

TL;DR:

This committee is who talks to people who aren't excellent, they have the power to issue formal warnings, 7 day probation, temporary ban, or recommend bans to the board.

They are expected to uphold the confidentiality standards the membership has applied to them (§2)

They are required to publish minutes with any actions taken for transparency.

1. Purposes, Definitions, and Scope of Authority

1.1 Purpose

1. The Conduct Committee is established to uphold a safe, respectful, and inclusive environment for everyone.
2. It exists to address conduct concerns in a consistent, transparent, rapid, and member-driven manner, and to support a culture of accountability grounded in community norms rather than top-down enforcement.

1.2 Definition of Conduct Concerns

1. For the purposes of this policy, a "conduct concern" refers to any behavior by a member that may negatively impact the safety, well-being, operations, or inclusive culture of the organization.
2. This includes but is not limited to:
 - a. Harassment, bullying, or intimidation;
 - b. Misuse of equipment or shared resources;
 - c. Violations of any community norms, policy, or rules such as the Standing Rules and Harassment Policy.

1.3 Scope of Authority

1. The Conduct Committee is empowered by the Board of Directors to:
 - a. Investigate member behavior within the organization's spaces or activities;
 - b. Issue warnings and recommendations as outlined in this policy;
 - c. Temporarily limit member access or privileges within the scope defined herein;
 - d. Refer serious matters to the Board of Directors for further review and action.

1.4 Relationship to the Board and Membership

1. The Conduct Committee operates on power delegated from the Board to handle conduct concerns, but the Board continues to be ultimately responsible and reserves the right to change any decisions made

2. Privacy and Confidentiality

2.1 General Confidentiality Principles

1. The identities of reporters, respondents, and witnesses will be treated as confidential information and will not be disclosed outside the Committee, except as outlined in this section.
2. Information related to ongoing or concluded investigations, including the existence of a complaint, will not be shared publicly unless specific disclosure conditions are met in accordance with this policy.
3. The Committee acknowledges that complete confidentiality in a communal space cannot be guaranteed. Individuals who witness or learn about incidents may discuss them independently, outside the Committee's control.
4. Any breach of confidentiality by a Committee member may constitute grounds for removal from the Committee and may be subject to disciplinary review.

2.2 Confidentiality for Reporters

1. Reporters may choose to submit complaints anonymously. Anonymous complaints will be considered to the extent possible, though they may limit the Committee's ability to investigate or take action.
2. Reporters who identify themselves will receive a good faith effort from the Committee to maintain their privacy throughout the review process. Identifying details will be shared only when reasonably necessary for the purpose of conducting a fair investigation.
3. Reporters of sexual harassment or sexual assault shall never be named in any public or private report or record without their explicit written consent.

2.3 Confidentiality for Respondents

1. The identity of a respondent will not be publicly disclosed unless a formal action is taken against them beyond a verbal or written warning.
2. Respondents may receive information regarding the nature of the complaint and any evidence or testimony relevant to the alleged conduct, as necessary to prepare a response.
3. When disclosure of reporter identity is required for due process, the Committee will seek to minimize the scope of disclosure to what is strictly necessary.

2.4 Public Disclosure of Outcomes

1. If no action is taken beyond a verbal or written warning, no public announcement will be made, and the identities of all parties will remain confidential.
2. If the Committee or Board imposes a formal sanction such as probation, suspension, or expulsion, a public disclosure may be made at the discretion of the Committee or Board

3. Public announcements of disciplinary actions will be limited to the action taken and the duration or conditions thereof. Specific details of the underlying incident may not be disclosed publicly unless deemed necessary by the Committee or Board.

2.5 Limits of Committee Control

1. While the Committee will not publish identifying information without due cause, it cannot prevent non-committee individuals from sharing information obtained through public observation, personal conversation, or informal channels.
2. Members concerned about protecting their identity are encouraged to report incidents anonymously.

3. Committee Membership, Appointment, and Removal

3.1 Composition and Eligibility

1. The Conduct Committee shall consist of no fewer than three (3) members.
2. All members of the Committee must be active members in good standing of the organization, and have been a member for at least 6 months.
3. The Committee shall have the authority to designate a Chair by a simple majority vote of its members. The Chair is responsible for running meetings and serving as a liaison to the Board of Directors. The Chair may be replaced or reappointed at any time by a majority vote of the Committee.

3.2 Appointment

1. Committee members shall be appointed by a majority vote of the Board of Directors.
2. Members shall serve indefinitely until they resign, are removed, or otherwise become ineligible.

3.3 Removal

1. The Board of Directors may remove any Committee member at its discretion
2. A Committee member may be removed by a simple majority vote of the Committee at a properly convened meeting.
3. Vacancies created by resignation, removal, or ineligibility may be filled by the Board of Directors in accordance with **Section 3.2**

4. Meetings and Procedures

4.1 Quorum

1. A quorum is defined as a simple majority of the total number of Committee members, with a minimum of two (2) members present.
2. In the event the Committee falls below quorum due to vacancies, recusal, or resignation, the Board of Directors shall assume responsibility for handling all disciplinary matters until quorum is restored.
3. If quorum is not met, the Committee may engage in informal discussion but may not conduct votes, issue formal findings, or take disciplinary action.

4.2 Meetings

1. Committee meetings may be held in person, virtually, or in a hybrid format.
2. Committee Meetings are scheduled as needed.
3. A meeting may be called by any two (2) individuals, whether Committee members or members of the Board of Directors.
4. No advance notice is required for meetings so long as there is a quorum, though the meeting should be announced to all members via email, Slack, or any other written method agreed upon by the Committee.
5. Attendance at Committee meetings is limited to Conduct Committee members and the Board of Directors. Anyone else may not attend unless authorized by vote of the committee.

4.3 Discussion and Deliberation

1. The Committee is encouraged to conduct the majority of its discussion, investigation, and consensus-building outside of formal meetings, including via email, Slack, or other private written communications.
2. Preliminary fact-finding, coordination, and drafting of recommendations may take place informally and asynchronously.
3. However, final decisions, including any formal votes or imposition of disciplinary actions beyond a warning, must occur during a formal meeting in which quorum is met.
4. Committee members may discuss any topic relevant to their duties outside of meetings, subject to the privacy and confidentiality provisions set forth in **Section 2** of this policy.

4.4 Voting

1. All formal decisions of the Committee shall be made by a simple majority vote of members present at a meeting where quorum has been established.
2. Votes may also be held asynchronously via email, Slack, or another written platform, provided that quorum has been previously established for the purpose of that vote and all members have equal opportunity to participate.
3. In the event of a tied vote, the matter shall be referred to the Board of Directors for final determination.

4. Committee members who are personally involved in a complaint or investigation must recuse themselves from all related discussions and votes. Recusal may be self-initiated or imposed by a majority vote of the Committee.

4.5 Outcomes and Closure

1. Each concern brought before the Committee must result in a documented outcome.
2. While a concern may involve multiple meetings, the Committee shall determine a resolution once sufficient information has been gathered. The following categories of final outcomes are recognized:
 - a. **Formal Written Warning:** see Section 5.1
 - b. **Equipment De-Authorization:** see Section 5.2
 - c. **Zone Restriction:** see Section 5.3
 - d. **Probation:** see Section 5.4
 - e. **Temporary Ban:** see Section 5.5
 - f. **Referral to the Board:** see Section 5.5
 - g. **No Findings/No Action** if the Committee determines that no violation occurred or that no corrective action is warranted
 - h. **Informal Resolution:** if the matter is resolved without formal disciplinary action, the individual demonstrates a clear understanding of the issue and a commitment to improved conduct moving forward
3. If a concern cannot be resolved immediately, the Committee may issue an interim outcome:
 - a. **Further Investigation Required:** The Committee shall specify what additional steps are needed and schedule a future meeting or decision deadline within a reasonable timeframe

4.5 Minutes and Records

1. Minutes must be taken at every Committee meeting.
2. All minutes shall include a summary of discussions, motions, and decisions, and will be written using anonymized or redacted language that excludes personally identifying information unless formal disciplinary action has been taken or otherwise allowed in this policy.
3. Once a disciplinary action is finalized, the name of the affected individual may be recorded in the minutes, consistent with the disclosure provisions in **Section 2.4.**
4. Minutes may be retained indefinitely in the organization's records and made available to any member through the wiki in accordance with privacy and confidentiality guidelines in **Section 2.**

5. Powers and Authority of the Conduct Committee

5.1 Formal Written Warnings

1. The Committee may issue formal written warnings to members whose conduct, while not warranting suspension or probation, falls below the expectations of respectful and responsible behavior.
2. Warnings shall only be issued following a vote of the Committee.
3. Warnings will be documented and retained in accordance with the policies governing disciplinary records but are not considered disciplinary actions in themselves.
4. Warnings are not public but may be referenced in future deliberations if similar behavior recurs.

5.2 Equipment De-Authorization

1. The Committee may temporarily de-authorize a member from using a specific piece of equipment due to unsafe or inappropriate use.
2. A notice in writing must be delivered to the relevant Zone Coordinator(s).
3. The de-authorization is intended to be instructional, and the member may regain authorization upon meeting the requirements set by the Committee and fulfilling any retraining obligations established by the equipment policy.

5.3 Conditional Zone Restrictions

1. The Committee may impose a conditional restriction on a member's access to a specific area or zone of the organization if a violation has occurred within that zone.
2. Such a restriction shall take the form: *"You may continue to use [Zone] if you complete [Condition] within [Timeframe]."*
3. If the member fails to complete the condition within the required timeframe, access to the zone will be suspended until the condition is met.
4. Conditional zone restrictions are not considered suspensions but are enforceable as part of the Committee's authority.

5.4 Probation

1. The Committee may place a member on probation for a period of up to seven (7) days in cases of repeated or serious misconduct not warranting an immediate temporary ban.
2. Probation is defined by the standing rules, indicating that any further infractions may result in further disciplinary action and escalation to the Board of Directors.
3. Terms of the probation, including any temporary limitations on equipment use, voting rights, or event participation, must be clearly communicated to the member in writing.

5.5 Temporary Ban and Referral to the Board

1. If the Committee determines that a member's conduct may warrant a ban or other serious disciplinary action beyond the Committee's authority, it shall refer the matter to the Board of Directors with a written recommendation.

2. A referral does not guarantee that action will be taken; the Board retains sole discretion to evaluate and determine the outcome.
3. In urgent situations, including those where immediate safety concerns exist, the Committee may impose a temporary ban of up to seventy-two (72) hours while the matter is under review by the Board.

5.6 Camera Review

1. The Committee may review camera footage as per the Standing Rules.

6. Appeals and Review Process

6.1 Appeals

Members may appeal decisions made by the Conduct Committee to the Board of Directors.

6.2 Process of Appeal

1. Appeals must be submitted in writing to the Board of Directors within 30 days of the action being communicated. Reasonable flexibility may be granted in extenuating circumstances.
2. The appeal may include new or clarifying information, documentation, or a personal statement.
3. The Board shall review the appeal independently and may uphold, modify, or reverse the Committee's decision. The Board's decision is final and not subject to further appeal.
4. Members will receive written notification of the outcome of their appeal. The notification shall include the decision made and any further steps required, if applicable

6.3 Confidentiality and Records

1. All appeals will be handled with the same confidentiality standards applicable to the original disciplinary process.
2. A confidential internal log of past appeals and decisions will be maintained to ensure transparency, help avoid inconsistent outcomes, and prevent favoritism. This log shall be viewable only by the Conduct Committee and the Board.

6.4 Limiting Frivolous Appeals

1. While appeals are a protected right of membership, they are expected to be made in good faith.
2. The Board reserves the right to decline further review of repeated, baseless, or abusive appeals where patterns of frivolous behavior are clearly evident.

7: Records and Data Access

7.1: Conduct Committee & Board of Directors Shared Records

1. The Board and Committee will have access to a confidential cloud drive containing:
 - a. Record of all disciplinary actions taken
 - b. Record of all appeals
 - c. Background on all bans taken, including what led up to it
 - i. Anything else the Committee deems it should keep in its records
2. The Board may decide to disclose portions of the confidential records with a vote.

7.2: Wiki Minutes

1. The Committee will have anonymized minutes with any actions taken recorded in the wiki.
2. See **Section 3.5**

7.3 Communications

1. Mailing list
2. Slack Channel

To do:

- Get input for
 - Confidentiality Public Disclosure of Outcomes, how much should be public? What should be public? How is it announced? How/when are names mentioned?
One thing to remember is that our current course of not publishing names came from someone threatening to sue for libel for banning them, not from an actual choice we made
You can see how the earlier public minutes just has names
I think the culture was a lot more “everyone discuss what happened and decide what to do in public meetings” but I wasn’t there so that is speculation based on minutes, maybe ask myself if he remembers
Current:
 - Bans are published with name and reason to mailing list and wiki and printed by the door
 - Probation is put in meeting minutes without name usually, but with reasoning
 - Formal warnings are not published
 - Should this committee be able to apply a zone restrictions to a person? Just they are not allowed in the zone till \$condition?
 - Should this committee be able to have email voting, or must all votes be taken in person/on a video call?
 - From the board (membership too): how long should the committee be allowed to ban for?
 - Is there any issue with the Committee removing its members by simple majority?
 - (Related to Section 2.5) What if a committee member witnesses something in public as a private observer (i.e outside of their capacity as a committee member)? Should they be held to a higher standard? What if they witness something publicly happening in the space and want to talk about it?
 - Should the committee delete record after a certain number of years to avoid holding record of people? Or should they keep it (i.e to establish behavior patterns)? Do we think we can expect members to keep track of this?
 - Not related to this proposal specifically.. But how effective of a punishment is “Probation”?