



Association for the Study of Higher Education
Ethics, Conduct, and Harassment Policy
Approved by the ASHE Board of Directors on June 17, 2021

1. Introduction and Overarching Ethics/Conduct-Harassment Policy

The mission of the Association for the Study of Higher Education (ASHE) is to promote collaboration among its members and others engaged in the study of higher education through research, conferences, and publications. ASHE values rigorous scholarly approaches to the study of higher education and practical applications of systemic inquiry. In 2015, ASHE adopted the Code of Ethics of the American Educational Research Association (2011) and the standards set forth therein to guide all those engaged in research in higher education. ASHE members are expected to adhere to this Code in their professional roles and activities.

In furtherance of that mission, this Ethics/Conduct-Harassment Policy's overarching objective is to advance excellence of the Association and of the broader field of higher education ("Field"), to help maximize their potential for contributions to the association-at-large. ASHE and the Field can flourish only with:

- a. high-quality work that has credibility and integrity;
- b. high standards of climate, culture, and associated conduct that foster full participation for all talent in ASHE and the Field;
- c. authentic openness to and welcome of a diversity of people and ideas to advance scholarship;
- d. a safe environment for all talent and those supporting or providing services to ASHE and Field; and
- e. an enterprise that engenders trust of current and future Field participants, the public and funders.

This Policy seeks to advance these objectives.



2. Qualifier regarding ASHE action

The application of this Policy to those who are not ASHE Affiliates may often exceed ASHE's ability to enforce against, or impose consequences for, violations. However, as further described in Part F, the broad application of this Policy is intended to (a) encourage professional, ethical and inclusive conduct in the Field broadly; (b) identify situations in which ASHE may still pursue community building practices to support a welcoming Field for ASHE Affiliates; and (c) identify situations in which ASHE ultimately may seek to share facts with others (e.g., a home institution) so that others may further investigate and make their own decisions regarding any necessary action.

3. People and Entities Who Are Covered by This Policy

This Policy applies to all "ASHE Affiliates" meaning all categories of members of ASHE and all other individuals, groups and entities that participate or are involved in any capacity in the activities in 2 below. For example, Association Affiliates include, but are not limited to, ASHE volunteer fiduciary leaders; other volunteers; directors; officers; employees in all roles; all categories of members; event, meeting and other activity organizers, attendees, speakers, and exhibitors; meeting and event contractors and service providers; guests; peer reviewers; and honors and awards nominators, candidates, and recipients.

Notwithstanding any other provision of the Ethics/Conduct-Harassment or Investigation Policy, any allegation of misconduct against an ASHE employee under the Ethics/Conduct-Harassment Policy, must be made, and will be determined, under the applicable human resources policies.¹

¹ Note: As of September 2020, ASHE employees are covered by UNLV HR policies which can be found at <https://www.unlv.edu/policies/current-policies>.



4. Activities of ASHE Affiliates, and Others Covered by This Policy

This Policy applies to all ASHE Affiliates, and others in connection with their “ASHE-associated activities.” “ASHE-associated activity” means:

- a. all activities and events sponsored, funded, or conducted in whole or in part by, ASHE, wherever located, whether virtually or in person; and
- b. performance of, or holding, any ASHE role, responsibility, privilege, function, contract or other affiliation.

This Policy also applies to certain other professional activities and roles, and certain illegal acts of violence or dishonesty, of ASHE Affiliates as described in Part D.

5. Guiding Principles and Rationales

To advance the ASHE’s mission and objectives, ASHE adopts the following guiding principles as the rationale for this Policy:

a. Priority of Eliminating Barriers to Advance Contributions.

It is a high priority for ASHE and the Field to continue their intolerance of dishonesty and other unethical and unprofessional conduct—while elevating recognition that sexual, intersecting, and other harassment are unethical and unprofessional; are longstanding barriers to excellence, integrity and contributions of ASHE and Field; and must be eliminated. To these ends, when ASHE is addressing these longstanding barriers, the interest of many individuals and ASHE-at-large takes precedence over any **individual’s interests, if the two must be weighed.**

b. Conduct as a Barrier; Effect on Contributions to ASHE-At-Large.

Failure of professional, ethical and inclusive conduct in ASHE and Field has the effect of discrediting and undermining their excellence and integrity.² Such failure

² See National Academies Consensus Study Report, *Sexual Harassment of Women, Climate, Culture, and Consequences in Academic Sciences, Engineering and Medicine* (June 2018) (*Academies Report*) pp. 88-9 (noting how sexual harassment violates many key values of research integrity).



excludes valuable contributions from the Field to the detriment of many individuals and ASHE-at-large. These adverse effects arise from, e.g., sexual, intersecting, and other bases of harassment and discrimination (e.g., based on gender, race, ethnicity, nationality, religion, sexual orientation, identity and expression, disability, and other identities); and other failures to meet ASHE’s “Community Standards,” (defined in Part A.4); and other **ASHE-specific ethics/conduct requirements**.

c. Fairness and Due Process.

In any event, ASHE does not judge any individual’s conduct as unprofessional, unethical or exclusionary, or take punitive action, without a determination in a fair and objective process. A formal process and a determination are not required, however, for ASHE to take informal community-building action to address conduct concerns, build constructive relationships, and advance ownership of a welcoming and inclusive community. These actions will not disclose any specific individual’s identity or characteristics describing any individual.

d. Consequences and Community-Building.

Community and individual impacts result when conduct is lacking in professionalism, ethics and inclusivity. Thus, whenever possible, ASHE takes community-building action focused on advancing the Community Standards, whether or not a formal complaint and a formal process are pursued, or a determination of misconduct is made. ASHE seeks to advance positive community- and relationship- building, when punitive action is warranted, and when it is not.

6. Overarching Conduct Standards for ASHE Affiliates and other participants in the Field

ASHE values high-quality research, education, professional practice, and service *combined with* highly professional, ethical and inclusive conduct, as fundamental to excellence and integrity of the Association, the Field, and all those who participate in them. That requires the following community standards of conduct (“Community



Standards”), which ASHE adopts, and requires all ASHE Affiliates to practice, and also encourages all other participants in the Field to practice:

- a. respectful, equitable and inclusive conduct and treatment of all those engaged or contemplating engagement in the ASHE community, as well as others in the Field, including—
 - i. actively rejecting (and not practicing) sexual, intersecting, and other bases of harassment and discrimination (i.e., on the basis of, e.g., gender, race, ethnicity, nationality, religion, sexual orientation, identity and expression, disability, and other identities);
- b. not retaliating against any person(s) who raise a conduct concern (including but not limited to under Title IX), or who assist in any way to investigate or resolve it;
- c. attention to the safety of ASHE Affiliates and all others in the Field, both physical and emotional;
- d. service of the needs of all members of a broadly diverse and global society in the work;
- e. advancement of the ability of individuals, groups and entities to pursue and share the full range of scientific ideas, popular and not, including—
 - i. bolstering creativity, discovery and service via robust and open exchange of scientific ideas and encouraging multiple perspectives to be voiced by a diversity of individuals;
- f. satisfaction of the ASHE Events Conduct Policy;
- g. honesty in the conduct and attribution of the work;
- h. absence of the influence of conflicts of interest in the work, achieved through avoidance or disclosure and satisfaction of approved management;
- i. conduct of the work and all related activities in a manner that protects the safety and health of resources, the environment and life, to guard against work conducted in a manner that causes harm to life and the planet;
- j. Other ASHE-specific ethics/conduct requirements; and



- k. demonstration of knowledge and respect for the requirements of applicable law, regulations, policies, funders' and other authorities' requirements (including, but not limited to, those relating to discrimination and harassment, environmental and personal protection requirements, as well as avoidance of research misconduct, conflicts of interest, and financial misconduct) ("Baseline Requirements"), while exceeding Baseline Requirements to fulfill them **and** ASHE's higher Community Standards.

An individual's, group's, and entity's research, teaching/learning, professional practice, and service activities associated with ASHE, and more broadly in the Field, must be of high-quality to qualify as a leader in ASHE and Field. However, that is not enough. To be a leader, to achieve excellence, and for the privilege of being recognized as an ASHE Affiliate, each individual, at every level of experience, and each group and entity, must practice ethical, professional and inclusive conduct in fulfilling these Community Standards, "Additional Specific Conduct Standards" (defined in Part B), and other requirements of this Policy. Failure to satisfy these Community Standards (which include the Additional Specific Conduct Standards, and all other requirements of this Ethics/Conduct-Harassment Policy) is a violation of this Policy.

7. Additional Specific Conduct Standards³

ASHE encourages and expects satisfaction of the following "Additional Specific Conduct Standards" (as defined in this Part B) by all current and prospective participants in the Field. These Additional Specific Conduct Standards are included in the Community Standards definition. ASHE requires ASHE Affiliates to adhere to these Additional Specific Conduct Standards:

³ These Additional Specific Conduct Standards do not diminish the breath and general application of the Community Standards in Part A, even as there may be overlap.



- a. “Research Misconduct,” as defined below by ASHE, is a violation of this Ethics/Conduct-Harassment Policy and includes:
- i. Research misconduct—fabrication, falsification and plagiarism in proposing, performing or reviewing research or in reporting research results—as defined by the Office of Research Integrity, U.S. Department of Health and Human Services (<https://ori.hhs.gov/definition-misconduct>), other funding agencies and any other sponsor regulations, policies and contracts (including all such definitions);
 - ii. Sexual harassment, other harassment and other discrimination (on the basis of, e.g., gender, race, ethnicity, nationality, religion, sexual orientation, identity and expression, disability, and other identities—including all such bases) in any teaching, learning, research, professional practice, or service endeavor;
 - iii. Unprofessional or unethical conduct in peer review, including without limitation dishonesty, unauthorized disclosure of peer review information, and conflicts of interest that have not been disclosed and resolved or whose management has not been approved under all applicable requirements after full disclosure (or does not satisfy an approval);
 - iv. Other unprofessional or unethical conduct related to research, teaching, learning, professional practice, service, proposals, or conduct or reporting of results of such activities, to the extent not otherwise specified, such as when related to (without limitation):
 - 1) Failure to accurately attribute contributions to work;
 - 2) cheating or other dishonesty;
 - 3) failure to obtain or satisfy required human subject research protocols or protections;
 - 4) misconduct involving conflicts of interest; and
 - 5) misconduct in supervision and mentorship



8. Dos and Don'ts to Guide: Fulfilling Community Standards & Additional Specific Conduct Standards

The following “dos and don'ts” are requirements for all ASHE Affiliates. Others in the Field are encouraged to be guided by them. These dos and don'ts focus on respect, equity and inclusion for individuals, as well as the value of a diversity of individual voices. Their application to different activities and roles, however, requires consideration of context. For example, some roles are decision-making roles, while other roles provide input. Supervisors and supervisees have different roles and responsibilities that must be fulfilled and respected; however, aspects of evaluation and valued experience can, in good faith, flow in both directions. Meaningful feedback on performance, decisions about who will perform various roles, and provision of opportunities to grow depend on candid, sometimes difficult, but still respectful, communication about areas of existing strength, areas of promise, areas needing improvement, and areas where promise is not evident. The existence of power differentials and fulfillment of different roles do not violate this Policy; however, these dos and don'ts reflect the value of all roles and attentiveness to exercising roles of power with consideration and respect for, and inclusion of, everyone. Awareness of potential bias related to identity status, relationships, background and power differentials is critical. Avoidance of the effect of bias on determinations about who does and who does not demonstrate promise or receive an opportunity is the responsibility of all ASHE Affiliates. Also see the ASHE Events Conduct Policy for requirements of these and other dos and don'ts as they apply to all ASHE Meetings.

DO...

- **demonstrate honesty, respect and consideration for all people.**
- **promote equitable opportunity and fair treatment for all colleagues and subordinates; consider differences in individual capability and readiness without stereotyping or bias.** Provide a safe, supportive work environment and fairly acknowledge all those who make significant contributions to the work;
- **listen well to others.** Make room for a diversity of voices in activities, discussions and input in decisions.
- **be collaborative.** Be mindful not to exert dominance that excludes others from belonging and having a voice. Differences in roles, responsibilities and types of activities exist and are relevant to the extent and possibility of collaboration. However, consider the effect of relationship, position, experience, and privilege power differentials, as well as other factors, to avoid dominance that diminishes the value of welcoming a diversity of

DO NOT...

- **engage in biased, stereotyping, demeaning, intimidating, coercive, or harassing/hostile conduct or commentary, whether seriously or in jest** (e.g., based on power differential; actual or perceived gender [sex, identity, expression], sexual orientation, race, ethnicity or national origin, religion, marital status, veteran status, or age; body size or other physical appearance; disability, or other identities);
- **engage in personal attacks;**
- **retaliate against or disadvantage anyone for reporting a conduct concern or assisting in its resolution. Do not make bad faith accusations;**
- **engage in violence, threats of violence, harm or threats of harm of any kind.** Do not create/contribute to a safety threat or unsafe or exclusionary situation;
- **invade the personal privacy of individuals.** Do not view, photograph, audio- or visual- record, or distribute

people and considering a diversity of voices.

- **demonstrate that differing perspectives are valued**—critique ideas (not people);
- **demonstrate openness for a diversity of individuals and their identities**—pay attention to whether individuals of many identities and levels of experience are included and their accomplishments recognized in ASHE roles and activities at all levels.
- **report conduct concerns**, whether via informal, confidential or formal avenues, so that concerns can be addressed responsibly and timely. **Respect confidentiality of the identities of any individuals involved in a conduct concern while it is being reviewed and addressed.**
- **answer questions about conduct concerns in a forthright and complete manner.**

photographs or recordings of, individuals (in any medium), at times or in places where people can reasonably expect privacy (e.g., bathrooms, breastfeeding rooms, etc.);

- **violate ASHE Policies or applicable laws, regulations, other policies, or contracts** (e.g., of federal or other sponsors and authorities). When in doubt, ask the Executive Director for guidance or referral to others for assistance; or
- **engage in dishonesty**—including, for example only, infringing on intellectual property rights of others; acting with dishonesty in the conduct or attribution of research or other work; acting under the influence of a conflict of interest; misappropriating work resources or information for personal use/gain.



Note About Differences of Opinion and Offense. It is not a violation of ASHE’s Ethics/Conduct-Harassment Policy to express an opinion, raise research or describe an experience (“articulation”) that is at odds with the opinions of or is offensive to others—if the articulation is part of an on-point discussion of the work and is offered in a manner that does not interfere with others’ reasonable ability and welcome to participate fully in the work. That means expressing differing positions with respect and consideration for all. That means making the articulation in a manner that reflects intellectual rigor and is demonstrably mindful of minimizing, as reasonably possible, its potential adverse effect on others’ ability to participate. Offering an advance warning of the potential for impact on others is one way to demonstrate such respect and consideration for all. It also means not making an articulation affecting the workplace that is reasonably expected to cause offense gratuitously (i.e., unrelated or unnecessary for the work). It means not directing the articulation as a personal attack or put-down of an individual, and not dominating the discussion with one articulation. It further means demonstrating consideration for anyone who appears to be in distress by promptly stopping the cause and demonstrating caring, while still sharing pertinent information, with ASHE’s assistance if needed. Similarly, pursuing research subjects/theories or reaching research conclusions that are offensive to others is not a violation of this Policy; others may pursue counter-research and reach counter-conclusions.

9. Activities of ASHE Affiliates and Others in the Field That are Covered by This Policy.

a. ASHE Associated Activities

This Ethics/Conduct-Harassment Policy applies to all ASHE Affiliates, as provided in Part A.1, in connection with their ASHE-associated activities, as provided in Part A.2. In addition:



This Policy applies to conduct of concern or a credible question of conduct that is at odds with the requirements of this Policy and affects any ASHE Affiliate's participation or experience in ASHE-associated activities.

b. Other Professional Activities and Roles

This Policy also applies to conduct of an ASHE Affiliate in any professional activity or capacity (i.e., when not engaged in an ASHE-associated activity). Consequently, a finding by another entity or authority that an ASHE Affiliate violated that other entity's or authority's policy addressing ethics, conduct or harassment, may be treated by ASHE, in its discretion, as a violation of the ASHE's Ethics/Conduct-Harassment Policy.

c. Illegal Acts

In the Board's sole discretion, this Policy may also apply in such instance where an ASHE Affiliate commits or is alleged to have committed an illegal act of violence or dishonesty in any personal or professional role that may adversely affect ASHE Affiliate's or others' ability to perform or participate in their ASHE-associated activities.

10. Meetings

The ASHE Events Conduct Policy governs the subjects that the Meetings Conduct Policy specifically addresses. It applies during the "Meeting Period," meaning: (a) the days on which a ASHE Meeting is occurring, and (b) the days of ASHE Affiliates' transit to and from the Meeting (including the period of set-up and break-down of facilities and equipment and the days of transit to and from the Meeting set-up and break-down locales, for those ASHE Affiliates that are involved in such activities).

This Ethics/Conduct-Harassment Policy (to the extent different than or additive to the terms and processes of the Meetings Conduct Policy) applies to fact-finding that is conducted outside of the Meeting Period (although the factfinder may be the same



individual who performs that function under the Meetings Conduct Policy). This Ethics/Conduct-Harassment Policy also governs determinations of, and the imposition of additional or amended consequences for, violations of the ASHE Events Conduct Policy, which are considered, made, or imposed by ASHE before or after the Meeting Period.

11. Disclosure Requirements

a. Disclosures

All ASHE Affiliates are required annually to acknowledge and affirm in writing (disclose) that they have read and will abide by the ASHE Ethics/Conduct-Harassment Policy and Investigation Policy. **Link to acknowledgement form and submission requirements** ASHE Affiliates may be required to make additional disclosures depending upon their service to and affiliation with ASHE. The required actions and form are available at **Insert Link**. ASHE will notify any ASHE Affiliates of such responsibilities prior to participation in any relevant ASHE activity or service. All ASHE Affiliates are responsible for knowing and satisfying these requirements.

ASHE Affiliates who are fiduciaries, officers, directors, employees or volunteers of the Association must also disclose on the relevant ASHE annual disclosure form whether they are currently on-leave or subject to any restrictions in their activities related to a finding of misconduct or finding of criminal behavior in their professional or personal life. This disclosure also must include whether, in the last five years, they have been discharged (or were forced to resign or be discharged) from work or other activities due to an allegation or finding of misconduct. Fiduciaries are members of the ASHE's board of directors, and any committee or official assigned fiduciary duties under the ASHE's Bylaws or by the governing board.



ASHE Affiliates who are honors or awards nominees (if known by nominee), recipients or nominators of potential recipients also must make and update their disclosures, as required under the ASHE's Honors and Awards Policy.

b. Use of Disclosures

ASHE may consider the content of these disclosures and/or any disclosures made under its Honors and Awards or other policies or processes, when conferring benefits, privileges and opportunities, including but not limited to membership, elected fellow status, other honors and awards, leadership, speaking and organizing/planning roles, and the privilege of participating in other ASHE-associated activities. Also see the Investigation Policy for the consideration of these disclosures in identifying, reviewing, or investigating conduct concerns within the reach of this Ethics/Conduct-Harassment Policy.

c. Timely and Truthful Disclosures

Failure to timely submit a required disclosure, or failure to submit a complete and truthful disclosure, is on its own a violation of this Ethics/Conduct-Harassment Policy. ASHE Affiliate's failure to make required disclosures does not diminish application of this Policy to that ASHE Affiliate.

12. What to Do if You Have a Conduct Concern Within the Reach of this Ethics/Conduct-Harassment Policy

ASHE provides the following ways to raise conduct concerns within the reach of this Policy:

a. Informally raising conduct concerns may be done by:

Contacting: Jason P. Guilbeau, Ph.D. (he/him), Executive Director at jason@ashe.ws or the appointed Ethics Committee Chair. Should a complaint involve the Executive Director and/or Ethics Chair, complaints should be made to any member of the Ethics Committee or ASHE President.



The information needed for a formal complaint (see Part F.2) is also generally helpful for ASHE to act on an informal concern. However, information may be provided in a meeting or by phone, rather than in writing (paper, email or web portal). An informal approach is more likely when the person raising the concern is not seeking a formal process to resolve the concern, although it does not necessarily preclude a formal resolution. (The person may be interested in participating with the accused in a restorative or community-building practice, encompassing a variety of community building options.) An informal approach may also be pursued when an individual seeks to explore resolution options before deciding to identify the accused or whether to file a formal complaint. All complaints and any subsequent investigations, whether formal or informal, will remain confidential.

b. Filing a formal complaint may be done by:

Contacting: Jason P. Guilbeau, Ph.D (he/him), Executive Director at jason@ashe.ws or the appointed Ethics Committee Chair. Should a complaint involve the Executive Director and/or Ethics Chair, complaints should be made to any member of the Ethics Committee or ASHE President.

A formal complaint is appropriate when the person filing it seeks a formal resolution process or an informal resolution approach.

- i. A formal complaint should include the following information:
- 1) name of the accused(s) and contact information and affiliation with ASHE, if known;
 - 2) if the conduct concern is of a type that involves a target, the name of the identified target and contact information, if known;
 - 3) name and contact information of the person raising the concern and how the person became aware of the concern (see Part F.3 for a semi-anonymity option and its effect);



- 4) names of any witnesses or others with pertinent information, and contact information, if known;
- 5) description of the concerned conduct, with the date, approximate time, location/setting/activity, and all known relevant facts and circumstances;
- 6) the provision(s) of this Policy that may have been violated, if known;
- 7) a clear statement of any facts that may indicate any ongoing concern of imminent threat to safety of any person(s) or safety or condition of property,⁴ and the sources of such facts, with contact information if known;
- 8) any relevant documents available to the person filing the complaint;
- 9) any other information that would help ASHE understand the full nature of the concerned conduct; who was involved and who and what may be affected; who may have pertinent information and related context; and what responses ASHE may want to consider; **and**
- 10) any request for anonymity (see Part F.4).

c. Filing a semi-anonymous formal or informal report of a conduct concern may be done via contacting the ASHE Executive Director and/or Ethics Committee Chair

Under circumstances in which any person feels as though their identity needs to be protected to prevent retribution or other negative consequences, a complainant can request that they make their complaint semi-anonymously. In these cases, only the ASHE Executive Director and Ethics Committee Chair will know the identity of the person or persons making the complaint. However, semi-anonymity may limit the extent to which ASHE can investigate and/or respond to the concern. The more information that is required for a formal complaint, see Part F.2, and is

⁴ "Property," as used in this Policy, includes tangible and intangible property including, but not limited to, buildings, equipment, research, research specimens, intellectual property, animals, chemicals, radioactive and biological materials, etc.



included in a semi-anonymous report, the more likely it is that ASHE can investigate, and the more helpful the report will be for an Association response.

d. Confidential action

If an “individual most directly involved” (see Part F.6) asks for confidentiality of that person’s identity or that of others most directly involved, all reasonable steps will be taken to do so by ASHE’s “Fact-finder” who investigates, and “Decision-maker” who makes decisions regarding conduct concerns (see Investigation Policy Part G.3.I). However, they will also emphasize this Policy’s prohibition against retaliation (which is a serious violation). They may not maintain confidentiality if, in the Fact-finder’s or Decision-Maker’s judgment and discretion, safety or law requires otherwise. Limited disclosure of the identity of individuals most directly involved may also be needed for ASHE to carry out various options to resolve a conduct concern.

All ASHE Members and other Affiliates are required to respect confidentiality of the identities of each individual most directly involved in a conduct concern while it is being reviewed and resolved. Failure to do so is a serious violation of this Ethics/Conduct-Harassment Policy. If an accused is determined to have violated this Ethics/Conduct-Harassment Policy, the ASHE Executive Director, the Ethics Committee or its authorized designee, may make that disclosure, exercising ASHE’s discretion.

- e. An “individual most directly involved” means each of the following: any person who raises or reports a conduct concern; witnesses; identified target(s); and the accused.**

f. Semi-Anonymous Reports



If a semi-anonymous report is made, communications to confirm the accuracy of ASHE’s understanding of a semi-anonymously reported conduct concern will be made in writing; instructions are available on the ASHE website at [\[Link\]](#). Even if ASHE cannot fully investigate, however, a report may enable ASHE to pursue a restorative or community-building practice.

g. Next Steps: Investigating and Resolving Conduct Concerns

Refer to ASHE’s Ethics Committee Policies and Procedures, for the ways in which ASHE responds to conduct concerns, formal and informal resolution options, and the range of consequences, whether or not a formal determination of a violation is made.