

## **AREUEA Policies and Procedures for Handling Possible Code of Conduct Violations**

AREUEA members who experience harassment, discrimination, or other violations of the Code of Conduct, have the following (non-exclusive) options. This procedure is not intended to replace, circumvent, or supersede any applicable federal, state, or local law or the policies of the employer of anyone involved in an incident.

1. Filing a complaint with the AREUEA Professional Conduct and Inclusion (PC&I) Officer. The rest of this document describes the types of incidents that are within the purview of the AREUEA complaint process and the process followed to investigate them. The responsibilities of the AREUEA PC&I Officer are described in the AREUEA Constitution and Bylaws as amended on January 4, 2020.<sup>1</sup>
2. Consulting with the ombudsperson of another professional association. This ombudsperson can provide information about your options through their association, federal and state law, and other civil and administrative procedures as are available.<sup>2</sup> For example, members have the option to report an incident to the American Economic Association (AEA) Ombudsperson without being obligated to take any further action. The American Finance Association (AFA) has also established an ombudsperson.
3. Filing a complaint directly with a law enforcement agency, as appropriate. The AEA or AFA Ombudspersons may be able to provide more information on this option.

### Scope of AREUEA Code Enforcement

For regular members, any violation of the Code of Conduct that occurs at an AREUEA venue (conferences or journal) after the effective date of the Code of Conduct, which is January 4, 2020, is within the scope of investigation.

For AREUEA members who serve as officers, Board members, or editors of *Real Estate Economics*, any violation of the Code of Conduct, or other incident (including incidents that occur outside AREUEA venues) that occurs after the effective date of the Code of Conduct that is in violation of the Code or might reasonably undermine AREUEA's faith in their ability to continue in their position, is within the scope of investigation. For example, financial misconduct, whether in execution of AREUEA tasks or elsewhere, is disqualifying for any officer who handles financial affairs for AREUEA.

Complaints must be filed within one year of the date of the alleged misconduct.

### Process

To the extent possible, AREUEA should resolve any complaints within 90 days, excluding any appeals.

The AREUEA PC&I officer will notify the AREUEA president after receiving a formal complaint.<sup>3</sup> The PC&I Officer and the president will decide whether to use informal methods of dispute resolution to resolve the complaint or to conduct a formal investigation. The presumption will be that any allegation of conduct that significantly adversely affects another member's career or creates a climate that would cause a member

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<sup>1</sup> The current PC&I officer is Stephanie Moulton.

<sup>2</sup> Information on the AEA Ombudsperson can be found at <https://www.aeaweb.org/about-aea/aea-ombudsperson>. Information on the AFA Ombudsperson can be found at <https://afajof.org/ombudsperson/>.

<sup>3</sup> If the complaint involves the AREUEA D&I Officer, the individual should contact the President directly; if it involves the PC&I Officer and the President, the individual should contact the First Vice President.

to feel unwelcome in AREUEA-related activities will be handled by a formal investigation. In contrast, a one-time, ill-advised remark will more normally be a candidate for informal methods of dispute resolution.

Whenever possible, the formal investigation will be conducted by an external, neutral, professionally trained investigator. The investigator will be asked to follow the best practices in the profession and should be fully insured and bonded. No AREUEA member, including the subject of the complaint, is required to participate in the investigation.

The PC&I Officer and the President will form two ad-hoc committees. The “Investigation Committee” will determine the scope of the investigation, review the investigator’s report, and summarize the findings of the investigation. The “Adjudication Committee” will review the report and decide upon potential consequences.

The Investigation Committee will consist of the PC&I Officer, and three other members chosen from the current or past Executive Committee or AREUEA Board. The Adjudication Committee will consist of the President and three other members chosen from the current or past Executive Committee or AREUEA Board. A recommended best practice is to have at least one person on each committee who has served in that capacity before, if possible. No individual shall serve on both the Investigation and Adjudication Committee.

All committee members should affirm that they believe that they can be neutral and open-minded about the complaint, and that they have no significant personal or professional connection to anyone involved in the complaint. A recommended best practice is that, to the extent possible, the PC&I Officer and President should choose members that diversify the Investigation and Adjudication Committees along any lines that are relevant for the complaint. For example, the Investigation and Adjudication Committees should strive to have gender diversity for any complaint involving sexual harassment, racial diversity for any case involving racial harassment, etc.

Both the Investigation and Adjudication Committees should strive to reach decisions by consensus. In the event that proves impossible, the committees may proceed if three of the four members are in agreement.

If the Adjudication Committee determines that an individual has violated the AREUEA Code of Conduct, possible consequences include:

#### Private Reprimand

In cases where there has been a violation of the Code of Conduct but the violation did not cause serious personal and/or professional harm, the Adjudication Committee may send an educative letter concerning the violation, including any stipulated conditions of redress, to the subject of the complaint. Failure to comply with stipulated conditions of redress in a reprimand may result in the imposition of a more severe sanction.

#### Denial of Privileges

The Adjudication Committee may deny the subject of a complaint one or more of the privileges of AREUEA membership and/or the opportunity to participate in AREUEA-sponsored activities. These privileges include, but are not limited to, appointment to the editorial board of any AREUEA publication, election or appointment to any AREUEA office and committee, receipt of any AREUEA award, publishing in or serving as an editor of AREUEA-sponsored journals, presenting a paper or otherwise participating at meetings sponsored by AREUEA, or receiving research or scholarship assistance from any program sponsored by the AREUEA. If the subject of the complaint is currently serving in an AREUEA role, the individual may be removed from that role.

In considering sanctions, care should be taken to minimize harm to co-authors of the subject of the complaint if those co-authors are not implicated in the misconduct.

The Investigation and Adjudication Committees will each write a report summarizing the findings of the investigation and the decision as to the resolution of the situation. The Adjudication Committee will share the report with the individual who brought the complaint and the subject of the complaint. The report will be stored in the records of the PC&I Officer.

The individual who brought the complaint and the subject of the complaint have the option to appeal the Investigation Committee's decision to the AREUEA Executive Committee. They must fill their appeal within 30 days after the Adjudication Committee has shared their report with them. In case of appeal, the Executive Committee will select a new three-person committee (the "Appeal Committee"), drawn from the Executive Committee or the Board, to review the Investigation and Adjudication Committee's work and decision. The President and PC&I Officer will recuse themselves from this selection process. Members of the Appeal committee cannot have served on the Investigation or Adjudication Committees; otherwise, the same selection criteria apply to the Appeal Committee members as to the Investigation and Adjudication Committees. The decision of the Appeal Committee is final.

### Confidentiality

All AREUEA officers and committee members should keep the filing of a complaint and all proceedings confidential except as specified in this section. They may share information with any external legal counsel or investigators, the complainant, the subject of the complaint, and third parties as needed for the investigation to be completed or as legally required. In the case that the Committee decides that a sanction is appropriate (either a private reprimand or a denial of privileges), the Committee may share the details of the sanction as needed to implement the Committee's decision.

The Committee has the option to share the content and determination of the investigation with the AEA or AFA Ombudspersons with the consent of the complainant or the subject of the complaint.

Aggregated, anonymized reports of final decisions may be shared with the broader membership for the purpose of educating the membership about the requirements of the Code of Conduct or reporting on how the code is being administered by AREUEA. It is recommended that on an annual basis AREUEA share with the membership, at a minimum, the number of cases and whether there was a formal investigation.

Initiation of legal action against AREUEA or its officers or employees shall constitute a waiver of confidentiality by the person initiating such action, although AREUEA will endeavor to maintain confidentiality to the extent practicable.

Records arising from complaints of violations of the Code of Conduct should always remain confidential, unless otherwise provided for in this section or as required by applicable statute.

### Statement of Intent to Review these Procedures

AREUEA commits to reviewing these procedures on a regular basis to ensure that they are consistent with evolving best practices in the profession and with AREUEA's experience in administering them. Such review should occur at least every 3 years.

Approved by AREUEA Board, January 2, 2020