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## Membership

<b>Policy Name</b>	Member Code of Conduct and Violations Policy
<b>Date Approved</b>	June 2024
<b>Updates</b>	

### **Purpose**

The Code of Conduct shall apply to all persons holding membership in AUGS, including the leadership/officers. The Code of Conduct shall serve as the standard by which the AUGS Governance Committee will evaluate professional conduct and shall serve as the standards of acceptable professional conduct for all members of AUGS.

### **Policy Statement**

This Policy establishes a Code of Conduct (the "Code") for AUGS members and a standard procedure for evaluating complaints lodged by the public, leadership, and members regarding possible violations of the Code. Such conduct may include, but is not limited to, unethical behavior, falsification of information, impairment affecting performance, harassment, discrimination against another member, and other matters as set forth below.

For purposes of the Code, any conduct arising from AUGS activities or that are related to AUGS or to AUGS members including, but not limited to, conduct at AUGS-sponsored functions, at AUGS affiliated functions, or member representation of AUGS at a non-AUGS function or in AUGS business (collectively referred to as "AUGS Functions") is expected to be in accordance with this Code. This Code applies to any conduct involving AUGS directors, members, staff, contractors, volunteers, or non-members of AUGS (collectively "AUGS Persons").

Complaints, questions, or concerns should be directed to the AUGS Executive Office. All inquiries and complaints will be given careful consideration by the AUGS Governance Committee. Corrective action may be implemented when it is determined that a member has engaged in conduct that violates the Code.

It is important to note that any action in connection with the Code may only impact AUGS members and only in connection with their AUGS membership. AUGS does not report any conduct, complaints or concerns to any other organizations including, but not limited to, medical licensing boards, educational institutions, or employers of AUGS members.

## CODE OF CONDUCT:

*The AUGS Member Code of Conduct is effective for all members.*

Membership in the American Urogynecologic Society entails a responsibility to uphold and further the Society's purposes and mission as set forth in the Society's Bylaws and the resolutions and decisions of its Board of Directors. Members will conduct themselves in a professional manner that upholds the reputation of AUGS. Members are responsible to observe and enhance ethical standards to maintain the respect and credibility of the profession.

AUGS members must agree to the following:

1. Comply with the AUGS Bylaws;
2. Provide true and accurate information on any membership application, membership profile, education registration form, conflict of interest disclosure, or volunteer service agreement;
3. Not perform any actions intended to disrupt the existence or unity of the Society;
4. Not engage in any actions that misrepresent or violate the Society's 501(c)(3) non-profit, non-political, charitable, educational or scientific purposes, including any act that brings public disrepute upon the Society, or that seeks to undermine the purposes, mission, or programs of the Society;
5. Not misrepresent or use for any purpose other than the stated purposes and mission of AUGS, its name, symbols, icons, trademarks, copyrighted material, activities, programs, membership or member data, including any act, assertion, or implication of, affiliation with, sponsorship of, or approval by the Society not permitted by the Society;
6. Not directly or indirectly use, duplicate, sell, disclose or distribute, for any private, commercial or marketing purpose or use for any other purpose other than the stated purposes and mission of AUGS, its name, symbols, icons, trademarks, copyrighted material, purposes, activities, programs, membership or member data without prior written permission by the Society;
7. Not disclose, directly or indirectly, any confidential information relating to AUGS business, staff, or other AUGS members;
8. Any felony conviction or any prosecutable or indictable act, at the discretion of the Board of Directors, is cause for member expulsion;
9. Members must be aware of any conflict of interest or appearance of conflict of interest with the Society's purposes and mission, neutrality, or objectives, and should openly acknowledge that conflict of interest when participating in AUGS events. This includes recusing themselves from decisions that bear on that conflict of interest. Failure to acknowledge and act on such a conflict of interest or adhere to the AUGS Conflict of Interest or Disclosure policies may result in removal from volunteer

leadership positions and preclude from subsequent appointments for AUGS leadership positions;

10. Contribute to an environment free from all forms of discrimination, harassment, and retaliation towards members, employees, and guests at all AUGS events, including educational courses and AUGS-hosted social events;
11. Actively promote diversity, equity and inclusion while engaged in AUGS-sponsored activities;
12. Violation of the Meeting Code of Conduct may result in exclusion from future events and/or removal from the meeting at which the violation occurred.

Failure to comply with the above membership responsibilities is grounds for member expulsion as outlined in the AUGS Bylaws (Article III, Section 6).

### **Procedure for Evaluations of Violations the Member Code of Conduct**

Any person ("Complainant") may bring a complaint against any AUGS member ("Respondent") if they believe in good faith that the Respondent has violated the Code. The Complainant must identify themselves in the Complaint (as defined below); anonymous Complaints will not be accepted. If the Complainants may be individuals who were directly affected by the conduct at issue, or they may be individuals who witnessed the conduct at issue. If Complainant is a witness to the conduct at issue, the individual(s) who was directly affected by the conduct at issue must willing to participate in the process along with the Complainant if so requested by AUGS.

Complaints must be in writing submitted on AUGS's Member Code of Conduct Complaint Form ("Complaint"), provide all facts upon which the Complaint is based, any supporting documentation, and shall be delivered to the AUGS Executive Office via regular mail or email.

Complaints received by the AUGS Executive Office will be forwarded to the Governance Committee for review.

If the involved individual is a member of the Governance Committee, the individual will be recused from Governance Committee activities until a final decision is rendered. Also, if any officer or member of the AUGS Board is the subject of the complaint, this individual will be recused from the AUGS Board, Executive Committee, any other AUGS Committee, or volunteer role until a final decision is rendered. Any member of the Governance Committee who has a conflict of interest will recuse themselves from the investigation.

#### **1. Preliminary Screening of Potential Violation of the Code of Conduct**

- 1.1 The Chair of the Governance Committee shall review each Complaint of alleged violation of the Code of Conduct. If there is (1) insufficient information upon which to base a charge of a violation of the Code of Conduct, or (2) the allegations against the member

are patently frivolous or inconsequential, or (3) the allegation, if true, would not constitute a violation of the Code of Conduct, the Chair, may summarily dismiss the matter, with concurrence of the Governance Committee. The Governance Committee Chair shall report each such summary dismissal to the AUGS Board at their regularly scheduled meeting; however, details of summary dismissals that may identify the member in question shall remain confidential.

- 1.2 The Respondent shall have the opportunity to review the membership of the Governance Committee and be given the opportunity to object to any member of the Governance Committee that they perceive to have a conflict of interest.

## 2. Investigations

- 2.1 Upon the concurrence of the Governance Committee that there is sufficient information to warrant an investigation of the Complaint, the Respondent will be notified by certified mail. The Respondent shall have sixty (60) days from Respondent's receipt of such notice to provide a written response to the Complaint to the Governance Committee.
- 2.2 In the event that the Respondent is not reachable, as a result of an incorrect address, custody of the court or failure to respond within 30 days of notice, such Respondent waives notice and the Governance Committee reserves the right to continue with the investigation.
- 2.3 The investigation process shall include an interview with the Respondent. The investigation may also include, but is not limited to, an interview with other parties involved, who may or may not be members of AUGS, for the purpose of obtaining information deemed applicable to the specific conduct. Staff and/or legal counsel may be called on to assist in this decision and the investigation of complaints. Legal counsel will be consulted in all matters that do not result in summary dismissal of the complaint.

## 3. Hearings

- 3.1. Whenever the Governance Committee proposes to take action, it shall give written notice thereof to the Respondent specifying the nature of the Complaint, information available, and the range of actions that are available to the Governance Committee. The member to whom such notice is given shall have 30 days from the date the notice is mailed to make a written request for a hearing. Hearings will be held via videoconference.
- 3.2. Failure to make a written request for a hearing and/or submit written comments on the matter within the identified period of time shall waive all rights to such a hearing. A Respondent who requests a hearing in the manner prescribed above shall advise the Governance Committee of their intention to appear/speak at the hearing.
- 3.3. Failure to appear at the hearing or to supply a written submission in response to the Complaint shall be deemed an admission by the Respondent that the alleged conduct is true and shall be deemed consent to whatever action or disciplinary measures the

Governance Committee determines to take. The Respondent shall be given at least 30 days' notice of the date, time, and place of the hearing.

- 3.4. At the hearing, the Governance Committee shall present the Complaint against the Respondent including all relevant information that has been collected pursuant to the complaints and other information it deems pertinent. The Respondent shall have the right to present witness statements, present testimony, and be heard in their own defense; and to present such other evidence or testimony as the Governance Committee shall deem appropriate. In the event that the Respondent has chosen to supply a written submission in response to the Complaint, the Governance Committee shall instead review the written submission. Any information may be considered which the Governance Committee deems relevant or potentially relevant. The Governance Committee shall not be bound by any legal rules of evidence.
- 3.5. In a case where the Governance Committee proposes to take action, the AUGS Board shall assess the evidence presented at the hearing or via written statement and make its decision accordingly and shall prepare its decision as to whether grounds exist for action and shall transmit the same to the Governance Committee. The member in question will be notified of the findings and decision within 15 business days of any hearing.
- 3.6. Unless a timely appeal of any decision by the Governance Committee is taken to the AUGS Board in accordance with section 4 below, the Governance Committee decision in any matter shall be final and binding upon the member in question.
- 3.7. If no hearing is requested, the Governance Committee may consider the matter under such procedures as it deems appropriate.
- 3.8 The Respondent will be notified by certified mail and email of the decision of the Governance Committee. In the event that the member in question is not reachable or does not respond within 30 days of receipt of notification, the member waives all rights to the Hearings and Appeals Process.

Possible Action taken by the Governance Committee - Actions taken may include but are not limited to:

- Letter of Concern
- Letter of Admonition
- Suspension of AUGS committee or Board assignment
- Recommended for termination of AUGS committee or Board assignment (Board members recommended for termination must follow the process outlined in the AUGS Bylaws)
- Suspension of AUGS membership for a specified period. Suspension may or may not include a requirement that the member must apply to AUGS for reinstatement of membership after the suspension period is over
- Recommended for termination of AUGS membership (in accordance with AUGS Bylaws). The requirement to apply for reinstatement will be based on AUGS determination of the severity of the member's misconduct

#### 4. Appeals

- 4.1. Except as otherwise noted in these Administrative Procedures, the Respondent may appeal any decision of the Governance Committee to the AUGS Board by submitting a written request for an appeal within 30 days after the decision is mailed.
- 4.2. The Appeal Panel shall consist of the Chairs of the Diversity, Equity, and Inclusion; Membership; and Fellowship Training committees. In the event of an appeal, those Board members who participated in the hearing shall not participate in the appeal. The Appeal Panel shall present the case to the Board but shall not participate in the vote. Any member of the Appeal Panel concurrently serving on the Board will not have a vote. The remaining members of the AUGS Board shall consider the decision of the Appeal Panel, the applicable files, including records to the case at issue and any written appellate submission of the member in question, and shall determine whether to affirm or to overrule the decision of the Appeal Panel. Any Board member(s) with a conflict of interest will recuse themselves from participation.
- 4.3. All hearings and appeals provided for herein shall be private and confidential at all stages. It shall be considered an act of professional misconduct for any AUGS Executive Office, Governance Committee or Board member to make an unauthorized disclosure, except to their attorney or other representative.
- 4.4. The decision of the AUGS Board shall be final and binding upon the member in question.

#### 5. Retaliation

- 5.1. Retaliation against a volunteer leader or employee for filing a complaint is also a violation of the Code of Conduct and subject to discipline up to and including termination of employment or removal from the volunteer position.
- 5.2. Anyone filing a written complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.