



American  
Sociological  
Association

# *Code of Ethics*

and

*Policies and Procedures*  
*of the*  
*ASA Committee on*  
*Professional Ethics*

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***Code of Ethics***  
**American Sociological Association**  
(Approved by the ASA Membership in June 1997)

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## **INTRODUCTION**

The American Sociological Association's (ASA's) Code of Ethics sets forth the principles and ethical standards that underlie sociologists' professional responsibilities and conduct. These principles and standards should be used as guidelines when examining everyday professional activities. They constitute normative statements for sociologists and provide guidance on issues that sociologists may encounter in their professional work.

ASA's Code of Ethics consists of an Introduction, a Preamble, five General Principles, and specific Ethical Standards. This Code is also accompanied by the Rules and Procedures of the ASA Committee on Professional Ethics which describe the procedures for filing, investigating, and resolving complaints of unethical conduct.

The Preamble and General Principles of the Code are aspirational goals to guide sociologists toward the highest ideals of sociology. Although the Preamble and General Principles are not enforceable rules, they should be considered by sociologists in arriving at an ethical course of action and may be considered by ethics bodies in interpreting the Ethical Standards.

The Ethical Standards set forth enforceable rules for conduct by sociologists. Most of the Ethical Standards are written broadly in order to apply to sociologists in varied roles, and the application of an Ethical Standard may vary depending on the context. The Ethical Standards are not exhaustive. Any conduct that is not specifically addressed by this Code of Ethics is not necessarily ethical or unethical.

Membership in the ASA commits members to adhere to the ASA Code of Ethics and to the Policies and Procedures of the ASA Committee on Professional Ethics. Members are advised of this obligation upon joining the Association and that violations of the Code may lead to the imposition of sanctions, including termination of membership. ASA members subject to the Code of Ethics may be reviewed under these Ethical Standards only if the activity is part of or affects their work-related functions, or if the activity is sociological in nature. Personal activities having no connection to or effect on sociologists' performance of their professional roles are not subject to the Code of Ethics.

## **PREAMBLE**

This Code of Ethics articulates a common set of values upon which sociologists build their professional and scientific work. The Code is intended to provide both the general principles and the rules to cover professional situations encountered by sociologists. It has as its primary goal the welfare and protection of the individuals and groups with whom sociologists work. It is the individual responsibility of each sociologist to aspire to the highest possible standards of conduct in research, teaching, practice, and service.

The development of a dynamic set of ethical standards for a sociologist's work-related conduct requires a personal commitment to a lifelong effort to act ethically; to encourage ethical behavior by students, supervisors, supervisees, employers, employees, and colleagues; and to consult with others as needed concerning ethical problems. Each sociologist supplements, but does not violate, the values and rules specified in the Code of Ethics based on guidance drawn from personal values, culture, and experience.

## **GENERAL PRINCIPLES**

The following General Principles are aspirational and serve as a guide for sociologists in determining ethical courses of action in various contexts. They exemplify the highest ideals of professional conduct.

### **Principle A: Professional Competence**

Sociologists strive to maintain the highest levels of competence in their work; they recognize the limitations of their expertise; and they undertake only those tasks for which they are qualified by education, training, or experience. They recognize the need for ongoing education in order to remain professionally competent; and they utilize the appropriate scientific, professional, technical, and administrative resources needed to ensure competence in their professional activities. They consult with other professionals when necessary for the benefit of their students, research participants, and clients.

### **Principle B: Integrity**

Sociologists are honest, fair, and respectful of others in their professional activities—in research, teaching, practice, and service. Sociologists do not knowingly act in ways that jeopardize either their own or others' professional welfare. Sociologists conduct their affairs in ways that inspire trust and confidence; they do not knowingly make statements that are false, misleading, or deceptive.

### **Principle C: Professional and Scientific Responsibility**

Sociologists adhere to the highest scientific and professional standards and accept responsibility for their work. Sociologists understand that they form a community and show respect for other sociologists even when they disagree on theoretical, methodological, or personal approaches to professional activities. Sociologists value the public trust in sociology and are concerned about their ethical behavior and that of other sociologists that might compromise that trust. While endeavoring always to be collegial, sociologists must never let the desire to be collegial outweigh their shared responsibility for ethical behavior. When appropriate, they consult with colleagues in order to prevent or avoid unethical conduct.

### **Principle D: Respect for People's Rights, Dignity, and Diversity**

Sociologists respect the rights, dignity, and worth of all people. They strive to eliminate bias in their professional activities, and they do not tolerate any forms of discrimination based on age; gender; race; ethnicity; national origin; religion; sexual orientation; disability; health conditions; or marital, domestic, or parental status. They are sensitive to cultural, individual, and role differences in serving, teaching, and studying groups of people with distinctive characteristics. In all of their work-related activities, sociologists acknowledge the rights of others to hold values, attitudes, and opinions that differ from their own.

### **Principle E: Social Responsibility**

Sociologists are aware of their professional and scientific responsibility to the communities and societies in which they live and work. They apply and

make public their knowledge in order to contribute to the public good. When undertaking research, they strive to advance the science of sociology and to serve the public good.

## **ETHICAL STANDARDS**

### **1. Professional and Scientific Standards**

Sociologists adhere to the highest possible technical standards that are reasonable and responsible in their research, teaching, practice, and service activities. They rely on scientifically and professionally derived knowledge; act with honesty and integrity; and avoid untrue, deceptive, or undocumented statements in undertaking work-related functions or activities.

### **2. Competence**

- (a) Sociologists conduct research, teach, practice, and provide service only within the boundaries of their competence, based on their education, training, supervised experience, or appropriate professional experience.
- (b) Sociologists conduct research, teach, practice, and provide service in new areas or involving new techniques only after they have taken reasonable steps to ensure the competence of their work in these areas.
- (c) Sociologists who engage in research, teaching, practice, or service maintain awareness of current scientific and professional information in their fields of activity and undertake continuing efforts to maintain competence in the skills they use.
- (d) Sociologists refrain from undertaking an activity when their personal circumstances may interfere with their professional work or lead to harm for a student, supervisee, human subject, client, colleague, or other person to whom they have a scientific, teaching, consulting, or other professional obligation.

### **3. Representation and Misuse of Expertise**

- (a) In research, teaching, practice, service, or other situations where sociologists render professional judgments or present their expertise, they accurately and fairly represent their areas and degrees of expertise.
- (b) Sociologists do not accept grants, contracts, consultation, or work assignments from individual or organizational clients or sponsors that appear likely to require violation of the standards in this Code of Ethics. Sociologists dissociate themselves from such activities when they discover a violation and are unable to achieve its correction.
- (c) Because sociologists' scientific and professional judgments and actions may affect the lives of others, they are alert to and guard against personal, financial, social, organizational, or political factors that might lead to misuse of their knowledge, expertise, or influence.
- (d) If sociologists learn of misuse or misrepresentation of their work, they take reasonable steps to correct or minimize the misuse or misrepresentation.

#### **4. Delegation and Supervision**

- (a) Sociologists provide proper training and supervision to their students, supervisees, or employees and take reasonable steps to see that such persons perform services responsibly, competently, and ethically.
- (b) Sociologists delegate to their students, supervisees, or employees only those responsibilities that such persons, based on their education, training, or experience, can reasonably be expected to perform either independently or with the level of supervision provided.

#### **5. Nondiscrimination**

Sociologists do not engage in discrimination in their work based on age; gender; race; ethnicity; national origin; religion; sexual orientation; disability; health conditions; marital, domestic, or parental status; or any other applicable basis proscribed by law.

#### **6. Non-exploitation**

- (a) Whether for personal, economic, or professional advantage, sociologists do not exploit persons over whom they have direct or indirect supervisory, evaluative, or other authority such as students, supervisees, employees, or research participants.
- (b) Sociologists do not directly supervise or exercise evaluative authority over any person with whom they have a sexual relationship, including students, supervisees, employees, or research participants.

#### **7. Harassment**

Sociologists do not engage in harassment of any person, including students, supervisees, employees, or research participants. Harassment consists of a single intense and severe act or of multiple persistent or pervasive acts which are demeaning, abusive, offensive, or create a hostile professional or workplace environment. Sexual harassment may include sexual solicitation, physical advance, or verbal or non-verbal conduct that is sexual in nature. Racial harassment may include unnecessary, exaggerated, or unwarranted attention or attack, whether verbal or non-verbal, because of a person's race or ethnicity.

#### **8. Employment Decisions**

Sociologists have an obligation to adhere to the highest ethical standards when participating in employment related decisions, when seeking employment, or when planning to resign from a position.

##### *8.01 Fair Employment Practices*

- (a) When participating in employment-related decisions, sociologists make every effort to ensure equal opportunity and fair treatment to all full- and part-time employees. They do not discriminate in hiring, promotion, salary, treatment, or any other conditions of employment or career development on the basis of age; gender; race; ethnicity; national origin; religion; sexual orientation; disability; health conditions; marital, domestic, or parental status; or any other applicable basis proscribed by law.



- (b) When participating in employment-related decisions, sociologists specify the requirements for hiring, promotion, tenure, and termination and communicate these requirements thoroughly to full- and part-time employees and prospective employees.
- (c) When participating in employment-related decisions, sociologists have the responsibility to be informed of fair employment codes, to communicate this information to employees, and to help create an atmosphere upholding fair employment practices for full- and part-time employees.
- (d) When participating in employment-related decisions, sociologists inform prospective full- and part-time employees of any constraints on research and publication and negotiate clear understandings about any conditions that may limit research and scholarly activity.

#### *8.02 Responsibilities of Employees*

- (a) When seeking employment, sociologists provide prospective employers with accurate and complete information on their professional qualifications and experiences.
- (b) When leaving a position, permanently or temporarily, sociologists provide their employers with adequate notice and take reasonable steps to reduce negative effects of leaving.

### **9. Conflicts of Interest**

Sociologists maintain the highest degree of integrity in their professional work and avoid conflicts of interest and the appearance of conflict. Conflicts of interest arise when sociologists' personal or financial interests prevent them from performing their professional work in an unbiased manner. In research, teaching, practice, and service, sociologists are alert to situations that might cause a conflict of interest and take appropriate action to prevent conflict or disclose it to appropriate parties.

#### *9.01 Adherence to Professional Standards*

Irrespective of their personal or financial interests or those of their employers or clients, sociologists adhere to professional and scientific standards in (1) the collection, analysis, or interpretation of data; (2) the reporting of research; (3) the teaching, professional presentation, or public dissemination of sociological knowledge; and (4) the identification or implementation of appropriate contractual, consulting, or service activities.

#### *9.02 Disclosure*

Sociologists disclose relevant sources of financial support and relevant personal or professional relationships that may have the appearance of or potential for a conflict of interest to an employer or client, to the sponsors of their professional work, or in public speeches and writing.

#### *9.03 Avoidance of Personal Gain*

- (a) Under all circumstances, sociologists do not use or otherwise seek to gain from information or material received in a confidential context (e.g., knowledge obtained from reviewing a manuscript or serving on a proposal

review panel), unless they have authorization to do so or until that information is otherwise made publicly available.

- (b) Under all circumstances, sociologists do not seek to gain from information or material in an employment or client relationship without permission of the employer or client.

#### *9.04 Decisionmaking in the Workplace*

In their workplace, sociologists take appropriate steps to avoid conflicts of interest or the appearance of conflicts and carefully scrutinize *potentially biasing* affiliations or relationships. In research, teaching, practice, or service, such potentially biasing affiliations or relationships include, but are not limited to, situations involving family, business, or close personal friendships or those with whom sociologists have had strong conflict or disagreement.

#### *9.05 Decisionmaking Outside of the Workplace*

In professional activities outside of their workplace, sociologists in *all* circumstances abstain from engaging in deliberations and decisions that allocate or withhold benefits or rewards from individuals or institutions if they have *biasing* affiliations or relationships. These biasing affiliations or relationships are: 1) current employment or being considered for employment at an organization or institution that could be construed as benefiting from the decision; 2) current officer or board member of an organization or institution that could be construed as benefiting from the decision; 3) current employment or being considered for employment at the same organization or institution where an individual could benefit from the decision; 4) a spouse, domestic partner, or known relative who as an individual could benefit from the decision; or 5) a current business or professional partner, research collaborator, employee, supervisee, or student who as an individual could benefit from the decision.

### **10. Public Communications**

Sociologists adhere to the highest professional standards in public communications about their professional services, credentials and expertise, work products, or publications, whether these communications are from themselves or from others.

#### *10.01 Public Communications*

- (a) Sociologists take steps to ensure the accuracy of all public communications. Such public communications include, but are not limited to, directory listings; personal resumes or curriculum vitae; advertising; brochures or printed matter; interviews or comments to the media; statements in legal proceedings; lectures and public oral presentations; or other published materials.
- (b) Sociologists do not make public statements that are false, deceptive, misleading, or fraudulent, either because of what they state, convey, or suggest or because of what they omit, concerning their research, practice, or other work activities or those of persons or organizations with which they are affiliated. Such activities include, but are not limited to, false or deceptive statements concerning sociologists' (1) training, experience, or

competence; (2) academic degrees; (3) credentials; (4) institutional or association affiliations; (5) services; (6) fees; or (7) publications or research findings. Sociologists do not make false or deceptive statements concerning the scientific basis for, results of, or degree of success from their professional services.

- (c) When sociologists provide professional advice or comment by means of public lectures, demonstrations, radio or television programs, prerecorded tapes, printed articles, mailed material, or other media, they take reasonable precautions to ensure that (1) the statements are based on appropriate research, literature, and practice; and (2) the statements are otherwise consistent with this Code of Ethics.

#### *10.02 Statements by Others*

- (a) Sociologists who engage or employ others to create or place public statements that promote their work products, professional services, or other activities retain responsibility for such statements.
- (b) Sociologists make reasonable efforts to prevent others whom they do not directly engage, employ, or supervise (such as employers, publishers, sponsors, organizational clients, members of the media) from making deceptive statements concerning their professional research, teaching, or practice activities.
- (c) In working with the press, radio, television, or other communications media or in advertising in the media, sociologists are cognizant of potential conflicts of interest or appearances of such conflicts (e.g., they do not provide compensation to employees of the media), and they adhere to the highest standards of professional honesty (e.g., they acknowledge paid advertising).

### **11. Confidentiality**

Sociologists have an obligation to ensure that confidential information is protected. They do so to ensure the integrity of research and the open communication with research participants and to protect sensitive information obtained in research, teaching, practice, and service. When gathering confidential information, sociologists should take into account the long-term uses of the information, including its potential placement in public archives or the examination of the information by other researchers or practitioners.

#### *11.01 Maintaining Confidentiality*

- (a) Sociologists take reasonable precautions to protect the confidentiality rights of research participants, students, employees, clients, or others.
- (b) Confidential information provided by research participants, students, employees, clients, or others is treated as such by sociologists even if there is no legal protection or privilege to do so. Sociologists have an obligation to protect confidential information and not allow information gained in confidence from being used in ways that would unfairly compromise research participants, students, employees, clients, or others.
- (c) Information provided under an understanding of confidentiality is treated as such even after the death of those providing that information.

- (d) Sociologists maintain the integrity of confidential deliberations, activities, or roles, including, where applicable, that of professional committees, review panels, or advisory groups (e.g., the ASA Committee on Professional Ethics).
- (e) Sociologists, to the extent possible, protect the confidentiality of student records, performance data, and personal information, whether verbal or written, given in the context of academic consultation, supervision, or advising.
- (f) The obligation to maintain confidentiality extends to members of research or training teams and collaborating organizations who have access to the information. To ensure that access to confidential information is restricted, it is the responsibility of researchers, administrators, and principal investigators to instruct staff to take the steps necessary to protect confidentiality.
- (g) When using private information about individuals collected by other persons or institutions, sociologists protect the confidentiality of individually identifiable information. Information is private when an individual can reasonably expect that the information will not be made public with personal identifiers (e.g., medical or employment records).

#### *11.02 Limits of Confidentiality*

- (a) Sociologists inform themselves fully about all laws and rules which may limit or alter guarantees of confidentiality. They determine their ability to guarantee absolute confidentiality and, as appropriate, inform research participants, students, employees, clients, or others of any limitations to this guarantee at the outset, consistent with ethical standards set forth in 11.02(b).
- (b) Sociologists may confront unanticipated circumstances where they become aware of information that is clearly health- or life-threatening to research participants, students, employees, clients, or others. In these cases, sociologists balance the importance of guarantees of confidentiality with other principles in this Code of Ethics, standards of conduct, and applicable law.
- (c) Confidentiality is not required with respect to observations in public places, activities conducted in public, or other settings where no rules of privacy are provided by law or custom. Similarly, confidentiality is not required in the case of information available from public records.

#### *11.03 Discussing Confidentiality and Its Limits*

- (a) When sociologists establish a scientific or professional relationship with persons, they discuss (1) the relevant limitations on confidentiality, and (2) the foreseeable uses of the information generated through their professional work.
- (b) Unless it is not feasible or is counter-productive, the discussion of confidentiality occurs at the outset of the relationship and thereafter as new circumstances may warrant.

#### *11.04 Anticipation of Possible Uses of Information*

- (a) When research requires maintaining personal identifiers in databases or systems of records, sociologists delete such identifiers before the information is made publicly available.
- (b) When confidential information concerning research participants, clients, or other recipients of service is entered into databases or systems of records available to persons without the prior consent of the relevant parties, sociologists protect anonymity by not including personal identifiers or by employing other techniques that mask or control disclosure of individual identities.
- (c) When deletion of personal identifiers is not feasible, sociologists take reasonable steps to determine that appropriate consent of personally-identifiable individuals has been obtained before they transfer such data to others or review such data collected by others.

#### *11.05 Electronic Transmission of Confidential Information*

Sociologists use extreme care in delivering or transferring any confidential data, information, or communication over public computer networks. Sociologists are attentive to the problems of maintaining confidentiality and control over sensitive material and data when use of technological innovations, such as public computer networks, may open their professional and scientific communication to unauthorized persons.

#### *11.06 Anonymity of Sources*

- (a) Sociologists do not disclose in their writings, lectures, or other public media confidential, personally identifiable information concerning their research participants, students, individual or organizational clients, or other recipients of their service which is obtained during the course of their work, unless consent from individuals or their legal representatives has been obtained.
- (b) When confidential information is used in scientific and professional presentations, sociologists disguise the identity of research participants, students, individual or organizational clients, or other recipients of their service.

#### *11.07 Minimizing Intrusions on Privacy*

- (a) To minimize intrusions on privacy, sociologists include in written and oral reports, consultations, and public communications only information germane to the purpose for which the communication is made.
- (b) Sociologists discuss confidential information or evaluative data concerning research participants, students, supervisees, employees, and individual or organizational clients only for appropriate scientific or professional purposes and only with persons clearly concerned with such matters.

#### *11.08 Preservation of Confidential Information*

- (a) Sociologists take reasonable steps to ensure that records, data, or information are preserved in a confidential manner consistent with the

- requirements of this Code of Ethics, recognizing that ownership of records, data, or information may also be governed by law or institutional principles.
- (b) Sociologists plan so that confidentiality of records, data, or information is protected in the event of the sociologist's death, incapacity, or withdrawal from the position or practice.
  - (c) When sociologists transfer confidential records, data, or information to other persons or organizations, they obtain assurances that the recipients of the records, data, or information will employ measures to protect confidentiality at least equal to those originally pledged.

## **12. Informed Consent**

Informed consent is a basic ethical tenet of scientific research on human populations. Sociologists do not involve a human being as a subject in research without the informed consent of the subject or the subject's legally authorized representative, except as otherwise specified in this Code. Sociologists recognize the possibility of undue influence or subtle pressures on subjects that may derive from researchers' expertise or authority, and they take this into account in designing informed consent procedures.

### *12.01 Scope of Informed Consent*

- (a) Sociologists conducting research obtain consent from research participants or their legally authorized representatives (1) when data are collected from research participants through any form of communication, interaction, or intervention; or (2) when behavior of research participants occurs in a private context where an individual can reasonably expect that no observation or reporting is taking place.
- (b) Despite the paramount importance of consent, sociologists may seek waivers of this standard when (1) the research involves no more than minimal risk for research participants, and (2) the research could not practicably be carried out were informed consent to be required. Sociologists recognize that waivers of consent require approval from institutional review boards or, in the absence of such boards, from another authoritative body with expertise on the ethics of research. Under such circumstances, the confidentiality of any personally identifiable information must be maintained unless otherwise set forth in 11.02(b).
- (c) Sociologists may conduct research in public places or use publicly-available information about individuals (e.g., naturalistic observations in public places, analysis of public records, or archival research) without obtaining consent. If, under such circumstances, sociologists have any doubt whatsoever about the need for informed consent, they consult with institutional review boards or, in the absence of such boards, with another authoritative body with expertise on the ethics of research before proceeding with such research.
- (d) In undertaking research with vulnerable populations (e.g., youth, recent immigrant populations, the mentally ill), sociologists take special care to ensure that the voluntary nature of the research is understood and that consent is not coerced. In all other respects, sociologists adhere to the principles set forth in 12.01(a)-(c).

- (e) Sociologists are familiar with and conform to applicable state and federal regulations and, where applicable, institutional review board requirements for obtaining informed consent for research.

#### *12.02 Informed Consent Process*

- (a) When informed consent is required, sociologists enter into an agreement with research participants or their legal representatives that clarifies the nature of the research and the responsibilities of the investigator prior to conducting the research.
- (b) When informed consent is required, sociologists use language that is understandable to and respectful of research participants or their legal representatives.
- (c) When informed consent is required, sociologists provide research participants or their legal representatives with the opportunity to ask questions about any aspect of the research, at any time during or after their participation in the research.
- (d) When informed consent is required, sociologists inform research participants or their legal representatives of the nature of the research; they indicate to participants that their participation or continued participation is voluntary; they inform participants of significant factors that may be expected to influence their willingness to participate (e.g., possible risks and benefits of their participation); and they explain other aspects of the research and respond to questions from prospective participants. Also, if relevant, sociologists explain that refusal to participate or withdrawal from participation in the research involves no penalty, and they explain any foreseeable consequences of declining or withdrawing. Sociologists explicitly discuss confidentiality and, if applicable, the extent to which confidentiality may be limited as set forth in 11.02(b).
- (e) When informed consent is required, sociologists keep records regarding said consent. They recognize that consent is a process that involves oral and/or written consent.
- (f) Sociologists honor all commitments they have made to research participants as part of the informed consent process except where unanticipated circumstances demand otherwise as set forth in 11.02(b).

#### *12.03 Informed Consent of Students and Subordinates*

When undertaking research at their own institutions or organizations with research participants who are students or subordinates, sociologists take special care to protect the prospective subjects from adverse consequences of declining or withdrawing from participation.

#### *12.04 Informed Consent with Children*

- (a) In undertaking research with children, sociologists obtain the consent of children to participate, to the extent that they are capable of providing such consent, except under circumstances where consent may not be required as set forth in 12.01(b).
- (b) In undertaking research with children, sociologists obtain the consent of a parent or a legally authorized guardian. Sociologists may seek waivers of

parental or guardian consent when (1) the research involves no more than minimal risk for the research participants, and (2) the research could not practicably be carried out were consent to be required, or (3) the consent of a parent or guardian is not a reasonable requirement to protect the child (e.g., neglected or abused children).

- (c) Sociologists recognize that waivers of consent from a child and a parent or guardian require approval from institutional review boards or, in the absence of such boards, from another authoritative body with expertise on the ethics of research. Under such circumstances, the confidentiality of any personally identifiable information must be maintained unless otherwise set forth in 11.02(b).

#### *12.05 Use of Deception in Research*

- (a) Sociologists do not use deceptive techniques (1) unless they have determined that their use will not be harmful to research participants; is justified by the study's prospective scientific, educational, or applied value; and that equally effective alternative procedures that do not use deception are not feasible; and (2) unless they have obtained the approval of institutional review boards or, in the absence of such boards, with another authoritative body with expertise on the ethics of research.
- (b) Sociologists never deceive research participants about significant aspects of the research that would affect their willingness to participate, such as physical risks, discomfort, or unpleasant emotional experiences.
- (c) When deception is an integral feature of the design and conduct of research, sociologists attempt to correct any misconception that research participants may have no later than at the conclusion of the research.
- (d) On rare occasions, sociologists may need to conceal their identities in order to undertake research that could not practicably be carried out were they to be known as researchers. Under such circumstances, sociologists undertake the research if it involves no more than minimal risk for the research participants and if they have obtained approval to proceed in this manner from an institutional review board or, in the absence of such boards, from another authoritative body with expertise on the ethics of research. Under such circumstances, confidentiality must be maintained unless otherwise set forth in 11.02(b).

#### *12.06 Use of Recording Technology*

Sociologists obtain informed consent from research participants, students, employees, clients, or others prior to videotaping, filming, or recording them in any form, unless these activities involve simply naturalistic observations in public places and it is not anticipated that the recording will be used in a manner that could cause personal identification or harm.

### **13. Research Planning, Implementation, and Dissemination**

Sociologists have an obligation to promote the integrity of research and to ensure that they comply with the ethical tenets of science in the planning, implementation, and dissemination of research. They do so in order to advance knowledge, to



minimize the possibility that results will be misleading, and to protect the rights of research participants.

#### *13.01 Planning and Implementation*

- (a) In planning and implementing research, sociologists minimize the possibility that results will be misleading.
- (b) Sociologists take steps to implement protections for the rights and welfare of research participants and other persons affected by the research.
- (c) In their research, sociologists do not encourage activities or themselves behave in ways that are health- or life-threatening to research participants or others.
- (d) In planning and implementing research, sociologists consult those with expertise concerning any special population under investigation or likely to be affected.
- (e) In planning and implementing research, sociologists consider its ethical acceptability as set forth in the Code of Ethics. If the best ethical practice is unclear, sociologists consult with institutional review boards or, in the absence of such review processes, with another authoritative body with expertise on the ethics of research.
- (f) Sociologists are responsible for the ethical conduct of research conducted by them or by others under their supervision or authority.

#### *13.02 Unanticipated Research Opportunities*

If during the course of teaching, practice, service, or non-professional activities, sociologists determine that they wish to undertake research that was not previously anticipated, they make known their intentions and take steps to ensure that the research can be undertaken consonant with ethical principles, especially those relating to confidentiality and informed consent. Under such circumstances, sociologists seek the approval of institutional review boards or, in the absence of such review processes, another authoritative body with expertise on the ethics of research.

#### *13.03 Offering Inducements for Research Participants*

Sociologists do not offer excessive or inappropriate financial or other inducements to obtain the participation of research participants, particularly when it might coerce participation. Sociologists may provide incentives to the extent that resources are available and appropriate.

#### *13.04 Reporting on Research*

- (a) Sociologists disseminate their research findings except where unanticipated circumstances (e.g., the health of the researcher) or proprietary agreements with employers, contractors, or clients preclude such dissemination.
- (b) Sociologists do not fabricate data or falsify results in their publications or presentations.
- (c) In presenting their work, sociologists report their findings fully and do not omit relevant data. They report results whether they support or contradict the expected outcomes.
- (d) Sociologists take particular care to state all relevant qualifications on the findings and interpretation of their research. Sociologists also disclose

underlying assumptions, theories, methods, measures, and research designs that might bear upon findings and interpretations of their work.

- (e) Consistent with the spirit of full disclosure of methods and analyses, once findings are publicly disseminated, sociologists permit their open assessment and verification by other responsible researchers with appropriate safeguards, where applicable, to protect the anonymity of research participants.
- (f) If sociologists discover significant errors in their publication or presentation of data, they take reasonable steps to correct such errors in a correction, a retraction, published errata, or other public fora as appropriate.
- (g) Sociologists report sources of financial support in their written papers and note any special relations to any sponsor. In special circumstances, sociologists may withhold the names of specific sponsors if they provide an adequate and full description of the nature and interest of the sponsor.
- (h) Sociologists take special care to report accurately the results of others' scholarship by using correct information and citations when presenting the work of others in publications, teaching, practice, and service settings.

#### *13.05 Data Sharing*

- (a) Sociologists share data and pertinent documentation as a regular practice. Sociologists make their data available after completion of the project or its major publications, except where proprietary agreements with employers, contractors, or clients preclude such accessibility or when it is impossible to share data and protect the confidentiality of the data or the anonymity of research participants (e.g., raw field notes or detailed information from ethnographic interviews).
- (b) Sociologists anticipate data sharing as an integral part of a research plan whenever data sharing is feasible.
- (c) Sociologists share data in a form that is consonant with research participants' interests and protect the confidentiality of the information they have been given. They maintain the confidentiality of data, whether legally required or not; remove personal identifiers before data are shared; and, if necessary, use other disclosure avoidance techniques.
- (d) Sociologists who do not otherwise place data in public archives keep data available and retain documentation relating to the research for a reasonable period of time after publication or dissemination of results.
- (e) Sociologists may ask persons who request their data for further analysis to bear the associated incremental costs, if necessary.
- (f) Sociologists who use data from others for further analyses explicitly acknowledge the contribution of the initial researchers.

#### **14. Plagiarism**

- (a) In publications, presentations, teaching, practice, and service, sociologists explicitly identify, credit, and reference the author when they take data or material verbatim from another person's written work, whether it is published, unpublished, or electronically available.
- (b) In their publications, presentations, teaching, practice, and service, sociologists provide acknowledgment of and reference to the use of others' work, even if the work is not quoted verbatim or paraphrased, and they do not present

others' work as their own whether it is published, unpublished, or electronically available.

### **15. Authorship Credit**

- (a) Sociologists take responsibility and credit, including authorship credit, only for work they have actually performed or to which they have contributed.
- (b) Sociologists ensure that principal authorship and other publication credits are based on the relative scientific or professional contributions of the individuals involved, regardless of their status. In claiming or determining the ordering of authorship, sociologists seek to reflect accurately the contributions of main participants in the research and writing process.
- (c) A student is usually listed as principal author on any multiple-authored publication that substantially derives from the student's dissertation or thesis.

### **16. Publication Process**

Sociologists adhere to the highest ethical standards when participating in publication and review processes when they are authors or editors.

#### *16.01 Submission of Manuscripts for Publication*

- (a) In cases of multiple authorship, sociologists confer with all other authors prior to submitting work for publication and establish mutually acceptable agreements regarding submission.
- (b) In submitting a manuscript to a professional journal, book series, or edited book, sociologists grant that publication first claim to publication except where explicit policies allow multiple submissions. Sociologists do not submit a manuscript to a second publication until after an official decision has been received from the first publication or until the manuscript is withdrawn. Sociologists submitting a manuscript for publication in a journal, book series, or edited book can withdraw a manuscript from consideration up until an official acceptance is made.
- (c) Sociologists may submit a book manuscript to multiple publishers. However, once sociologists have signed a contract, they cannot withdraw a manuscript from publication unless there is reasonable cause to do so.

#### *16.02 Duplicate Publication of Data*

When sociologists publish data or findings that they have previously published elsewhere, they accompany these publications by proper acknowledgment.

#### *16.03 Responsibilities of Editors*

- (a) When serving as editors of journals or book series, sociologists are fair in the application of standards and operate without personal or ideological favoritism or malice. As editors, sociologists are cognizant of any potential conflicts of interest.
- (b) When serving as editors of journals or book series, sociologists ensure the confidential nature of the review process and supervise editorial office staff, including students, in accordance with practices that maintain confidentiality.
- (c) When serving as editors of journals or book series, sociologists are bound to publish all manuscripts accepted for publication unless major errors or ethical

violations are discovered after acceptance (e.g., plagiarism or scientific misconduct).

- (d) When serving as editors of journals or book series, sociologists ensure the anonymity of reviewers unless they otherwise receive permission from reviewers to reveal their identity. Editors ensure that their staff conform to this practice.
- (e) When serving as journal editors, sociologists ensure the anonymity of authors unless and until a manuscript is accepted for publication or unless the established practices of the journal are known to be otherwise.
- (f) When serving as journal editors, sociologists take steps to provide for the timely review of all manuscripts and respond promptly to inquiries about the status of the review.

### **17. Responsibilities of Reviewers**

- (a) In reviewing material submitted for publication, grant support, or other evaluation purposes, sociologists respect the confidentiality of the process and the proprietary rights in such information of those who submitted it.
- (b) Sociologists disclose conflicts of interest or decline requests for reviews of the work of others where conflicts of interest are involved.
- (c) Sociologists decline requests for reviews of the work of others when they believe that the review process may be biased or when they have questions about the integrity of the process.
- (d) If asked to review a manuscript, book, or proposal they have previously reviewed, sociologists make it known to the person making the request (e.g., editor, program officer) unless it is clear that they are being asked to provide a reappraisal.

### **18. Education, Teaching, and Training**

As teachers, supervisors, and trainers, sociologists follow the highest ethical standards in order to ensure the quality of sociological education and the integrity of the teacher-student relationship.

#### *18.01 Administration of Education Programs*

- (a) Sociologists who are responsible for education and training programs seek to ensure that the programs are competently designed, provide the proper experiences, and meet all goals for which claims are made by the program.
- (b) Sociologists responsible for education and training programs seek to ensure that there is an accurate description of the program content, training goals and objectives, and requirements that must be met for satisfactory completion of the program.
- (c) Sociologists responsible for education and training programs take steps to ensure that graduate assistants and temporary instructors have the substantive knowledge required to teach courses and the teaching skills needed to facilitate student learning.
- (d) Sociologists responsible for education and training programs have an obligation to ensure that ethics are taught to their graduate students as part of their professional preparation.

#### *18.02 Teaching and Training*

- (a) Sociologists conscientiously perform their teaching responsibilities. They have appropriate skills and knowledge or are receiving appropriate training.
- (b) Sociologists provide accurate information at the outset about their courses, particularly regarding the subject matter to be covered, bases for evaluation, and the nature of course experiences.
- (c) Sociologists make decisions concerning textbooks, course content, course requirements, and grading solely on the basis of educational criteria without regard for financial or other incentives.
- (d) Sociologists provide proper training and supervision to their teaching assistants and other teaching trainees and take reasonable steps to ensure that such persons perform these teaching responsibilities responsibly, competently, and ethically.
- (e) Sociologists do not permit personal animosities or intellectual differences with colleagues to foreclose students' or supervisees' access to these colleagues or to interfere with student or supervisee learning, academic progress, or professional development.

#### **19. Contractual and Consulting Services**

- (a) Sociologists undertake grants, contracts, or consultation only when they are knowledgeable about the substance, methods, and techniques they plan to use or have a plan for incorporating appropriate expertise.
- (b) In undertaking grants, contracts, or consultation, sociologists base the results of their professional work on appropriate information and techniques.
- (c) When financial support for a project has been accepted under a grant, contract, or consultation, sociologists make reasonable efforts to complete the proposed work on schedule.
- (d) In undertaking grants, contracts, or consultation, sociologists accurately document and appropriately retain their professional and scientific work.
- (e) In establishing a contractual arrangement for research, consultation, or other services, sociologists clarify, to the extent feasible at the outset, the nature of the relationship with the individual, organizational, or institutional client. This clarification includes, as appropriate, the nature of the services to be performed, the probable uses of the services provided, possibilities for the sociologist's future use of the work for scholarly or publication purposes, the timetable for delivery of those services, and compensation and billing arrangements.

#### **20. Adherence to the Code of Ethics**

Sociologists have an obligation to confront, address, and attempt to resolve ethical issues according to this Code of Ethics.

##### *20.01 Familiarity with the Code of Ethics*

Sociologists have an obligation to be familiar with this Code of Ethics, other applicable ethics codes, and their application to sociologists' work. Lack of awareness or misunderstanding of an ethical standard is not, in itself, a defense to a charge of unethical conduct.

#### *20.02 Confronting Ethical Issues*

- (a) When sociologists are uncertain whether a particular situation or course of action would violate the Code of Ethics, they consult with other sociologists knowledgeable about ethical issues, with the ASA's Committee on Professional Ethics, or with other organizational entities such as institutional review boards.
- (b) When sociologists take actions or are confronted with choices where there is a conflict between ethical standards enunciated in the Code of Ethics and laws or legal requirements, they make known their commitment to the Code and take steps to resolve the conflict in a responsible manner by consulting with colleagues, professional organizations, or the ASA's Committee on Professional Ethics.

#### *20.03 Fair Treatment of Parties in Ethical Disputes*

- (a) Sociologists do not discriminate against a person on the basis of his or her having made an ethical complaint.
- (b) Sociologists do not discriminate against a person based on his or her having been the subject of an ethical complaint. This does not preclude taking action based upon the outcome of an ethical complaint.

#### *20.04 Reporting Ethical Violations of Others*

When sociologists have substantial reason to believe that there may have been an ethical violation by another sociologist, they attempt to resolve the issue by bringing it to the attention of that individual if an informal resolution appears appropriate or possible, or they seek advice about whether or how to proceed based on this belief, assuming that such activity does not violate any confidentiality rights. Such action might include referral to the ASA's Committee on Professional Ethics.

#### *20.05 Cooperating with Ethics Committees*

Sociologists cooperate in ethics investigations, proceedings, and resulting requirements of the American Sociological Association. In doing so, they make reasonable efforts to resolve any issues of confidentiality. Failure to cooperate may be an ethics violation.

#### *20.06 Improper Complaints*

Sociologists do not file or encourage the filing of ethics complaints that are frivolous and are intended to harm the alleged violator rather than to protect the integrity of the discipline and the public.

**Note:** This revised edition of the American Sociological Association's Code of Ethics builds on the 1989 edition of the Code and the 1992 version of the American Psychological Association's Ethical Principles of Psychologists and Code of Conduct.

*Policies and Procedures*  
**Committee on Professional Ethics**  
**American Sociological Association**

(Approved by the ASA Membership in June 1997)

**INTRODUCTION**

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## **INTRODUCTION**

These Policies and Procedures describe the responsibilities of the Committee on Professional Ethics (COPE) of the American Sociological Association (ASA), the general operating rules of COPE, and the policies and procedures related to the submission and resolution of complaints of violations of the ASA Code of Ethics.

## **PART I. RESPONSIBILITIES AND AUTHORITY OF COPE**

### **1. Responsibilities**

COPE has been established by the Council of the ASA in order to promote ethical conduct by sociologists at the highest professional level through development and sponsorship of educational activities for ASA members and other sociologists, investigation of complaints concerning the ethical conduct of members of the ASA, and imposition of sanctions when a violation of the Code has occurred.

### **2. Authority of COPE**

COPE is authorized to:

- (a) Publicize the Code of Ethics to the members of the ASA and other interested persons.
- (b) Educate the members of the ASA and other interested persons concerning the ethical obligations of sociologists under the Code of Ethics through articles, seminars, lectures, casebooks, or other materials.
- (c) Recommend to the ASA Council changes in the Code of Ethics and these Policies and Procedures.
- (d) Provide to individual members of the ASA on an informal and confidential basis advice regarding their ethical obligations under the Code of Ethics.
- (e) Seek to resolve allegations of unethical conduct of members of the ASA informally through mediation or other means.
- (f) Investigate allegations of unethical conduct of members of the ASA, determine violations of the Code of Ethics, and, where appropriate, impose sanctions.
- (g) Adopt such rules and procedures governing the conduct of all matters within its jurisdiction as are consistent with the Constitution and By-Laws of the Association, the Code of Ethics, and these Policies and Procedures.

### **3. Responsibilities of the Executive Office**

- (a) Works with COPE in the administration of 2(a)-(g).
- (b) Reports to COPE on an annual basis the number and types of complaints received, the number recommended for informal resolution, and any other pertinent information regarding the involvement of the Executive Office in ethics inquiries.



## **PART II. OPERATING RULES OF COPE**

### **1. Membership**

The members of COPE shall be appointed in accordance with the By-Laws of the Association. After the end of his/her term of office, a member of COPE may continue to participate in the investigation of a matter to which he/she was previously assigned, and such member may participate in reaching the findings and recommendation of the Investigation Panel with respect to that matter.

### **2. Officers**

The Chair and Co-Chair of COPE shall be appointed at the Council meeting held during the Annual Meeting of the Association and shall serve a term of one (1) year beginning on January 1 of the next calendar year. Prior to the Annual Meeting, COPE shall deliver to the Council its recommendations for the Chair and Co-Chair for the succeeding year. The Chair shall have primary responsibility for carrying out the mandate of COPE. The Co-Chair shall have the authority to perform all of the duties of the Chair when the latter is unavailable or unable to perform them and shall perform other tasks as delegated by the Chair.

### **3. Meetings**

A regular meeting of COPE shall be held annually in connection with the Annual Meeting of the Association. Additional meetings may be held, upon the call of the Chair, from time to time in person or by telephone conference call.

### **4. Quorum and Voting**

A quorum for the transaction of business at any meeting of COPE shall consist of a majority of the members then in office. All decisions shall be by majority vote of the members present at a meeting.

### **5. Voting by Mail**

Any action of COPE which could be taken at a meeting may be taken upon the affirmative vote, in writing or by electronic communication, of a majority of members then in office.

### **6. Conflicts of Interest**

No member of COPE shall participate in the deliberations or decision of any matter with respect to which the member has a conflict of interest as outlined in the Code of Ethics.

## **PART III. ENFORCEMENT OF THE CODE OF ETHICS**

### **1. Jurisdiction**

- (a) COPE shall have jurisdiction to receive and determine any timely complaint of the violation of the ASA Code of Ethics by a current member of the ASA in any category of membership whatsoever. In the event that a complainee resigns from the ASA subsequent to the filing of a complaint against him or her, COPE shall have discretion to resolve the complaint as if the complainee were still a member.
- (b) In the event that a complaint alleges conduct which is, or may be, the subject of other legal or institutional proceedings, COPE may, in its discretion, defer further proceedings with respect to the complaint until the conclusion of the other legal or institutional proceedings.

### **2. Filing of Complaint**

- (a) Any member or non-member of the ASA who perceives that an ASA member has violated an ethical standard may file a complaint with COPE.
- (b) A complaint may be initiated by COPE on its own behalf.
- (c) Initial telephone contact with the Executive Officer or his/her designee is encouraged to clarify whether concerns about a possible ethical violation are covered by the Code. If it appears that a potential complaint may be covered by the Code, a copy of the Code and a complaint form shall be sent to the potential complainant. Informal dispute resolution and use of other venues of investigation will be encouraged.
- (d) A complaint may not be accepted or initiated if it is received more than 18 months after the alleged conduct either occurred or was discovered. A complaint received after the 18-month time limit set forth in this paragraph shall not be accepted unless the Chair of COPE determines that there is good cause for the complaint not to have been filed within the 18-month time limit. No complaint will be considered if it is received more than five years after the alleged conduct occurred or was discovered.
- (e) A complaint shall include the name and address of the complainant; the name and address of the complainee; the provisions of the Code of Ethics alleged to have been violated; a statement that other legal or institutional proceedings involving the alleged conduct have not been initiated or, if initiated, the status of such proceedings; a full statement of conduct alleged to have violated the Code of Ethics, including the sources of all information on which the allegations are based; copies of any documents supporting the allegations; and, if necessary, a request that the 18-month time limit be waived. Anonymous complaints shall not be accepted. If material in the public domain is provided anonymously, COPE may choose to use such material in support of its own complaint.

### **3. Preliminary Screening of Complaint**

- (a) The Executive Officer or his/her designee shall screen each complaint to determine whether the complainee is a member of the ASA and whether the alleged conduct is covered by the Code. If the complaint does not include the information required by 2(e), the Executive Officer or his/her

designee shall so inform the complainant, who will be given the opportunity to provide additional information. If no response is received from the complainant within thirty (30) days, the matter will be closed and the complainant so notified.

- (b) If the complaint is complete as set forth in 2(e), the Executive Officer or his/her designee shall notify the Chair of COPE and provide relevant materials regarding the complaint. The Chair of COPE and the Executive Officer or his/her designee shall evaluate whether there is cause for action by COPE. Cause for action shall exist when the complainee's alleged actions and/or omissions, if proved, would in the judgment of the Chair of COPE and the Executive Officer or his/her designee constitute a breach of ethics. For purposes of determining whether cause for action exists, incredible, speculative, and/or internally inconsistent allegations may be disregarded. If cause for action exists, a formal case is initiated, as set forth in 4(a). If cause for action does not exist, the complaint will be dismissed at this stage and the complainant so notified.

#### **4. Notice of Complaint and Informal Resolution**

- (a) If cause for action is found, the Executive Officer or his/her designee shall provide a copy of the complaint and all supporting materials, and a copy of the Code of Ethics and these Policies and Procedures, to the complainee and encourage a settlement through informal means. If a method of informal dispute settlement is not otherwise available to the complainant and complainee, a mediator who is not a member of COPE may be recommended by the Executive Officer or his/her designee. Mediation services will in most cases be by written correspondence or telephone. If informal dispute resolution is declined, the members of COPE shall not be informed which party declined.
- (b) Any person appointed to serve as a mediator shall agree to maintain the confidentiality of the proceedings as set forth in the Code of Ethics and these Policies and Procedures. The mediator shall report to the Executive Officer or his/her designee only whether or not a matter has been resolved to the satisfaction of the parties.

#### **5. Response to Complaint**

If either or both the complainant and complainee decline informal dispute settlement or if informal dispute settlement fails to resolve the complaint, the Executive Officer or his/her designee shall notify the complainee that the case will go forward in accordance with these Policies and Procedures. Complainee shall have thirty (30) days after receipt of this notice to respond in writing to the complaint. An extension may be granted by the Executive Officer if good cause is shown, but the extension shall not exceed ninety (90) days.

#### **6. Initial Determination of the Chair**

The complaint and response shall be submitted to the Chair of COPE for an initial determination whether there is sufficient evidence to proceed with the case. The Chair may, in his/her discretion, request additional information from the complainant and/or any other appropriate source before making the initial

determination, provided, however, that the Chair shall not rely on such additional information unless it has been shared with the complainee and the complainee has been afforded an opportunity to respond. If the Chair shall decide that there is insufficient evidence to proceed, the matter shall be closed and the complainant and complainee notified in writing.

#### **7. Investigation and Recommendation**

If the Chair determines that there is sufficient evidence to proceed with the complaint, he/she shall appoint an Investigation Panel composed of the Chair or Co-Chair and two members of COPE to investigate the complaint. The Panel may communicate with the complainant, complainee, witnesses, or other sources of information necessary to carry out its functions. The Panel shall conduct as much of its business as is practical through written correspondence or verbal communication. Although complainants and complainees have the right to consult with attorneys concerning all phases of the ethics process, the complainant must file and the complainee must respond to charges of unethical conduct personally and not through legal counsel or another third party, unless the complainant or complainee provides good cause as to why he or she cannot respond personally. The Panel shall submit a written report of its findings and any recommendation for sanction to the full Committee within ninety (90) days, unless a longer period is necessary in the opinion of the Chair or Co-Chair. A copy of the Panel's findings and recommendation shall be provided to the complainant and complainee, who may submit a response in writing within a time frame of not more than thirty (30) days.

#### **8. Determination of Violation**

COPE shall determine whether a violation of the Code of Ethics has occurred on the basis of the complaint, the response, any other information provided to the Investigation Panel, the recommendation and findings of the Panel, and the responses of the parties thereto, provided, however, that COPE may hear the testimony of witnesses where in its view it is essential to the fairness of the proceeding. COPE may return any matter to the Investigation Panel for further investigation. Upon completion of its review, COPE shall issue a determination of whether one or more violations of the Code of Ethics have occurred, including a summary of the factual basis for this determination, and of the appropriate sanction.

#### **9. Sanctions**

In any case in which it has determined that a violation of the Code of Ethics has occurred, COPE may impose no sanction or one or more of the following, as appropriate:

- (a) ***Private Reprimand.*** In cases where there has been an ethics violation but the violation did not cause serious personal and/or professional harm, an educative letter concerning the violation, including any stipulated conditions of redress, may be sent to the complainee. Failure to comply with stipulated conditions of redress in a reprimand may result in the imposition of a more severe sanction.

- (b) **Public Reprimand.** Where COPE determines that the seriousness of the violation warrants more than a private reprimand, it may direct that a copy of the letter of reprimand be made public in an appropriate manner.
- (c) **Denial of Privileges.** In appropriate cases, COPE may determine that a complainee shall be denied one or more of the privileges of ASA membership and/or the opportunity to participate in ASA-sponsored activities including but not limited to appointment to the editorial boards of any ASA publications, election or appointment to any ASA offices and committees, receipt of any ASA awards, publishing in or serving as an editor of one or more ASA-sponsored journals, presenting a paper or otherwise participating at one or more meetings sponsored by the ASA, or receiving research or scholarship assistance from any program sponsored by the ASA.
- (d) **Termination of Membership.** In cases where there has been an ethics violation and the violation caused serious personal and/or professional harm, the ASA membership of the complainee may be terminated for a period to be determined by COPE. Eligibility to renew membership at the expiration of this period may be automatic or may be conditioned on a future determination by COPE that eligibility is appropriate.

#### **10. Notice of Determination**

The Chair of COPE shall notify the complainant and complainee of the decision of COPE. If a sanction is imposed under 9(c) or 9(d), COPE shall instruct the Executive Officer to take the appropriate actions called for under COPE's determination, except that such notice shall be postponed if an appeal is filed as set forth in paragraph 11.

#### **11. Appeal of Termination**

A complainee who is found by COPE to have violated the Code of Ethics and who receives a sanction under 9(b) through 9(d) may appeal this determination by filing a Notice of Appeal and Statement of Reasons no later than thirty (30) days after receipt of the Notice of Determination. If an appeal is filed, the President of the ASA shall appoint a three-member Appeal Panel of past members of COPE to review all information considered by COPE and, within ninety (90) days, make a decision to uphold or reverse the determination. The Appeal Panel may set aside COPE's determination that a violation has occurred or it may determine that the sanction imposed by COPE is not appropriate and impose a less severe sanction. The decision of the Appeal Panel shall constitute the final decision of the ASA with respect to all matters subject to this paragraph.

#### **12. Confidentiality**

- (a) The filing of a complaint against an ASA member and all proceedings held under this Part III shall be kept confidential by COPE, the Investigation Panel, the Appeal Panel, and the President of the ASA prior to a final determination of the matter, except that information regarding complaints may be shared with the Executive Officer, any staff designated by the Executive Officer to assist COPE, and ASA legal counsel. Determinations of

violations of the Code of Ethics by COPE or by an Appeal Panel shall be kept confidential, except in the case of termination of membership, or unless disclosure of the determination to the public is imposed as part of another sanction. The name of each individual whose membership is terminated and a brief statement of the reason for termination shall be reported annually to the ASA Council and in the official newsletter of the ASA.

- (b) The Committee may disclose such information when compelled by a valid subpoena or by a final court order.
- (c) Notwithstanding the foregoing, COPE may publish reports of its determinations in order to educate the membership about the requirements of the Code of Ethics but will not make the identity of the parties public unless otherwise provided for in Part III, section 12(b).
- (d) Initiation of legal action against the ASA or its officers or employees shall constitute a waiver of confidentiality by the person initiating such action.
- (e) Records relating to the investigation of complaints of violations of the Code, whether or not COPE determined that a violation occurred, shall be maintained in a secure place indefinitely. These records should always remain confidential, unless otherwise provided for in 12(b) and 12(d). Permission to use these materials for research and educational purposes may be granted by the Executive Officer within the first fifty (50) years of the closing of the complaint, as long as the materials do not identify the individuals involved. After fifty (50) years, these materials are available for research or educational purposes without special approval as long as the commitment to confidentiality is honored and the materials do not identify the individuals involved.

**Note:** These Policies and Procedures replace Section V of the 1989 edition of the American Sociological Association's Code of Ethics.