

TWS Western Section Office of Ombudsperson Program

Draft Charter and Operating Procedures

Members

FirstName LastName (affiliation, mailing address) (email address)	FirstName LastName (affiliation, mailing address) (email address)
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About

The purpose of the TWS Western Section Office of Ombudspersons Program is to maintain the Sections standards for professional behavior regarding the practice, learning, training, publishing, and communication of science by outlining a process for reporting and addressing violations.

One or more Ombudspersons (ombuds) are appointed by the President with input from the TWS Western Section (Section) board to hear and to respond appropriately to charges of unprofessional behavior (as defined by the TWS Code of Ethics section below) by any Section member or registered participant in Section activities, defined as Section events (i.e., annual meeting, workshops), Section-sponsored activities (i.e., field trips), or in the governance of the Section through its committee structure, whether in person, digitally, or through social media outlets. By extension, this applies to all Chapter activities under the Western Section, including events, sponsored activities, and governance of the Chapters. These ombuds will report their determination on the charge(s) of misconduct and make recommendations of disciplinary measures (if applicable) directly to the Section board.

Purpose

In addition to the TWS Code of ethics, the creation of the Office of the Ombudspersons in itself is meant to discourage any and all inappropriate behavior on the part of the membership of the Section, and to resolve as thoroughly and discreetly as possible all complaints of improper behavior that are brought before appointed ombuds. The ombuds are entrusted to deal with each situation as they best see fit following procedures outlined below. These procedures shall be posted and available on the Section's webpage and the webpage will be updated as necessary. This Charter and Operating Procedures will be

reviewed by the Office of the Ombudspersons and the Section Board at least every 5 years to ensure it remains relevant and reflects current issues and changing perspectives.

Code of Ethics

All Section members and non-member participants are expected to adhere to The Wildlife Society Code and Ethics Policy (available [here](#)) and The Wildlife Society Code of Ethics (available [here](#)). TWS maintains policies and procedures (hereafter referred to as our Code) that represent both the code of ethics and the code of business conduct for directors, officers, volunteers and employees.

While Section members and non-member participants must adhere to the above Code, additional measures are in place for Section operations. The Section has adopted a Harassment Prevention Policy (available [here](#)) that further defines the Section's policies regarding preventing the "unlawful harassment" by an officer or agent of the Section, which includes "all persons involved in our operations... [including] any officer of our organization, as well as by any person doing business with or for our organization including independent contractors, suppliers, and volunteers."

General Guidelines

1. Unprofessional conduct by any Section member or meeting attendant will not be tolerated and is subject to disciplinary action. Unacceptable behavior includes, but is not limited to: unwanted verbal attention, unwanted touching, intimidation, stalking, shaming, or bullying in person, digitally, or through digital interactions (as defined by the TWS Code of Ethics), or other disruptive behavior including sustained disruption of talks, events, or meetings. If you experience such behavior, depending on the context and if you feel comfortable, the Section encourages you to let the offender know and ask them to stop and/or seek help from bystanders. Participants asked to stop any harassing behavior are expected to comply immediately. Concerns may also be presented to the ombuds in person (contact information above) or reported online [here](#). Note that persistent offensive or unwelcome behavior may constitute harassment and that harassment presented in a joking manner is still harassment and both would be subject to disciplinary action.
2. Scientific presentations (in person or digital presentations, oral presentations, poster presentations, or any other official presentation type) are expected to adhere to Section standards of professional conduct and should not include inappropriate and/or graphic images or language that include (but are not limited to) pornography, demeaning or degrading images or language, or depictions of violence.
3. Established professionals and all Section leaders should recognize that they hold positions of power, formal or informal, over students and aspiring professionals. These individuals are expected to lead by example regarding our high standards of professional and personal conduct.
4. All Section members are potential bystanders to unprofessional or unwelcome behavior. Bystander intervention can prevent, divert, or mitigate harassment. Do

not look the other way. See the [Resources page](#) for additional information about bystander intervention and training.

Appointment

Individuals being considered for the ombuds positions should be regular (non-board) members, and should be proposed by and discussed with the full Section board and unanimously approved by the Section's Executive Committee. The appointment can be rescinded by unanimous approval from the Section's Executive Committee at any time with input from the Section Board.

The term of office may be negotiated, but an individual appointment shall be no longer than 5 years. An ombuds may be re-appointed by the President such that the sum of multiple terms may be longer than 5 years. The President should appoint a minimum of three ombuds to allow for geographic and other diverse representation among the pool of ombuds. More ombuds may be added as needed to accommodate an increase in membership or geographical representation.

Ombuds selection criteria should emphasize the possession of common sense, sensitivity to diversity, equality and inclusion issues, discretion, peer recognition, experience within the Section, possession of the respect of the membership in general, and a willingness to serve.

Roles and Responsibilities

As part of their responsibility reviewing and adjudicating allegations of misconduct occurring within the context of Section activities (defined above), the Office of the Ombudspersons will assign a representative chairperson to participate in, or review the proceedings of, Section activities. This role will be performed in an advisory capacity, and to avoid any conflict of interest, members of the Office of the Ombudspersons will not have voting privileges on matters before the Board. In this role, the Office of the Ombudspersons will have the opportunity to assign a designated ombuds to participate in regular Section board meetings, standing and ad hoc committees, award nominations, annual meeting and meeting planning, workshop development and workshops, and Section hiring decisions.

Reporting Mechanisms and Disciplinary Action

Overview

In brief, the reporting process will proceed as described below by the responsible party indicated:

1. Complaint filed [accuser(s)]
2. Review of evidence and interviews [ombuds]
3. Determination of misconduct or not [ombuds, Executive Committee]
4. Findings communicated to both parties [ombuds]
5. Option to respond [accuser(s), alleged offender(s)]
6. If no misconduct is found, no further action taken
7. If misconduct is found, recommend disciplinary measures [ombuds]
8. Review of recommendations [Executive Committee]
9. Notification of disciplinary measures to accuser(s) and the offender(s) [Section President]
10. Appeals process [accuser(s), alleged offender(s), ad hoc appeals committee]
11. Discipline implementation [Section/Chapter]

Reporting Incidents of Potential Misconduct

The ombuds are charged with reviewing and adjudicating allegations of misconduct occurring within the context of Section activities (defined above), in an effort to seek the truth as a neutral designee. Incidents occurring ‘off-site’ (e.g., bars, hotels, etc.) between members or activity participants immediately preceding, during, or immediately following, or advertised/promoted in association with Section activities are considered to be part of the broader Section gathering and as such are subject to the Code of Conduct and Section disciplinary action; a valid complaint can be made even if the incident does not happen at a conference center, workshop, or meeting venue. Incidents involving non-members who are not formally participating in a Section activity generally fall outside the purview of the Code of Conduct and Section disciplinary action. However, such incidents will be evaluated to determine whether the Section should change its practices or adopt preventative measures, and the Section will remain a resource to members or non-member participants who experience harassment from non-members/ participants.

Concerns and complaints of misconduct can be presented to an ombuds, to any Section Board member or contract staff, or reported online [here](#). Before action can be taken by the Office of the Ombudspersons, allegations must be presented in writing to an ombuds or reported online by the victim or an observer of alleged misconduct occurring within the context of Section activities. Individuals may submit anonymous reports to the ombuds online. Note that while we will keep track of anonymous reports, we cannot take action on a single anonymous report without further corroboration. All reports will be taken seriously and will be investigated. Retaliation for using the Office of Ombudspersons is unacceptable, as is reporting an incident in bad faith; both may be treated as harassment and subject to investigation by the ombuds.

Review of Incidents

After receiving a misconduct report, the ombuds will review all materials and obtain additional information, if warranted and available. Depending on the misconduct, the ombuds may advise reporting to local law enforcement. For other cases, the ombuds may discuss the incident with any non-anonymous accuser(s) and the alleged offender(s). Further investigatory steps may include – but are not limited to – interviewing persons named as witnesses as well as reviewing documents and other evidence supporting the complaint and/or justifying the alleged offensive behavior. Throughout this process, confidentiality will be honored to the extent possible and as necessary so as to respect the rights of the accuser(s) and accused, unless disclosure is legally required.

After review of all materials, if the Office of Ombudspersons determine that misconduct occurred (or not) and should be subject to disciplinary action (or not), the ombuds shall communicate the findings to the alleged offender(s) and inform the alleged offender(s) as to the availability for review of summaries of incidents and evidence supporting the findings. The alleged offender(s) will have an opportunity to respond to the allegations. These steps will be completed prior to the ombuds deciding on an appropriate course of disciplinary action.

Decisions and Disciplinary Action

After review of the complaint and of evidence and interviews of witnesses, and after hearing the positions of the accuser(s) and the alleged offender(s), the ombuds will determine an appropriate course of disciplinary action. Ombuds may confer with Executive Committee officers if deemed necessary (while honoring confidentiality to the extent possible). If the ombuds determine that no misconduct occurred, that disciplinary action is not required, or if they cannot agree that misconduct occurred (even with input from Executive Committee officers), the accuser(s) and alleged offender(s) will be informed of this decision and no further action will be taken. Decisions will be made as quickly as possible; timelines will vary with each case.

If the ombuds determine that misconduct has occurred, they will recommend disciplinary measures to the Executive Committee using the criteria described below. Disciplinary measures will be commensurate with the offense(s). As noted below, egregious and illegal actions may justify an immediate lifetime ban from all future Section activities and revocation of Section membership, past Section awards and honors, and future Section recognition (to include automatic disqualification for any future awards, honorary membership, etc.), and prohibition from holding Section leadership and contractor positions. For other offenses, disciplinary actions may include notification of improper behavior, recommendations to take relevant training or counseling, or suspension from Section activities for a period of time. For other actions, the Office of the Ombudspersons will employ a three-step process to recommend appropriate disciplinary measures:

1. At the first instance of misconduct, the offender(s) will be notified of unacceptable behavior, reminded of the TWS Code of Ethics and expectations regarding Professional Conduct, and encouraged to consider relevant training or counseling.

2. If misconduct is repeated at subsequent Section activities, the ombuds will recommend a suspension of participation from all Section activities for a specified period of time, after which the offender may resume participation. During this suspension, individuals may not receive any Section awards or honors or serve in leadership or contractor positions. After the period of suspension, the individual may request permission from the Section President and Office of the Ombudspersons to return to Section activities and be eligible to receive awards. This request must include a letter addressed to the Section President asking to return to meetings, participate in Section governance, and to be eligible for awards; this letter should include a statement affirming that no additional ethical, personal, or professional misconduct has occurred during the time period of the suspension.
3. If misconduct is repeated a third time, subsequent disciplinary action may include: a lifetime ban from all future Section activities; revocation of Section membership, awards, and honors; prohibition from holding leadership and contractor positions; and disqualification for any future awards and honors.

The Office of the Ombudspersons reserves the right to bypass the first and/or second step listed above and move directly to a subsequent step if warranted by the offense and/or past history of the accused.

The Executive Committee will review the recommendation of the Office of Ombudspersons, including all supporting documentation. If there is disagreement regarding the recommendations, the Executive Committee and the ombuds will work together to revise the recommendations. Once a recommendation has been determined, the Section President will notify the accuser(s) and the offender(s) of the disciplinary measures. If the disciplinary measures include revocation of awards, honors, or membership, the decision must be ratified by a simple majority of legal votes cast by the Executive Board.

If it is determined that misconduct has occurred, the Office of Ombudspersons reserves the right to communicate a record of the offender(s) misconduct and any disciplinary actions to TWS and/or the Executive Board members of the offender(s) Chapter to ensure that disciplinary actions are enforced at the Section and Chapter level. The Section expects that the same level of confidentiality will be honored at the Chapter level to the extent possible.

Appeals

Disciplinary measures may be appealed by the offender within 60 days following notification. An ad hoc committee composed of five available recent past Section Presidents shall serve as the appeals review panel. This ad hoc committee shall review the evidence and the evaluation of the ombuds, and may confer with the current Executive Committee to determine whether to affirm, alter, or reverse the disciplinary measures. This process should take no more than 60 days from appeal. The ad hoc committee's decision on the appeal shall be final and not subject to additional appeal.

Tracking of Allegations and Decisions

The Office of the Ombudspersons will be responsible for recording allegations and decisions in a secure Section database with access limited to their use and that of the Executive Board. The record will include the allegation and relevant reports and decisions. Reports of misconduct that did not result in a finding of code of conduct violations will be destroyed at the end of one year. Reports of misconduct related to harassment will be maintained for up to ten years in a secure database, to help address the issue of repeat offenders. A summary report of Section ethics cases and their disposition will be made available to Section board members and membership annually.

Misconduct Occurring Outside of TWS and Section Meetings

All Section members are expected to adhere to high standards of ethical conduct in their professional and personal lives. Professional or personal misconduct occurring outside of the activities of the Section may be considered when evaluating nominees for awards, honorary membership, and other forms of recognition by the Section. The Section reserves the right to temporarily limit a member's access to Section-sponsored activities in light of verifiable evidence of external misconduct that raises concerns about the safety of Section events or attendees. Temporary suspensions may be applied while a case is being investigated.

Procedures Involving Officers, Board Members, and Ombuds

Officers, Board Members, or ombuds shall recuse themselves from cases in which they have potential conflicts of interest. In the event that the Section President is accused of misconduct or has a conflict of interest, the Presidential duties described in this document will be allocated to the President-elect until the matter is resolved. If the President-elect has a conflict of interest, duties shall shift to the Past President. If the Past President has a conflict of interest, duties will shift to an ad hoc committee composed of five available recent past Section Presidents solicited by the remaining officers on the Section board. Measures for removal from elected office are described in the Section Bylaws should disciplinary action be required for any Section officer.

Statement on Liability

Section shall not be responsible for any defamatory, offensive, or illegal conduct of participants of Section-sponsored activities, and shall not be held liable for personal injury, property damage, theft, and/or damage of any kind suffered by the participant(s) at or in connection with Section-sponsored activities. By registering for and attending Section-sponsored activities such as the annual meeting, participants acknowledge that they have read this Disclaimer, and expressly release the Section and its Board members, officers, contractors, or agents from any and all liability in connection with such Section-sponsored activities as provided herein.