

Professional Code of Conduct for NBER Researchers Adopted by NBER Board of Directors 9/2019

The NBER is dedicated to promoting the conduct and dissemination of economic research. It does this by supporting scholars as they carry out research, by convening researchers to share and discuss their latest findings, and by distributing research findings both within and beyond the research community. It is also dedicated to promoting an inclusive professional culture in the economics profession, providing fair and equal opportunity for participation, and embracing transparent and open discussion.

In advancing these objectives, all NBER affiliates are expected to behave in accord with standard principles of scientific integrity and to abide by codes of professional ethics, such as the American Economic Association's Code of Professional Conduct¹, when carrying out research, participating in research meetings, interacting with other scholars, and discharging their other professional responsibilities. When attending NBER meetings, researchers are expected to abide by the NBER's Conference Code of Conduct.²

NBER affiliates are expected to carry out their research with integrity and to avoid research misconduct, defined to include the fabrication, falsification, or plagiarism of research findings. The NBER's Research Misconduct Policy covers research that is carried out under the NBER's auspices.³ Researchers are expected to disclose all financial and other relationships that could be perceived as bearing on their research findings⁴, to treat others in the scientific community, including students, colleagues, research assistants, and collaborators, with respect, and to create an open and inclusive professional culture. They are further expected to refrain from any form of discrimination, harassment, or bullying, particularly in situations that may involve power differentials. They must also comply with the NBER's Sexual Harassment Prevention Policy, which proscribes harassment by all NBER employees, including those employed in connection with research grants.⁵

¹ <https://www.aeaweb.org/about-aea/code-of-conduct>.

² <https://conference.nber.org/confer/confercodeofconduct.html>

³ https://www.nber.org/COI/NBERResearchMisconduct%20Policy_Final.pdf

⁴ The NBER's Research Financial Conflict of Interest Policy covers research conducted under NBER's auspices; the Research Dissemination Disclosure Policy covers all research disseminated through the NBER. Both are available at <https://admin.nber.org/researchdisclosurepolicy.html>.

⁵ <https://www.nber.org/COI/SexualHarassmentPreventionPolicy.pdf>

Affiliation with the NBER – as a Research Associate elected by the board of directors or as a Faculty Research Fellow appointed by the president – is a privilege that enables a researcher to participate in a scholarly community. By accepting the invitation to become an NBER affiliate, a researcher agrees to adhere to the standards of professional conduct that the NBER expects of its affiliates. If a researcher violates these standards, the NBER may, in its sole discretion, consider terminating that researcher’s affiliation or taking other steps to restrict the researcher’s participation in NBER activities.

The NBER will consider terminating a researcher’s affiliation in cases of proven scientific misconduct, serious breaches of professional ethics, or other significant violations of standards of professional conduct. Decisions in such cases will be handled following the procedures outlined in this policy. Other terminations, based on lack of engagement in NBER activities, or changes in a researcher’s primary affiliation which makes him or her ineligible for NBER affiliation, will be addressed by the NBER president.

Any NBER-affiliated researcher or board member may request termination of a researcher’s affiliation by writing to the NBER president. Such a request must provide information on a finding by an investigative body, such as a college or university, another independent organization, the federal or a state or local government, a court of law, or the NBER if the alleged conduct occurred primarily within the NBER’s purview and was the subject of an investigation. Such reports should, when possible, document findings, actions, or sanctions related to the behavior that is alleged to have violated standards of research or professional conduct. If such documents are not available, press reports that describe the findings of such investigations as well as the actions taken may be provided in lieu of the underlying reports.

When a termination request is received, the president will generally hold the identity of the requestor in confidence except if disclosure is required to comply with NBER’s legal obligations or may otherwise be necessary for the deliberations of the ad hoc committee described below. The requestor will similarly be asked to maintain the confidentiality of the NBER review process until it concludes, since publicity during the process could interfere with its progress.

Upon receipt of a request for termination, the NBER president and the NBER board chair will make a preliminary determination of whether the request is substantive. If either of them has a conflict of interest with regard to either the requestor or the researcher whose termination is requested, then the non-conflicted

party will select another board member to serve in their stead. If the request is found to be without substance, no further action will be taken, and the requestor will be notified accordingly. The president will report the request, and the determination not to proceed, to the NBER Executive Committee at its next meeting.

If the NBER board chair and the president determine that the request for termination is substantive, they will convene an ad hoc committee including both of them, the board vice-chair, the director of the NBER program with which the researcher is primarily affiliated, and one other program director without any ties to either the requestor or the researcher whose termination has been requested. If the vice-chair, or the primary program director, is conflicted, then the president and/or the chair will select other board members, or program directors, to serve on the ad hoc committee.

The researcher will be notified in writing and in confidence of the request for termination, and will be provided with the supporting documentation and the names of the members of the ad hoc committee. If the request for termination was based on press reports rather than the primary source documents related to an investigation, the committee will ascertain the availability of such documents, and when possible obtain copies of them. The researcher may submit a written response to the request for termination to the ad hoc committee. The ad hoc committee will review the evidence provided by the requestor as well as any response from the researcher. It will not generally commission or conduct a new investigation of the matters raised, although it may rely on other pertinent information of public or official record as well as outside legal or other expertise in the process. If at any point during this process, the researcher chooses to resign from the NBER, the work of the ad hoc committee will come to a close.

Based on its review of the evidence provided by the requestor, the response from the researcher who is alleged to have violated standards of professional conduct, and information from any outside experts it has chosen to employ, in no more than six months after the request for termination was filed, the ad hoc committee will determine by majority vote whether termination of the researcher's NBER affiliation is warranted. In considering allegations, it shall employ the standard of "clear and convincing evidence." The committee may also choose to impose other sanctions, short of termination, on the researcher's participation in NBER activities. The president will inform the researcher of the ad hoc committee's decision. This decision is final and there is no appeal.

The president will report to the NBER Board of Directors, at its next meeting, on the request for termination, the actions of and the decision of the ad hoc committee, and the resolution of the termination request. This report will refer to any documentation that was considered by the ad hoc committee in its deliberations. In the event of a termination, the ad hoc committee may, but need not, instruct the president to make public announcement of this decision. If the NBER has any legal obligation to report any of the ad hoc committee's findings to the researcher's primary employer, it will do so.

If significant new material evidence comes to light after a termination decision or other sanction, and that evidence calls into question the decision of the ad hoc committee, the researcher may request that the committee revisit its decision. Such a request will be considered by the ad hoc committee that reviewed the termination question. If any members of that committee are no longer affiliated with the NBER at the time of this request, the president and board chair shall designate replacement members of the committee. If the committee supports reversing a termination decision, then provided at least six months have elapsed since that decision, the researcher's candidacy for NBER affiliation will be reviewed by the relevant program director(s) and considered in due course by either the NBER board of directors, for Research Associates, or the president, for Faculty Research Fellows.

Members of the NBER board of directors are also expected to adhere to the standards of conduct that affiliated researchers are held to. Requests to remove a board member should be directed to the board chair. If the request concerns the chair, the request should be sent to the vice-chair. In the event of request regarding a board member, the board chair (or vice-chair if the chair's behavior is at issue) will convene a five-member ad hoc committee, consisting of the chair, vice-chair, and president, if they are not conflicted, and as many other board members, selected by the chair (or vice-chair if the chair is conflicted) as are needed to assemble a committee of five. The committee will follow a process similar to that outlined above, and if it concludes that removal of a board member is warranted, it will report that to the Board. The board of directors may then exercise its power to remove a board member as defined in Article II, paragraph 9 of the NBER Bylaws.

This policy will be reviewed periodically by the NBER board of directors, and updated as necessary in response to evolving experience.