and Ethical Considerations for Astronomy Education Research III: A Suggested Code of Ethics, Erik Brogt et al., Astronomy Education Review, 2008
- APS Forum on Education: Human Subjects Research Training and Physics Education Research

This list is expected to grow. Please send suggestions to the AAS Code of Ethics Committee.

Handling Potential Ethical Breaches

The AAS Code of Ethics Committee (CoEC) has been established by the AAS Board of Trustees to promote a high level of ethical conduct by astronomers through development and sponsorship of educational activities for AAS members and other astronomers; to oversee the investigation of complaints concerning possibly unethical conduct of AAS members, attendees of AAS-sponsored meetings, and users of AAS-sponsored services; and to supervise mediation or recommend sanctions when a violation of the Code is found to have occurred. The AAS President will appoint the Chair and members of the CoEC. Final decisions on responses to complaints will be made by the AAS President, who may consult with the AAS Code of Ethics Committee as needed^[2].

The following sections give details on policies and procedures for handling complaints about breaches of the AAS Code of Ethics.

Jurisdiction

The CoEC Chair, in consultation with the AAS President, shall have jurisdiction to receive and determine the subsequent handling of any timely complaint of a violation of the AAS Code of Ethics by a current member of the AAS in any category of membership, or any attendee of an AAS-sponsored meeting or activity. In the case of harassment at sponsored meetings, the AAS Anti-Harassment Policy procedures will have precedence. In the case of complaints about publishing, procedures of the Publications Board and the AAS Editor in Chief will have precedence. In the event that the Respondent resigns from the AAS subsequent to the filing of a complaint against them, CoEC shall have discretion to resolve the complaint as if the Respondent were still a member. The meaning of “timely” will be flexible and left to the

discretion of the CoEC. In assessing the timeliness of a complaint, the CoEC may take into account factors such as seriousness of the complaint, recurrence of the violation, and career status of the Complainant and/or Respondent at the time the alleged breach occurred.

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

Filing of Complaint

- Any AAS member or attendee of an AAS-supported meeting or activity who experiences or witnesses an AAS member or attendee of an AAS-supported meeting or activity potentially violating an AAS ethical standard may file a complaint with any Society Officer or the CoEC Chair.
- The CoEC on its own behalf may initiate a complaint.
- Initial contact with the CoEC 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, the Complainant will be referred to the online complaint form for filing. If appropriate, dispute resolution through mediation will be encouraged.
- The complaint form includes the name and professional address of the Complainant; the name and (where known) professional 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 information pertinent to the complaint.
- Anonymous complaints will not be accepted. Witnesses to, as well as victims of, an alleged ethical violation may bring a complaint.
- AAS representatives involved will keep the information in the completed, formal complaint form and the identities of the Complainant and Respondent confidential during the investigation.
- Individuals who make allegations of ethics code breaches in bad faith will be subject to the same types of disciplinary action to which violators of the Code of Ethics are subject.

Confidentiality

- The details of a filed complaint and all proceedings will be kept confidential by the Examiner, the CoEC, the Appeal Panel, and the President of the AAS prior to a final determination of the matter, except that information regarding complaints may be shared with the Secretary, Executive Officer, AAS legal counsel, and any staff designated by the Secretary or Executive Officer to assist the CoEC. Details of determinations of violations of the Code of Ethics by the CoEC or by an Appeal Panel shall be kept confidential, except in cases of termination of membership or unless disclosure of the determination to the public is part of another sanction. The CoEC may disclose such information when compelled by a valid subpoena or by a court order.
- The CoEC may publish reports of its determinations in order to educate the AAS membership about the requirements of the Code of Ethics but will not make the identities of the parties public except as provided above.
- Initiation of legal action against the AAS or its Officers or employees shall constitute a waiver of confidentiality by the person initiating such action.
- Records relating to complaints and investigations, whether or not it is determined that a violation occurred, will be maintained in a secure place for a minimum of 10 years by the AAS Secretary's office. These records should always remain confidential unless otherwise provided for in other parts of this Code. Permission to use statistical information in these materials for research and educational purposes may be granted by the AAS President, with the information then being provided by the Secretary.

Preliminary Screening of Complaint

- Society Officers or the CoEC Chair may receive initial complaints; however, the complaint must also be filed formally via the official form so that a record can be kept by the Secretary's office.
- The CoEC 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 administrative support. If the complaint does not include the information required, the CoEC 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 CoEC will close the matter, and the Complainant will be so notified. No record will be kept of incomplete complaints.
- If the complaint is complete, the Chair of the CoEC will evaluate whether there is probable cause for action. Probable cause for action will exist when the Respondent's alleged actions and/or omissions, if proved, would in the judgment of the Chair of the CoEC, in consultation

with the AAS President, constitute a breach of the AAS Code of Ethics. For purposes of determining whether probable cause for action exists, incredible, speculative, and/or internally inconsistent allegations may be disregarded. If probable cause for action exists, a formal case is initiated, as set forth below.

- If probable cause for action is not sufficiently demonstrated, the complaint will be dismissed at this stage. The CoEC 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.
- Receipt of multiple individually nonactionable complaints about an individual Respondent may constitute a cause for action.

Notice of Complaint

- If probable cause for action is found, the CoEC Chair shall provide a copy of the complaint form and relevant supporting materials (or summaries thereof, if needed to protect the privacy of individuals named in the complaint) 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.
- The CoEC Chair will name a subcommittee of the CoEC to oversee the case. The CoEC Chair, in consultation with the AAS President, will assign the Examiner (see description in "Responsibilities of the Examiner" below) or other entity with jurisdiction to investigate the complaint.
- Other entities with jurisdiction over a complaint may conduct investigations according to their own procedures and policies. The CoEC subcommittee 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 CoEC request, the CoEC Chair may, at their discretion, reassign the complaint to the Examiner for investigation. If the complaint is not reassigned, the CoEC Chair must provide a written report of the reasons for lack of AAS action and recommend another course of action.
- Any person appointed to serve on the subcommittee 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. Mediation services will, in most cases, be by written correspondence or telephone. If informal dispute resolution is declined, the members of the CoEC shall not be informed which party declined. The representative shall report to the CoEC subcommittee only whether 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 CoEC shall notify the Respondent that the case will go forward in accordance with these policies and procedures. The Examiner will suggest the next steps.

Investigation and Recommendation

- If the complaint goes to the Examiner, they may communicate with the Complainant, the Respondent, any witnesses, and/or other sources of information necessary to carry out their functions. The Examiner shall conduct business through written correspondence and/or verbal communication. The Examiner shall submit a written report of the findings, supporting evidentiary materials, and any suggestion for mediation or sanction to the CoEC within sixty (60) days unless a longer period is necessary in the opinion of the CoEC Chair. A copy of the Examiner's findings and recommendation will be given to and kept by the Secretary's office.
- The CoEC will decide whether to accept the Examiner's recommendations and/or sanctions or whether to suggest changes. The CoEC must submit its report to the AAS President (and the CoEC Chair if not on the subcommittee) within thirty (30) days of receiving the Examiner's report. A copy of the CoEC's report will be given to and kept by the Secretary's office.
- The AAS President will receive both the CoEC report and the Examiner's report. The President, in consultation with the CoEC Chair as necessary, will accept, modify, or reject the CoEC recommendation.
- The AAS President will notify the Complainant and the Respondent of the findings, determination, and any sanctions by written report (and orally, if possible).
- The Complainant and the Respondent may submit a response in writing within thirty (30) days. Responses will be archived by the Secretary's office.
- After the end of the 30-day period, the President shall instruct the Executive Officer to take the appropriate actions if a sanction is imposed, except that such notice will be postponed if an appeal is filed (see "Appeal of Determination" below).

Sanctions

In any case where the outcome of an investigation determines that a violation of the Code of Ethics has occurred, no sanction,^[3] or one or more of the following sanctions, may be imposed as appropriate:

- **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, will 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.
- **Denial of Privileges.** In appropriate cases, findings may suggest that the Respondent should 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 the AAS, or receiving research or scholarship assistance from any program sponsored by the AAS.
- **Public Censure.** Where findings suggest that the seriousness of the violation warrants more than a private reprimand, a letter of censure will be made public in an appropriate manner.
- **Termination of Membership.** In cases where there has been an ethics violation and the violation has caused serious personal and/or professional harm, the AAS membership of the Respondent may be terminated for a period to be determined with respect to the findings of the investigation and recommendations. Termination of membership must be voted on by the AAS Board of Trustees in accordance with the AAS Bylaws. Eligibility to renew membership at the expiration of this period may be automatic or may be conditioned on a future review by the Board that eligibility is appropriate.
- **Notification of a Sanction to a Home Institution.** In cases where there has been an ethics violation and the violation has 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 for appeal with the AAS Secretary's office no later than thirty (30) days after receipt of the notice of determination. If an appeal is filed, the Senior Vice-President shall appoint a three-member Appeal Panel to review all information considered by the CoEC and, within sixty (60) days, make a decision to uphold or reverse the determination. The Appeal Panel may set aside the CoEC's determination that a violation has occurred, or it may determine that the sanction imposed by the CoEC is not appropriate. The Appeal Panel shall recommend a course of action to the President, who will then accept or reject the finding. This will constitute the final decision of the AAS with respect to the matter at hand. Both the Respondent and the Complainant will be

notified of the final appeal determination. A complete record of the appeal will be given to and kept by the Secretary's office.

Reinstatement

If the Board of Trustees 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 Board of Trustees. The petition must demonstrate that the Respondent understands the damage caused by their actions, will follow AAS policies in the future, and understands that any future violations of the AAS Code of Ethics may result in permanent termination of their AAS membership.

Details of Responsibilities and Operating Policies

Authority and Responsibilities of the CoEC and Its Chair

The Code of Ethics Committee (CoEC) and its Chair are charged with education of the membership on the provisions of the AAS Code of Ethics and with guiding the process of resolving complaints about alleged code breaches. The CoEC is authorized to do the following:

- Publicize the Code of Ethics to the members of the AAS and other stakeholders.
- Educate the members of the AAS and other stakeholders concerning the ethical obligations of members under the AAS Code of Ethics through articles, seminars, lectures, casebooks, and/or other materials.
- Recommend to the AAS Board of Trustees any needed improvements in the Code of Ethics and its policies and procedures.
- Provide counsel and information to individual members of the AAS, informally and confidentially, regarding their ethical obligations under the AAS Code of Ethics.
- Refer allegations of Code violations to the appropriate authority for investigation.
- Ensure that the Secretary receives all records (e.g., complaint filings and reports) of activities regarding each complaint.
- Adopt such rules and procedures governing the conduct of all matters within its jurisdiction as are consistent with the Constitution and Bylaws of the Society, the Code of Ethics, and these policies and procedures.

Responsibilities of the Executive Office

The Executive Office and Executive Officer have the primary responsibilities of administratively supporting the CoEC in the completion of their responsibilities and supporting members in understanding provisions of the AAS Code of Ethics as follows:

- Forward complaints to the CoEC Chair as necessary.
- Work with the CoEC in the administration of items (a)-(g) above.
- Forward substantive inquiries about the AAS Code of Ethics to the CoEC 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 follow-up actions. The Secretary will report on the demographics and statistics of complaints. This report will be made to the Board of Trustees during all open-session meetings. In addition, the AAS Secretary's responsibilities will include the following:

- Collect and archive reports from the Examiner and CoEC on any filings, resolutions, or escalations of complaints referred to them by the CoEC or the Executive Office.
- Provide an annual report of the statistics, including demographics, of ethics complaints to the AAS Board of Trustees and at the AAS Members Meeting (i.e., the Society's official business meeting required annually by law), including the number and types of complaints received; the number recommended for no action, informal resolution, or further action; and any other pertinent information regarding the involvement of the CoEC and the Executive Office.

Responsibilities of the Examiner

The Examiner generally is an appropriately credentialed employee of a professional organization under contract to the AAS to investigate complaints. For individual cases where it is advisable that the Examiner should have specific scientific and/or community expertise, the CoEC Committee, in its sole discretion, may determine that an AAS member with such scientific and/or community expertise should be the Examiner. The Examiner will gather information from the official report, the Complainant, the Respondent, and any witnesses and will suggest actions for mediation or sanctions to the CoEC. The Examiner's responsibilities will include the following:

- Work with the CoEC to understand jurisdictions, investigate complaints, and resolve conflicts where possible and appropriate.

- Investigate complaints referred by the CoEC Chair and report findings and recommend actions to the CoEC.
- Report information on any complaint, resolution, or other actions to the Secretary's office for recording.
- The professional Examiner will keep their training up-to-date in order to deal effectively with conflicts and complaints. If the investigator is an AAS member, they must be a current member in good standing, be willing to serve on the specific case, and have no conflicts of interest in the case.

Operating Rules of the Code of Ethics Committee

- **Membership.** The President of the Society appoints the members of the CoEC. After the end of their term of office, members of the CoEC may continue to participate in any matter to which they were previously assigned, and any such member may participate in reaching the findings and recommendation with respect to that (and only that) matter.
- **Officers.** The Chair of the CoEC 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 the CoEC.
- **Meetings.** A regular meeting of the CoEC will be held annually in connection with the 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 the CoEC shall participate in the deliberations or decision concerning any matter with respect to which the member has a conflict of interest as outlined in the Code of Ethics. For each matter before the CoEC, potential conflicts of interest must be declared openly before deliberations begin.

Operating Rules of the Examiner

- **Authority and Jurisdiction.** The CoEC Chair, in consultation with the AAS President, shall assign the Examiner to investigate complaints. The Examiner shall have the authority to talk with the Complainant, the Respondent, and any witnesses. The Examiner shall submit a written report of findings to the CoEC or the appropriate subcommittee of the CoEC along with a recommendation for mediation or sanctions.
- **Appointment.** The Examiner shall be hired or retained by the Executive Officer in consultation with the AAS President, as well as with the AAS Board of Trustees and the CoEC as appropriate.

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

[¹] Note that many universities and colleges now prohibit romantic or sexual relationships in cases where there is a significant imbalance of power between the parties, e.g., professors cannot date undergraduates, nor can they date any trainee in their own department or in a closely related department.

[²] The AAS President may consult with the Code of Ethics Committee in all instances where this document specifies that the AAS President is expected to review a complaint and/or where evidence is required to make a judgment.

[³] In some cases, a breach of the Code of Ethics may be addressed by mediation between the Complainant and the Respondent. This is the most likely case where no sanction would be imposed.

Last Updated: 11 October 2017