

# Policies and Procedures of the Committee on Ethics and Member Conduct

## American Society for Engineering Education

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## Introduction

The Committee on Ethics and Member Conduct (hereafter simply “the Committee”) provides general oversight for ASEE’s ethics-related policies: “ASEE Code of Ethics,” “Code of Conduct for ASEE Meetings,” and “Volunteer Code of Conduct.” The Committee reviews formal complaints (see below for how complaints should be submitted) and makes recommendations to the ASEE Board of Directors (hereafter “the Board”). The “Policy on Plagiarism and Duplicate Publication” has its own procedures for handling allegations of plagiarism.

The Chair of the Committee is appointed by the Board for a three-year, renewable term. Six additional members of the Committee are appointed by the Board for staggered three-year, renewable terms.

In addressing complaints, the Committee takes a restorative justice approach, which strengthens collegial relationships and aligns with the values of our community. This approach also supports the professional growth and development of engineering educators.

## Resolving Complaints

### Initial Screening

Complaints of the alleged violation must be submitted in writing to the ASEE Vice President of Member Affairs using the Ethics and Member Conduct Complaint Form (available at <https://www.asee.org/about-us/what-we-do/ethics-policies-and-resources>). Complaints should be submitted within 180 days from the alleged violation. The complainant must specify the exact provisions of an ASEE ethics-related policy that the respondent might have violated and include supporting documentation. Complaints from both ASEE members and non-members will be considered without prejudice. Anonymous or incomplete complaints will not be considered.

The Vice President will immediately forward the complaint to the chair of the Committee. In consultation with at least one other member of the Committee within 14 days, the chair will decide whether the complaint fits the scope of the named policy. If it does, the chair will then decide whether to pursue an informal resolution or start an investigation. If it does not fit within the named policy, the chair will dismiss the complaint and refer the issue back to the VP to report to the Board as needed. The chair will report this decision to the complainant,

copying the Vice President. In the case of informal resolution or investigation, the chair will inform the respondent, with copies of the complaint and the supporting materials. The chair will also send the respondent a copy of these policies and procedures. The complainant may request that their identity be withheld from the respondent throughout the process of resolving the complaint; in these cases, the materials provided to the respondent will be appropriately redacted.

## **Informal Resolution**

To begin an informal resolution, the chair will appoint one member of the Committee as a mediator. The mediator will not have any perceived conflict of interest with either the complainant or the respondent. The chair will send the name of the mediator to the complainant and respondent and ask whether either has a conflict of interest with the mediator. The respondent and complainant must reply in email to the chair within 14 days.

While maintaining confidentiality, the mediator may take any reasonable steps toward the goal of achieving an informal resolution of the complaint. The mediator may meet separately or jointly with the complainant and the respondent, in person or electronically. If the mediator is unable to find a resolution that satisfies both parties within 30 days, the chair will then start an investigation.

## **Investigation**

The chair will appoint an investigation panel consisting of three Committee members who have no perceived conflicts of interest with the complainant or the respondent. The chair will send the names of the panel members to the respondent and ask whether the respondent has a conflict of interest with any panel member. The respondent must reply by email to the chair within 14 days.

At its discretion, the panel may interview the complainant, the respondent, or other parties. If the panel gathers additional documentary evidence, they must share that evidence with both the complainant and the respondent while observing any requested anonymity.

The panel will submit a written draft report with its findings about the facts of the case and its recommendations for sanctions, if any, to the chair within 60 days. The chair will forward the draft report to the respondent and request a written response within 14 days. The panel will consider this response and finalize its report within 14 days.

The chair will deliver the panel's final report with recommendations to the Board through the Vice President Member Affairs. The Board will review the report and reach a decision within 30 days. The Board may accept the panel's recommendations or modify them at their discretion. The Vice President will then notify the respondent in writing about the decision of the Board, with a copy to the chair of the Committee.

The respondent may appeal the decision of the Board, in writing, to the President of ASEE within 14 days of the decision. Upon reviewing the evidence in consultation with the chair of the Committee, the President may reduce the severity of the sanction but may not increase it. The President will then convey the decision on the appeal to the respondent, with copies to the VP Member Affairs and the chair of the Committee. The President's decision is final.

At the conclusion of this process, the Committee chair will notify the complainant that the complaint has been resolved and appropriate action has been taken by the Board. Specifics of the resolution will remain confidential, but shared with the Ethics Committee for purposes of consistency and training.

At their own discretion, the complainant or respondent may choose to have a support person accompany them through the process (e.g., a graduate student may ask a trusted faculty member to be their support person or a faculty member may ask a trusted colleague to be their support person). The support person must not be a witness or otherwise speak or advocate for the complainant or respondent to the investigation panel, and is expected to maintain the confidentiality of the proceedings.

## Sanctions

The investigation panel may recommend appropriate sanctions, such as

- Continuing education or professional development activity
- Completing prescribed professional service activities
- Denial of participation in ASEE activities for up to five years, including
  - Attending ASEE conferences and meetings
  - Publishing in ASEE conference proceedings and journals
  - Serving as an officer or committee member in ASEE, at any level
- Suspension of ASEE membership for up to five years
- Expulsion from ASEE

In choosing sanctions, the panel will take a restorative justice approach and will consider the severity of the violation of ASEE policy and the respondent's prior violations, if any, of an ASEE policy.

It is the responsibility of the respondent to provide evidence that they have completed any recommended or required activities to the Vice President Member Affairs.

## Additional Policies

**Confidentiality.** All persons involved in resolving complaints will maintain the confidentiality of the identities of the complainant and respondent and the confidentiality of all correspondence and materials regarding a case and its disposition. ASEE staff may be informed only if necessary to implement sanctions.

**Conflicts of interest.** All members of the Committee who have a conflict of interest with the complainant or respondent must recuse themselves from the resolution process.

**Non-retaliation.** Any act of retaliation against the complainant will be considered a violation of ASEE's Code of Ethics.

**Records.** After the resolution of a case, all records will be maintained in a secure location at ASEE Headquarters for five years past the end of any sanction period or the conclusion of any resolution. At the end of this period, if an ASEE member was sanctioned, only a record of that sanction and the reason for it will be maintained.

**Modifications.** The Vice President Member Affairs may make minor modifications to these procedures during the handling of a case. For example, the Vice President may extend a time period for good reasons or appoint a substitute for the chair in the case of a conflict of interest.