ASPA Code of Ethics Review Procedure

As part of its commitment to advance and implement the Code of Ethics, ASPA provides a review process with four elements:
1. Responding to inquiries from members about ethical standards and handling ethical dilemmas
2. Reviewing requests for help from members who have been penalized for upholding the Code and providing support to them
3. Recognizing members whose actions exemplify the code
4. Reviewing and seeking to resolve complaints about a member whose actions may have violated the Code of Ethics.

The Procedure for Reviewing Complaints, posted on ASPA’s website, provides a detailed description of how complaints will be addressed. The process covers only ASPA members. The process is confidential and the person named in a complaint and the person making the complaint are not publically identified during the review process. The review by ASPA is coordinated with any other review that is being carried out by the member’s employing organization or another association in which he or she is a member. ASPA will defer its own review of a complaint until the other review process is completed.

The review of a complaint goes through the following stages:
• A complaint about an ASPA member can be submitted by a member or non-member through ethics@aspanet.org or by mail to the address listed at the end of this document.
• The Ethics and Standards Implementation Committee (Ethics Committee) assesses and seeks to resolve the complaint. In the initial stage of examining a potentially valid complaint, the Ethics Committee will interact only with the member named in the complaint, as well as the complainant. The first step is to examine whether the action is a violation of the code. If it is deemed not to be a violation, the complaint will be dismissed with explanations to the complainant.
• If it is judged that the action if verified would be a violation of the Code, the Ethics Committee will proceed to the next step. The Ethics Committee will discuss the complaint with the member and encourage voluntary corrective action to comply with the Code. When there is resolution or corrective action, the examination is closed with no disclosure of the name of the members.
• When necessary, based on the seriousness of the alleged violation and the inability to dismiss the complaint or resolve it voluntarily, the Ethics Committee will investigate the complaint with the help of a fact-finding body appointed by the Executive Director in consultation with the ASPA President.
• Based on the information collected, the Ethics Committee will determine the next step. If the evidence does not support the allegation, the complaint will be dismissed. If the Ethics Committee concludes that the evidence upholds the validity of the complaint, it will make a recommendation for actions to the National Council.
• The most common recommendation that would come out of an investigation that substantiates the complaint is likely to be a “private censure,” communicated only to the member. If the Ethics Committee recommends that this is the appropriate sanction and the member named in the complaint does not request a hearing, the ASPA President, with the approval of the Executive Committee, will send a letter of private censure to the member, with a copy to the complainant.
• Any sanction that is made public can occur only if approved by the National Council after a confidential hearing at which the member may be present.

The handling of complaints is intended to be a constructive process that helps members understand how the Code is applied to specific situations. Issues identified in complaints will be used in the educational activities of the Ethics Committee to help raise awareness of ethical challenges and expectations.

The complete procedure is long and detailed in order to protect the due process rights of ASPA members and to ensure the details of each step in the procedure are clearly spelled out. It is important to recognize that more than half of the procedure describes features that will, in all likelihood, be used very infrequently. There are guidelines for how investigations will be conducted, but these will occur only when informal resolution cannot be achieved. Similarly, the process for holding a hearing before the National Council is carefully elaborated, but a hearing occurs only when there is evidence of a serious violation of the Code or when a private censure is challenged. It is expected that the bulk of legitimate complaints will be resolved in dialogue between the Ethics Committee and the member.

The complaint review process will be effective May 1, 2016. By that time, members who renew their membership and new members who join ASPA on or after that date will be asked to indicate their acceptance of these statements:

“I have read the ASPA Code of Ethics and agree to abide by it. I also understand that I am subject to the ASPA Code of Ethics Review Procedure.”

Only complaints about conduct that occurred after May 1, 2016, will be reviewed.

Question about the review process can be sent to EthicsCommittee@aspanet.org or to:
ASPA Ethics Review Questions
1730 Rhode Island Ave., NW, Suite 500
Washington, DC 20036