**EBD #12.6**

**2020-2021**

**TO:** ALA Executive Board

**RE:** ALA Code of Conduct Update

**ACTION REQUESTED/INFORMATION/REPORT:**

Action requested: Approval to create new Member Review Committee which will lead the implementation of an Online Code of Conduct

**ACTION REQUESTED BY:**

Karen G. Schneider

ALA Executive Board Member

Executive Board Liaison, Membership Committee

**CONTACT PERSON:**

David Sheffieck, ALA Community Engagement Manager

Email: dsheffieck@ala.org

**DRAFT OF MOTION:**

The Executive Board approves the creation of a Member Review Committee and the Committee’s subsequent leadership of the process to finalize and implement a standardized Online Code of Conduct.

**DATE:** October 26, 2020

**BACKGROUND:**

After recent high-profile online incidents, ALA seeks to establish a member-driven, comprehensive, and standardized Online Code of Conduct that builds on our existing Codes across the association. The new Code of Conduct will apply across all online channels/assets in order to address future incidents in a consistent and transparent manner. ALA will use this Online Code as the first step to scaling and implementing a Code of Conduct organization wide. The proposed member group would review complaints or violations of the Code of Conduct and recommend appropriate course of action.

**ATTACHMENTS:**

ALA Code of Conduct Review Protocols

ALA Code of Conduct Draft

## Approach:

*To ensure the best possible experience, we require users who engage with ALA and each other across our online platforms to adhere to a Code of Conduct that promotes open dialogue, mutual respect, and a sense of community. With hundreds of active groups and channels, each with thousands of active posts by staff, members, and non-members each month, we need to consistently apply this Code of Conduct in a way that builds trust and promotes community safety (while allowing the flexibility to tailor for different channels’ needs and restrictions). The new Member Review Committee allows us to do this transparently while empowering members and users.*

*The new Online Code of Conduct and Protocols build on work by groups from across ALA, like Spectrum Scholars and PLAspace, as well as best practices from organizations like Mozilla, Discourse, and Geek Feminism.*

Code of Conduct Review Protocols

The Review Protocols describe the approach used to consistently apply the Code of Conduct, ensuring that ALA’s online platforms function successfully as a space for ALA members and others to engage.

The Member Review Committee is a seven-member group, appointed by the President-Elect to staggered, nonrenewable three-year terms. The Committee is empowered to follow the process in this document to ensure the best possible experience for all people who engage with ALA. As ALA scales the Code of Conduct to non-online channels it will provide standardized, comprehensive oversight; however, at inception the Committee’s scope is confined to ALA’s online platforms and assets. In the meantime, it may coordinate with similar other groups or individuals across the organization as ALA strives to build a consistent approach for our many and varying channels/venues. The Community Engagement Manager liaises with and convenes the Committee.

Meetings, Time Commitment, and Quorum

The Committee will hold monthly meetings and will convene other meetings as needed based on a potential violation. These regular meetings will include staff reporting out on minor incidents or violations, discussion of any potential areas of opportunity, and review of larger online engagement incidents or trends.

When a severe incident occurs, the Community Engagement Manager will inform the Committee and convene an emergency meeting as soon as is practical. In extreme cases, staff may de-escalate by temporarily suspending access for involved parties prior to the group meeting. Since timely availability is required for community safety but may be a challenging standard for volunteer members to meet, the Committee is empowered to make decisions with a quorum.

A quorum of the Committee is four members. Any member with a conflict of interest with respect to the issue(s) under discussion must inform the rest of the Committee of the nature of the conflict, and cannot vote on, use personal influence to affect, or count toward a quorum regarding the incident.

For lesser violations of the Code of Conduct

For incidents involving illegal content, like political speech or antitrust violations, the Community Engagement Manager or other ALA staff may operate independently to remove/edit content. This also applies to the routine removal of prohibited content as defined by the Code of Conduct (such as advertisements). Staff will email the members involved to explain the violation and how to avoid similar incidents in the future. Staff will also create a record of the incident and response and provide a timely report to the Committee.

For more serious violations of the Code of Conduct

The Committee will discuss more serious violations (which may include repeated low-level violations) in coordination with legal counsel and must agree on a response, including any communication to membership or the public, by majority vote. The majority vote may be overruled by legal counsel if the recommended course of action would put the organization at risk. The Committee will follow a transparent, standardized process developed with legal counsel’s input. The Committee will give significant weight to context and impact when making decisions, collect input from any individual being reported for a violation, and may also collect input from other relevant parties as needed.

The general process for serious violations, which may be reordered or amended as needed, will be:

* A member of the Committee will directly contact the member who violated the Code of Conduct to discuss the violation and how to avoid it in the future. This may involve removing content or public communication to address the violation on the channel where it occurred.
* The Committee will strive to create a healing community by pursuing approaches that prioritize accountability and make amends, where possible and depending on the wishes of the individuals involved in an incident.
* The Committee may temporarily suspend access to the channel. The duration of a suspension may vary based on context, but will be clearly described in writing to the individual who committed the violation. Access to the channel will be restored once the suspension has ended.
* If serious violations continue or in extreme cases (targeted harassment, for example) the Committee may vote to permanently remove an individual from the channel. For members, these consequences may impact membership in, or service on, association groups such as committees. It is possible that some or all of the consequences could be open to another review after a set time period. In these cases, that time period will be decided by the Committee during the review process and clearly communicated to the individual who committed the violation.

Appeal process

Anyone involved in an incident may appeal a decision by sending an email to appeal@ala.org. Appeals must be submitted within 60 days of the date the Committee’s decision was communicated, and must describe the reason for the appeal and why the decision should be changed.

The ALA Executive Committee will oversee the appeal process. The Review Committee’s decisions are final once the appeal is exhausted.

Code of Conduct updates

The Community Engagement Manager will ensure that the Committee reviews the Code of Conduct and Review Protocols at the beginning of each fiscal year, during a regular monthly meeting. This regular review will allow the Committee to incorporate any updates or changes necessary to address issues in the community or larger online trends. The Committee may also revise as needed based on any issues discovered when addressing specific incidents.

Any time the Code of Conduct is revised, it will be communicated to members and non-members using a method suitable to each platform.

Sources:

ALA Policy Manual Section A.2 <http://www.ala.org/aboutala/governance/policymanual/updatedpolicymanual/section1/2membership#A.2.4>

ALA Policy Manual Section B <http://www.ala.org/aboutala/governance/policymanual/updatedpolicymanual/section2/40corevalues>

CONFLICT OF INTEREST: A Statement of Policy for ALA and ALA-APA Executive Board Members: <https://alair.ala.org/bitstream/handle/11213/6643/ebd1_10_conflict_of_interest_ac16.pdf?sequence=1&isAllowed=y>

ALA Online Code of Conduct

*Note: Brackets are used to indicate portions of the document that may be tailored to reflect the varying technical limitations or content needs of different channels.*

Introduction

Welcome and thank you for being part of [asset/channel name]! To ensure the best possible experience for all users, all participants must adhere to this Code of Conduct in order to promote open dialogue, mutual respect, and a sense of community.

[Description/purpose of group; for example: ALA Connect is an online platform for discussion and collaboration between ALA members (and non-members, in some groups). We’re working together to make Connect a centralized space to communicate online, whether you’re part of a formal ALA committee or just want to share questions and ideas with other library professionals.]

The way you interact in here will shape this platform, determine the success of your groups, and directly impact the experience for all participants. Please note that we do not tolerate harassment of participants in any form.

Please do:

**Foster useful, dynamic discussions and engage in a professional, congenial dialogue**. Communicate with people here the way you would with your coworkers. *Thousands* of people may eventually see the messages you post here. This can include people you know, patrons, coworkers, someone you may employ, or someone you may seek employment from in the future.

**Respect freedom of expression.** We encourage spirited discussion and debate. Please remember that disagreeing with an idea is different from attacking an individual, especially since discussion topics can sometimes be challenging. Try to be willing to experience some discomfort and to learn from the community.

**Follow intellectual property laws and give credit where it is due.** It is your responsibility to obtain permission for any material you post for which you do not already own the rights and for which you know the source or creator. Please include copyright notices where appropriate, ask for creator information where unknown, and be prepared to include credits if they are found after you post. Posting copyrighted content without the owner's permission may be grounds for having your access to [asset/channel name] revoked.

**Take responsibility for the impact of your words.** Impact matters more than intent, especially when the absence of nonverbal cues or voice tone means that humor can easily be interpreted as aggressive or negative. Know that humor may not translate clearly via text, and that we may impose consequences based on the impact of your messages.

**Listen as much as you share** and remember that other participants may have expertise you are unaware of. Make sure conversations are inclusive. If participants feel they are speaking up a lot, they should let others speak, and if they find themselves not sharing, they should try to contribute some comments, ideas or suggestions.

**Use welcoming language and treat members like you want to be treated.** Accept critique and offer it constructively; likewise, practice charitable reading (sometimes called “most respectful interpretation”) and give others the benefit of the doubt.

**Feel free to correct, but correct gently.** If participants say something that is incorrect or offensive, point it out. Letting erroneous or offensive comments slip by unremarked only makes the space less safe and increases the difficulty of building a safer and trusting community. These are opportunities to educate – and to learn.

**Speak from your own experience.** Avoid making generalizations, especially about any groups of people. If you’re not sure whether something is factually correct, try phrasing it as a question.

**Favor the use of gender-neutral collective nouns/pronouns.** For example, use “people,” not “guys”.

**Remember you are responsible** and liable for the content you post here.

**Ensure your content has maximum accessibility**, using the references compiled [on our Website Accessibility page](https://www.asgcladirect.org/resources/website-accessibility/) if needed.

**Post as yourself.**

Please do not:

**Post about politics** external to ALA and ALA elections, or encourage a boycott of a vendor, product or service. These limits to speech on this platform are due to IRS restrictions for tax-exempt organizations; more information may be found on the [ALA Legal Framework page](http://www.ala.org/aboutala/governance/legalguidelines/legalframework/alalegalframework).

**Disturb the general peace, post microaggressions, personal insults, and/or attacks, or use expressions of hate or prejudice.** We are dedicated to providing a safe experience for everyone, regardless of ability, age, background, body size, family status, gender identity and expression, gender or sex, immigration status, language, location, marital status, nationality, race and/or ethnicity, rank, religion, sexual orientation, socioeconomic status, or any other dimension of diversity. This also includes repeated subtle, coded, and/or indirect prejudice; when asked to stop a behavior, stop.

**Post harassment, whether targeted or general. Harassment includes:** offensive comments, deliberate misgendering or use of ‘dead’ or rejected names and pronouns, comments that reinforce social structures of domination, sexual images or behavior in spaces where they’re not appropriate, threats of violence or intimidation, stalking, unwelcome attention of any kind, patterns of inappropriate social contact, such as requesting/assuming inappropriate levels of intimacy with others. Advocating for or encouraging any of the above behavior will also be considered harassment.

**Post private communications or any sensitive information.** This includes deliberate “outing” of any aspect of a person’s identity without their consent. Assume that stories and comments shared in our community should remain in our community. If you would like to share someone’s story or comment, please ask them first. We may remove personal information from posts to protect your privacy or the privacy of others.

**Post [any type of content restricted by policy, rather than legal requirements; for example: promotional content (anything offering or soliciting payment) as discussions in the main ALA Members community, which reaches all members of the association rather than the more focused Division or Round Table groups**. If you’d like to promote a paid event, product, or service, please do so through a channel focused on the topic your content relates to. If you'd like to reach all ALA members and others in the profession with your career-related opportunities, you should post on our popular [JobLIST career center](https://joblist.ala.org/).]

**Make unsolicited or repetitive attempts to communicate**, especially should the receiver not respond or request that you stop. This includes discussion posts, messages, and any other mechanisms on or outside [asset/channel name].

**Use [asset/channel name] to compile information or data** regarding [asset/channel name] or users of [asset/channel name].

**Post illegal information or material.**

Ownership of content *[for channels that ALA doesn’t own, this entire section may not apply]*

You retain any ownership rights you have in any content created with or submitted to [asset/channel name], with the potential exception of any content posted to spaces such as those for Divisions, Round Tables, committees, or interest groups, which may be subject to further restrictions if those spaces have their own rules or policies.

You are solely responsible for content you submit to the forum. We take no responsibility for and do not expressly or implicitly endorse any content on [asset/channel name]. We are not obligated to store, maintain, or provide copies of content you submit. If other members violate the terms on which you license your content to [asset/channel name], you agree that ALA will not be liable for those violations or their consequences.

As an association, ALA is strongly committed to equity, diversity, inclusion, and the free expression of ideas. ALA does not generally undertake editorial control of postings and will not censor or edit content contributed to [asset/channel name], unless it violates this Code of Conduct or in other rare circumstances (currently restricted to cases of duplicate postings or mutual agreement with the user).

ALA’s license to use content

Aside from the exceptions described in this Code of Conduct (or those of specific spaces, as noted above), ALA will not use any content created with or submitted to [asset/channel name] in another format or channel without prior written permission from you. However, at a minimum, you license ALA to share your content with other [asset/channel name] users: this license allows ALA to analyze your content and copy, store, or publish it within [asset/channel name]. You also license ALA to use it for any purpose as long as it is in anonymized and aggregate form. Finally, please be aware that [asset/channel name] content in public groups and repositories is discoverable by non-ALA search engines and should be considered accessible and public.

Feedback and suggestions

You agree that ALA will be free to act on any feedback or suggestions you provide, and does not have to notify you regarding the status of your feedback, obtain your permission to use it, or compensate you for it. You agree not to submit feedback or suggestions that you believe might be confidential or proprietary, to you or others.

Reporting

If you think you have seen someone breaking a rule or behaving in a manner that may be contrary to this Code of Conduct, please alert an administrator by [mechanism specific to channel; for example: using the [Contact Form](https://connect.ala.org/contactus) or emailing connect@ala.org. Remember that replying to a post yourself will send an email to all participants who are subscribed to email alerts, which may have the effect of promoting or re-surfacing the issue.] We will respond to all reports as promptly as we can, usually within the next business day. In some cases, we may temporarily suspend involved users’ access to the platform while discussing internally.

We will take all good-faith reports of violations seriously; we reserve the right to dismiss any report we believe to have been made in bad faith. We will respect confidentiality for the purpose of protecting any individual(s) involved in reports and will not name individuals without their affirmative consent. However, please understand that due process considerations may limit our ability to resolve anonymous reports.

Consequences

Participants will be asked to stop any behavior that violates this Code of Conduct and are expected to comply immediately.

We will strive to create a healing community by pursuing approaches that make amends, where possible and depending on the wishes of the individuals involved in an incident. Less serious violations (like attempting to sell a product or service) may be removed or edited, and we will communicate privately with the user about the issue. Serious violation of this Code of Conduct, including harassment, the use of profane or hateful language, or impersonation, may be grounds for long-term or permanent consequences. These consequences may impact membership in, or service on, association groups such as committees. In turn, any consequences imposed as a result of behavior outside of [asset/channel name] (including past behavior and behavior towards people who are not users of [asset/channel name]) may result in consequences within ALA Connect.

Any participants who abuse the reporting process will be considered in violation of this Code of Conduct and subject to consequences. Please also note that this Code of Conduct is not an exhaustive list of behaviors that may entail consequences: if we feel that you are acting in a manner that is harmful to the [asset/channel name] community, we are empowered to act accordingly.

Modifications to this Code of Conduct

We may amend the Code of Conduct periodically and may also adapt the procedures as needed to address particular issues. Any time the Code of Conduct is changed, you will be [mechanism specific to channel; for example: prompted to accept it again when logging into ALA Connect.]

Thanks for participating in [asset/channel name]. We welcome your feedback or questions about this Code of Conduct at any time.

This Code of Conduct has been adapted freely from the following documents:

Mozilla Community Participation Guidelines: <https://www.mozilla.org/en-US/about/governance/policies/participation/>

Anti-harassment policy from the Geek Feminism wiki, created by the Geek Feminism community: <http://geekfeminism.wikia.com/wiki/Community_anti-harassment>

Code of Conduct policy used by the Higher Logic Users Group: <https://hug.higherlogic.com/codeofconduct>

Discourse Terms of Service: <https://meta.discourse.org/tos>

ALA Spectrum Scholarship Community Participation Guidelines: <http://www.ala.org/advocacy/spectrum/groundrules>

Thanks is also due to the PLAspace community project, which laid the groundwork for this document.