Implementing a Code of Conduct
(with Suggestions and Questions)

Richard Hund
Botanical Society of America
2019 CSE Annual Meeting  ♦  May 6, 2019

Starting Point

- Staff member pushed the idea of a Code of Conduct policy with several Board/staff members as a best practice and emerging trend in field of associations/non-profits
  - Reviewed different COCs for language to find what was appropriate for our Society
- Presented first draft to Board in March 2017
  - The Board wasn’t ready to implement right away
  - Prompted discussion and investigation of how to proceed
Why not put COC in place immediately?

- Not questioning the overall need for it, but concerns arose:
  - Who enforces the policy and how?
  - Inhibit scholarly discussion/debate?
  - Could multiple partners agree on COC language?

Three months later...

Tweets regarding another scientific society’s meeting:

1/n I had a wonderful time at _____, but I had several painful experiences with sexist behavior and bigotry I feel compelled to share.

2/n At the end of the super social, a male colleague pressured me to leave with him.
Action... but questions remained

- Steps made toward forming COC committee, made up of one member from each meeting partner society
- Who would get trained to act as “enforcers”? Conference organizers? Staff? Board members?
- Hiring consultant seemed best option, but cost was a big factor

Consultant Arrangement

- Conference’s five partner societies contracted with Sherry Marts (S*Marts Consulting) to provide assistance in addressing COC violations over the 5 days of the conference
- Available by phone/e-mail to take reports
What Consultant Offered to Provide

- Telephone interviews with complainants, witnesses, & alleged violators as needed.
- Written reports provided to COC Committee of interview results & recommendations regarding sanctions against violators as needed.
- Continuing work on ongoing investigations past final conference day, as needed.
- When investigations are complete, Consultant will turn over to Client or will destroy all documentation related to this work, including interview notes and conversations related to potential violations of the COC.

Finding the COC

- At the Botany conference home page https://www.botanyconference.org
- On the conference registration page
- On the conference app
- In e-mail sent to all attendees one week prior to conference
- Program book
One year in...

- 2018: first year we had a COC with a dedicated committee
- Committee suggested tweaks to the Code, and improving the process for reporting and acting on accusations of violations of the Code.

What kinds of changes?

- Intimidating, harassing, abusive, discriminatory, derogatory or demeaning speech or actions by any participant in BOTANY conference, at all related events and in one-on-one communications carried out in the context of BOTANY conference.
- Deliberate intimidation, stalking or following.

Retaliation for reporting unacceptable behavior is a violation of the Code of Conduct. Vigilantism is itself also a violation, and this includes any communications (including social media) that could be perceived as shaming or threatening. Once a report has been made to the Ombudsperson, all participants must give the process time to work.

NEW: Process for Investigating a Code Violation

After a code violation has been reported to our independent Ombudsperson, the Ombudsperson will conduct an investigation to ascertain if the behavior was in violation of the code, including interviewing other witnesses to the event. If an incident is deemed a violation, the Ombudsperson will pass all reported information to the Code of Conduct Committee (composed of one representative from each participating society) that shall deliberate on the nature of the violation, reach a decision on an action to be taken, and convey that information to the Ombudsperson. The Ombudsperson will then convey that message and decision of the Committee to the participant that has been reported in violation and, to anyone involved in carrying out sanctions if that is deemed necessary, and if requested, to the person who directly experienced the harassing behavior.
Suggestions

- Encourage Society members to get involved
  - BSA member in DC attended AAAS Sexual Harassment in Science Engineering and Medicine in 2018
  - BSA recently joined Societies Consortium on Sexual Harassment in STEMM—offers draft policies, legal assistance
    - Takes a fee based on organization size (3-yr membership)
- Better staff training

Suggestions

- From our consultant, Sherry Marts, in a 4/19/19 posting in ASAE’s Collaborate forum:
  - Whatever response you decide on, be sure to center the target(s) of the behavior, not the harasser or bully. Make sure the targets feel safe and taken care of, and... tell them what actions you have taken to ensure their safety.
  - While a desire to maintain confidentiality when handling incident reports is admirable, there may be times when it is rendered impossible and even moot, given the way news spreads on social media. If news of the incident is already the subject of numerous tweets and Facebook posts, be ready to respond directly and clearly on those same sites.
Questions

- Does the COC become just a “checkbox?”

[Image of Botany 2019 Conference website and code of conduct page]
Questions

How do we make the COC policy more accessible when incidents occur?

I think it will. Finding code of conduct + reportage instruct hard on mobile. Put reporting in app so people can ask for help immediately?
Final Thought

The good news is that behavior that used to be protected behind “boys will be boys” attitudes and discussed only in “whisper networks” is now being openly and publicly revealed and talked about. The bad news is that if harassment and bullying incidents are not handled well, that is also being openly and publicly revealed and talked about….

I recently had a client ask me about “best practices” for this. I was honest - this is all so new there are no ‘best practices’ yet, we’re all still figuring this out as we go along. (And by “we” I mean association staff and leaders, legal counsel, and those of us working to bring the #MeToo movement to this crucial corner of professional life.)

-Sherry Marts, 4/19/19, ASAE Collaborate

Thank you

Richard Hund
Botanical Society of America
rhund@botany.org