

ASPRS PROFESSIONAL STANDARDS ENFORCEMENT PROCEDURES FOR ALLEGED VIOLATIONS

Revised June 1, 2020

It is the responsibility of each member of the American Society for Photogrammetry and Remote Sensing (after this called the Society or "ASPRS") to ensure that high standards of professional conduct are followed throughout the Mapping Sciences Professions (Photogrammetry, Remote Sensing, Geospatial Information Science and Engineering). Violations of the Society's Code of Ethics harm the reputation of all members of the profession, and each member has the duty to report alleged violations. These procedures are promulgated to inform members as to their defined responsibilities and to set forth the means for the enforcement of the Society Code of Ethics.

VIOLATIONS OF ETHICAL STANDARDS

Violations of the Code of Ethics reflect unfavorably on the entire Mapping Sciences Professions. ASPRS stands ready to review allegations of ethics violations and to enforce professional standards. Consequently, ASPRS has adopted the following procedures to assure fair treatment for all parties concerned in the investigation of alleged violations.

COMPLAINT

Anyone desiring to report an alleged violation of the Code of Ethics should prepare a written Statement that includes the specific provisions of the Ethics Code involved, the specific conduct involved, the dates and places where the activities occurred, and any supporting documents. The ASPRS Code of Ethics can be found as Attachment 1 of this document.

The Statement should be officially documented by the individual making the report, hereafter to be referred to as the Complainant. This can be done by signing it in the presence of a Notary Public.

The Statement Package should be sent via email to the ASPRS Executive Director at ExecutiveDirector@asprs.org, with the subject line ATTN: Governance Committee.

The ASPRS Executive Director shall transmit copies of the Statement to the Chair of the Governance Committee, which will be marked and handled as Confidential.

Within 14 days after the Chair receives the Statement, the Governance Committee will determine whether a further investigation will be conducted.

INVESTIGATION

If the Governance Committee determines that an investigation should be made, the Chair will contact the individual who is alleged to have violated the Ethics Code, who will hereafter be referred to as the Respondent, enclosing the Statement, with the Complainant's name redacted, and indicating that the Governance Committee is investigating the allegations. The Chair may contact the Respondent directly to ensure that they have received full notification and clarification of the investigation.

The Respondent, within 30 days may file a Response to the allegations and/or may request a Hearing before the Governance Committee. If no Response or request for a Hearing is received by the committee within the specified timeframe, it will be assumed that the charges are not being challenged and the committee will proceed accordingly.

Upon receipt of the Response and/or Request for Hearing, the Governance Committee has 14 days to decide upon further action based on the Statement and the Response.

The Governance Committee will, after considering the Statement and the Response, decide to either terminate the investigation or proceed to a Hearing.

If the investigation is terminated, all concerned will be notified, within 48 hours, that there will be no Hearing. If the investigation is terminated due to overwhelming evidence of the Respondent's culpability and warrants sanctions, the Governance Committee will enforce such sanctions as they deem appropriate. If the investigation is terminated due to the Respondent's convincing statement of innocence, no further action will be taken.

HEARING

If a hearing is to be held, the Governance Committee shall schedule a hearing date and provide the Complainant and Respondent written notice thereof. At this time, the Respondent will be informed of the identity of the Complainant. The Governance Committee will also provide the Respondent with a Formal Charge document indicating the specific activities which are to be the subject of the hearing, and the specific Code of Ethics Provisions which may apply.

The Respondent will be advised that he/she may respond to the Formal Charge by notifying the Governance Committee that the charge is

- “Substantially true, please cancel the Hearing” or
- “Substantially untrue, please proceed with the Hearing.”

The Hearing shall be scheduled to be held either in-person at the most central location reasonably possible or virtually through an electronic medium. The hearing will be recorded, and the recording distributed to the Complainant, the Respondent and members of the Governance Committee.

At the Hearing, the Complainant shall appear and give whatever testimony or documents he/she shall desire, including the documents previously provided to the Governance Committee and any additional documentation of newly discovered violations. The Respondent may testify and offer documents in rebuttal if he/she desires to do so. The Respondent and the Complainant shall have the right to representation by counsel should they so elect. Any new documentation offered by the Complainant or Respondent must be submitted to all parties at least 24 hours prior to the Hearing.

If the Governance Committee shall determine, at the conclusion of the Hearing, that the alleged violations of the Code of Ethics have in fact occurred, the Governance Committee will decide upon appropriate sanction(s) which may include – but not be limited to:

- Censure
- Suspension of ASPRS membership for a specified time

- Permanent revocation of ASPRS membership
- Suspension of ASPRS Professional Certification for a specified time
- Permanent revocation of ASPRS Professional Certification

The Executive Director shall advise the Complainant and Respondent of final decision of the Governance Committee at, or within 7 days following, the conclusion of the hearing.

APPEAL

The Respondent may, if he/she is displeased with the decision of the Governance Committee, appeal the decision.

The Respondent shall send a letter indicating his/her decision to appeal the decision of the Governance Committee to the ASPRS Executive Director, within 14 days of the announcement of the Governance Committee decision. The letter should indicate why the Respondent believes the Governance Committee decision should be reversed and/or modified. The letter may be via electronic mail to the Executive Director at ExecutiveDirector@asprs.org.

ASPRS shall convene a special Ethics Appellate Committee to review the matter. The Ethics Appellate Committee shall be comprised of the Director of the Professional Practice Division (who serves as Chair of the Ethics Appellate Committee), Chair of the Governance Committee, and the Chair of the Evaluation for Certification Committee. Up to two additional members may be appointed by the Chair, as appropriate.

The Ethics Appellate Committee shall consider the transcript and the exhibits previously filed with the Governance Committee. Matters which were not raised during the Governance Committee hearing will not be considered by the Appellate Committee.

The Ethics Appellate Committee shall, within 14 days:

- Announce its decision which may concur with the Governance Committee decision and sanctions, or
- Modify the Governance Committee decision and/or sanctions.

The Executive Director shall advise the Complainant and Respondent of final decision of the Ethics Appellate Committee at, or within 7 days following, the conclusion of the hearing.

LITIGATION

Any Respondent may, should he/she elect to do so, within 14 days, institute litigation to seek to alter the decisions or sanctions resulting from the foregoing procedure.

Any Respondent who seeks to litigate the procedures, decisions, and/or sanctions, shall be considered to have agreed to allow a Court of competent jurisdiction to award a reimbursement of reasonable attorney fees and litigation expenses to ASPRS if the Court shall conclude that ASPRS provided the Respondent a substantially fair hearing with a substantially correct result.

ATTACHMENT 1: ASPRS CODE OF ETHICS

Honesty, justice, and courtesy form a moral philosophy which associated with mutual interest among people should be the principles on which ethics are founded.

Each person who is engaged in the use development and improvement of the mapping sciences (Photogrammetry, Remote Sensing, Geographic Information Systems and related disciplines) should accept those principles as a set of dynamic guides for conduct and a way of life rather than merely for passive observance. It is an inherent obligation to apply oneself to one's profession with all diligence and in so doing to be guided by this Code of Ethics.

Accordingly, each person in the mapping sciences profession shall have full regard for achieving excellence in the practice of the profession and the essentiality of maintaining the highest standards of ethical conduct in responsibilities and work for an employer all clients colleagues and associates and society at large and shall . . .

1. Be guided in all professional activities by the highest standards and be a faithful trustee or agent in all matters for each client or employer.
2. At all times, function in such a manner as will bring credit and dignity to the mapping sciences profession.
3. Not compete unfairly with anyone who is engaged in the mapping sciences profession by:
 - a. Advertising in a self-laudatory manner;
 - b. Monetarily exploiting one's own or another's employment position;
 - c. Publicly criticizing other persons working in or having an interest in the mapping sciences;
 - d. Exercising undue influence or pressure or soliciting favors through offering monetary inducements.
4. Work to strengthen the profession of mapping sciences by:
 - a. Personal effort directed toward improving personal skills and knowledge;
 - b. Interchange of information and experience with other persons interested in and using a mapping science with other professions and with students and the public;
 - c. Seeking to provide opportunities for professional development and advancement of persons working under his or her supervision;
 - d. Promoting the principle of appropriate compensation for work done by person in their employ.
5. Undertake only such assignments in the use of mapping sciences for which one is qualified by education training and experience and employ or advise the employment of experts and specialists when and whenever clients' or employers' interests will be best served thereby.

6. Give appropriate credit to other persons and/or firms for their professional contributions.
7. Recognize the proprietary privacy legal and ethical interests and rights of others. This not only refers to the adoption of these principles in the general conduct of business and professional activities but also as they relate specifically to the appropriate and honest application of photogrammetry remote sensing geographic information systems and related spatial technologies. Subscribers to this code shall not condone promote advocate or tolerate any organization's or individual's use of these technologies in a manner that knowingly contributes to:
 - a. deception through data alteration;
 - b. circumvention of the law;
 - c. transgression of reasonable and legitimate expectation of privacy.