



3.4.9 Professional Behavior and Ethics

Purpose: To document professional standards and ethics required for volunteer service and receipt of honors and awards

Applies to: MRS Volunteers, Awardees, and Honorees

Policy Statement:

MRS's appointment for volunteer positions and conferral of honors and awards are privileges exercised at MRS's discretion and are not an obligation of the Society.

MRS volunteers, honorees and award recipients are expected to embody high standards of professional behavior and ethics in their work.

MRS retains the right to grant, defer, decline, suspend, and/or revoke volunteer service, honors, and/or awards to any person if, in its sole judgment and discretion, the Society determines that it is appropriate to do so, for reasons including, but not limited to, instances of proven scientific misconduct and serious breaches of professional ethics. Breaches of professional ethics might include illegal discrimination (such as discrimination on the basis of gender (including sexual harassment), race, age, national origin, disability, or other illegal discrimination as defined by the law of the applicable jurisdiction(s)), or other ethical violations. Retaliation against individual(s) reporting illegal or unethical behavior, including discrimination and harassment, may also constitute a serious breach of professional ethics.

Implementation:

The MRS Governance Committee shall be responsible for the implementation of this Policy, placing primary emphasis on MRS Core Values and the representation of high standards for ethics in the scientific community.

Suspension of Eligibility

MRS, in its discretion, may suspend eligibility for volunteer positions, honors, and/or awards for any individual whose conduct has been determined to be unethical or whose conduct is the subject of a credible question known to the Society on which a final determination has not yet been made. MRS is considered to be aware of a conduct issue if the MRS Executive Director or MRS Secretary are made aware of the issue.

- Determination of unethical conduct will be based on either of the following:
 - An outside authority's (e.g., home institution, court, government agency) review or investigation and determination (with supporting information) made available to MRS by a current member or employee of MRS.
 - A documented violation of MRS's Code of Conduct, the MRS Volunteer Behavior Policy, or the MRS Publications Ethics and Responsibility Policy.
 - Credible questions regarding behavior arise when there is publically available documentation of a potential conduct issue that would justify a review by the MRS Governance Committee. When applying this policy in situations of credible but undetermined questions, MRS is withholding judgment and is not

making a statement or determination regarding the validity of claims against any individual. Rather, MRS is implementing a measure to support the field's priority efforts to promote the highest standard of professional behavior and ethics.

- MRS inaction in the face of reports/accusations of unethical or inappropriate behavior does not mean a conclusion that there was no unethical or inappropriate behavior. It may mean that there was inadequate reliable information upon which to draw a clear conclusion or to support the accusation.

Required Disclosures – Nominators and Candidates:

Anyone who makes a nomination or recommendation and knows that the nominee has been determined to have engaged in unprofessional or unethical conduct, is required to disclose the issue by supplying written documentation to the MRS Executive Director or the MRS Secretary, either directly or through the MRS Associate Director of Engagement.

A person who is being considered for a volunteer position, honor or award (upon becoming aware of being considered), must notify the MRS Executive Director or the MRS Secretary, either directly or through the MRS Associate Director of Engagement, of the existence of any fact, situation, or circumstance that could be considered relevant to MRS's actions under provisions of this policy.

The identity of the requestor should generally, as practicable, not be revealed except as may be required by a court of competent jurisdiction or as otherwise required to comply with MRS' legal obligations.

Restorative Remedies:

In the event of determined conduct inconsistent with this policy — or in the event of a credible but undetermined question about such conduct — MRS may consider opportunities for restorative remedies in light of the circumstances, such as the nature of the conduct and demonstrated actions of responsibility for non-repetition of the conduct.

Process for Revocation:

Requests for revocation of a volunteer position, honor or award may only be made by a current member or employee of MRS. The requestor must agree in writing to maintain the confidentiality of the matter until its conclusion at MRS.

A request for revocation should be made in writing to the MRS Executive Director or the MRS Secretary within four years of the release of the determination that illegal harassment or other inappropriate conduct occurred. This time limit may be excused in highly compelling and likely unusual circumstances. The identity of the requestor should generally, as practicable, not be revealed except as may be required by a court of competent jurisdiction or as otherwise required to comply with MRS' legal obligations. A request must include detailed information about the sources used, in order to enable verification of information, and must include an investigative report and/or public announcement of findings of (as opposed to allegations of) significant misconduct (or links thereto) from a credible body such as the Federal government's Office of Research Integrity, other Federal or state agencies (e.g., NSF, NIH), a professional organization, an academic institution, a court of law, or admission(s) of conduct by the individual (media reports alone will often be insufficient).

MRS will provide a notice to the holder of a volunteer position, honor or award of a reported claim (and, if applicable, determination) so that the person may respond. MRS will also inform the holder of the volunteer position, honor or award of intent for suspension or revocation, providing a statement of the interests and concerns served by the proposed suspension or revocation, in the Society's judgment. In the case of a volunteer, the individual may be required to recuse her/himself from participation in volunteer activities until a final determination is made.

The holder of the volunteer position, honor or award will have an opportunity to submit to the MRS Executive Director, within 14 days of receiving a notice of intent, a written statement of any reasons why s/he believes it would not be appropriate to impose the suspension or revocation.

After that 14-day period, whether or not a statement has been submitted, MRS, through its Governance Committee, will act in its discretion for final determination on a case-by-case basis in light of the circumstances involved.

MRS, at any time, may review and act on pertinent information that was not earlier available or known to it.

Special Circumstances – Deceased Individuals:

Special circumstances arise when unprofessional and unethical conduct of a deceased person who holds an honor or award is raised. In this situation the honoree/awardee is not available to rebut the charges or explain the circumstances. MRS will exercise its discretion to address such situations on a case-by-case basis and may determine that no action is needed without heightened concerns.

Attestation for Board Candidates, Honorees and Award Recipients

As leaders of the Society and in the community, Board candidates, honorees, or award recipients shall attest agreement to this policy (see below).

ACKNOWLEDGEMENT AND ATTESTATION:

I hereby acknowledge that I have received a copy of the MRS Professional Behavior and Ethics Policy, have read and understood it, and agree to comply with its terms.

Name (please print)

Signature

Date

Deliverables: N/A; Review policy every three years or as needed

Who: MRS Secretary

When: At least 8 weeks before the Board meeting at which amendments should be considered.

To: Governance Committee

Policy first adopted: 4/17/2020

Last modified:

Last reviewed:

Enacting Legislation: B:2020:11

Policy created by: GovCom Party responsible for this policy: GovCom