



AMERICAN SOCIETY FOR AESTHETICS

POLICIES ON DISCRIMINATION, HARASSMENT, AND RESPECTFUL BEHAVIOR

*This policy, approved by the ASA Board of Trustees on July 23, 2018,
is effective immediately.*

Freedom of expression and vigorous debate are crucial to scholarly exchange. The American Society for Aesthetics strongly values mutual respect and strives to provide an environment for exchange that is free from bias and intimidation. The ASA is committed to providing a supportive environment, at the ASA annual meeting, divisional meetings, conferences, and other ASA-sponsored activities, one that upholds values of inclusion, safety, and mutual respect.

Accordingly, the ASA deplores all harassment and is sensitive to the harm suffered by persons who experience it. We expect speakers and questioners at our meetings to demonstrate self-control and civility, even in the midst of strong disagreement, and not to engage in *ad hominem* attacks. Furthermore, we expect those participating in the ASA's meetings and events to treat others with respect and not to engage in behavior that is discriminatory, intimidating, threatening, or harassing. This expectation applies to our speakers, contractors, volunteers, and attendees.

Our standards do not tolerate any discrimination or harassment on the basis of an individual's sex (including pregnancy), sexual orientation, gender identity and expression, race, ethnicity, color, religion, national origin, age, marital status, disability, body size, class, physical appearance, political perspective, or employment status. They call for sensitivity to power dynamics, exhibited in part through respect for the ideas, work, personal autonomy, and contributions of individuals in more junior positions in the field. Our standards include a belief in the rights of free speech and open inquiry, as well as respect and tolerance for people with worldviews, opinions, and experiences different from our own.

We expect all participants not to engage in any form of harassment at the ASA annual meeting and at other ASA-sponsored activities. Attendees should hold themselves and each other to these expectations.

Nondiscrimination and Anti-Harassment Standards

The ASA prohibits any unwelcome conduct that is based on an individual's sex (including pregnancy), sexual orientation, gender identity and expression, race, ethnicity, color, religion, national origin, age, marital status, disability, body size, class, physical appearance, political perspective, or employment status and that creates an environment that a reasonable person would consider intimidating, hostile, or abusive.

Harassment, discrimination, and contribution to hostile environment include, but are not limited to:

- Personal remarks about individuals that reinforce damaging social structures of domination (e.g., related to age, body size, class, disability, ethnicity, gender, gender identity and expression, physical appearance, political perspective, race, religion, sexual orientation, or any other legally protected characteristic)
- Inappropriate use of sexual images in public spaces
- The display of offensive or sexually suggestive objects or pictures, apart from purposes of theoretical discussion
- Deliberate intimidation, stalking, or following
- Unwanted photography or recording
- Sustained disruption of talks or other events
- Inappropriate physical contact
- Unwelcome sexual attention
- Inappropriate jokes or verbal kidding or teasing
- Verbal abuse and epithets
- Degrading comments
- Conduct or comments of a lewd or lascivious nature, including subtle pressure to engage in sexual activity
- Contribution by demeanor, jokes, and behavior that targets non-dominant and vulnerable groups
- Repeated offensive sexual flirtations, advances, or propositions, and
- Any other conduct that the individual (or group of individuals) might reasonably find to be intimidating, hostile, offensive, coercive, or threatening
- Advocating for, or encouraging, any of the above behavior

Sexual harassment does not refer to occasional compliments of a socially acceptable nature or consensual personal and social relationships. If problematic content is included in artistic examples presented at an ASA program, audience members should be alerted first, and these examples should be used professionally and appropriately.

Membership information and compliance

The ASA has added on its web site for all on-line transactions (e.g., membership, meeting registration) a statement that in submitting the transaction the member has read and agrees to comply with this policy. This statement includes a link to the complete policy. The policy is available in full on the ASA web site and shall be published in the *ASA Newsletter* prior to all future annual meetings.

Reporting

If any ASA member is the target or witness of harassment, discrimination, or other inappropriate behavior, that member may report the incident to the ASA Ombudsperson. Although anyone may seek advice from the Ombudsperson, only the individual or individuals alleging that they have been harassed or discriminated against may file a complaint. The Ombudsperson shall listen to the grievance, describe the policy and procedures, outline issues of privacy and confidentiality, and discuss possible courses of action regarding the filing or non-filing of a formal complaint. The Ombudsperson shall take all reasonable efforts to maintain in strict confidence the identity of individuals reporting an incident and the person or persons implicated in an incident.

Harassment and discrimination complaints, whether informal or formal, may be brought to the ASA in the following cases:

- Harassment or discrimination at an ASA annual or divisional meeting or other ASA-sponsored event, including ASA co-sponsored conferences and workshops
- Harassment or discrimination by or against members of the ASA Board of Trustees, and divisional organizing committees and officers acting in their ASA capacities.

The Ombudsperson will try to resolve the matter informally. Depending on the nature of the complaint, the Ombudsperson may refer it to the ASA Officers, who may also attempt informal resolution of the matter. Those Officers may, at their discretion, appoint an *ad hoc* special committee to consider the complaint or refer it to the Board of Trustees. The Committee shall include representation from, at least, the Feminist Caucus, the Diversity Committee, and the Board of Trustees.

If an individual is not satisfied with the efforts at informal resolution of the issue and elects to file a formal complaint, that person must describe the incident in a non-confidential written statement delivered to the Ombudsperson within sixty (60) calendar days of the conclusion of the attempted informal resolution. The Ombudsperson will provide the statement concurrently to the accused party or parties and to the committee appointed by the ASA President. The accused party may elect to file a written response, and if so, the written response must be filed with the Ombudsperson within sixty (60) calendar days of receipt of the initial written complaint. The Chair of the Committee shall contact both parties to discuss the incident and determine whether there is a mutually acceptable resolution. If no such resolution can be found, the Committee shall determine whether the incident constituted discrimination or harassment under the terms of this Policy. If the Committee determines the incident constituted discrimination or harassment, it shall furnish a report of the incident, the Committee's findings, and a recommended sanction, if any, to the Secretary-Treasurer and the ASA President within sixty (60) days.

ASA Ombudsperson

The Ombudsperson concerning discrimination and harassment is the primary resource and point of contact for ASA members regarding concerns about discrimination, including sexual harassment, which is recognized as a form of discrimination.

The Ombudsperson concerning discrimination and harassment shall receive complaints of discrimination and harassment and, where possible, serve as a resource to members regarding such complaints. The Ombudsperson shall serve as a resource by, among other things, (i) educating the complainant on the ASA's statement on nondiscrimination and (ii) advising the complainant of publicly available anti-discrimination resources. The Ombudsperson concerning discrimination and harassment, in consultation with the relevant diversity committees, may deem a complaint not to merit further pursuit by the ASA.

The Ombudsperson shall make clear to any complainants that the Ombudsperson is *not* providing legal advice and that the availability of an ASA Ombudsperson is not intended to substitute for a complainant's consultation of expert legal advice.

The Ombudsperson is responsible for informing/educating ASA membership about the ASA's policy on nondiscrimination. The Ombudsperson also is expected to apprise relevant diversity committees of instances of discrimination and, where appropriate, to consult with the committees.

The Ombudsperson concerning discrimination and sexual harassment should, if necessary, be able to consult with a complainant rapidly, within a 24-hour period.

The Ombudsperson prepares two annual reports. The first report, containing very general information about the number and types of complaints received, is provided to the Board of Trustees and is available to ASA members as an addendum to the minutes of the Board meeting at which it was submitted. The second report describes each complaint received and action taken, with all identifying information removed. This report is held as a confidential record in the ASA's national office and may be consulted only by officers of the ASA in the course of their duties.

The Ombudsperson concerning discrimination and harassment will be nominated by the ASA President, with the approval of the Board of Trustees, for a term of three years. The Feminist Caucus and the Diversity Committee will provide a list of potential candidates, and a general invitation to self-nomination to all ASA members shall be the basis for the list of candidates, to which the officers and Board of Trustees may add. The Ombudsperson shall be a volunteer.

In the absence of an Ombudsperson appointed consistently with this policy, reports may be made to the ASA President and/or the ASA Secretary-Treasurer.

THIS STATEMENT IS INFORMATIONAL ONLY AND IS NOT A CONTRACT. IT DOES NOT CREATE ANY LEGALLY ENFORCEABLE PROTECTIONS OR OBLIGATIONS ON THE PART OF ASA. IT IS NOT INTENDED TO, NOR SHOULD IT BE USED TO SUPPORT A CAUSE OF ACTION, CREATE A PRESUMPTION OF A BREACH OF LEGAL DUTY, OR FORM A BASIS FOR CIVIL LIABILITY.

The American Society for Aesthetics is grateful to the American Philosophical Association, the History of Science Society, the American Folklore Society, the Modern Language Association, and other members of the American Council of Learned Societies for sharing their policies on discrimination, harassment, and respectful behavior for use by ASA in development of this policy.