

## **CLAH Policy 2:**

### **Conference on Latin American History Statement and Code of Professional Conduct**

As an affiliate society of the American Historical Association, the Conference on Latin American History values free inquiry and free expression of intellectual and professional ideas within a culture of dignity and respect. Inquiry and expression can only be free if it is equitable. As **AHA's 2019 Statement on Standards of Professional Conduct** states, every person is due "the professional respect and support necessary for professional growth and advancement. Such respect precludes unequal treatment based on any nonprofessional criteria. In particular, it precludes any **harassment or discrimination**, which is unethical, unprofessional, and threatening to intellectual freedom."

#### **I. Conduct at Annual Meetings**

Any violation of our principles occurring at an AHA Annual Meeting are governed by the **AHA's Code of Professional Conduct at Officially Sanctioned AHA Activities (2019)**. This includes CLAH events at the Annual Meeting such as the Cocktail Reception, the Luncheon, as well as CLAH-sponsored panels, whether cross-listed or not on the AHA's Program. The AHA Code details Expected Behavior and Unacceptable Behavior. The AHA maintains a team to receive complaints from and provide resources for any participant in the annual meeting or other AHA-sanctioned activity who has experienced or witnessed violations of this policy. The Code also spells out the steps for addressing Violations and provides information on how to contact a standing Intake Team with reports of alleged violations.

#### **II. Conduct in CLAH Activities and Communications**

To reiterate, because CLAH is an Affiliated Society, the events it sponsors associated with Annual Meeting are subsumed under AHA's procedures and fall under the purview of the team the AHA maintains to receive complaints. CLAH does not typically sponsor events outside the Annual Meeting structure—no business meetings, social occasions, or academic panels or mini-conferences are typically held as CLAH events. However, Regional and Topical Sections, Prize Committees, the elected Council, the Executive Committee, the Executive Directorate and, occasionally, ad hoc committees and general members (for example, when taking CLAH surveys) frequently work remotely on CLAH business and communicate throughout the year.

All communications and work performed for CLAH must adhere to the Code of Conduct. This includes:

#### **Expected Behavior**

- All participants are expected to abide by the AHA's Code of Professional Conduct in all CLAH communications and remote work,
- All members are expected to abide by the norms of professional respect that are necessary to promote the conditions for free academic interchange.

- If you witness potential harm to a participant, be diplomatically proactive in helping to mitigate or avoid that harm.
- Alert security personnel or law enforcement if you observe a situation in which someone might be in imminent physical danger.

### **Unacceptable Behavior**

- Persistent, belligerent, and unwelcome solicitation of emotional or physical intimacy, regardless of intent.
- Persistent and unwelcome solicitation of emotional or physical intimacy accompanied by real or implied threat of professional harm.
- Intimidating, harassing, abusive, derogatory, or demeaning speech or actions
- Prejudicial actions or comments related to actual or perceived sex, gender, gender expression, gender identity, sexual orientation, marital status, race, ethnicity, ability, socioeconomic status, age, or religion that coerce others, foment broad hostility, or otherwise undermine professional equity or the principles of free academic exchange. Harassment might also include unprofessional and unethical behaviors, such as intentionally misgendering someone, including but not limited to refusing to use a person's preferred pronouns, or making inappropriate remarks about a person's gender identity or sexual orientation.
- Deliberate intimidation, stalking, or following.
- Harassing photography or recording without permission
- Sustained disruption of events, including yelling at or threatening speakers (verbally or physically).
- Physical assault (including inappropriate use of video camera in remote work).
- Real or implied threat of physical harm.

### **III. Procedures for Addressing Violations of the Code of Professional Conduct in CLAH Communications and Remote Work**

The primary goal of the CLAH Code of Professional Conduct and its enforcement is to ensure a safe environment for all participants of the Conference on Latin American History in the communications and work for the organization.

This document describes procedures for addressing reports of unacceptable behavior in these communications or remote work beyond the Annual Meeting. The procedures described might not cover all possible circumstances, and the CLAH Executive Committee may exercise its professional judgment regarding the effective enforcement of the Code of Professional Conduct.

### **Intake and Investigation**

The CLAH Executive Committee (President, Vice President, and Ex-President) will comprise, as a normal course of their work, an Intake and Investigation Team. Each member of the Executive Committee is responsible for familiarity with the AHA's Standards of Professional Conduct and its Code of Professional Conduct along with any revisions, and with supplementary materials on best

practices that assist in the effective execution this aspect of their duties, including the 2018 publication *How to Respond to Reports of Professional Misconduct*

- CLAH's process is substantially based on the procedures in place at the AHA for receiving complaints. The CLAH Intake and Investigation Team will provide information to ensure any complaint of violation taking place at an Annual Meeting is routed to the AHA's team. If the complaint pertains to CLAH communications and remote work only, it will seek to resolve cases of an alleged breach of the Code of Conduct policy through consultation by following the procedures below whenever possible. At the same time, CLAH recognizes that punitive measures may be required to address some violations.
- CLAH is also committed to ensuring that no one is subject to retaliation and/or harassment by respondents or third parties.
- CLAH is also committed to
  - The timely handling of complaints;
  - Fair and impartial handling of such allegations; and
  - Fair, impartial, and sensitive treatment of all parties affected by such allegations.

### **Intake Process**

1. Reports of alleged violations of the Code of Professional Conduct in communications and work for CLAH may be received by any one of the Investigators (President, Vice President, ex-President) via email
2. The Investigators will interview the Reporter. If the Reporter is not the Target, then the Investigators will interview the Target as well.
3. The Investigators should obtain the consent of the Target before continuing an investigation.
4. Investigations might include interviewing witnesses; reviewing relevant information such as emails, text messages, tweets, etc.; interviewing the Alleged violator; and interviewing witnesses identified by the Alleged violator
5. Following the investigation, the Investigators will provide a summary report of the incident to the Executive Director(s) and the Council and make recommendations to CLAH's Executive Director(s) for any action.

### *Confidentiality*

In order to encourage reporting of incidents, reports and the names of Reporters will be kept confidential to the extent possible, including in first-instance summary reporting to the Council. However, neither the Reporter nor the Target can be guaranteed confidentiality.

### *Reporting Data*

The CLAH will provide an annual report of aggregated data about incidents and outcomes upon request.

### *Reports of Workplace Harassment*

Investigators might receive reports of incidents that have occurred at participants' workplaces or settings other than CLAH-sponsored activities. These incidents are outside of CLAH's capability to address.

#### **IV. Decision on Consequences**

The decision-making team for allegations of violations of the CLAH Code of Conduct is comprised of the Executive Committee. Any member of the team with professional or personal ties to the Alleged violator or Target, or with any other real or perceived conflict of interest in the decision, must recuse themselves from participation in the decision-making process and the Executive Director(s) will replace that member with a randomly chosen elected member of the Council.

##### *Decision Process*

1. The Investigators provide the Executive Director(s) with the results of the investigation and with their recommendation for consequences, if any, for the alleged violator.
2. The Executive Director(s) inform the Alleged violator and the Target and implements the recommendation.

##### *Possible Consequences*

If a violation has been determined, possible consequences to be implemented at the meeting or event may include:

- Warn the violator to cease their behavior and that any further reports will result in more serious consequences
- Require that the violator cease communication and work relevant to the CLAH activity
- Ban the violator from future committees or appointments (either indefinitely or for a certain time period).
- Remove and ban the violator from membership in CLAH, following established procedures

##### *Appeals Procedure*

Alleged violators or targets who wish to appeal the CLAH's decision may contact the Executive Director(s) in writing with further information regarding the incident, at which point both that appeal, and the full results of the Investigators' initial investigation and recommendation, will be shared with the full CLAH council. By majority vote of the full CLAH council 1) the initially recommended consequence can be confirmed; 2) a different consequence (or no consequence) can be imposed; 3) the Investigators can be instructed to conduct additional interviews or other information gathering and report back to Council, which will then deliberate and impose a final decision regarding consequences.

#### **V. Supporting Documents**

Code of Professional Conduct at Officially Sanctioned AHA Activities  
(2019) <https://www.historians.org/about-aha-and-membership/governance/policies-and-documents-of-the-association/code-of-professional-conduct-at-officially-sanctioned-aha-activities>

AHA's Statement on Standards of Professional Conduct (Updated  
2019) <https://www.historians.org/jobs-and-professional-development/statements-standards-and-guidelines-of-the-discipline/statement-on-standards-of-professional-conduct>

Valerie Aurora and Mary Gardiner *How to Respond to Reports of Professional Misconduct* (Frame Shifting LLC, 2018).