



## ASCCP Code of Ethics

All officers, board members, committee chairs, committee members, and members, as well as staff, in the execution of their duties on behalf of the ASCCP, shall abide by a code of ethics. The code of ethics shall be reviewed at intervals by an Ethics Committee to be appointed by the President and shall recommend updates as needed. Violation of the code of ethics shall be grounds for initiation of review.

### Purpose

The Code of Ethics of the ASCCP serves as a guide for ethical behavior by Board members, committee chairs, committee members, members, and staff, in the execution of their duties on behalf of ASCCP. Code: Officers, board members, committee chairs, committee members, members and staff in the execution of their duties on behalf of ASCCP shall:

1. Comply with all applicable local, state and federal laws while acting on behalf of the ASCCP.
2. Comply with all by-laws of the ASCCP
3. Conduct the business of the ASCCP in accordance with its mission with honesty, integrity and fairness and in a way that does not promote the individual's personal gain or interest.
4. Disclose actions or activities that may present a real or perceived conflict of interest for all members of the society or their family to the Ethics Committee (Appendix III).
5. Not accept compensation, gifts, or any other benefits for actions taken on behalf of the ASCCP.
6. Disclose violations of the code of ethics to the Board of Directors (Appendix I).
7. Accept that actions to mitigate or remediate real or perceived conflicts of interest shall be determined by the ASCCP Board of Directors (Appendix II)

### Appendix I

#### ASCCP Grievance Procedure

1. In order to be processed by the Society, a complaint must be filed in writing to the Ethics Committee of the Society within a year of the date of discovery of the alleged violation. The Committee has the authority to inquire about and to investigate incidents brought to its attention, provided the information can be documented. Issues regarding possible unethical behavior or possible undisclosed conflicts of interest may be investigated by the Committee without acrimony, if so charged by one or more of the following:
  - a. Executive Committee
  - b. Board of Directors
  - c. Practice Committee
  - d. Education Committee
  - e. Membership Committee



2. The Ethics Committee chairman will make two determinations 1) whether the complaint falls within the purview of the Ethics Committee, and 2) whether immediate investigation is necessary. However, all letters of complaint that are filed with the Ethics Committee will appear on the agenda of the next committee meeting, which occurs quarterly, or if deemed necessary by the chairman, of an ad-hoc committee meeting. The Ethics Committee shall have the final discretion to determine whether a complaint falls within the purview of the Ethics Committee.
3. If a grievance proceeding is initiated by the Ethics Committee, then specifics of the complaint will be sent to the respondent by certified mail. In such mailing, the Chief Executive Officer (CEO) will inform the respondent by registered mail that the grievance proceeding has been initiated, and that the respondent may respond directly to the Ethics Committee within thirty (30) day of receipt by registered mail; the respondent will be asked to cooperate with the Committee member investigating the complaint.
4. The Ethics Committee will appoint an Ethics Committee member to investigate the matter, and in the process, the respondent shall be given an opportunity to be heard.
5. Upon completion of the inquiry, the Ethics Committee member shall present a complete report and recommended disposition of the matter in writing to the Ethics Committee. Absent unusual circumstances, the Committee member is expected to complete his or her report and recommended disposition, and provide them to the Committee, within 60 days.
6. Upon the Committee's receipt of the Ethics Committee member's report and recommended disposition, the Committee shall review them and make its written recommendation to the Board of Directors as to what action shall be taken and the reason or reasons therefore. A copy of the Committee's recommended decision (See Appendix II) along with the Ethics Committee member's report and recommended disposition to the Board will be mailed to the respondent by certified mail. In such mailing, the respondent will be notified that within 30 days after his or her receipt of the Ethics Committee's recommended decision, the respondent may file a written appeal of the recommended decision with the Board of Directors.
7. Any written appeal submitted by the respondent must be received by the Board of Directors within 30 days after the recommended decision of the Ethics Committee is received by the respondent. The Board of Directors shall not take action on the Ethics Committee's recommended decision until the 30-day appeal period has elapsed. If no appeal to the Board of Directors is filed in a timely fashion, the Board shall review the recommended decision and determine action to be taken.
8. If a timely appeal to the Board of Directors is filed, the President shall appoint an ad-hoc committee consisting of three Members-at-large to hear the matter. At least 30 days' notice of the formation of this committee, and of the hearing date, time and place, with an opportunity for representation, shall be mailed to the respondent. Reasonable requests for postponement shall be given consideration.



9. This ad-hoc committee shall give the respondent adequate opportunity to present his or her case at the hearing, including the opportunity to submit a written statement and other documents deemed relevant by the respondent, and to be represented if so desired. Within a reasonable period of time following the hearing, the ad hoc committee shall write a detailed report with recommendations to the Board of Directors.
10. The Board of Directors shall decide what action to take after reviewing the report of the ad-hoc committee. The Board of Directors shall provide the respondent with a copy of its decision. The decision of the Board of Directors shall be final. The Board of Directors shall have the authority to accept or reject any of the findings or recommended decisions of the Committee member, the Ethics Committee or the ad-hoc committee, and to order whatever level of discipline it feels is justified.
11. At each level of the grievance proceeding, the Board of Directors shall have the sole discretion to notify or contact the complainant relating to the grievance proceeding; provided, however, that the complainant shall be notified as to whether the complaint was reviewed by the Ethics Committee and whether the Ethics Committee or the Board of Directors has taken final action with respect to the complaint.
12. No individual, including members of the Board of Directors or Ethics Committees, shall serve on the ad-hoc committee or in any decision process described above, or otherwise participate in these grievance proceedings on behalf of the Society, if he or she may have real or perceived conflict of interest or potential bias. If such circumstances, the highest ranking member of the Executive Committee (e.g., President, then Vice President, etc.) without real or perceived conflict of interest or potential bias (as determined by the Ethics Committee) will name a suitable replacement. In the absence of an uninterested Executive Committee member, the CEO will name a suitable replacement from the Board of Directors.
13. All information obtained, reviewed, discussed and otherwise used or developed in a grievance proceeding that is not otherwise publicly known, publicly available, or part of the public domain is privileged and strictly confidential information of the Society, and is not to be disclosed to anyone outside of the grievance proceeding except as determined by the Board of Directors or as required by law.

## Appendix II

### Ethics Committee Action

Once the grievance proceeding has been initiated, the Ethics Committee may take any of the following actions based upon its findings:

1. Determine the complaint to be invalid.



2. Dismiss the complaint.
3. Apply sanctions. The Board has a range of sanctions it can impose when individuals are found in violation of one or more provisions of the Code; generally, the more egregious the misconduct, the harsher the sanction.
  - a. **Reprimand:** The sanction of Reprimand is confidential and imposed in cases where unethical conduct is of a minor nature. A Reprimand is disclosed only to the individual found in violation and to the individual who originally filed the complaint. Any further unauthorized disclosure of the sanction of Reprimand is, itself, a violation of the Code.
  - b. **Suspension:** The Board can impose the sanction of suspension of membership and associated privileges. The sanction is usually intended to be employed for short periods of time (e.g., six months). At the end of the period of suspension, the sanctioned member will be reinstated; approval of the Board is not required.
  - c. **Revocation:** For cases of egregious misconduct, the Board can revoke the individual's membership for a period of years, up to life. The sanction of Revocation requires a two-thirds vote of the members of the Board present and voting. After the period of revocation has expired, in order for the individual to seek reinstatement of membership, a petition must be made to the Board, and the Board must approve reinstatement by a two-thirds vote. In petitioning for reinstatement, the individual has the burden of demonstrating that conditions that led to the revocation have been rectified and that, upon reinstatement, the individual will abide by the Code.
  - d. **Withholding:** The Board can impose the sanction of Withholding of membership in cases where an applicant for membership is found in violation of misconduct. The Board cannot revoke what a member does not yet have, but it can impose the sanction of Withholding of membership for a period of years up to life. After the period of withholding has expired, in order for the individual to seek reinstatement of membership, a petition must be made to the Board, and the Board must approve reinstatement by a two-thirds vote. In petitioning for reinstatement, the individual has the burden of demonstrating that conditions that led to the revocation have been rectified and that, upon reinstatement, the individual will abide by the Code.
4. Recommend expulsion (See Bylaws, Article II, Section C, Item 3)

### Appendix III

Conflict of Interest Reporting by Board of Directors, Committee Members, ASCCP Staff, and other representatives of the ASCCP will be required to keep their real or perceived conflict of interest current (within one month of a new activity that may represent a conflict of interest). In addition, said individuals will be asked to confirm/modify/update their disclosures on an annual basis.

Disclosure of conflicts of interest should be made as soon as feasible after receipt of an agenda for any Board or Committee meeting. If a member determines that a disclosable relationship exists during a



meeting or deliberations on topics not included on the agenda, the member should disclose the potential conflict at that time.

Should a conflict or conflicts be disclosed, the Board President or Committee Chair may request the member to take one of the following steps:

1. Remain in the room, participating fully in the discussion involving the conflict but not vote;
2. Remain in the room while the matter is being discussed but not speak or vote;
3. Provide his or her opinion and leave the room while the matter is discussed and voted upon;
4. Remain out of the room while the matter is being discussed and voted upon.

The President or Committee Chair may also make other determinations related to the matter, including insulating the member from documents that might be related, depending on the nature of the conflict.

If the member disagrees with the ruling of the President or Committee Chair or does not agree that a conflict exists, the member will not participate in the discussion forming the basis for the conflict and the matter will be referred to the Ethics Committee.

If the conflict of interest affects the President or Committee Chair, the President-Elect or Committee Co-Chair is empowered to act and to request that the President or Committee Chair excuse himself or herself.

The same procedures as outlined above will be followed if the President or Committee Chair disagrees with the ruling of the President-Elect or Committee Co-Chair. For the duration of the discussion and action on the matter, the President-Elect or Committee Co-Chair shall preside.

When managing grievance proceedings, the Ethics Committee members will adhere to the same set of standards and steps outlined above.

The minutes of the meeting shall reflect the disclosure of the potential conflict and any actions taken in response to the disclosure.

*This policy has been reviewed, approved, and adopted by the Board of Directors on April 27, 2020*