### Why Have a Code of Conduct?

The National Speleological Society (NSS) is dedicated to the exploration, study, and protection of caves and their environments. Just as importantly, it is also predominantly a community of friends. To create the best community in the world for caving and to foster an inclusive environment where everyone feels capable of pursuing our goals, it is critical to have a shared understanding of what constitutes acceptable and unacceptable behavior. It is impossible to further the goals of our society if harassing behaviors are allowed to persist within the confines of our activities. The NSS works as a self-directed, community-driven organization because of the trust shared among NSS cavers. Reporting Code of Conduct violations helps identify when this trust is broken and prevents incidents from happening in the future.

Accordingly, all NSS members, as well as guests and visitors, are expected to show respect, kindness, and courtesy to each other in all interactions, whether at official NSS events, in our online community, or in other contexts.

The NSS Board of Governors created this Code of Conduct from the feedback and suggestions of NSS members, evaluation of similar policies from other organizations, and a review of how the NSS currently handles violations of our policies. The intent is to lay out what is considered unacceptable actions that require reporting, inquiry, and potential disciplinary action resulting from violations of Board Acts 28-944 (Anti-Harassment Policy), 28-558 (Non-Discrimination in Membership), and 40-544 (Prohibition of Discrimination) at NSS-sponsored activities. More generally, this document exists to ensure that everyone has a common understanding of behaviors that do not "show respect, kindness, and courtesy to each other" at NSS-sponsored events. Inquiries and disciplinary actions associated with the Code of Conduct are administered by the President and the General Counsel of the NSS and can be escalated to the Board of Governors for additional action.

#### Scope

Unacceptable behaviors, as defined below, by NSS members, guests, and visitors are not tolerated when representing the NSS in any capacity, including, but not limited to, participation in official NSS events and online on NSS internal communities (for example, Cavechat.org, NSS Facebook Group, NSS Slack, or other online groups officially associated with the NSS). While not required, we encourage NSS Internal Organizations (I/O) to adopt and enforce this Code at the I/O level.

The NSS community and experience often extends outside official NSS events. NSS members go on caving trips together, attend meetups or conferences as a group, and communicate on other social media forums. Abusive or unwelcoming behavior among NSS members still has a profound effect on individuals and on the community when it happens outside of official NSS

events. When reported, the NSS General Counsel, in consultation with the NSS President, will investigate reports and recommend outcomes of the investigations to the President and if necessary, the Board of Governors.

This Code of Conduct is not intended to be a formal legal process; instead, this is a compilation of behaviors that violate our existing policies, a description of how and when to report violations, and a description of how the General Counsel and President of the NSS will respond to reported violations. The Board of Governors will review this Code of Conduct and update it as necessary based on past cases and member feedback.

The following definitions apply to the individuals referenced in this Code of Conduct:

- Complainant : An individual, group, or I/O that initiates a report
- Respondent : A member or group that is the subject of the report or investigation
- Witness : An individual who can provide written or oral testimony in connection with a report

## **Definitions of Unacceptable Behaviors**

The following types of behavior are considered unacceptable at official NSS events, both online and in-person. Engaging in any of the conduct below repeatedly, or in a way that creates discomfiture, constitutes a potential violation of the NSS Code of Conduct. Understanding the unique nature of caving, politely explaining physical/technical limitations of an activity (for example, a caving trip), without offensive or unnecessary commentary, does not constitute harassing behavior under this Code of Conduct.

**Harassment**— Including, but not limited to, offensive verbal comments or physical actions related to age, physique, disability, ethnicity, sex characteristics, gender identity and expression, education, socio-economic status, nationality, personal appearance, race, religion, or sexual identity and orientation.

**Sexual Harassment**— A subset of harassment that specifically includes unwanted behavior or words that are sexual in nature, including but not limited to, displaying sexual images in public spaces, stalking, inappropriate physical contact, and unwelcome sexual or persistent romantic attention.

**Threats**— Statements or actions that imply, explicitly or implicitly, intent to harm.

**Blatant "-isms"**— Statements that are explicitly antagonistic to a person's identity. This includes, but is not limited to, statements about age, physique, disability, ethnicity, sex characteristics, gender identity and expression, education, socio-economic status, nationality, personal appearance, race, religion, or sexual identity and orientation (for example, racist, sexist, or homophobic statements).

## Reporting

If you or someone else is in immediate danger from criminal activity (for example, physical assault, sexual assault, theft), a dangerous physical situation (for example, fire, serious injury,

fear that someone will hurt themselves or someone else), or have witnessed a crime, please contact law enforcement immediately—call 911. For other immediate needs at an official NSS event that are not of criminal or harassing concerns, follow the contact procedures provided by the event organizers or the NSS Operations Vice President by phone (available from caves.org).

If you experience or witness any behavior that appears to be a violation of this Code of Conduct, please report it using our online form . Click here access the form or go to http://bit.ly/3bvPg8X

## Where and How to Report

Please report all Code of Conduct violations using our reporting form . The information that the form requests includes:

- Your name— This is incredibly helpful for us to be able to follow up with you and ask questions to better understand the situation. All reports are confidential; however, the form allows you to report anonymously. We take every report seriously—please report anonymously only if absolutely necessary. Anonymous reports often limit the ability of the General Counsel to investigate the report to the extent necessary. If you can, please consider providing an email address so that we can follow up with you about the report via our third-party reporting tool, which anonymizes your contact information, meaning that we will never see your email address.
- A detailed description of what happened— Whenever possible, please include the names of all individuals present at the time of the violation. If the violation happened online, please take a screenshot and include this evidence in your report.
- Where and when the incident happened— Any information that will provide detailed context for the incident.
- Current status— This lets us know the current state of the situation. Please let us know if there have been subsequent conversations or actions with parties involved in the complaint since the reported actions occurred.
- Any other relevant context— Do you have examples of a pattern of similar behavior from this person before? Do you have a relationship with this person outside of the NSS?

## Confidentiality

All reports will be kept confidential, to the extent possible, and on a need-to-know basis among those involved in the investigation and disciplinary process, except as agreed on with the complainant and others named specifically in the report. When incidents are discussed outside this group, including with the respondent and witnesses, the details will be anonymized as much as possible to protect the complainant's privacy.

However, we recognize that many incidents occur in interactions where anonymization is not possible. If you have concerns about retaliation or the personal safety of the complainant or witnesses and do not want us to share the details of your report with anyone (including the respondent), please let us know explicitly in your report. Although we will not be able to take direct action in this case, with your permission we will collect statistics on the prevalence of such incidents within the society.

In some rare cases, we may decide to share an update about a major incident with the entire NSS community. If that is the case, the identities of all parties involved will remain confidential unless those individuals instruct us otherwise.

#### **Enforcement**

This policy is intended to protect members through the use of reasonable due process procedures. Recognizing that each case is different, the NSS is dedicated to applying discipline in a fair and consistent manner.

After filing a report, a representative of the General Counsel and/or President of the NSS will contact you personally, review the incident, and follow up with any additional questions. The General Counsel's legal committee will then review the information provided to determine if an investigation is needed. The investigation may involve actions including, but not limited to, interviewing all involved in the situation, including witnesses identified by the reporting party and the accused, reviewing material evidence, and other modes of investigation as needed. During this process, if the complainant, respondent, or witnesses have inquiries into the status of the investigation, they should reach out to the President of the NSS at president@caves.org.

If the complainant, respondent, or witnesses are part of the legal committee or Board of Governors, they will recuse themselves from handling the incident.

If the respondent is found to be in violation of the Code of Conduct, they will be sanctioned, with actions ranging from a verbal warning up to, and including, removal from the society. If a severe sanction is recommended (for example, removal from the society), the President will seek the approval of the Board of Governors before administering the sanction.

SCAN to access the Code of Conduct Online



SCAN to access the Code of Conduct Feedback Form

