



Code of Ethics and Procedures for Review of Member Conduct of Society for Social Work and Research Inc.

This Code of Ethics and accompanying Procedures for Review of Member Conduct were adopted by the Society for Social Work and Research Inc. Board of Directors on January 15, 2020.

Preamble

The Society for Social Work and Research Inc. (“SSWR”) is a not-for-profit, tax-exempt organization dedicated to the advancement of social work research. The SSWR Code of Ethics (the “Code”) serves as a code of professional conduct for SSWR members. It is designed to assist and enable SSWR members to engage with one another and with SSWR through the exhibition of integrity, honesty, quality, efficiency, safety, and legality. Members of SSWR affirm their endorsement of the Code and acknowledge their commitment to uphold its principles by joining and subsequently renewing their membership in SSWR. Violations of the Code may result in sanctions imposed under the Procedures for Review of Member Conduct (the “Procedures”). These Procedures were adopted to provide due process to SSWR members and to protect the integrity and ensure the efficacy of the Code of Ethics.

Code of Ethics

Members of SSWR shall abide by and conform to the following code of professional conduct:

1. Maintain strict compliance with all laws, regulations and ordinances pertaining to the practice and research of social work prescribed by federal, state, tribal, county, or municipal governments;
2. Ensure that honesty, integrity and good faith are hallmarks of members’ professional conduct;
3. Contribute time and thought to, and engage professionally in, SSWR’s education and training programs, including its conferences;
4. Keep the concerns of facilitators and collaborators of research, e.g., research participants, research collaborators, research administrators, and research associates foremost in mind in the conduct of their work;
5. Transact all activities performed in connection with SSWR in accordance with SSWR’s bylaws and policies, this code of ethics, and applicable laws;
6. Act in a respectful, professional manner at all times while participating in SSWR conferences or other events; and
7. Not engage in activities harmful to the purpose or reputation of SSWR or use their position in SSWR to exploit personal views.

Grounds for Disciplinary Action

A SSWR member shall be subject to disciplinary action if the actions of such member are determined, in accordance with the Procedures for Review of Member Conduct, to constitute one or more of the following:

1. Gross negligence or willful misconduct in the performance of services or other unethical or unprofessional conduct based upon demonstrable or serious violations of this Code of Ethics.
2. A felony or other crime of moral turpitude under federal or state law in a matter related to the conduct of business in the community.
3. Fraud or misrepresentation in the application or maintenance of SSWR membership, industry certification, or other professional recognition or credential.

Procedures for Review of Member Conduct

I. Introduction

A. The Code serves as a code of professional conduct for SSWR members. Members of SSWR affirm their endorsement of the Code and acknowledge their commitment to uphold its principles by joining and subsequently renewing their membership in SSWR. Violations of the Code may result in sanctions imposed under these Procedures. These Procedures were adopted to provide due process to SSWR members and to protect the integrity and ensure the efficacy of the Code.

B. The grounds for disciplinary action, as provided under the Code, are as follows:

1. Gross negligence or willful misconduct in the performance of services, or other unethical or unprofessional conduct based upon demonstrable or serious violations of the Code.
2. Conviction of a SSWR member of a felony or other crime of moral turpitude under federal or state law in a matter related to the conduct of business in the community.
3. Fraud or misrepresentation in the application or maintenance of SSWR membership, industry certification, or other professional recognition or credential.

C. These Procedures shall apply to all complaints or inquiries received about a SSWR member, whether initiated by another SSWR member, SSWR or its agents, or another third party. Actions taken under these Procedures do not constitute enforcement of the law, although referral to appropriate federal, state, or local government agencies may be made about a member's conduct in appropriate situations. Individuals bringing complaints are not entitled to any relief or damages by virtue of this process, although they will receive notice of the actions taken. Complaints essentially of a commercial nature, primarily involving claims of libel or slander, or primarily requesting judicial-type relief, may not be considered under these Procedures unless they also involve potential violations of the Code.

II. Development and Administration of Procedures

A. The Board is responsible for the development and administration of these Procedures. However, the SSWR Executive Committee (the "Committee") is designated to administer these Procedures on behalf of the Board.

B. The Chair of the Executive Committee (the "Chair") is specifically responsible for ensuring that these Procedures are implemented and followed.

C. To the fullest extent permitted by law, all Committee members, SSWR staff, and other individuals engaged in investigations or decisions on behalf of SSWR with respect to any complaint under these Procedures are indemnified and shall be defended by SSWR against any liability arising from related activities to the extent permitted by law, provided such individuals act in good faith and with reasonable care, without gross negligence or willful misconduct, and do not breach any fiduciary duty owed to SSWR. No one who has any personal involvement in the alleged misconduct or any conflict of interest shall be permitted to participate in the matter to be reviewed.

III. Complaints

A. Complaints may be transmitted to SSWR in any manner but must be in writing. In addition, the Chair may self-initiate an inquiry if circumstances warrant. Inquiries or submissions other than complaints may be handled by SSWR at its discretion. All such complaints, inquiries or submissions relating to the Code are directed to the Chair. Upon receipt and preliminary review of any such submission, the Chair may conclude, in the Chair's sole discretion, that the submission: (1) contains facially unreliable or insufficient information, or (2) is patently frivolous or trivial. In such cases, the Chair may determine that the submission does not constitute a potentially actionable complaint that would justify bringing it before the Committee for determination of whether there has been a violation of the Code. If so, such submission shall be disposed of by the Chair, and notice to its submitter shall be provided by the Chair if the submitter is identified. All such preliminary dispositions by the Chair shall be reported to the Committee.

B. If a submission is deemed by the Chair on a preliminary basis to be a potentially actionable complaint, the Chair shall see that written notice is provided to the member whose conduct has been called into question, advising the member that an investigation is being initiated. The Chair also shall provide notice to the individual submitting the complaint that the complaint is being reviewed by the Committee.

IV. Review of Complaint

A. For each submission involving an alleged violation of the Code that the Chair believes is a potentially actionable complaint, the Chair shall authorize an investigation into its specific facts or circumstances to whatever extent is necessary in order to clarify, expand or corroborate the information provided by the submitter. The Chair shall first appoint a Review Subcommittee (the "Subcommittee") of three or more persons (designating one as the chair of the Subcommittee), who may or may not be members of the Committee (but who shall be members in good standing of SSWR), to conduct the investigation, make a determination as to whether charges against the individual should be brought to the Committee, and formulate formal charges for the Committee if warranted. The Subcommittee may be assisted in the conduct of its investigation by SSWR staff and/or legal counsel. The Subcommittee may review one or more such complaints as determined by the Chair.

B. Both the individual submitting the complaint and the member who is the subject of the charge also may be contacted by the Subcommittee for additional information with respect to the complaint. The time for providing such additional information shall be established by the Subcommittee, and the individuals shall be given not less than thirty (30) days to respond. The Subcommittee may, at its discretion, contact such other individuals who may have knowledge of the facts and circumstances surrounding the complaint. The Subcommittee shall initially determine whether it is appropriate to review the complaint under these Procedures or whether the matter should be referred to another

entity engaged in the administration of law. If the Subcommittee concludes that charges should be brought, it shall return to the Chair formal charges and the Subcommittee's written report explaining the alleged aggrieved conduct and why such conduct constitutes grounds for disciplinary action under the Code. If no charges are brought, the Subcommittee shall notify the member and send a report of its determination to the Chair of the Committee, who shall notify the Committee.

C. If the Subcommittee has recommended that formal charges be brought, the Chair of the Committee shall notify the member to be charged and send the member a copy of the charges and the Subcommittee's report. The Chair shall advise the member that an investigation will be conducted and that a hearing will be held, providing the member with the proposed date and time for such hearing. The member shall be advised that the member may request the opportunity to submit information or arguments contesting the charge in person or in writing, by submitting such request within thirty (30) days from receipt of the notice. The member shall also be advised that the member may have the right to review evidence to be presented at the hearing and that the member may be represented by counsel. The member shall also be sent a copy of these Procedures. A representative of the Subcommittee may be requested to serve a prosecutorial role in the proceeding; however, any member of the Committee who participated on the Subcommittee may not otherwise be involved in the Committee deliberations with respect to the particular charges brought when that person served on the Subcommittee.

D. All investigations and deliberations of the Subcommittee and the Committee are to be conducted in confidence to the extent practical, except that the Subcommittee or the Committee shall be permitted to disclose any relevant information when compelled by a validly-issued subpoena, when otherwise required by law, or to parties essential to the review and investigation of the alleged aggrieved conduct. All written communications relating to the investigations and deliberations of the Subcommittee and the Committee should be sealed and marked "Personal and Confidential." All investigations and deliberations of the Subcommittee and the Committee shall be conducted objectively, without prejudice of any kind. An investigation may be directed toward any aspect of a complaint which is relevant or potentially relevant.

E. The Committee hearing may be held in person, or by telephone or video conference if the member does not request the opportunity to appear in person. The Chair shall preside and make evidentiary and other procedural rulings with the advice of SSWR legal counsel. If a hearing is held with the charged member present, the Chair shall, in his or her discretion, determine the rules of evidence and for oral presentations by the parties, as advised by SSWR legal counsel. Written statements may be accepted as evidence. If witnesses appear, they shall be subject to cross-examination. The member may be accompanied and represented by legal counsel.

V. Determination of Violation

A. Upon completion of its investigation and the hearing, the Committee shall determine by majority vote, upon a preponderance of the evidence, whether or not there has been a violation of the Code, and whether the Board should impose sanctions. When the Committee finds that there has been a violation, it shall also recommend imposition of an appropriate sanction. If the Committee so recommends, a written determination with a proposed sanction shall be prepared under the supervision of the Chair, and shall be presented by a representative of the Committee to the Board, along with the record of the Committee's investigation and deliberation. Written notice of the Committee's determination, the proposed sanction(s), and the fact that the matter will be reviewed by the Board shall be provided to

the charged member within fifteen (15) days of the Committee's determination. If the Committee determines that a violation has not occurred, the complaint shall be dismissed with notice to the member, as well as to the individual or entity who submitted the complaint; a summary report shall also be made to the Board.

B. If a violation is found and sanctions are recommended by the Committee, the Board shall review the recommendations of the Committee based upon the record presented. The member charged may submit a written statement to the Board prior to its decision, but may not otherwise appear before or participate in the Board's deliberations. The Board may accept, reject or modify the Committee's determinations either with respect to the determination of a violation or the recommended sanction to be imposed. If the Board agrees, based on a two-thirds majority vote, that a violation has occurred, then the determination and imposition of a sanction, as determined by the Board based on a two-thirds majority vote, shall be promulgated by written notice to the member, as well as to the individual or entity who submitted the complaint, if the submitter agrees in advance and in writing to maintain in confidence whatever portion of the information is not made public by the Board.

C. In certain circumstances, the Board may consider a recommendation from the Committee that the member in violation of the Code should be offered the opportunity to submit a written assurance that the conduct in question has been terminated and will not recur. The decision of the Committee to make such a recommendation and of the Board to accept it are within their respective discretionary powers. If such an offer is extended, the member at issue must submit the required written assurance within thirty (30) days of receipt of the offer, and the assurance must be submitted in terms that are acceptable to the Board. If the Board accepts the assurance, notice shall be given to the member, as well as to the submitter of the complaint, if the submitter agrees in advance and in writing to maintain in confidence whatever portion of the information is not made public by the Board.

VI. Sanctions

A. Any of the following sanctions may be imposed by the Board upon a member whom the Board has determined to have violated the Code, specifically, whose conduct the Board has determined constitutes one or more of the Grounds for Disciplinary Action, as defined by the Code. The sanction applied must reasonably relate to the nature and severity of the violation, focusing on reformation of the conduct of the member and deterrence of the same or similar conduct by others. The sanctions include:

1. Written reprimand to, or censure of, the member;
2. Suspension of the member from membership in SSWR for a designated period; or
3. Permanent expulsion of the member from membership in SSWR.

[For each of these three sanctions, a summary of the determination and the sanction, along with the member's name, [may/shall] be published by the Board in a printed medium which is distributed to all SSWR members.]

VII. Appeal

A. Within thirty (30) days of receipt of notice of a determination by the Board that a member has violated the Code, the affected member may submit to the Board in writing a request for an appeal. Upon receipt of a request for appeal, the President of SSWR shall appoint an Appeal panel consisting of

at least three, but no more than five, individuals. The Appeal panel may be composed of members in good standing of SSWR, but must include at least one individual who is not and has not been a member of SSWR. No members of the Subcommittee, the Committee, or the Board may serve on the Appeal panel. Further, no one with any personal involvement in the alleged misconduct, or with any conflict of interest in the matter to be reviewed, may serve on the Appeal panel. This Appeal panel may review one or more appeals, upon request of the President of SSWR.

B. The Appeal panel may only review the record to review whether the determination by the Board of a violation of the Code was inappropriate because of: (1) material errors of fact, or (2) failure of the Committee or the Board to conform to published criteria, policies or procedures. Only facts and conditions up to and including the time of the Board's determination, as represented by facts known to the Board, may be considered during an appeal. The appeal shall not include a hearing or any similar trial-type proceeding.

C. The Appeal panel shall conduct and complete the appeal within ninety (90) days after receipt of the request for an appeal by the Board. Written appellate submissions and any reply submissions may be made by authorized representatives of the member and of the Committee. Submissions shall be made according to whatever schedule is reasonably established by the Appeal panel. The decision of the Appeal panel shall either affirm or overturn the determination by the Board that a violation of the Code has occurred, but the Appeal panel shall not address any sanction(s) imposed by the Board. If significant deficiencies are found, the Appeal panel may refer the matter back to the Committee for further action. The decision of the Appeal panel, including a statement of the reason(s) for the decision, shall be reported to the Board and the Committee. The decision of the Appeal panel shall be binding upon SSWR and the member.

VIII. Resignation

A. If a member who is the subject of a complaint voluntarily surrenders membership in SSWR at any time during the pendency of a complaint under these Procedures, the complaint shall be dismissed without any further action by the Committee, the Board, or any Appeal panel established. The entire record shall be sealed and the member may not apply for membership in SSWR for five (5) years. However, the Board shall authorize the President of SSWR to communicate the fact and date of resignation, and the fact and general nature of the complaint which was pending at the time of resignation, to or at the request of a government entity engaged in the administration of law. Similarly, in the event of such resignation, the person or entity who submitted the complaint shall be notified of the fact and date of the resignation and that the Board has dismissed the complaint as a consequence.

Approved by the SSWR Board of Directors, January 15, 2020