

**ATIXA
POLICY AND PROCEDURE**

**STATEMENT OF ETHICS AND
ADMINISTRATIVE RESOLUTION
PROCESS**

ADOPTED BY:

THE ATIXA ADVISORY BOARD

MAY 2016

ATIXA STATEMENT OF ETHICS

ATIXA is not subject to federal and state civil rights laws prohibiting discrimination. Nothing in this policy is intended to subject ATIXA to such laws. However, as an association dedicated to the prevention and remediation of discrimination, ATIXA commits to non-discrimination as an act of ethical leadership and expects its members to honor ATIXA's mission in their professional and personal conduct.

ATIXA commits that it will not discriminate against any applicant for membership or any member on the basis of race, religion, color, sex, pregnancy, religion, creed, ethnicity, national origin (including ancestry), citizenship status, physical or mental disability, age, marital status, sexual orientation, gender, gender identity, gender expression, veteran or military status, predisposing genetic characteristics, and/or domestic violence victim status.

Core Values of ATIXA Members

- ***Ethics and Integrity:*** ATIXA members exemplify honesty, integrity and a respect for the truth in all of their dealings.
- ***Community:*** ATIXA members build and enhance the association and do it credit by their professional conduct.
- ***Social Justice:*** ATIXA members are just and equitable in their treatment of all members of the association and act to discourage and/or intervene to prevent unjust and inequitable behaviors.
- ***Respect:*** ATIXA members show positive regard for each other, for the good name and reputation of the association and for the mission of the association.
- ***Responsibility:*** ATIXA members are given and accept a high level of responsibility to self, to others and to the association.

ATIXA members are responsible for knowing the information, policies and procedures outlined in this document. ATIXA reserves the right to make changes to these policies and procedures as necessary and once those changes are posted online, they are in effect. Members are encouraged to check online [<https://atixa.org/members/member-library/#memberpolicies>] for the updated versions of all policies and procedures.

Each ATIXA member bears responsibility for their conduct. When members of the association fail to exemplify these five values, resolution proceedings are used to assert and uphold the *Statement of Ethics*.

Jurisdiction

This policy applies to behaviors that take place at ATIXA-sponsored event or with respect to ATIXA-related business and may also apply to the external, print and/or online conduct of members when the Executive Director¹ determines that the conduct affects a substantial ATIXA interest. A substantial ATIXA interest is defined to include:

- a) Any action or allegation that constitutes a criminal offense as defined by law. This includes, but is not limited to, single or repeat violations of any local, state or federal law;
- b) Any situation where it appears that the responding party may present a danger or threat to the health or safety of self or members;
- c) Any situation that significantly impinges upon the rights, property or achievements of members or significantly disrupts the association mission, programs or activities;
- d) Any situation that is detrimental to the reputation, ethics or integrity of ATIXA.

The *Statement of Ethics* applies to the conduct of individual members, committees, task forces or any other entity within ATIXA. The *Statement of Ethics* applies to behaviors that take place at or during ATIXA events, programs, trainings, or where a member is representing ATIXA (e.g.: Board member representing ATIXA at a conference or event).

The *Statement of Ethics* may also apply to non-ATIXA events, programs, trainings or situations when the Executive Director determines that the conduct affects a substantial ATIXA interest.

There is no time limit on reporting violations of the *Statement of Ethics*, however, the longer someone waits to report an offense, the harder it becomes for the Executive Director to obtain information and witness statements and to make determinations regarding alleged violations.

Though anonymous complaints are permitted, doing so may limit ATIXA's ability to investigate and respond to a complaint. Those who are aware of misconduct are encouraged to report it as quickly as possible to the Executive Director of ATIXA. To report allegations of misconduct against any officer of ATIXA, contact the Executive Director or any member of the ATIXA Advisory Board.

In relation to ATIXA membership, its programs and ATIXA itself, ATIXA members will uphold ATIXA's *Statement of Ethics*. These expectations apply to all ATIXA members. ATIXA members

¹ Note that all references to the Executive Director in the *Statement of Ethics* and the Administrative Resolution Process refers to the Executive Director or designee.

are expected to carry out their professional responsibilities ethically, honestly, and with integrity by exercising sound judgment and advancing equity. For example, ATIXA members will:

- Conduct themselves with integrity and honesty.
- Not condone or participate in any unethical or illegal acts.
- Appropriately disclose and/or avoid conflicts of interest and/or potential conflicts of interest both in their ATIXA interactions and professional roles.
- Appropriately disclose and/or avoid conflicts of commitment and/or potential conflicts of commitment both in their ATIXA interactions and professional roles.
- Uphold the principles of equity, social justice and fairness.
- Follow ATIXA's harassment and discrimination policies.
- Not engage in behavior that is disruptive, or that hinders, damages or disrupts ATIXA or its operations.

Members are expected to hold themselves accountable to the principles and standards of this statement. If a member is concerned about another member's behavior, it is hoped that members will consider direct, private conversation to address the situation. Members are welcome to consult with the Executive Director (or designee)² if they would like to address a concern in this manner but are seeking guidance or facilitation. Serious matters should be brought to the attention of the Executive Director, any ATIXA Executive Team member, or any member of the ATIXA Advisory Board.

If a matter of misconduct comes to the attention of the Executive Director, the Executive Director reserves the right to suspend membership pending investigation of the allegation. Based upon the nature of the reported behavior, the Executive Director may pursue an investigation where a matter may result in termination of membership, and where deemed appropriate, may make notification of the matter to the individual's institution or district of employment. All allegations involving violation of ATIXA's discrimination and harassment policies will be addressed using the Civil Rights Equity Resolution Process described in that policy document. All other violations will be resolved according to the following Administrative Resolution Procedures.

ATIXA ADMINISTRATIVE RESOLUTION PROCESS

Administrative Resolution Process

Upon notice of an alleged violation, the Executive Director will initiate a preliminary inquiry to determine whether there is reasonable cause to believe that the ATIXA *Statement of Ethics* may have been violated. ATIXA may implement interim and long-term remedies as appropriate both during and upon completion of the investigation. As necessary, the Executive Director reserves the right to initiate resolution proceedings without a formal report or participation by the reporting party.

In cases where the reporting party wishes to proceed or the Executive Director determines that ATIXA must proceed to protect the interests of the association, and the preliminary inquiry shows that reasonable cause exists, the Executive Director may initiate a prompt, thorough and fair investigation.

Conflict Resolution

Conflict Resolution is often used for less serious, yet inappropriate, behaviors and is encouraged as an alternative to the Administrative Resolution process to resolve conflicts between members. The Executive Director will determine if conflict resolution is appropriate, based on the willingness of the parties, the nature of the conduct at issue and the susceptibility of the conduct to conflict resolution. In a conflict resolution meeting, a trained facilitator will facilitate a dialogue with the parties to an effective resolution, if possible. If Conflict Resolution is unsuccessful, then the process will shift to the Administrative Resolution process, at the discretion of the Executive Director. Sanctions are not possible as the result of a conflict resolution process, though the parties may agree to appropriate remedies. The Executive Director will keep records of any resolution that is reached, and failure to abide by the accord can result in appropriate responsive actions.

Administrative Resolution

Administrative Resolution can be pursued for any behavior that falls within the *Statement of Ethics*, at any time during the process, even if conflict resolution is underway. Administrative Resolution consists of a prompt, thorough and impartial investigation. Any evidence that the Executive Director believes is relevant and credible may be considered, including history and pattern evidence. The Executive Director may exclude irrelevant or immaterial evidence and may choose to disregard evidence lacking in credibility or that is improperly prejudicial. If, at any point, the Executive Director determines that there is no reasonable cause to believe that the ATIXA Statement of Ethics policy has been violated, the process will end.

Once an investigation is commenced, the Executive Director will provide written notification of the investigation to the responding party at an appropriate time during the investigation. The Executive Director aims to complete all investigations within a sixty (60) calendar day time period, which the Executive Director can extend, as necessary for appropriate cause, with notice to the parties as appropriate.

The Executive Director may interim suspend a member pending the completion of Administrative Resolution Process investigation and procedures, and/or order appropriate membership restrictions or limitations. Violation of an interim suspension under this policy will be grounds for suspension or termination of membership.

Investigations entail interviews with all relevant parties and witnesses, obtaining available evidence and identifying sources of expert information, as necessary. All members are expected to participate fully in investigations. The Executive Director will base the determination(s) on the preponderance of the evidence, whether it is more likely than not that the responding party violated policy as alleged.

The responding party may choose to admit responsibility for all or part of the alleged policy violation(s) at any point during the investigation or Administrative Resolution Process. If the responding party admits responsibility, the Executive Director will render a determination that the individual is in violation of ATIXA's *Statement of Ethics*.

If the responding party admits the violation, or is found in violation, the Executive Director, in consultation with the Advisory Board, will determine and implement an appropriate sanction or responsive action.

Proceedings are private. All persons present at any time during the resolution process are expected to maintain the privacy of the proceedings in accord with ATIXA policy.

In implementing this policy, records of all allegations, investigations, and resolutions will be kept by the Executive Director

These policies and procedures will be reviewed and updated periodically by the Executive Director. The Executive Director may make minor modifications to procedure that do not materially jeopardize the fairness owed to any party. The Executive Director may also vary procedures materially with notice (on the ATIXA web site, with appropriate date of effect identified).

This policy and procedure was implemented on May 3rd, 2016 after ratification by the ATIXA Advisory Board.