



Policy of the Entomological Society of America Regarding Allegations of Ethical or Personal Misconduct by Honorees and Potential Honorees¹

Overview

In keeping with the Entomological Society of America's (ESA or Society) identified strategic principles and support of codes of ethical conduct ([link](#)), the purpose of this policy is to address cases where personal and professional conduct intersects with ESA's various forms of recognition, including [Awards and Honors](#), appointed and elected [leadership](#), and other professional recognition (referred collectively herein as "Honors").

The Society seeks to support a scientific community that embraces a climate and culture of civility, diversity, and inclusion, and actively seeks to build that community in practice. Sexual, racial, gender, and other forms of harassment are significant barriers to excellence in the discipline because these barriers undermine ethics, equity, and full participation of all talent. In certain circumstances, such conduct may also be illegal or may expose the Society to civil liability, and this policy provides a mechanism to address these issues.

Policy Basis and Scope

It is the intent of the Society to create a framework for addressing lapses in professional ethics and conduct by individuals related to ESA's Honors. Situations may arise where ethics in the conduct of an individual's personal affairs cast serious doubt on that individual's fundamental ethics. However, unless personal conduct cases are found to be egregious or extreme, the Society only considers conduct in the context of a professional setting. Credible evidence of an illegal act of violence or a serious breach of ethics in an individual's personal life may also be sufficient grounds to cast serious doubt on their fundamental ethics and thus justify revoking, suspending, or withholding ESA Honors.

When an evidence-based allegation regarding an act of questionable ethical intent or impact arises in the context of an ESA event or programming, the ESA Code of Conduct ([link](#)) shall be the governing policy.

The Society finds that determined unethical conduct of a current or prospective holder of an Honor—as well as credible, but undetermined, questions about the ethical conduct of such an individual—can contribute to longstanding structural and systemic barriers in the discipline. Consequently, to ensure excellence in member development, the society will not confer any honor on any individual whose conduct has been determined to be unethical.

¹ This policy was adapted from policy recommendations provided by the Societies Consortium on Sexual Harassment in STEMM, of which ESA is a member of the Executive Committee and Leadership Council.



The Society may decide to withhold, revoke, or suspend Honors to serve the objectives of this policy whenever:

- A finding of ethical misconduct has been finally determined to have occurred through an investigation, determination, and/or adjudication by a court of law (or similar legal entity), corporation, academic institution, or similar organization;
- A representative of the Society (i.e., employee, elected/appointed volunteer leader, or other leading representative from the Society) was a first-hand witness to a serious ethical lapse which is then promptly reported to the Society;
- Credible evidence exists of a serious ethical misdeed by an individual or a pattern of ethical misdeeds; and/or
- An individual admits to a serious ethical breach.

The Society will not confer any Honors on any individual whose ethical conduct is the subject of a serious and credible evidence-based allegation known to the Society, so long as the matter has not been finally determined to the Society's satisfaction. Determined unethical conduct may also justify suspension, withholding, or revocation of Honors and a credible evidence-based, but unresolved, allegation of ethical conduct may justify these actions. As appropriate, incidents and credible evidence-based allegations would be investigated as described elsewhere in this policy.

The Society accepts that it may be constrained from investigative or corrective action by external factors that would limit its ability to fully investigate allegations. These actions include instances such as institutions that allow individuals to resign, retire, or transfer when they face accusations of misbehavior. To that extent, ESA strongly encourages all professional institutions in the entomological community to establish and enforce strong codes of conduct and hold their employees accountable when they are found to have violated those policies.

To support ethical conduct within the discipline of entomology, an annual report will be provided to the Governing Board and the membership. To the extent possible, these reports will protect the confidentiality of the parties.

The ESA Committee on Ethics and Rules should annually review this policy to ensure its continued efficacy. Proposed updates should be brought to the Governing Board for review and adoption.

Definitions

An inherent challenge when doing ethics work is agreement on definitions of what is (or is not) an ethical violation; what constitutes credible evidence; and what level of sanction is appropriate for each determined violation. The Society acknowledges that this process is likely to never be complete nor perfect. The intention of this policy is to strive toward equity and the

minimization of incidences of unethical conduct. For the purposes of this policy, the following definitions are hereby made:

- **Unethical behavior** shall be defined as that which is a flagrant violation of established and known rules of the Society or work institution, or of local, state, national, or international laws; and/or (b) unwanted behavior directed against one or more individuals which would be considered grossly unprofessional by a reasonable standard of decency (particularly when those individuals may be on the lesser side of a power dynamic). Behavior which is found to be a relatively minor offense, is not part of a larger pattern of unethical conduct, or is a case where the Accused individual shows convincing contrition shall be judged by a less severe standard than other allegations.
- **Credible evidence** shall be defined as a written allegation which (a) is bolstered by physical or otherwise tangible evidence (i.e., audio recordings, emails, etc.) which lends credence to the allegation; and/or (b) comports with other similar accusations of unethical behavior against the same individual, whether or not the incident in question is the same or occurred at the same institution. The allegation should also include specific details of how the alleged behavior is a violation of ESA's Code of Conduct and/or Statement of Ethics.

In judging credibility, the closer the evidence gets to a Victim's or first-hand account, the more heavily it may be weighted. That is, a Victim's account or a first-hand witness account will likely be judged to be more credible than a contemporaneous account (i.e., where the Victim immediately reported the incident to a 3rd party who, in turn, reports it to ESA), which shall be more credible than a second-hand account).

- **Sanctions** may range from a verbal or written warning up to and including a permanent ban on participation in any ESA activity such as membership, meetings, or publishing in the journals. Sanctions for any behavior found to be a violation of ESA's policies may vary according to any or all of the following:
 - a. the severity of the offense as determined by the three-person panel using the standard of "how would a reasonable individual member of the Society view this action?";
 - b. the recency of the behavior;
 - c. the damage caused by the behavior;
 - d. the number of individuals negatively impacted by the behavior;
 - e. the frequency of the behavior being judged;
 - f. the strength of the evidence presented;
 - g. whether or not the Victim of the alleged improper behavior is willing to commit her or himself to being a part of the accusation;



- h. any restorative justice wishes of the Victim of the alleged improper behavior (i.e., should the sanction weight more toward punishment of the offender or repairing any harm caused?) and
 - i. the level of contrition shown by the Accused.
- **Actionable** is a legal term which tends to infer that there is sufficient evidence for a legal suit to be filed. In this policy, however, the word is defined by a slightly lesser standard: actionable in this policy means that the allegation presented has been found to be reasonably credible and that there is a reasonable chance that the Society would be able to procure evidence to substantiate or disprove the allegation(s). As an example, an allegation where a Reporter/Victim states that an Honoree was verbally abusive to the Reporter/Victim in a private conversation, the case may be credible but is possibly not actionable if the Honoree denies the allegation **and** no additional evidence is available. Admissions, evidence or prior abusive conduct, witness reports and other evidence ESA deems credible can be considered. Since a pattern of behavior may be established over time by multiple instances of credible but un-actionable allegations, the Society encourages reporting of all serious ethical breaches. Even when a claim is actionable, however, it may not result in a finding of fault.

Policy

The Society retains the right to grant, defer, or withhold an Honor to any person. The Society also retains the right to revoke or suspend an Honor already granted if, in its judgment and discretion, the Society determines that revocation is in the best interests of the Society and discipline. Suspension means the Honor (and the ability of the recipient to exercise any associated privileges and rights) are held in abeyance until such a time when the Society determines—at its discretion—that the Honor may be reinstated or revoked.

The Society is considered to be aware of a potential ethical conduct issue when the Executive Director (ED) or their designee has been made aware of the allegation.

Anyone who makes a nomination or honor recommendation and knows that the nominee has been determined to have engaged in unprofessional or unethical conduct (or that a credible but undetermined question exists about the nominee's conduct) is required to make a disclosure to the ED as part of the nomination process. Failure on the part of a nominator to disclose a violation may be viewed as an ethical lapse. Further, a person who is being considered for Honors (upon becoming aware of being considered), or who holds Honors, has a continuing duty to disclose to the ED the existence of any fact, situation, or circumstance that could be considered relevant to the Society's decision whether to award the Honors under provisions of

this policy. Failure to make a disclosure may result in the Society withholding, suspending, or revoking Honors, in the Society's discretion.

Process for Considering Suspension, Withholding, or Revocation of Existing Honors

For an allegation to be considered, it must consist minimally of the following:

- Name and affiliation of the person making the allegation (The "Reporter")
- Name and affiliation of the person who allegedly has had an ethical lapse (The "Accused")
- Name and contact information of the Victim.
- Notice of whether or not the home institution (i.e., the organization that the Accused worked for at the time of the allegation) has been formally notified of the allegation, including an outcome of the investigation if there was one.
- A description of the incident.
- If the Reporter is not the Victim, the Reporter should provide evidence that the accusation is being made on behalf of the Victim and that the Victim will comply and cooperate with the investigation if there is one.
- An explanation of how the allegation is an example of professional misconduct
- A statement of any conflicts of interest that the Reporter may have regarding the allegation or the Accused.
- Supporting documents may be considered, but they are optional

A form may be provided by the Society in order to help the Reporter gather all of the needed information, though its use should be considered optional.

When credible evidence is received by the ED, the process for consideration of the allegation shall be as follows:

- a. Complaint or Allegation is received by the ED. The ED shall review the information and if the complaint is found to be a potential violation of the Society's policies and potentially actionable by the Society, they would refer the matter to a three-person panel which consists of the Society's Vice-President, the Chair of the ESA Committee on Ethics and Rules, and the ED. At this point any leader—whether or not they are on the review panel—who was notified of the matter verbally or in writing (e.g., cc:ed to an email) should refrain from making any public comments on the matter. Confidentiality of the process is important to protect the Victim and Accused.
- b. The panel would review the allegation and if found to be credible, actionable, and a violation of the Society's policies, begin the investigative process, as outlined below.
 - At least 60 days prior to undertaking a review process, the Society shall provide the Accused notice of the Society's intent. This notice shall include an initial



overview of the allegation, a statement of the interests of the discipline being served, and an overview of the forthcoming process.

- The Accused will have an opportunity to submit to the Society, within 14 days of receiving a notice of intent, a written statement of any reasons why they believe it would not be in the best interests of the discipline for the revocation or suspension to be affected.
 - After that 14-day period, whether or not a statement has been submitted, the Society—through the Committee—will act in its discretion and decide whether to continue with the investigative review process.
- c. If undertaken, the investigation process may include
- Engagement of ESA’s legal counsel (or a similar, trusted advisor) as the primary investigator.
 - Notification to the Accused, as described above.
 - Interviews with the Accused, the Reporter, the Victim, and any witnesses whose input may be pertinent to the investigation.
 - A written finding by the investigator (i.e., a recommendation) once the investigation is completed.
- d. The panel will review the recommendation from the investigation and accept or modify the finding.
- e. The ED shall convey the outcome of the panel’s decision to both the Accused and the Reporter.
- f. Appeals to the finding shall be received by either the Executive Committee of the ESA or the Governing Board of the ESA.

In all cases the process should seek to maintain confidentiality of all parties where reasonably possible.

When the individual in question is not yet an Honors holder and is merely being considered for such, this notification and review process may, in some circumstances, delay the ability of an individual from competing for an Honor until the matter has been resolved. If the Accused is ultimately cleared of the allegation, they may once again compete for Honors. In some instances (i.e., time-limited Honors) this may require the Society to be more lenient in interpretation of the Society’s Honors rules.

At the conclusion of the investigative process, the investigator and panel shall turn the matter, including the recommendations, over to the ED. The investigator may recommend that the Society do nothing, or suspend, revoke, or withhold Honors for the individual. In serious cases, the recommendation may also go further and seek banishment from the Society or other outcomes. Upon receiving the recommendation, the ED shall be charged with making a final determination. If an individual seeks to appeal a finding by the ED, the Society’s Executive



Committee shall have the authority to serve as a source of appeals. The finding of the Executive Committee shall be final.

Restorative Remedies

At its discretion, ESA may provide opportunities for restorative remedies for an individual who has been found to be in violation of this policy. The Society is under no obligation to provide restorative remedies but may opt to do so when such remedies are determined to be beneficial to the community, the Society, or—most especially—the Victim. These remedies may:

- diminish the effect of previous unethical conduct;
- elevate understanding of harm caused by such conduct;
- enhance relationships;
- improve conduct;
- serve the restorative justice wishes of the harmed parties, including the Victim;
- advance safety for those affected; and
- prevent recurrence of any undesirable conduct, eventually enabling positive participation in the discipline and possibly Honors.

Whereas no two cases of ethical breaches are the same, no restorative remedies would be the same. Remedies acceptable to the Board would be enacted after consulting the Victim, the Accused, and the Reporter, whenever possible or practical, and would consider:

- a. the level of sanction which was originally applied;
- b. the egregiousness, prevalence, effect, age of when the conduct occurred, and the stage of Accused and Reporter's careers when the conduct occurred;
- c. whether an individual with determined unprofessional and unethical conduct takes responsibility for the conduct and demonstrates through action (non-repetition) that they learned the necessary lesson and are unlikely to repeat similar conduct; and
- d. whether an individual appears to be sincerely committed to demonstrating professional and ethical conduct, understands how the determined conduct or questions of conduct occurred, avoids repetition of questionable conduct, and restores relationships.

Special Circumstances – Honors Held by Incapacitated or Deceased Individuals

Special circumstances arise when previous unprofessional and unethical conduct of a deceased individual or an individual who becomes permanently incapacitated (e.g., Alzheimer's disease) who holds Honors is alleged. The Society will exercise its discretion to address such situations on a case-by-case basis and may determine that no action is needed, without heightened concerns. It will consider the following:



- A deceased or permanently incapacitated person is unable to participate in an informal investigation or process and is unable to defend against allegations or to participate in restorative remedies.
- A deceased or permanently incapacitated person cannot continue unprofessional and unethical conduct, eliminating threats that the conduct will be ongoing.
- Unless heightened concerns for continuing impact on the discipline exist, the need to protect the interests of the discipline in eliminating barriers to inclusion may be limited, and the interest of fairness to the Accused may be greater.
- Heightened concerns for impact on the discipline may exist when the act of unprofessional and unethical conduct has been determined during a person's lifetime (or after death and is established by unequivocal facts) and is highly egregious (respecting a single event or frequency). This is particularly so when the deceased or permanently incapacitated individual is very prominent in the discipline, or the Honors held is/are exceptional, or there is a named Honor continuing to be conferred on others.
- When action is warranted, it may range from revocation of Honors to a statement regarding intolerance of the conduct. Revocation is an extraordinary remedy. The Society will exercise its judgment on a case-by-case basis. If a statement is made, the Society would speak to intolerance of the conduct, without judging or stating whether the conduct occurred, and without adding commentary to any existing determination made on the subject. When a statement is made, the Society may include examples of types of unprofessional and unethical conduct faced and consequential actions taken under the Society's current policy generally, to demonstrate the authenticity of its intolerance for the type of conduct and mitigate impact on the discipline.
- The Society is not expected to newly investigate a question of professional and ethical conduct related to a deceased holder of Honors.



Reporting Honoree Misconduct to the Entomological Society of America

This optional form may be used to report allegations of misconduct by an ESA Honoree, defined as any person, living or dead, who has received (or is being considered to receive) an ESA honor, award, nomination, election, staff position, or other form of recognition. It is to be submitted to the Society's Executive Director, Chris Stelzig at cstelzig@entsoc.org. Include additional pages and documentation as necessary and appropriate.

Your name (Are you the Victim? No Yes) _____

Your affiliation and contact information _____

Victim's name and contact information (if different than Reporter) _____

Accused's name (the Honoree) _____

Accused's affiliation _____

Accusation (Explain the incident(s) and how ESA's policies were violated) _____

Has the Accused's affiliation been notified of this incident(s) No Yes (detail the outcome)

Are there any known conflicts of interest in this matter? No Yes (provide details below)

Names/affiliations/contact for any witnesses to the incident(s): _____

Please attach any supporting documents and **sign/date below that you attest this is true:**
