

National Federation of the Blind Code of Conduct

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I. Introduction

The National Federation of the Blind is a community of members and friends who believe in the hopes and dreams of the nation's blind. The Federation knows that blindness is not the characteristic that defines you or your future. Every day we raise the expectations of blind people, because low expectations create obstacles between blind people and our dreams. You can live the life you want; blindness is not what holds you back. To help carry out the Federation's vital mission, this Code of Conduct sets forth policies and standards that all associated with the Federation community, as defined below, are expected to adopt and follow. This written Code was first established on January 26, 2018, by the NFB Board of Directors, who review and update it regularly to reflect current practice and the continuous feedback of Federation members. The strength of our Federation community depends upon each individual doing their part to uphold the commitments we make through the principles outlined in this Code.

II. Who Must Follow This Code and When?

Adopting and implementing a strong Code of Conduct enables the Federation to carry out its vital mission. The standards set forth in this Code apply to all members, employees, program participants, event attendees, contractors, and volunteers. Hereafter, all those subject to this Code shall be referred to as "covered parties." As a national policy, it applies to any national division, group, or committee; all state affiliates; all local chapters or divisions of affiliates; and other affiliated programs of the organization (e.g., NFB training centers).

The Federation's Code applies to both in-person and virtual settings and governs all interactions reasonably associated with NFB-sponsored/related activities. Specifically, the Code applies to covered parties in the following situations:

- NFB events (including affiliate conventions, the national convention, workshops, seminars, and trainings)
- Other NFB-sponsored events including formal and informal meetings and social gatherings at NFB sponsored events at the national, state, or local levels (including group meals, activities, and mentoring activities)
- Travel related to NFB activities (including transportation and accommodations)
- NFB's national headquarters, affiliated training centers, or other locations hosting Federation programs
- Any activity where an individual is serving as a representative of the Federation.

III. Diversity, Equity, and Inclusion Policy

The National Federation of the Blind celebrates and embraces diversity, equity, and inclusion as core values in its mission to achieve equality, opportunity, and security for the blind. We are committed to building and maintaining a nationwide organization with state affiliates and local chapters that is unified in its priorities and programs and is directed by the membership. We respect differences of opinion, beliefs, identities, and other characteristics that demonstrate that blind people are a diverse cross section of society. Furthermore, the organization is dedicated to continuing to establish new methods of membership and leadership development that reflect the diversity and full inclusion of the entire blind community. In promoting a diverse and growing organization, we expect integrity and honesty in our relationships with each other and openness to learning about and experiencing cultural diversity. We believe that these qualities are crucial to fostering social and intellectual maturity. We recognize that our views and convictions will be challenged, and we expect this challenge to take place in a climate of tolerance and mutual respect in order to maintain a united organization. While we encourage the exchange of differing ideas and experiences, we do not condone the use of demeaning, derogatory, or discriminatory language, action, or any other form of expression intended to marginalize an individual or group. The National Federation of the Blind does not tolerate discrimination on the basis of race, creed, color, religion, gender identity and expression, sexual orientation, national origin, citizenship, marital status, age, genetic information, disability, political affiliation, or any other characteristic or intersectionality of characteristics.

IV. Non-Discrimination, Anti-Harassment, and Retaliation Policy (General)

The National Federation of the Blind prohibits discrimination on the basis of race, creed, color, religion, background, gender identity and expression, sexual orientation, national origin, citizenship, marital status, age, genetic information, disability, political affiliation, or any other characteristic or intersectionality of characteristics. Harassment or retaliation based on any of these characteristics similarly will not be tolerated. Although this Code of Conduct establishes a minimum standard prohibiting discrimination, harassment, and retaliation, nothing in this Code should be interpreted to limit in any way a person's right to report abuse or harassment to law enforcement when appropriate or to take other action outside of the Federation.

Under this policy, harassment can be verbal, written, or physical conduct that denigrates or shows hostility or aversion toward an individual, or their relatives, friends, or associates, because of their race, color, religion, sex, sexual orientation, gender identity or expression, national origin, age, disability, political affiliation, marital status, citizenship, genetic information, or any other characteristic protected by law and that (1) has the purpose or effect of creating an intimidating, hostile, or offensive environment; (2) has the purpose or effect of unreasonably interfering with an individual's performance or involvement in the organization; or (3) otherwise adversely affects an individual's opportunities for participation/advancement in the organization.

Harassing conduct includes epithets, slurs, or negative stereotyping; threatening, intimidating, or hostile acts including bullying; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group that is placed on walls or elsewhere on the organization's premises or circulated by email, phone (including voice messages), text messages, social networking sites, or other means.

Retaliation of any form is strictly prohibited by this Code, whether that retaliation is based on someone's protected characteristics (as outlined in Section III of this Code and elsewhere) or whether the retaliation is based on the actions, beliefs, or opinions of someone else covered by this Code who is not otherwise violating this Code. Anyone who retaliates against someone who is exercising their right to report violations of this Code is subject to discipline under Section XI of the Code.

V. Sexual Misconduct Policy

The National Federation of the Blind prohibits sexual misconduct of any kind. Generally, sexual misconduct is a non-legal term used to describe a broad range of sexually inappropriate behavior, which includes inappropriate jokes, inappropriate touches, sexual harassment, sexual assault, and rape, and which may or may not be criminal. The following list illustrates specific behaviors that are deemed unacceptable under this Code. This list is not meant to be all-inclusive, but rather indicates the types of actions, both in-person and online, that are subject to disciplinary action by the NFB.

- The NFB prohibits child sexual abuse. Child sexual abuse is a form of child abuse that includes sexual activity with a minor. A child cannot consent to any form of sexual activity, period. Child sexual abuse does not need to include

physical contact between a perpetrator and a child. (See Section VIII of this Code for the Federation's additional policy regarding interaction with minors.)

- The NFB prohibits sexual assault of any kind. This is sexual contact or behavior that occurs without the explicit consent of the victim.
- The NFB prohibits rape of any form. The precise definition of rape varies state by state.
- The NFB prohibits sex-based discrimination of any form. Sex discrimination involves treating someone unfavorably because of that person's sex, including the person's sexual orientation, gender identity, or pregnancy.
- The NFB prohibits sexual harassment of any kind. This is unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
 - Submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's participation or advancement within the Federation community.
 - Submission to, or rejection of, such conduct by an individual is used as the basis for decisions about an individual's participation or advancement within the Federation community.
 - Such conduct has the purpose or effect of unreasonably interfering with an individual's performance or creating an intimidating, hostile, or offensive environment.
- For the purposes of this section, offensive conduct may include, but is not limited to, offensive jokes, slurs, epithets or name-calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work performance or performance in the Federation community.
- The NFB prohibits online sexual harassment. Online sexual harassment is using technology—such as photos, videos, social media, gaming platforms, and dating apps—to engage in harassing, unsolicited, or non-consensual sexual interactions.
- The NFB prohibits relationship abuse, intimate partner violence, dating abuse, or domestic violence. This is a pattern of behaviors used by one partner to maintain power and control over another partner in an intimate relationship. Multiple forms of abuse can be present at the same time in abusive situations.
- The NFB prohibits sexual exploitation. This is taking sexual advantage of another person without consent, including, but not limited to (1) causing or attempting to cause the incapacitation of another person in order to gain a sexual advantage; (2) causing the prostitution of another person; (3) recording, photographing, or sharing identifiable images of private sexual activity or the intimate parts of

another person; (4) allowing third parties to observe private sexual acts; (5) engaging in voyeurism; or (6) knowingly or recklessly exposing another person to a significant risk of sexually transmitted infection, including HIV.

- The NFB prohibits stalking of any form, including when it is based on a romantic or sexual interest in another. Stalking is a pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to feel fear.

VI. Social Media and Web Policy

All covered parties under this Code should be mindful that the general public frequently does not distinguish between personal views and official ties to the National Federation of the Blind. Therefore, covered parties should take care to make clear distinctions so that their role within, and messaging of, the National Federation of the Blind is not publicly confused with their personal statements of opinions and beliefs. Individuals should consider their role within the Federation community and whether their commentary on social media or other communication channels might reasonably be attributed to their elected or appointed role within the Federation. A pattern of public communications mixing personal viewpoints with Federation positions or policies using an individual's personal social media or communication accounts that has the effect of harming the programs or public outreach of the organization may be considered as a violation of this Code. In addition, inappropriate use of social media or other communication accounts that are owned by or in the name of the National Federation of the Blind, any of its state affiliates, or an affiliated training center is a violation of this Code.

VII. Conflict of Interest Policy

National Federation of the Blind officers, national board members, state affiliate presidents and their boards, division presidents and their boards, local chapter presidents and their boards, employees, and contractors with independent decision-making authority on behalf of the organization (hereafter, "Federation leaders") are expected to avoid all conflicts of interest. A conflict of interest arises when a person's personal or professional interests interfere, or even just appear to interfere with the interests of the Federation. A conflict may arise if a Federation leader takes action or has personal interests that make it difficult for the Federation leader to effectively perform their duties to the Federation. The common factor in all conflict of interest

situations is the division of loyalty, or the perception of a division of loyalty, between the leader in performing their duties as a leader of the organization and their personal and other interests. In specific, Federation leaders are expected to take appropriate responsibility to protect the Federation from misappropriation or mismanagement of Federation funds (including funds of an affiliate, chapter, or division in which Federation leaders assume leadership roles).

National board members, national division presidents, and state presidents are expected to disclose the existence of any potentially conflicting personal financial interest or relationship to the full National Federation of the Blind Board of Directors and seek its review and approval, and all other Federation leaders are required to disclose conflicts of interest to their governing boards, as specified below. For example:

- A Federation leader must seek the appropriate board review and approval of their receipt of salary or compensation of any kind from the Federation (including an affiliate, chapter, or division). With respect to this section, it is assumed that it is not a conflict of interest for an employee or contractor under the ultimate supervision of the national President to receive a salary and other compensation for work performed for the Federation. Nothing in this Code prohibits an employee or contractor from holding office in any state affiliate, local chapter, or division of the Federation.
- A Federation leader must seek board review and approval of receipt by their spouse, domestic partner, parent, child, sibling, or other close relative of salary or compensation of any kind from the Federation (including an affiliate, chapter, or division).
- A Federation leader must seek board review and approval of any ownership interest exceeding 5 percent in or of any salary, compensation, commission, or significant tangible gift from any commercial venture doing business or seeking to do business with the Federation (including an affiliate, chapter, or division). This process will also apply to the review of such interests involving spouses, domestic partners, parents, children, siblings, or other close relatives such as aunts, uncles, and cousins.
- In reviewing matters brought pursuant to this section, the officer or national board member seeking national board review and approval will refrain from voting, and the same procedure will apply to other Federation leaders seeking approval from their boards.
- Federation leaders shall take appropriate steps to avoid unauthorized or inaccurate appearances of official endorsement by the Federation (including an affiliate, chapter, or division) of any product, service, or activity that has not been

so endorsed. For example, because the Federation never endorses political parties or candidates for elected office, any Federation leader participating in the political process must take care to avoid creating an appearance of official Federation endorsement.

VIII. Policy While Interacting with Minors

For purposes of this Code of Conduct and consistent with most legal standards, a minor is any individual under the age of eighteen. While interacting with a minor, any adult that is a covered party to this Code must recognize that a minor cannot legally give consent for any purpose, even if said minor is verbally or otherwise expressing consent. For example, a minor may say that they consent to physical interaction. However, such consent is not valid or legal and should not be accepted. A parent or guardian must be informed and consulted about any action requiring consent from the minor. Covered parties shall report any inappropriate interactions between adults and minors to the minor's parents/guardians and law enforcement when appropriate. Covered parties should consult state and local requirements regarding mandatory reporting to determine when reporting is required. The National Federation of the Blind's Board of Directors maintains a Youth Participant Protection Policy to facilitate a high standard of oversight related to the organization's youth programming. For more detailed information regarding sexual misconduct and minors, see Section IV of this Code.

IX. Alcohol and Drug Policy

Although alcoholic beverages are served at some Federation social functions, members, employees, contractors, event attendees, volunteers, and program participants may not take part in any such functions in a condition that prevents them from participating safely and from conducting Federation business effectively or that might cause embarrassment to or damage the reputation of the Federation. The Federation prohibits the possession, sale, purchase, delivery, dispensing, use, or transfer of illegal substances on Federation property or at Federation functions.

X. Other General Principles

In addition to the other policies and standards set forth herein, all covered parties shall adhere to the following standards:

- Practice the principles of accountability and transparency in Federation activities and transactions.
- Foster a welcoming environment at NFB meetings, events, and conferences to create a cooperative and productive atmosphere for all members and nonmembers alike.
- Positively promote the NFB through verbal and written communication.
- Handle conflicts or reports involving other covered parties privately, directly, and respectfully, whenever possible. However, nothing in this standard is intended to limit a covered party's right to pursue organizational change through appropriate methods or to limit anyone's right to file a report for violation of this Code when necessary.
- Recognize the diversity of personal boundaries, respect the boundaries of others, and support others in upholding their boundaries.

XI. Violations and Reporting Procedures

Violations of this Code of Conduct, after first being established through the process set forth below, are subject to disciplinary action by the Federation. Such disciplinary actions may include but are not limited to counseling; verbal and/or written reprimand; probation, suspension, or termination of officer/leadership duties; and/or suspension or expulsion from the Federation. The below procedures detail how the NFB Board of Directors intends to carry out its responsibilities under Article III, Section E, of the Federation's Constitution.

Reporting

- Regardless of how they are filed, all reports regarding violations of this Code will lead to the same response procedures as outlined below.
- All reports of violations of this Code of Conduct can be filed in one of the following ways:
 - Completing the online Code of Conduct reporting form
 - Sending an email to code@nfb.org
 - Leaving a voicemail at 410-659-9314, extension 2475
 - Giving a verbal or written report to a designated responsible leader of the Federation. Responsible leaders include national board members, affiliate

board members, local chapter or division board members, national division board members, Federation employees, and staff/board members of NFB-affiliated training centers.

- Except under exceptional circumstances, the Federation will only accept reports of sexual misconduct that took place no more than five years prior to the filing of the report.

Processing Reports of Sexual Misconduct

- Any report filed pursuant to this Code will be reviewed immediately to determine if the report includes violations of Section V, Sexual Misconduct, of this Code, which will activate specific response procedures for the organization. Specifically, all reports alleging sexual misconduct, as defined in Section V, will be immediately referred to the Federation's external investigator.
- The investigator will investigate the matter fully and fairly and give all involved parties a full opportunity to participate in the investigation. At the conclusion of the investigation, the investigator will prepare a report of factual findings and recommended actions that will be forwarded to the President as well as to a panel of three other members of the national board. The panel will review the report and make recommendations to the President for issuance of a decision. If the President has a conflict in the matter, another officer of the Federation will serve as the deciding official.
- The parties to the report will be informed of the decision and any disciplinary actions. A petitioner or respondent dissatisfied with the resolution of a sexual misconduct report may file an appeal with the National Federation of the Blind Board of Directors. Absent extenuating circumstances, an appeal must be filed within thirty days of the date of the initial ruling. The appeal will be heard by an appeal panel comprised of three board members who have not yet been involved with the report or the decision and who do not have conflicts of interest. The principal purpose of an appeal is for the appeal panel to determine whether the disciplinary action taken or not taken was clearly unjust.
- Except under exceptional circumstances, the Federation will accept reports of sexual misconduct for a period of five years prior to the filing of the report. However, when the report involves a minor, the Federation will accept a report filed within five years of the minor acquiring the age of eighteen. Regardless, individuals are encouraged to file reports as soon as possible and when it is safe for the individual to do so. One example of an exceptional circumstance in which the above time limitation may not apply is a report of sexual misconduct which could be subject to criminal prosecution.

Processing Other Reports of Violations of this Code

As explained above, all reports received are first reviewed to determine if they include violations of Section V, Sexual Misconduct, of this Code, which would activate specific response procedures for the organization. Once it is determined that a report does not activate response procedures related to Section V, the report will be reviewed by the President and the Federation's legal counsel. If either or both of these individuals have a conflict, the report will be referred to other officers of the Federation. In this way, two individuals will determine the course of action for addressing the report.

- The report will first be evaluated to ensure that it requires the review of the national organization. Issues that can and should be handled by state affiliates or national divisions of the Federation will be referred back to the local or division level with a request that the national President receive a full accounting of the resolution of the matter. The Code of Conduct process is not intended to take away the ability of affiliated organizations to deal with conflicts and disputes locally as part of their responsibility as elected leaders.
- When the matter cannot reasonably be handled locally (with guidance from the national board of directors), when conflicts exist that make it difficult for affiliate/division leaders to avoid conflicts of interest, or when the matter is clearly within the responsibility of the national board of directors, the President (or their designee) will serve as the deciding official and will appoint a panel to investigate the report and present findings and recommendations. The investigatory panel shall include no more than three persons who have been trained in Federation procedures for investigating internal Code violations. The panel shall be comprised of persons not directly involved in the matters being raised and who can be unbiased, impartial, and fair about the individuals and issues addressed in the report. Every effort shall be made to appoint a committee reflecting the broad diversity of individuals in the Federation.
- The parties to the report will be informed of the decision and any disciplinary actions. Either party then has the right to appeal the decision to the NFB's Board of Directors. Appeals shall be filed within thirty days of the original decision unless extenuating circumstances exist to extend the deadline.
- Except under exceptional circumstances, the Federation will accept reports for a period of five years prior to the filing of the report. Regardless, individuals are encouraged to file reports as soon as possible after the incident has occurred. If it is determined that the matter will not be investigated for whatever reason, the deciding official will communicate this decision in writing to the individual filing the report. An appeal of the decision not to investigate may be appealed to the full national board which may in its discretion decide to fully investigate the report.

Notifications

Disciplinary decisions made under this Code are significant actions to protect the Federation community. Therefore, the board has established an internal policy to guide providing appropriate notice to the leaders, the Notification of Leaders Regarding Code of Conduct Violations. Key national and affiliate leaders as well as certain employees and strategic partners will be informed of the name of the individual being disciplined, the type of discipline (e.g., probation/suspension/expulsion), and the state where the individual resides. The notification policy is intended to balance privacy with safety within the Federation community. No details regarding the report, the reporting party, or individual survivors will be shared in the notification process. Requests for information regarding membership status of any individual should be directed to the Office of the President, but this information will only be disseminated to individuals who are eligible to receive notifications according to the policy. In limited but significant circumstances (i.e., investigations involving (1) rape, stalking, or other violent sexual acts; (2) unwanted physical, written, or verbal contact of a severe or pervasive nature; or (3) any misconduct of a sexual nature involving a minor), an accused individual will be directed to immediately cease all participation in the organization while the investigation is conducted, and leaders who are critical to monitoring the participation of the individual will be notified. Once an investigation of this type has concluded, those who were notified of the investigation will be notified of the outcome even when the result is no disciplinary action.

General Principles of Report Resolution

- Reports and supporting documentation filed pursuant to this Section shall be treated as confidential to the fullest extent possible.
- Anyone filing a report concerning a violation or suspected violation of this Code must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and that prove to have been made maliciously or knowingly to be false may be viewed as a possible violation of this Code and may be investigated pursuant to the provisions of this Section.
- Retaliation is a significant offense that is subject to discipline under this Code. Individuals are encouraged to report incidents of retaliation using the above reporting procedure, especially if they have been retaliated against for previously filing a Code of Conduct report, participating in an investigation, or implementing decisions. In addition, an investigation will be initiated whenever the leaders reviewing reports and/or the external investigator feels a report has been made for the purpose of retaliation or to silence other members of the organization.

- The failure of a responsible leader to address and/or report violations of this Code is, in of itself, a violation of this Code.
- The President shall appoint a Code of Conduct committee that will review data and procedures regarding reports filed under this Code. The committee will monitor actions under this Code, gather feedback from the Federation community about the Code, assist in educating the community about the Code and procedures, and make recommendations to the national board as needed.

XII. Minimum Standard

This Code of Conduct is intended to outline a minimum set of standards expected of covered parties. It sets forth the spirit that the Federation expects of all of its participants toward each other and toward those who work with the Federation at all of its levels. It is intended to be interpreted broadly to instill a respectful, cooperative, and welcoming spirit within covered parties to this Code and in the activities of the Federation.