

CODE OF CONDUCT

Nondiscrimination Policy

Latin American Studies Association prohibits discrimination, harassment, and bullying against any person on the basis of race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, military status, or any other characteristic protected by law.

Anti-Harassment Policy

It is the policy of the Latin American Studies Association (LASA) that all participants in LASA activities will enjoy an environment free from all forms of discrimination, harassment, and retaliation. As a professional society, LASA is committed to providing an atmosphere that encourages the free expression and exchange of scholarly ideas.

In pursuit of that ideal, LASA is dedicated to ensuring equality of opportunity and treatment for all members, regardless of gender, gender identity or expression, race, color, national or ethnic origin, religion or religious belief, age, marital status, sexual orientation, disabilities, veteran status, or any other reason not related to scientific merit.

Harassment of colleagues, students, or other conference participants undermines the principle of equality at the heart of these professional fora and is inconsistent with the principles of free inquiry and free expression. Harassment, sexual or otherwise, is a form of misconduct that undermines the integrity of LASA meetings and events and is considered by LASA to be a serious form of professional misconduct. Participants who violate this policy will be subject to appropriate disciplinary measures.

LASA Anti-Harassment Policy

The following Anti-Harassment Policy outlines expectations for all members of the Latin American Studies Association (LASA), including those who serve in elected or appointed positions. It reminds all members, and especially those serving in key roles in the Association, that all professional academic ethics and norms apply as standards of behavior and interaction in the course of LASA-related activities.

1. Purpose

LASA is committed to providing a safe and welcoming environment for all members and staff, free from harassment, bullying, discrimination, and violence based on age, race, ethnicity, national origin, religion, language, sexual orientation, gender identity or gender expression, disability, health conditions, socioeconomic status, marital status, domestic status, or parental status (hereafter, simply harassment). LASA recognizes that there is a distinction between victimization through harassment and legitimate, justifiable, and appropriate constructive criticism. Nothing in this document shall be construed as a limitation on the ability of LASA members to evaluate and critique the merit of one another's work.

2. Expected Behavior

All members of LASA, especially those in leadership roles as described above, are expected to abide by this Anti-Harassment Policy in all meeting venues, including ancillary events as well as official and unofficial social gatherings, and in the course of LASA activities outside of Congresses and Section events, as well as EC and other meetings.

LASA members are expected to follow the norms of professional respect that are necessary to promote the conditions for free academic interchange. If you witness conduct directed towards a Congress or meeting participant, be proactive in helping to stop that conduct or limit its effect. LASA members are expected to alert conference security personnel or law enforcement if they see a situation in which someone might be in physical danger.

3. Unacceptable Behavior

Harassment consists of a single intense and severe act, or multiple persistent or pervasive acts, which are demeaning, abusive, offensive, or create a hostile professional or workplace environment. Harassment may include unwelcome sexual solicitation or physical advance which involves an expressed or implied reward for compliance or threat of reprisal for refusing to comply, or verbal or non-verbal conduct that is sexual in nature, thereby creating what reasonably may be perceived as a hostile or intimidating environment; it may also include threatening, intimidating, or hostile acts; circulation of written or graphic material that denigrates or shows hostility toward an individual or group; epithets, slurs, or negative stereotyping based on group identity. The purposeful exclusion of a person who is a member of a decision-making committee such as but not limited to executive council, section, nominations committee, award committee, etc. through misinformation, isolation, and lack of communication about matters in which that person should be included based on their official or designated role may also constitute harassment.

4. Addressing Grievances

Complaints about unacceptable behavior at the LASA Congress or any other EC activity should follow the “Procedures for Violations of LASA’s Anti-Harassment Policy”. Affected members can contact any of the following LASA officials:

LASA Ombudsperson

A team of two LASA Ombudspersons will be recruited among qualified members of LASA. One of the Ombudspersons will identify as a woman, the other as a man. One will be based in Latin America, the other from any of the other regions in which LASA has members. Once the Ombudspersons are recruited, their appointments will be subject to approval by two-thirds of the Executive Council. The ombudspersons are available for confidential consultation about concerns related to harassment in violation of this policy, but play no role in addressing of alleged violations of LASA’s Anti-Harassment Policy.

Policy Advisor

A trained staff member who can provide detailed information about the options for pursuing a formal harassment complaint. See “Procedures for Violations of LASA’s Anti-Harassment Policy”.

Procedures for Addressing Alleged Violations of LASA's Anti-Harassment Policy[1]

LASA's procedures for addressing alleged violations of the anti-harassment policy apply to all LASA members and other attendees at the LASA international congresses for the duration of the meeting. Any attendee of the LASA international Congress may pursue a complaint of harassment regarding an incident that has occurred within the last two years. LASA has two options through which you can obtain information or pursue a formal complaint of harassment.

1. Pursuit of Information: Ombuds

What is an Ombuds? The Ombuds is available for confidential consultation and advising about reporting harassment.

What is not an Ombuds? The Ombuds plays no role in LASA's harassment procedures but can provide invaluable guidance, explain LASA's options for reporting harassment, and outline the avenues for pursuing such a complaint. The Ombuds cannot provide legal advice but can offer support and guidance.

Note: It is strongly recommended to first consult with the Ombuds for clarification about the entire range of options. This consultation is confidential and the details of such a conversation will not be reported to any administrator, office, or committee of LASA, except as required by law. At all times, the role of the Ombuds is entirely independent of any harassment complaint you may decide to pursue.

2. Pursuit of Formal Complaint: Policy Advisor

If you want to report a violation of the Policy, please contact the Policy Advisor. The Policy Advisor is a trained staff member who can provide detailed information about the options for pursuing a formal harassment complaint, and initiate the procedures within LASA.

a. Options for pursuing a formal complaint of harassment through LASA

LASA has three options through which a report of harassment can be addressed. These can be taken as alternative routes to pursue a complaint, or as options that can be pursued in sequence.

Option 1: Notice of Concern

A complainant who does not want to pursue Mediation or Investigation as described below may report a concern that a person engaged in conduct that violated Anti-Harassment Policy. If the Policy Advisor agrees that the conduct alleged would, if true, be a violation of the Policy, the Policy Advisor will share that concern with the person who allegedly engaged in the conduct, who may submit a response. Typically, the information shared will not identify the complainant, but rather will describe the behavior alleged to have occurred. The Policy Advisor will inform Anti-Harassment Sub-Committee of the EC, and LASA will keep a record of the event. The Anti-Harassment Sub-Committee reserves the right to move forward with an Investigation where the circumstances lead the Sub-Committee to conclude that it would be in the best interest of LASA to do so.

Option 2: Mediation Process

You may pursue mediation. The Policy Advisor, together with a member of the EC's Anti-Harassment Sub-Committee, will examine the case and search for a solution agreeable to both parties. The identity of the complainant may be disclosed.

Mediation Procedures

1. A formal complaint and request for mediation is filed with the Policy Advisor
2. The Policy Advisor, together with a member of the EC's Anti-Harassment Sub-Committee will contact both parties to facilitate a suitable solution that will bring satisfaction to the complainant.

Option 3: Investigation Process and determination of findings

You may pursue a formal investigation. The Anti-Harassment Sub-Committee of the EC (with the approval of the EC) will apply sanctions, when appropriate, based on the investigation. The identity of the complainant may be disclosed.

Investigation Procedures^[2]

1. A formal complaint and request for investigation is filed with the Policy Advisor
2. All fact-finding will be conducted by the Policy Advisor and the EC's Anti-Harassment Sub-Committee.
 - a. The complainant will be asked to provide a written statement which should include as much identifying information as possible, the approximate time/date of the behavior, the location and circumstances surrounding the incident, and any other people that may have been involved in or witnessed the incident.
 - b. The Policy Advisor shall inform the individual whose conduct is in question. A written statement of the complaint shall be made available to both parties.
 - c. The individual whose conduct is in question will also be asked to provide a written statement providing their account of the activities in the complaint.
 - d. The Policy Advisor and the EC's Anti-Harassment Sub-Committee may ask to meet with either complainant or the individual in question, solicit evidence and statement from identified witnesses, or consult with others with direct knowledge of the event in question.
3. The Policy Advisor will prepare a report summarizing the investigation for the anti-harassment sub-committee of the EC.
4. The anti-harassment sub-committee of the EC will decide on the case and either dismiss the complaint or issue a sanction. All determinations to issue sanctions by the sub-committee must be unanimous. When the sub-committee has reached its determination and before the parties have been notified, the President of LASA, a designated Staff member and the Chair of the Sub-committee shall meet to consider what steps can be taken, given the particulars of the case, to protect the complainant from retaliatory action by those named in the complaint. A written summary of the decision and/or recommended action will be provided to all parties upon completion of the process.

b. Scope of potential outcomes

The anti-harassment sub-committee will determine the sanction(s) based on the severity of the violation, and submit the determination to the President of LASA, as indicated in point (4) above. **The following sanctions may be applied individually or in combination**, with the length of time to be determined by the sub-committee as part of the sanction itself.

- a. Warning the harasser to cease their behavior (written letter).
- b. Suspension of the harasser from the ongoing LASA Congress as well as any ongoing LASA responsibilities and appointments.
- c. Barring the harasser from assuming any future governance positions within LASA.
- d. Barring the harasser from future LASA Congresses.
- e. Revoking the harasser's LASA membership (in consultation with the EC).

c. Notification of parties

Negative/Inconclusive Finding: In the event that the sub-committee finding is inconclusive or negative, or if the subcommittee's vote is not unanimous in its determination that policy has been violated, the Chair of the sub-committee will convey this to the President of LASA and designated staff who will inform both parties in writing.

Finding of Harassment: In the event that the sub-committee finds that harassment has occurred (and has determined the appropriate sanctions), the Chair of the sub-committee will convey the finding and the sanctions in writing in the form of a recommendation to be approved by the President of LASA and designated Staff member who will inform both parties of the findings and sanctions in writing.

d. Appeal

Should either party wish to appeal a decision within 30 days after a decision is made, they may make an appeal to the Ways and Means Committee consisting of the LASA President, Vice-President, Immediate Past President, Treasurer and Executive Director. Grounds for appeal include a claim of procedural error, substantive new evidence, evidence of the use of impermissible criteria, or evidence of bias in the treatment of the fact-finding and decision process. The Ways and Means Committee will make a recommendation to the Executive Council. If approved by the Executive Council, a final unappealable decision will be issued at this time.

Additional Information

1. Harassment procedures, scope, eligibility and deadline

Scope: These procedures apply to all LASA members and attendees at the LASA international Congress and related LASA meetings and events, for the duration of the event.

Eligibility: Must be an attendee at the Lasa International Congress and LASA related meetings and events.

Deadline: Any attendee of the LASA international Congress or related LASA meetings and events may pursue a complaint of harassment regarding an incident that has occurred within the last two years. LASA reserves the right to postpone consideration of a complaint if the conduct at issue is currently under the investigation in another forum, such as EEOC, civil litigation or an internal investigation at an academic institution.

2. Constitution of the EC anti-harassment sub-committee

A permanent sub-committee (3-5 members) of the Executive Council shall be appointed by current Vice-President in conjunction with the Executive Council. Members will be trained in the LASA anti-harassment policy. Members of the EC sub-committee are fully insured against all legal liability under the LASA Directors and Officers insurance. The committee's work will be accompanied by a staff member with extensive training who will provide institutional memory, continuity, and expertise.

3. Retaliation

As a general principle, LASA will make every effort to protect complainants from retaliation.

4. Confidentiality

At all stages, LASA will maintain confidentiality to the extent possible.

5. Conflict of Interest

If any member of the EC Anti-Harassment sub-committee identifies a conflict of interest, defined as current or past intimate relationship or family relation; current or past shared university affiliation, current or past relationship of co-authorship or collaboration, or prior Ph.D. supervision of either the complainant or individual whose conduct is in question, the person will be replaced by another member of the EC or another staff member who has completed full training on harassment.

6. Unacceptable Behavior Outside of LASA-Sponsored Activities

In some cases, unacceptable behavior by a member of LASA takes place outside of Association-sponsored activities, leading to criminal and civil sanctions, finally adjudicated findings of misconduct by employers, courts, and other entities such as a municipal government and its agencies, a state government and its agencies, the federal government and its agencies (EEOC etc.). These external decisions can be the basis for the LASA Executive Council to permanently exclude a member from LASA. In such cases, this decision will be taken by a vote of the LASA Executive Council (two-thirds majority).

7. On-Site Procedures for LASA Officials and Staff

LASA officials or staff who become aware of any form of harassment during the course of the Congress should proceed as follows:

1. If harassment is observed or reported to any LASA staff member, council member, congress participant, or venue employee, and there is a question of immediate physical danger, steps should be taken to ensure immediate safety of all attendees and staff.
2. Any staff member other than the Policy Advisor (or the ombuds) who receives information about harassment must immediately refer it to the designated Policy Advisor on site. The Policy Advisor will approach the individual identified as harassed to discuss resources and options for pursuing a complaint (Options 1-3 above).
3. In the case of egregious behavior, the President and Executive Council may sanction a member.
4. Regardless of the action taken, a report must be filed with the Policy Advisor and kept at the LASA's Secretariat for aggregate reporting purposes.

8. EC ability to institute complaints

The EC can institute a complaint on its own when the circumstances indicate that it is appropriate to do so. For example, if someone behaves badly at an event and multiple people witness it, the organization's interest in addressing the behavior may be greater than any one individual.

APPENDIX 1

Ombudsperson and Anti-Harassment Policy Advisor

	Ombudsperson	Policy Advisor	Anti-Harassment Sub-Committee of the EC
Job Description	The Ombuds is available for confidential consultation about a wide range of concerns related to LASA's anti-harassment policy.	The Policy Advisor can provide detailed information about the options for pursuing a formal harassment complaint, and initiate the procedures within LASA.	The Anti-Harassment Sub-Committee of the EC works directly with the LASA Anti-Harassment Policy Advisor and legal counsel when a formal harassment complaint has been filed.
Location	The Ombuds will work from their respective countries of residency. At the same time, they will be available at LASA Congresses during registration hours from 9:00 am to 7:00 pm.	The Policy Advisor will be a trained Staff member at the LASA Secretariat and will be available at LASA Congresses during registration hours.	The Anti-Harassment Sub-Committee of the EC will be appointed by the Executive Council amongst its current or former members and will serve for two years.
Responsibilities	Limited to confidential consultation and guidance on what constitute harassment, explain LASA's option for reporting harassment and outline venues for pursuing such complaint. The Ombuds plays no role in LASA's harassment procedures.	<p>The Policy Advisor will provide detailed information about the options for pursuing a formal harassment complaint, and initiate the procedures within LASA to formally register a complaint. The Anti-Harassment Policy Advisor will work closely with the Anti-Harassment Sub-Committee of the EC and legal counsel.</p> <p>The Anti-Harassment Policy Advisor will prepare formal reports for the Anti-Harassment Sub-Committee of the EC and EC and attend meetings remotely or in-person as necessary.</p>	The Anti-Harassment Sub-Committee of the EC, in conjunction with the Anti-Harassment Policy Advisor is in charge of case evaluation and recommendation for sanctions.

	Ombudsperson	Policy Advisor	Anti-Harassment Sub-Committee of the EC
Role Pre-Requisites	<p>Past or current LASA Role.</p> <p>Experience in conflict resolution (academic and administrative).</p> <p>Experience with violence, discrimination, moral, labor and/or sexual harassment in academic/ educational institutions.</p> <p>Able to attend LASA Congresses.</p> <p>Experience working with teams.</p> <p>Knowledge of English and Spanish or English and Portuguese.</p>	<p>Formal training on harassment.</p>	<p>Current or former Executive Council Member.</p> <p>Cannot be a member of the Ways and Means Committee, due to role in appeals process.</p> <p>Formal training on LASA's anti-harassment policy.</p>
Service Period	<p>2-years with option to renew for a second term.</p>	<p>Role may rotate annually or bi-annually within the LASA Secretariat.</p>	<p>Two-year's service.</p>
Reporting	<p>Collect anonymous information about cases. An online form will be available to complete about each case as soon as the meeting is over. Anti-harassment committee will compile information.</p>	<p>Informs the Anti-Harassment Committee of:</p> <ul style="list-style-type: none"> (1) Any new cases; (2) Advisories issued; (3) Conclusion of a mediation; (4) Findings of an investigation, prior to the Committee's decision. 	<p>Reports:</p> <ul style="list-style-type: none"> (1) The decision following an investigation to the President of LASA. (2) Results of each closed case (whether advisory, mediation, or investigation) to the Ways and Means Committee. (3) Annual report to the EC, summarizing (anonymous) cases and aggregate information provided by the Ombuds.

[1] Draft prepared by Vivian Martinez, Anibal Pérez-Liñán and Milagros Pereyra.

[2] The EC reserves the right to engage an outside investigator to conduct an investigation when it concludes it is in the interest of LASA to do so. If an outside investigator is engaged, the investigator will have the same authority as the Policy Advisor and the EC's Anti-Harassment Sub-Committee.

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LATIN AMERICAN STUDIES ASSOCIATION

416 Bellefield Hall
University of Pittsburgh
Pittsburgh, PA 15260
lasa@lasaweb.org
Tel: 412-648-7929
Fax: 412-624-7145

