

## SMS Code of Conduct Investigation Process

*Investigations related to complaints involving alleged violations of the SMS Code of Conduct will be handled using process detailed below.*

The individual filing the complaint is known as the "Petitioner", and the individual against whom the complaint is filed is known as the "Respondent."

- 1. Filing an initial complaint.** To be considered for investigation, a complaint should be submitted via an on-line [form](#) accessible through the SMS webpage. A complaint should contain sufficient information about the alleged violation, the Respondent, and the Petitioner for the matter to be investigated.

### Eligibility to File Complaints

- 1) Anyone who has reason to believe that an individual has allegedly violated the SMS Code of Conduct in his/her involvement in SMS activities.
- 2) An SMS member who has reason to believe that a non-member (e.g., non-member authors, exhibitors, etc.) has allegedly violated the SMS Code of Conduct as part of his/her involvement in SMS activities.
- 3) An SMS Journal co-editor, when the co-editor has reason to believe that an author has allegedly violated the SMS Code of Conduct.

Issues or complaints involving two non-SMS members and/or or complaints arising solely from non-SMS activities are not eligible for investigation.

- 2. Screening of an initial complaint.** After receipt by the SMS Executive Office, the complaint will be forwarded to the Chair of the SMS Ethics Committee for an initial screening. The Chair of the SMS Ethics Committee, in consultation with the SMS Ethics Committee, will assess whether the submitted complaint meets the standard of an SMS Code of Conduct violation. If the complaint involves any members of the SMS Ethics Committee, the initial screening will be performed by the President of the SMS Board of Directors.

There are several potential outcomes of this procedure:

- If the complaint is assessed as meeting the standard of an SMS Code of Conduct violation, the Ethics Committee will send a formal notice to the Respondent for review and response.
- If the complaint is assessed to be primarily related to diversity, equity or inclusion (DEI) issues, the complaint may be forwarded to the SMS DEI committee for further review.
- If the complaint is assessed to be an SMS Journal-related ethics issue that has not been reviewed by the Journal Co-Editors(s), the complaint will be forwarded to the Journal Co-Editor(s) for initial review. This step will not occur if a Journal Co-Editor is named in the allegation.
- If the complaint is assessed to be an issue that is related to or affects multiple SMS program areas, the Ethics Committee Chair may seek the approval from the Executive Committee of the SMS Board of Directors to form a taskforce with representatives from relevant board committees.

- If the complaint is assessed as not meeting any of the above conditions, the complaint will be declined, and the case will be closed.

The screening process will be completed within 60 days from the submission of the complaint.

**3. Investigating a complaint.** The Ethics Committee or Taskforce will conduct investigatory activities for a complaint that has passed the initial screening phase.

*3.1. Informing and receiving feedback from Respondent.* After a complaint passes the initial screening, the Ethics Committee or Taskforce will send a formal notice to the Respondent. The Respondent will be requested to provide a written response addressing the complaint and may also submit any evidence and documents he/she wishes to be considered in reviewing the complaint. The Respondent will be provided 30 days from the date he/she receives the complaint to respond. If a Respondent fails to respond to the complaint within the specified time period, the Ethics Committee or Taskforce can move the matter forward without participation by the Respondent.

*3.2. Investigation process.* Upon receipt, the response will be provided to the Petitioner. To enable the investigation, the identities of those involved, including the group investigating the matter, will be shared with those involved in the investigation process but will otherwise remain confidential.

The Ethics Committee or Taskforce will be responsible for conducting investigatory activities typically including reviewing relevant documents and interviewing relevant individuals. The Ethics Committee or Taskforce will make reasonable efforts to contact all relevant individuals, including the Petitioner and Respondent, to provide the opportunity to contribute to the investigation. The investigation process should be completed within 60 days from receipt of the Respondent's response to the complaint.

If at any point the Petitioner withdraws the complaint, the committee will accept the withdrawal and consider the case closed.

*3.3. Completing and reviewing a draft report.* Upon the completion of the investigation, the Ethics Committee or Taskforce will submit a written report, which should contain a summary of relevant case facts and investigatory work undertaken, the proposed findings relevant to the alleged violation, and the recommended courses of action.

If the complaint is dismissed, the Ethics Committee chair will notify the Respondent and Petitioner regarding the outcome of the complaint and provide a notice of final determination.

If the Ethics Committee or Taskforce renders a determination of violation of the SMS Code of Conduct, corrective action with or without sanctions may be imposed. Possible sanctions may include, but are not limited to, private reprimand, public reprimand, denial of SMS privileges, and termination of membership.

Failure of the Respondent to fulfil either corrective actions or sanctions in a satisfactory manner may result in further action or suspension of membership until the requirement is met.

- 4. Appeal.** If either a Respondent or a Petitioner wishes to contest the decision made by the Ethics Committee or Taskforce, he/she may submit an appeal to the President of the SMS Board of Directors within 30 days of receiving the rendered decision.

An appeal is only considered if it is submitted on one or more of the following grounds:

- 1) There is new information that could not reasonably have been provided at the time of the original determination.
- 2) There is evidence of prejudice or bias on the part of one or more members of the Ethics Committee or Taskforce.
- 3) There is evidence of procedural irregularity in the investigation process.

The SMS President, in consultation with the Executive Committee of the Board, will render a decision about the appeal and will notify the relevant parties regarding the outcome. The decision may include conducting further investigation, upholding the original decision, upholding the decision but altering sanctions, or reversing the original decision.

The appeals process should conclude within 60 days of the submission of an appeal. The decision made by the SMS President, in consultation with the Executive Committee of the Board, is final and no further appeal will be considered.

The Executive Committee of the Board, in consultation with the SMS Board of Directors, reserves the right to make adjustments to this process as needed to address specific situations.