

# **The Paleontological Society's Policy on Non-discrimination and Member Code of Conduct**

*Provisionally ratified by the Paleontological Society Council on March 1, 2019*

*Formally ratified after legal counsel review by the Council on April 29, 2019*

## **1. The Paleontological Society's Policy on Non-discrimination and Member Code of Conduct**

The Paleontological Society (the “Society”) strives to provide an environment that encourages the free expression and exchange of scientific ideas. In pursuit of that environment, the Society is committed to equality, both in opportunity and in treatment, for all of its members. We believe that one of our strengths as a Society rests in our diverse membership, and that such diversity is integral to the advancement of our Society, and to the continued rigor and ingenuity of paleontological research. The Society will not discriminate in its activities or services on the basis of race, color, national or ethnic origin, immigration status, religion, age, marital status, parental status, sex, sexual orientation, gender identity or expression, socioeconomic background, educational background, disability, or military service or veteran status. The Society will strive to ensure that all Society sponsored meetings and functions are conducted in a professional manner in which all participants are treated with dignity and respect.

## **2. Scope and Settings**

The Society recognizes any behavior as unacceptable when it has the effect (or could reasonably be assumed to have the effect) of creating, contributing to, or maintaining a professional environment that is hostile toward or damaging to a person or group on the basis of race, color, national or ethnic origin, immigration status, religion, age, marital status, parental status, sex, sexual orientation, gender identity or expression, socioeconomic background, educational background, disability, or military service or veteran status. Such unacceptable behaviors are prohibited by the Code of Conduct.

The Code of Conduct provided herein applies to all members of the Society, including student, professional, amateur, and retired members, and to all participants in Society and Society-sponsored events. Membership or participation in the Paleontological Society and its sponsored events constitutes an agreement to adhere to the Code of Conduct. These policies cover member conduct in all professional and educational settings and related environments, and in relation to both members and non-members. These settings may include, but are not limited to:

- Any professional workplace, networking event, or activity;
- Conferences, meetings, discussion panels, and other activities at Society affiliated or sponsored meetings;
- Professional and educational field work settings, including transport vehicles and housing associated with such settings;
- Educational environments, including formal and informal educational spaces and housing associated with them;
- Informal spaces where there are social activities with Society members;

- Informal and professional social networking sites and online platforms both affiliated and not affiliated with the Society.

The Society is in the process of developing policy and procedures focused on scientific ethics and misconduct related to publications and fossil collecting, which will be added to this document in the near future.

### **3. Member Expectations - Code of Conduct for Paleontological Society Members and Event Participants**

Members of the Society and participants in Society events (hereafter "Society members") agree to adhere to the Policy of Non-discrimination and Code of Conduct. This Code of Conduct applies to all Paleontological Society sponsored events and activities. Expectations with respect to the conduct and actions of Society members are as follows:

- a. Society members will treat others with dignity and respect, regardless of their own or another's race, color, national or ethnic origin, immigration status, religion, age, marital status, parental status, sex, sexual orientation, gender identity or expression, socioeconomic background, educational background, disability, or military service or veteran status.
- b. Society members will communicate with civility.
- c. Society members will give fair and equitable consideration to all students, postdoctoral scholars, faculty, professionals, and amateurs, regardless of their race, color, national or ethnic origin, immigration status, religion, age, marital status, parental status, sex, sexual orientation, gender identity or expression, socioeconomic background, educational background, disability, or military service or veteran status.
- d. Society members engaged in student mentoring will encourage all students in a respectful manner that is inclusive of diverse backgrounds and experiences, and recognizes that education is fundamental for the promotion of student learning and professional development.
- e. Society members will observe the guidelines for the reporting of prohibited behavior (see section 6), and recognize that such guidelines are in effect at all times (see section 2).
- f. Society members will not attempt to injure the reputation or professional opportunities for others by false, biased, or undocumented claims.
- g. Society members will not practice, incite, encourage, or condone prohibited behavior (see section 4), including but not limited to harassment in any form.
- h. Paleontological Society members will obey the rules and policies of affiliate meeting venues. Members attending Geological Society of America meetings should review the [Geological Society of America's Events Code of Conduct](#) and those attending

American Geophysical Union Annual meetings should review the [AGU Scientific Integrity and Professional Ethics](#) documents.

#### **4. Prohibited Behaviors**

Behaviors that are prohibited and which may result in disciplinary action include:

- a.** Harassment in any form, including sexual harassment, denigrating jokes, stereotyping, or a recurring pattern of microinvalidations, microassaults, microaggressions, and microinsults (see Section 12);
- b.** Physical abuse or intimidation, including disregard for another's safety;
- c.** Verbal or written abuse or intimidation (in-person or remotely), including but not limited to: harmful or negative comments related to race, color, national or ethnic origin, immigration status, religion, age, marital status, parental status, sex, sexual orientation, gender identity or expression, socioeconomic background, level of education, disability, or veteran status;
- d.** Violating the previously communicated (verbally or nonverbally) physical, emotional, and sexual boundaries of others through the continuation of otherwise prohibited behaviors, or through verbal or written comments founded on any personal aspect of another individual;
- e.** Photographing, recording, or video-taping of others and/or the dissemination or distribution of photographs, recordings and video-tapings of others without their consent.
- f.** Display or distribution of images or recordings involving provocative behavior, bigotry, nudity, sexual activities, or physical force against oneself, another person, or a community;
- g.** Intentional, unwelcomed physical behaviors (in-person or remotely), including but not limited to: stalking, physical contact, and aggressive or intimidating displays and/or body language;
- h.** Threats (implied or real) of physical, emotional, professional, or financial harm;
- i.** Any other behaviors that may reasonably be assumed to have the effect of creating, contributing to, or maintaining an environment that is hostile toward or damaging to a person or group.

#### **5. Self-Reporting**

The Paleontological Society is a vibrant volunteer-run organization, with top scientific journals, and a grants and awards program that recognizes the scientific potential, contributions, and achievements of its members. Candidates and nominees for volunteer governance positions (Council and committee members), authors of manuscripts in Paleontological Society journals, and nominees or applicants for grants and awards are expected to meet all of the expectations outlined in this Code of Conduct. Therefore, all authors and coauthors of submitted manuscripts will be required to submit a professional conduct self-reporting form each time a manuscript is submitted. Manuscripts that are submitted without a self-reporting form provided by each

coauthor will not be considered by the journal. All candidates/nominees for Society positions, grants, and awards will also be required to submit a professional conduct self-reporting form and convey information regarding any known past allegations or institutional proceedings related to the candidate's professional conduct, including any pending investigations. This self-reporting of past or pending investigations into an individual's professional conduct does not automatically disqualify an author/candidate/nominee. However, each report will be reviewed by the Ethics Committee and follow-up discussions may be needed if there are areas of concern. ([Link to Self-Reporting Form](#))

## **6. Reporting an Allegation of Code of Conduct Violation**

If one is subject to or witnesses prohibited behavior, they should notify either a member of the Ethics Committee (see below), a Society member with a designated leadership position (e.g., President, field trip leader, etc.), an individual holding such a position at an affiliate meeting where the incident occurred, or an individual holding such positions at institutions where the incident occurred. Society members acting in leadership positions, whether for an established term (e.g., elected officials, committee members, etc.) or temporarily (e.g., field trip leaders, session organizers, etc.) are required to report any incidences of prohibited behavior that they directly witness or have reported to them to the Ethics Committee to ensure that all parties involved receive appropriate consideration and follow-up.

Anyone subject to or witnessing behavior that constitutes an immediate or serious threat to public or individual safety or a criminal act should contact local law enforcement. Those witnessing a potential criminal act should also take actions necessary to maintain their own personal safety.

The following procedures, which are a modified version of the [American Geophysical Union \(AGU\) procedures for reporting an allegation](#), shall apply to the reporting of prohibited behavior:

Allegations of misconduct by Paleontological Society members or event attendees must be submitted in writing either directly to any member of the Paleontological Society Council, a member of the Ethics Committee, or directly to the email address of the Ethics Committee, [ethics@paleosoc.org](mailto:ethics@paleosoc.org) in order for an investigation to be opened. Allegations may also be submitted in writing to:

Chair of Ethics Committee  
The Paleontological Society  
9650 Rockville Pike  
Bethesda, MD 20814, USA

In advance of potential submission of an allegation, members of the Ethics Committee will also be available to speak about alleged misconduct and the investigation process, but written documentation will be required to initiate an investigation. All documents and information pertaining to such allegations should be treated with the highest degree of confidentiality by those involved in the investigation process insofar as said confidentiality would not reasonably interfere with law enforcement related to such an incident or result in physical, professional, or psychological harm to any party during the course of the investigation or outside of the scope of

any sanctions, should they be applied. Individuals involved in a reported incident of alleged misconduct, including victims, witnesses, and those alleged to have engaged in prohibited behavior(s), will not engage in retaliatory behavior during or after the reporting process. Engaging in retaliatory behavior will be deemed a breach of these guidelines. If allegations pertain to criminal activity or pose a reasonable risk to public safety, the allegation(s) will be reported to the appropriate authorities.

An allegation report **must** contain the following information ([Link to Allegation Form](#)):

1. The name(s) and affiliation(s) of the individual(s) submitting the allegation, the victim(s), and the name of individual(s) alleged to have engaged in the prohibited behavior(s), if known. If not known, then any possible identifying information should be provided.
2. A description of the allegation that includes the date (or range of dates) and circumstances of the alleged misconduct, and the name(s) and affiliation(s) of all parties involved, including any witnesses.
3. Any documents or other relevant items (e.g., written or digital correspondence, physical evidence, etc.) with annotation detailing how the item relates to the allegation.
4. An explanation of the type of prohibited behavior(s) as defined in this Code of Conduct that are being alleged.
5. A statement explaining any real or reasonably perceived conflict(s) of interest related to any parties named in the allegation and/or any member(s) of the Ethic Committee or Society Council. This is to ensure a fair and unbiased process. A conflict of interest does not preclude the filing of an allegation.

Allegations may be returned if they do not contain the above information.

If a participant in Society activities would like to speak with a member of the Ethics Committee about potential Code of Conduct violations and/or about the reporting process, they may send an email to a committee member or to [ethics@paleosoc.org](mailto:ethics@paleosoc.org) and request a conversation.

When a member or participant in Society activities is sanctioned by another organization for misconduct or convicted of criminal activity, the Ethics Committee and Society Council may consider its own sanctions.

## **7. The Paleontological Society Ethics Committee and Its Role in the Review of Allegations of Misconduct**

The Ethics Committee is responsible for investigating reported allegations and will determine which allegations are substantial and thereby require investigation. The chair of the Ethics Committee will coordinate the Society's investigations of misconduct. The Ethics Committee reports to the Council of the Paleontological Society, which has the final authority to determine what action(s) will be taken if an allegation of misconduct is substantiated.

The Ethics Committee is a standing committee that will be convened only as needed. The Past-President of the Society will serve as Chair. The Ethics Committee will consist of a member of the Diversity and Inclusion Committee, the Education and Outreach Committee, the Nominating

Committee, a Journal Editor, a member of one of the Society's Award Committees and a Student Representative. The standing members of these committees will select a representative to the ethics committee. Ethics committee members will receive training on how to conduct investigation processes and enforce the code of conduct and will serve a term of 2 years, with terms staggered to enhance continuity of the committee's activities. To achieve the staggered appointment pattern, appointments of the inaugural members representing the Diversity and Inclusion, Education and Outreach, and Nominating Committees will be for three years, and two years thereafter.

All investigations will be conducted under strict confidentiality when such confidentiality would not reasonably result in the physical, professional, or psychological harm to any party and when the allegations do not pertain to a crime. Any member of the Ethics Committee or the Society Council that has a personal or professional relationship with a party to an allegation (either accuser or accused) that may pose a potential conflict of interest, shall recuse themselves from the committee/council discussions and any actions related to the allegation. Documentation of recusals will be included in the final report. The person who reported the allegation and the subject(s) of the report will be notified in writing that the report has been received and that an investigation is being conducted, and they will be given an outline of the next steps that will be taken. A person who is the subject of the report also has the opportunity to respond to the allegations and provide information to the Ethics Committee.

The Ethics Committee has 90 days to complete its investigation and to provide a report to the Society Council. This report will include a summary of the alleged violation of the Code of Conduct, a summary of the investigation, a summary of the committee's discussion of the allegation, and the final recommendation. The Society Council will determine whether to accept and act on the Ethics Committee's recommendation, and any deviation from the Committee's recommendation will be explained and justified in writing.

In cases where a person in a designated leadership position took immediate action to remedy a violation of the Code of Conduct, a report that documents the incident and the action(s) taken will be submitted to the Ethics Committee. The Ethics Committee will review such cases and will determine whether or not the actions taken were appropriate and if the case is resolved, or they may decide on the need for additional sanctions.

Members and participants in Society activities who are found to have violated the Society's Code of Conduct may be subject to one or more of the following sanctions ([Link to Conduct Sanctions Matrix](#)): written reprimand or warning, removal from Society positions, suspension from presenting at sponsored meetings, suspension from attending future sponsored activities (including events, field trips, short courses and meetings), suspension from submission of manuscripts to Paleontological Society journals, suspension of Society membership, permanent expulsion from the Society, and/or denial or revocation of grants and awards. These sanctions may be for a predetermined duration or permanent.

If a member is deemed to have violated the Society's Code of Conduct and it has been determined that sanctions are necessary, the Society reserves the right to contact affiliated societies, funding agencies, and the sanctioned member's home institution(s) regarding member

misconduct as part of the Society's due-diligence in reporting prohibited behavior that may breach the non-discrimination and/or harassment policies of our associates.

### **8. Appeals**

Any party named in an allegation (either accuser or accused) can file an appeal of an Ethics Committee recommendation and/or Council final determination within 60 days of the final report and notification. The appeal must be sent to a member of the Council executive committee (President, Past-President, President-Elect, Secretary, Treasurer) and include justification for the appeal and new evidence or a narrative that explains why previous evidence should be reconsidered. The Chair of the Ethics Committee and the Society Council will review appeals and determine whether to maintain or revise the original decision on sanctions, or refer the appeal to the Ethics Committee for further consideration. All actions and decisions will be fully documented and communicated with the parties involved in the original reporting of the allegation.

### **9. Statute of Limitations**

There is no absolute statute of limitation for considering violations to the Society Code of Conduct. The Paleontological Society will ensure the timely investigation of reported allegations.

### **10. Maintenance of a confidential archive**

The Ethics Committee will record all allegations, investigative processes, decisions, and appeals in a secure database. Access to this database will be limited to the Ethics Committee and the Executive Committee of the Paleontological Society Council. Reports related to Code of Conduct violations will be maintained indefinitely to help address the issue of repeat offenders. A summary report regarding investigations of the Ethics committee will be made available to the Society Council on an annual basis.

### **11. Review of Program**

A review and assessment of the Policy on Non-discrimination and Member Code of Conduct and the Ethics Committee process for investigating reports and determining sanctions will be conducted on an annual basis. This will ensure that all policies and procedures are operating as intended and are kept up to date and reflect current best practices. The review and assessment will be conducted by a Review Committee of three people appointed by the President, with the advice of the Chair of the Diversity and Inclusion Committee. The Review Committee may make recommendations to the Society Council and the Diversity and Inclusion Committee on revisions to the Policy on Non-discrimination and Member Code of Conduct.

### **12. Definition of Terms**

- Amateur: a paleontology enthusiast who is not paid as a professional to do this work.
- Color: the relative pigmentation and/or shade of a person's skin, which may or may not relate to a person's racial heritage or ethnic identity.
- Conflict of Interest: a situation that has the potential to undermine the impartiality of a person because of the possibility of the person's self-interest working against professional or public interests.

- Disability: any physical or mental impairment, visible or invisible, that substantially limits one or more major life activities (Modified from the U.S. Department of Housing and Urban Development).
- Equity: fairness in treating people without bias discrimination, prejudice, bigotry, or favoritism
- Ethnicity: a person's affiliation with or membership of a larger group of people classed according to common racial, national, tribal, religious, linguistic, or cultural traditions, origins or background. (Modified from Merriam-Webster)
- Gender expression: the external representation or appearance of one's gender or sexual identity, usually expressed through behavior, clothing, haircut or voice, and which may or may not conform to socially defined behaviors and characteristics typically associated with being either masculine or feminine. (Modified from the Human Rights Coalition)
- Gender identity: one's internal concept of self as male, female, a blend of both or neither. One's gender identity can be the same or different from their sex assigned at birth. (Modified from the Human Rights Coalition)
- Harassment (other): Harassment includes, but is not limited to: (i) epithets, slurs or stereotyping; (ii) threatening, intimidating or hostile acts; and (iii) denigrating jokes and display or circulation of written or graphic material that denigrates or shows hostility or aversion toward an individual or group.
- Harassment (sexual): Sexual harassment refers to unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Sexual harassment refers to behavior that is not welcome, is personally offensive, debilitates morale, and therefore, interferes with work effectiveness. The following are examples of behavior that, when unwelcome, may constitute sexual harassment: (i) sexual flirtations, advances, or propositions; (ii) verbal comments or physical actions of a sexual nature; (iii) sexually degrading words used to describe an individual or group; (iv) a display of sexually suggestive objects or pictures; (v) sexually explicit jokes; and (vi) unnecessary touching.
- Immigration status: the type of residency status a person has within their country of residence, including the pathway to or from such status.
- Inclusion: creating an environment where all people are involved, empowered and recognized.
- Marital status: a person's status as engaged, married, unmarried, divorced, or widowed.
- National origin: the nation from which a person originates.
- Parental status: whether or not a person is pregnant, has children, or plans to have children, including through pregnancy, surrogacy, adoption, or any combination thereof.
- Physical abuse and intimidation (non-sexual; including threats): any intentional action or threat of an action, including willful disregard for the safety of others, that causes (or could reasonably be believed to cause) physical injury, trauma, or suffering.
- Race: a socially-constructed category within humankind that shares certain distinctive physical traits. (Modified from Merriam-Webster)



- Religion: a person's system of beliefs (or absence of belief), which may include a commitment to or an observance of an organized faith system.
- Scientist: The Society defines as a scientist any individual who is engaged in the creation or evaluation of scientific knowledge, methodologies, or materials who cannot otherwise be classed as a student (see below). This designation, for the purposes of the Society, includes all professional, amateur, and retired members.
- Sex: the sum of the structural, functional, and behavioral characteristics of organisms that are involved in reproduction, and which may distinguish among females, males, and intersex individuals. (Modified from Merriam-Webster)
- Sexual Orientation: an inherent or immutable and enduring emotional, romantic or sexual attraction (or lack thereof) to other people on the basis of their gender and/or sex. (Modified from the Human Rights Coalition)
- Stalking: the act or crime of willfully and repeatedly following or harassing another person (in-person or remotely) in such a way that could reasonably cause a fear of injury or harm.
- Student: any individual whose primary occupation is that of a K-12, undergraduate, graduate, or professional student. This designation, for the purposes of the Society, includes all student members.
- Verbal or written abuse or intimidation (in-person or remotely): any intentional verbal or written act or threat of such that causes (or could reasonably be believed to cause) emotional, professional, or financial harm or distress to another, including:
  - Microaggressions: comments or actions that indirectly express a prejudiced attitude toward a member of a marginalized group (adapted from Merriam-Webster)
  - Microassaults: verbal or non-verbal communications or actions that are meant to cause another harm
  - Microinsults: verbal or non-verbal communications that are intentionally rude or demeaning
  - Microinvalidations: a type of microaggression that excludes, ignores, or demeans a person's thoughts or emotions
- Veteran status: whether or not an individual is currently or has previously served in a national branch of the military