



Code of Conduct

National Latina/o Law Students Association

ARTICLE 1.

Purpose and Scope of Authority

The National Latina/o Law Students Association (“NLLSA” or the “Corporation”) expects members of the organization to operate within the ambit of the best professional standards of conduct and behavior, befitting the morals of NLLSA and the legal profession at large. This code is enacted as a nationally applicable policy for use by the National Executive Board, Regional Boards, and member chapter executive boards to ensure members on all levels refrain from conduct injurious to NLLSA or its purposes.

This policy is designed to establish the scope of “injurious conduct” and the procedures by which such conduct is deterred and violations of the code and other NLLSA policies are adjudicated.

This policy is applicable in the following contexts to National and Regional officers, as well as local member chapters of NLLSA:

- a) acting in and/or representing their capacities as members and/or officers of NLLSA,
- b) attending or participating in a NLLSA event, meeting, convention, function, or program at any level of the Corporation,
- c) using any NLLSA-controlled or NLLSA-branded media, including email addresses and social media platforms and methods of communication used to represent NLLSA,
- d) being present in any space, property, or location controlled, managed, or otherwise administered by NLLSA at any level, and
- e) other contexts and applications as may be applied by the National Executive Board by majority vote.

ARTICLE 2.

General Disclaimer and Imputation of Knowledge

The members, officers, guests, employees, contractors, and other affiliates of NLLSA and its entities shall be constructively charged with a general duty to know, understand, and apply this Code of Conduct with due regard for the interests and welfare of NLLSA. The Corporation shall provide this Code to all chapters, all Regions, and the entire National Executive Board, and shall make it publicly available on all NLLSA external communication instrumentalities including its website. In so doing, ignorance of the Code shall not be a valid defense before any disciplinary proceeding by the Corporation.

ARTICLE 3.

Protection Against Retaliation

The Corporation is committed to maintaining an environment where individuals feel free to raise questions and concerns in good faith. The Corporation will not tolerate retaliation in any form against an individual who raises questions or concerns about potential violations of this Code in good faith, or who reports potential misconduct in good faith, including any action or suspected action by or within the Corporation that is illegal, fraudulent or in potential violation of any federal or state laws, or Corporation policies.

Retaliation includes actions such as intimidation, harassment, discrimination, and other retaliatory behavior, and, in the case of NLLSA executive or regional officers or advisory board members, adverse disciplinary consequences. In addition, the Corporation will not tolerate retaliation against an individual who assists in the investigation of potential misconduct. Any individual who engages in retaliation will be subject to appropriate disciplinary action, up to and including membership revocation.

ARTICLE 4.

Prohibited Conduct

NLLSA is committed to promoting environments that are conducive to the academic, professional, and cultural development of our members as well as the development of ethically sensitive and responsible persons. It seeks to achieve these goals through sound academic and professional programming conduct that encourages intellectual diversity and creativity, independence, maturity, and respect for the rights and viewpoints of others. In this wise, the Code sets forth several prohibited behaviors, which are constructively deemed to be “conduct injurious to NLLSA or its purposes,” and the Corporation shall strictly enforce policies to prevent and deter such conduct, either willfully or recklessly committed.

1. Harassment:

It shall be the policy of NLLSA to prohibit all forms of harassment by any member, officer, employee, contractor, guest, or other affiliate of NLLSA towards another member, officer, employee, contractor, guest, or other affiliate of NLLSA. Harassment is a broad concept, covering a vast range of activities and actions. The following is a non-exhaustive list of prohibited conduct:

- (1) Physical abuse, harassment, attacks, or the threat thereof;
- (2) Mental or psychological harassment, bullying, or abuse or the threat thereof;
- (3) Sexual harassment, including subtle and overt behaviors, such as unwanted sexual advances, lewd or indecent behaviors towards or around others, requests for sexual favors, sexual jokes, catcalls, suggestive objects or pictures, as well as other physical, verbal or visual conduct of a sexual nature, irrespective of means, method, or the genders of the recipient or the origin of the communication, or the threat thereof;
- (4) Coercion or other means of manipulation, extortion, or the threat thereof;
- (5) Discrimination, including the use of slurs, disparaging language, or disparate treatment in decision-making based on ancestry, color, race, cultural or ethnic background/identity, economic status, political or ideological beliefs, marital or parental status, national, regional, or ethnic origin, physical disability, religious affiliation, gender, gender identity, or sexual orientation, or the threat thereof.
- (6) Other forms of harassment not stated herein, covered by the above, or listed in NLLSA's Sexual Misconduct Policy are constructively prohibited by NLLSA and shall not be permitted.

2. Official Misconduct:

Officers of NLLSA on the national and regional levels, and members acting under the authority of a Regional Board, or the National Executive Board, are deemed by this policy as representatives of the Corporation and are seen to be authorized by NLLSA policies, including the Corporation's bylaws and governance documents to perform certain tasks and functions. In so doing, they are entrusted to be faithful stewards of NLLSA resources, influence, contacts, and other instrumentalities of the proper conduct of NLLSA business.

The following is a non-exhaustive list of prohibited conduct for all levels of NLLSA:

- (1) Abuse of official position for the extraction of favors, gifts, payments, emoluments, pecuniary or other benefits (including in-kind services) using a NLLSA position, office, or other position of trust without authorization;

(2) Misappropriation, mishandling, or misuse of NLLSA financial resources, including cash, checks, and other instruments intended and/or collected for NLLSA purposes, NLLSA credit cards and bank accounts;

(3) Abuse of NLLSA membership resources, databases, and other official contact lists of the Corporation, including alumni, sponsors, government and civic officials, or other contacts collected for the use by the Corporation;

(4) The making of promises or representations of authorization for official NLLSA action without authorization, including the signing of contracts, affirmative promises of payments to any person, execution of programs, or other actions requiring NLLSA approval at any level;

(5) Abuse of the powers of any officer to: (a) attack, harass, coerce, or otherwise, willfully or recklessly, injure members of the Corporation, or the Corporation itself, (b) benefit oneself or otherwise provide benefits, financial or otherwise, without the authorization by the Corporation, (c) manipulate NLLSA processes, procedures, or policies to achieve nefarious, unauthorized, or imprudent results or outcomes, (d) usurp or obfuscate the authority of a local, Regional, or the National Executive Board or to usurp or obfuscate the authority of a local chapter general body, a Regional Assembly, or the National General Assembly, (e) take actions not authorized by existent NLLSA policy or otherwise authorized by a relevant authority governing the Corporation.

(6) Filing false or materially deficient recommendations for disciplinary action, administrative action, or other official conduct proceeding;

(7) Unauthorized communication to NLLSA contacts, members, or other constituent groups using any means of communication, personal or NLLSA-affiliated.

3. Substance Abuse:

NLLSA expects its members, officers, guests, employees, contractors, and others operating within NLLSA's jurisdiction to comply with local, state, and federal laws as it pertains to the use or non-use of various controlled substances. In addition, while the consumption of alcohol may be present at NLLSA events, the Corporation expects that members, officers, guests, employees, contractors, and others will conduct themselves in a prudent and respectful manner.

The following is a non-exhaustive list of prohibited conduct for all members, officers, guests, employees, contractors, and other affiliates of NLLSA:

(1) The consumption or possession of alcohol by any member, officer, guest, employee, contractor, or other person affiliated with NLLSA under the age of 21;

(2) The furnishing of alcoholic substances or beverages to any person under the age of 21;

(3) The procurement for or use of alcohol at NLLSA-sponsored events where the program is for or the majority of persons attending the event will be persons under the age of 21;

(4) The use, distribution, or sale of any illegal substances or drugs, as may be prohibited by local, state, or federal law.

4. Other Prohibited Conduct:

The following non-exhaustive list of areas of conduct are also prohibited by this Code:

- (1) Disorderly and/or disruptive conduct and behavior, including but not limited to (a) Destruction or defacing of public or private property; (b) The possession, brandishing, sale, or use of firearms, ammunition, explosives, dangerous chemicals or substances, or any other objects reasonably construed as weapons, except for duly sworn and on-duty members of law enforcement or the military; (c) Theft or willful misplacement of the property of another; (d) Tampering with or otherwise falsely using safety systems such as fire alarms and other devices; (e) Disrupting the operations of the faculty and/or staff of any NLLSA-utilized location, inclusive of schools, hotels, office buildings, or other places used by the Corporation on any level; (f) The use of “fighting words,” words, conduct, gestures, and phrases, meant to evoke a violent, confrontational response or otherwise inflict emotional distress;
- (2) Divulging of confidential corporate or personal information, including personally identifiable information of any NLLSA members, officers, guests, employees, contractors, or other affiliates;
- (3) Knowingly or willfully obstructing the ability of a local member chapter board or general body, Regional Board or Assembly, or the National Board or General Assembly to carry out their duties, including investigations, transaction of official business, or other powers;
- (4) Knowingly or willfully obstructing the progress of a NLLSA program or competition without proper justification and/or authorization;
- (5) Perpetrating fraud, deceiving, creating falsehoods and false reports, or otherwise providing untrue statements, representations, or details to NLLSA members, committees, boards, assemblies, or officers while in the conduct of one’s official duties.

ARTICLE 5.

Administration of the Code

The Code of Conduct is, as stated in Article 1, applicable to and enforceable on all members, officers, guests, employees, contractors, and other affiliates of NLLSA. The National Executive Board shall be the final arbiter of the applicability and enforcement

of this policy, with the National General Assembly being the ultimate appellate authority.

The National Executive Board shall have the power to enforce the terms of this policy against any members, officers, guests, employees, contractors, and other affiliates operating within NLLSA's jurisdiction nationwide without limitation, particularly at National events, meetings, programs, and the National Conference. Further, the power to sanction chapters for violations of the Code of Conduct supported or espoused by official actions of chapter officers shall be reserved to the National Executive Board.

1. Reporting Code Violations:

Violations of the Code of Conduct, once observed or realized, are not actionable until provided to the Chairperson and Secretary of the National Executive Board within a written Complaint within one (1) year of the incident and as required by law in the relevant jurisdiction.

A complaint shall contain the following:

- (1) A short and plain statement of the facts surrounding the alleged violations of the NLLSA Code of Conduct and/or disciplinary bylaws or policies;
- (2) A short, reasonably particular, and plain statement of the specific Code policies violated, supporting facts, and
- (3) The signature of the complaining party or parties, signifying an affirmation of the accuracy and veracity of the allegations, to the best of their knowledge, subject to the provisions of the Code.

Upon receipt of the Complaint, the Secretary of the National Executive Board shall, within 48 hours, inform the accused of the submission of a Complaint against them. Upon notification, the accused may, within five (5) business days, submit a written Answer to the Complaint to the Secretary, which shall contain the following:

- (1) A short and plain set of statements either admitting or denying the allegations asserted in the complaint;
- (2) A short, reasonably particular, and plain set of statements as to any defenses available under NLLSA policy;
- (3) The signature of the responding party or parties, signifying an affirmation of the accuracy and veracity of the responses, to the best of their knowledge, subject to the provisions of the Code.

Upon receipt of a Complaint and its associated Answer, all details therein are to be held as strictly confidential, including the submitter of the complaint, and shall not be divulged unless the administration of the process requires such details to be shared or in consultation with a law school, bar admission character and fitness, or law enforcement investigation.

2. **Sanctions:**

Members are bound to the policies and procedures of NLLSA by becoming elected to a National or Regional position, registering as a member chapter, entering a contractor agreement, or otherwise becoming an affiliate of the National Latina/o Law Students Association. Members, officers, guests, employees, contractors, or other affiliates of NLLSA in violation of the NLLSA Code of Conduct are those who have been shown to have perpetrated specific conduct that violates either the spirit or the letter of its provisions. Sanctions levied against a NLLSA member, officer, guest, employee, contractor, or other affiliate, shall be communicated in writing to the Chairperson and Secretary of the National Executive Board with specific reasoning provided.

The following available sanctions are subject to approval by a majority vote of the National Executive Board. Available sanctions include, but are not limited to:

- (a) Official Written Warning of NLLSA Membership Revocation
- (b) Member Suspension for a specific number of months or years
- (c) Temporary or permanent revocation of NLLSA Membership
- (d) Temporary or permanent revocation of opportunities such as participating as a panelist, speaker, competition judge, guest, attendee, or in any other capacity in any and all NLLSA engagements, both virtual and in-person
- (e) Temporary or permanent ineligibility for application to a National Executive Board, Regional Board, or Alumni Advisory Board position
- (f) Any other sanctions deemed appropriate by a majority vote of the National Executive Board including but not limited to:
 - (i) Comprehensive reporting of code violations to law school, bar admission character and fitness, or law enforcement investigatory committees or bodies

Officers of NLLSA are held to the highest standards of conduct, ethics, and professionalism while in the furtherance of their duties. They represent the face of the Corporation while conducting its business. Sanctions levied against an officer shall be communicated in writing to the Chairperson and Secretary of the National Executive Board with specific reasoning provided.

Available sanctions include, but are not limited to:

- a) Official Written Warning
- b) Officer Probation & Performance Improvement Plan
- c) Officer Suspension from Duties
- d) Recommendation for Disciplinary Action
- e) Removal from the Relevant Board

3. Appeals:

Officers and Members of NLLSA shall be afforded the right to appeal from decisions of their Regional Board. The discretionary power of the National Executive Board to take up requested appeals shall remain intact.