

## Proposal for NCA bylaws change: Creation of a Standing Committee: Ethics Committee

### **Submitted by:**

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### **Summary:**

The Executive Committee, on behalf of the Legislative Assembly, formed an Ad-Hoc Ethics Committee on December 20, 2023. The report was submitted to President Marnel Niles Goins on January 8, 2024.

Within the report was the following recommendation:

*Create a Standing Ethics Committee or Conduct Review Board*

*The issue of which governing body—the EC or LA—should be charged with enforcing a governing document relating to allegations of leader or member unethical behavior or conduct is an important one. A standing ethics committee could be created that makes recommendations similar to the way the Committee in this instance is functioning. The standing ethics committee could either make a recommendation to the EC or LA, or it could be charged with conducting hearings, making decisions, and publicizing them. The composition of the committee could be set at an odd number (e.g., a seven-person committee) so as to ensure that committee votes would not end in a tie. Additionally, the composition of that committee could be balanced between former/current leaders and other types of members. A standing committee should be reactive, not proactive, with regard to assessing cases of alleged unethical behavior or conduct. It should operate when cases are put in front of it and not go looking for cases to assess and adjudicate.*

### **Strategic Priorities:**

Goal 1 – Create Conditions to Support and Empower Members

Support excellence in Communication-related scholarship, pedagogy, and service.

Maintain ethical standards for research, teaching, and service.

Goal 4 – Cultivate a Thriving and Responsive Organization

Nurture and support a membership, volunteer leadership, and national office staff that are energetic, collaborative, and engaged

Foster reflexive governance and administrative practices and informed decision-making.

### **Financial Implications:**

- There will be no initial costs in establishing the Standing Committee.
- The newly formed Ethics Committee and the National Office will collaborate on creating policies and procedures. NCA legal counsel will review all policies and procedures before they are submitted to the EC for final approval.
  - Estimated cost in 2025 for legal review: \$2,000 – \$4,000
- Any complaint brought forward to the Ethics Committee will require legal review.

- Estimated cost for legal review: \$500 - \$1,000.
- Any report by the Ethics Committee will require legal review.
  - Estimated cost for legal review and any conversations about revisions: \$1,000 - \$1,500

## **Motion**

To endorse the creation of an Ethics Committee as a Standing Committee in NCA's Bylaws and forward to the Legislative Assembly for final approval.

## **Language added to the bylaws**

### Article V, Section 10: Ethics Committee

- A. Members. The Ethics Committee shall consist of a chair and eight members elected by vote of the individual membership of NCA. The Ethics Committee Chair and members shall serve for a term of three years. Terms of the members of the Ethics Committee shall be staggered, such that terms of three members shall expire each year. The Chair shall be selected by the members of the Ethics Committee from amongst the first- and second-year members to serve a term of one year.
- B. Duties: The Ethics Committee reviews formal member complaints against another member and makes recommendations to the Executive Committee. The Executive Committee formally reviews and votes on a final decision. In the case of the Executive Committee member under review, the Legislative Assembly will review and vote on a final decision.

## Additional Bylaws Edits to Accommodate the Bylaws Change

### Section 1: Members.

The Legislative Assembly shall consist of the following representatives, which representatives are sometimes referred to in these Bylaws as "Directors":

- A. President.
- B. First Vice President.
- C. Second Vice President.
- D. Immediate Past President.
- E. Executive Director (non-voting).
- F. Members of the Finance Committee.
- G. Mentorship and Leadership Council Chair
- H. Publications Council Chair.
- I. Research Council Chair.
- J. Teaching and Learning Council Chair.
- K. IDEA Council Chair.
- L. A number of representatives from each Interest Group, determined in accordance with Section 2(G) below.
- M. **Members of the Ethics Committee** ~~Nine At-Large Directors.~~

- N. Six Directors appointed by the Legislative Assembly according to appointment procedures adopted by the Legislative Assembly; selection to recognize emerging interests and critical problems and to achieve a balanced representation of teaching levels, ethnic and minority group interests, sex, age, and academic status.
- O. Three Directors from each of the four regional communication associations (Central States Communication Association, Eastern Communication Association, Southern States Communication Association, and Western States Communication Association).
- P. National States Advisory Council representative.
- Q. Association of Communication Administration Executive Committee representative.

## Section 2: Nominating Committee.

- A. Members. The Nominating Committee shall consist of the following members, each of whom shall serve one-year terms:
  - a. The Chair of the Nominating Committee, who shall be elected by the Legislative Assembly from the candidates selected by the Leadership Development Committee, as set forth in Section 1(B) above.
  - b. One representative chosen by each Interest Group.
  - c. The IDEA Council Chair.
  - d. One representative from each of the four regional associations represented on the Legislative Assembly, chosen by each regional association.
  - e. Four at-large members elected by the full voting NCA membership from the slate of candidates developed by the Leadership Development Committee, as set forth in Section 1(B) above.
  - f. One at-large member elected by the Legislative Assembly from the candidates selected by the Leadership Development Committee, as set forth in Section 1(B) above.
- B. Duties. Each year, the Nominating Committee shall prepare a ballot for the election of the Second Vice President, three ~~at-large~~ members of the **Ethics Committee** ~~Legislative Assembly~~, and two at-large members of the Leadership Development Committee to be elected by the full voting NCA membership.

## Background

The Ethics Committee reviews formal member complaints against another member and makes recommendations to the Executive Committee. The EC formally reviews and votes on a final decision. In the case of the Executive Committee member under review, the Legislative Assembly will review and vote on a final decision.

**Construction:** Nine positions to serve a three-year staggered term. Recruited by the Nominating Committee and formally appointed by an all-member annual vote in December. The committee will select the chair from members serving in their second or third year.

Members will serve on the Legislative Assembly.

NOTE: The nine positions listed in the current bylaws under Article III, Section 2(G) as At-Large representatives will be replaced by the newly elected Ethics Committee members over the next three years with three added starting in the 2025 election.

**Purview of the Ethics Committee:** Review and recommend changes to the Credo of Ethical Communication in conjunction with the Resolutions Committee.

Establish policies and procedures to conduct a formal review process towards:

- Investigating allegations and determining if ethical violations occurred.
- Removing a member from a leadership position.
- Expulsion of a member due to unethical behavior or conduct.
- Expulsion of a member from an official NCA function.

Leadership Position is defined as a current member of the Legislative Assembly, Executive Committee of the Legislative Assembly, Standing Committees, Award Selection Committees, Ad-Hoc Committees established by the LA or EC, and Interest Group leadership.