



ARL Code of Conduct Policy and Protocol

Policy

Included among ARL's guiding principles is the commitment to "engage all member representatives in the work of the Association with respect, fairness, and integrity. Foster an environment of inclusion, equity, nondiscrimination, and pluralism." This Code of Conduct is intended to articulate how the Association will adhere to that guiding principle.

ARL is committed to developing and maintaining a welcoming, inclusive, and respectful environment—one that will strengthen collaboration, promote intellectual freedom, and support honest discourse and debate. We ask that you listen as much as you speak; yield the floor to those whose viewpoints may be underrepresented; use welcoming language; accept critique graciously and offer it constructively; give credit where it is due; and stay attuned to the welfare of those around you.

ARL does not tolerate personal attacks, harassment of any kind, or disruptive behaviors by participants in conferences, events, meetings, online forums, or any other activities under ARL's aegis. Anyone asked to stop these behaviors is expected to comply immediately. If you have been involved in or witnessed an incident that potentially violates this Code of Conduct, please advise a designated ARL Ally, a member of the ARL Code of Conduct Committee (CCC), or a member of the ARL staff as soon as possible. ARL will address all reports with discretion and confidentiality as appropriate and will take actions it deems necessary, including warning the alleged offender, requesting that an offender leave an event, or seeking out trained professionals to assist in handling issues of harassment.

Definitions

ARL Code of Conduct Committee (CCC)

The ARL Code of Conduct Committee is a standing group which reports to the ARL Board. Its purpose is the implementation of the Association's Code of Conduct policy and the administration of its due process procedures. More information on the CCC can be found in [its charge](#).

The ARL Allies

The ARL Allies are a designated group of members representatives who have undertaken formal ally/bystander training and serve as resources at ARL events or other activities to participants who may have experienced possible Code of Conduct violations. More information on the ARL Allies can be found in [its charge](#).

Protocol for Addressing Code of Conduct Issues¹

The registration process for all ARL events will require registrants to agree to abide by the Code of Conduct and acknowledge understanding of and agreement to the complaint process, proceedings, and possible sanctions for any violations of the Code. For events or settings where no formal registration is conducted, acknowledgement will be secured through alternative means (verbally, etc.).

If you experience a possible Code of Conduct violation, notice that someone else may be impacted by a possible Code of Conduct violation, or have any other concerns, there are three ways such conduct can be addressed:

Self-resolution

If you feel comfortable speaking with the alleged offender, please inform the individual that they have affected you negatively. Oftentimes, the offending behavior may be unintentional and the incident may be resolved by having an open discussion. In these cases, no reporting or sanctions will be required.

Resolution via Mediation

If the alleged offender insists that they did not offend, or if direct engagement is not a good option for you at this time,² then there are several options for third-party support and assistance:

1. Contact an ARL Ally, a designated individual who has taken formal ally or bystander training, to discuss the behavior.
2. Email the ARL CCC at ccc@arl.org (specific email used to handle Code of Conduct reporting) to discuss the behavior.
3. Contact a member of the ARL CCC to discuss the behavior.
4. Contact an [ARL staff](#) member to discuss the behavior.

A third party may be instrumental in helping you process the situation and decide how to respond. In some cases, this may lead to self-resolution (where you inform the alleged offender that they have affected you negatively leading to a mutually agreeable resolution). In other cases, the third party may attempt to mediate a discussion between you and the alleged offender that leads to a mutually agreeable resolution. In both cases, no formal reporting or sanctions will be required.

Formal Resolution

If mediation fails or if the alleged Code violation is of such a serious nature as to preclude mediation, you can file a formal violation report with CCC using the [online form](#) available on the ARL website. The report will collect information about the alleged Code violation and its impact on you so that ARL can respond to and address

¹ Note that ARL will not investigate conduct that is the subject of criminal or civil litigation or any other kind of administrative or investigative process. Alleged criminal conduct should be reported to the appropriate legal authorities.

² The ARL community recognizes that there are many reasons speaking directly to the offender may not be feasible including, but not limited to, unfamiliarity with the conference or its participants, power dynamics, and concerns for personal safety.

the situation. To allow ARL to do this in a fair and effective manner, we strongly encourage you to submit any violation report within 3 months of the incident. Violation reports for incidents that occurred greater than 12 months in the past will not be accepted.

Investigation into Report

Once it has received a filed report, the CCC will:

1. Promptly acknowledge its receipt of the report to the person who has filed the report
2. Make a determination as to whether the report involves a possible Code violation that can be considered by ARL, and if not, so notify the person who has filed the report
3. Determine the scope of and process for investigation into the alleged Code violation, including whether the investigation will be handled by the CCC or whether the CCC will recommend to the Executive Committee that the services of an external consultant be used to conduct the investigation
4. Take any interim actions during the process, such as instructing the alleged offender not to contact the reporter or any affected individuals
5. If the CCC will be conducting the investigation, proceed with the investigation to gather relevant information to determine whether a Code violation has occurred

At any point in the process, the CCC, in its discretion, may attempt resolution of the report by informal means without completion of the investigation or consideration of the imposition of sanctions.

If an external consultant is used for the investigation, the investigation's findings will be communicated directly to the Executive Committee.

Decision and Notification

Upon conclusion of any investigation handled by the CCC, if the findings are that a Code violation has occurred, the CCC will recommend to the Executive Committee what sanctions, if any, it believes should be imposed. The Executive Committee will review the investigation report and findings and make the final decision as to whether a Code violation has occurred and what sanctions, if any, should be imposed. If an external consultant is used for the investigation, the consultant will provide the investigation findings to the Executive Committee (EC), and the EC will review any determination about whether a Code violation has occurred and make the decision about appropriate sanctions, if any.

If the CCC or external consultant recommends and the EC agrees that the behavior is determined to be a Code of Conduct violation, the EC will:

1. Provide notification of the findings and sanctions, as and to the extent the EC determines is appropriate, to those involved in the complaint that is the subject of the report
2. Provide notice of rights of appeal as described below

3. Notify any relevant individuals that they can report to the CCC any other behavior that might violate the Code

If either the CCC or the external consultant determines that the behavior is NOT a Code of Conduct violation, the CCC will (with a copy to the EC):

1. Provide notification of the findings, as and to the extent the CCC determines is appropriate, to those involved in the complaint that is the subject of the report
2. At its option, issue an educative letter about the violation, even though there is not a finding of a violation of the Code
3. Provide notice of rights of appeal as described below

Timeliness and Confidentiality

The CCC and EC shall process, investigate, and make a determination on the report as promptly as possible given the circumstances.

Reports, including the investigation and decisions, shall be handled confidentially to the extent appropriate under the circumstances, but absolute confidentiality is not guaranteed. Participants in the investigation will be asked to respect the confidentiality of the process.

The ARL Board and staff will retain a copy of the CCC report in its document archive for 10 years.

Sanctions

Individuals asked to stop any offending behavior are expected to comply immediately. If an individual engages in offending behavior, ARL may take any action it deems appropriate. Specific sanctions may include but are not limited to:

1. Directing the alleged offender to cease their behavior and warning that any further violations will result in other sanctions
2. Issuing an educative letter to the offender
3. Issuing a written reprimand to the offender
4. Requiring that the alleged offender avoid any interaction with, and physical proximity to, the affected individual for the remainder of the event
5. Not publishing the video or slides of a talk that violated the policy
6. Not allowing a speaker who violated the policy to give (further) talks at ARL events
7. Immediately ending any event volunteer responsibilities and privileges the alleged offender holds
8. Requiring that the alleged offender immediately leave the event and not return
9. Banning the alleged offender from future events (either indefinitely or for a certain time period)
10. Banning the alleged offender from any (or all) ARL chat rooms or social media lists
11. Informing the offender's home institution of the incident

It is the intent that the range of available sanctions be as broad and flexible as possible so that they can be employed to remedy and redress any Code violation that has

occurred. ARL has the right, in its sole and exclusive discretion, to determine whether any sanctions will be private or public.

ARL is a supportive community that believes in the power of education and change. Conditions may be established that, if satisfied, will result in the lifting of sanctions. An individual who has received sanctions may appeal to the Board (at a time designated in the original sanction) with evidence that the conditions that led to suspension have been rectified and that, on lifting of the sanctions, the individual will abide by the Code.

Appeals

If an alleged offender or affected individual does not agree with the decision of the CCC or the EC, the individual may appeal the decision. The appeal requires a written statement to the president of ARL within two weeks of receiving the decision of the EC or of the CCC. The Board and the ARL executive director (minus the president, vice president, and treasurer, who are members of the EC) will review the appeal and make a decision as to its final disposition. In performing its appellate function, the Board, at its sole discretion, may decide to conduct its own investigation. Once a decision is made, the Board will communicate its decision to both the alleged offender and the impacted individual.

Recusal

If an ARL Ally, member of the CCC, EC, or Board has a conflict of interest or bias (such as a current working or personal relationship with any party involved in the incident) regarding the reporter of the incident or alleged offender, the individual with the conflict will be required to recuse themselves from the investigative process.

Reporting to the ARL Membership

ARL will provide high-level annual reporting of Code of Conduct violations as a part of Board reporting for ARL events. The report could include counts of reports, resolutions, violations, and other metrics that may help the community learn from the process.

Approved by the Board
September 14, 2020
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