

From: [President, Academy of Management](#)
To: lleety-wheeler@aom.org
Subject: Updated FAQ on Executive Order and Board Amendment to Policy
Date: Friday, February 10, 2017 5:14:05 PM

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Dear Friends and Colleagues in AOM Leadership,

I wanted to let you know that the Academy's Board of Governors has approved a proposal to amend the policy on political stands. The implementation is under a 90-day embargo. A task force will now consider the implications. The text below is posted on the [AOM website](#). Please circulate widely.



Anita M. McGahan
President
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Frequently Asked Questions on the U.S. President's Executive Order on Immigration and Refugees

February 6, 2017

UPDATED FEB 10, 2017

The U.S. President's Executive Order of January 27th on immigration and refugees has presented the Academy of Management (AOM) with significant challenges in enacting our mission, which is "To build a vibrant and supportive community of scholars by markedly expanding opportunities to connect and explore ideas." Many members, including AOM officers, are shocked, appalled and distressed. The situation is evolving as we write this – both in the public sphere and within the AOM itself. Below, we have responded to the questions we've most frequently heard from members. We are closely monitoring the evolving policy and developments and will update and expand this FAQ as more information becomes available.

Q: Why didn't AOM publicly condemn the Executive Order?

The AOM was constrained from condemning the U.S. President's Executive Order by an AOM policy against taking a political stand on any matter. Because the U.S. President's Executive Order was political, the AOM could not condemn it for any reason, i.e., on moral, academic, pragmatic, or other grounds.

Q: Has the Board of Governors revised the no-political-stands policy?

Yes.

The AOM has taken a number of unprecedented steps in the past two weeks. First, immediately after the U.S. President's Executive Order was issued, the work of a subcommittee on amending the no-political-stands policy was advanced to the AOM's Executive Committee. On February 5th, the Executive Committee unanimously approved an amendment to allow stands on an exceptional basis. This amendment was approved on February 10th in an extraordinary meeting of the Board of Governors. The AOM will take a stand when our purpose, existence, or function as an organization is threatened. The policy will be embargoed for 90 days while a task force explores how the policy will be elaborated and implemented (please see below for additional information on both the policy and the task force).

The AOM's governance procedures specify a time-consuming set of steps before a policy can be changed. A formal proposal must first be made; the proposal must be accepted as worthy of consideration by the Executive Committee, and then sent to a subcommittee; the vetting by the subcommittee must then occur; a subcommittee report must be issued with a recommendation; the report and recommendation must be deliberated in a formal meeting of the Executive Committee; if the Executive Committee adopts the recommendation, then the proposal must be advanced for consideration by the full Board of Governors; the Board of Governors may then send the proposal for further review and refinement; and ultimately, the Board of Governors, meeting with a quorum, must formally ratify the proposal before it can be adopted.

All of these steps have now been completed with respect to the AOM's policy on taking stands. The amendment to the policy on political stands occurred 14 days after the U.S. President's Executive Order, which is the shortest possible time that such a change could be made given that the AOM's governance procedures require a period of deliberation between the announcement of a meeting and the occurrence of a meeting of the Executive Committee and of the Board of Governors. The motion to amend the policy to both the Executive Committee and the Board was made by AOM President McGahan. The motion was carried unanimously by both bodies.

Q: What is the origin of the AOM's policy on not taking political stands?

The no-political-stands policy has a long history that emanated from the AOM's legal structure and from our identity as an organization. AOM is a §501(c)3 organization that is chartered in the State of New York and that operates under the laws of New York and of the United States. We are an international body in the sense that we have members from around the world, and it is our aspiration to deepen our international and global identity. Yet formally, AOM is organized for charitable and educational purposes in New York. We are 18,209 members and a small staff of employed headquarters personnel that are charged primarily with administrative duties. The substantive work of the AOM occurs in 25 Divisions and Interest Groups (DIGs), 10 Theme and Activity Committees, and six Journals. The AOM's Board of Governors acts as stewards and leaders in organizational governance. Legally identified as a charitable and educational organization, the AOM is structured differently than other Associations that have other forms of non-profit status such as, for example, §501(c)6 organizations, which are trade associations and business leagues; or §501(c)4s, which are social-welfare and civic associations.

Organizations structured as §501(c)3s have a narrower scope for lobbying than these other forms of organization, and are subject to two relevant restrictions. First, they must not engage in attempts to influence legislation as a "substantial part" of their activities. In general, this limits the extent to which they may communicate with Congress, their

members, or the public, in an attempt to influence the approval, amendment, or defeat of legislation. (See <https://www.irs.gov/charities-non-profits/lobbying>.) Second, §501(c)3 organizations may not "intervene" in a political campaign for or against a candidate for elective public office. This means they may not publicly endorse or oppose candidates, make contributions to a political committee, or otherwise use their resources to support or oppose a candidate. (See <https://www.irs.gov/charities-non-profits/charitable-organizations/the-restriction-of-political-campaign-intervention-by-section-501-c-3-tax-exempt-organizations>.) The Academy's articles of incorporation say that we "will not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of [the AOM's] primary purposes."

The AOM's identity as a pluralistic, DIGs-driven organization led the Board to adopt a policy of no political stands at least twenty-five years ago, and possibly much longer. This approach, developed decades ago, was intended as pluralistic. Early Boards of Governors implemented a policy of no political stands because they recognized both the diversity in member views on public policy and the challenge of coalescing those views into a single organizational position. The AOM also adopted a rule that no one, including the President, can represent his or her views as that of the Association. As far as we can discern, the AOM has never in its history issued a position on any matter in the public sphere, including, for example, the Vietnam War, the events of 9/11, or changes in European funding policies related to education.

As a consequence of the no-political-stands policy, the AOM differs from other Associations that employ a professional staff equipped to issue statements on political and public-policy issues. The AOM has no process by which to develop an organizational position. Our headquarters staff is administrative, and our elected officers are uncompensated volunteers with primary responsibilities as academics. The AOM's "thin center" model has been driven by pluralism, low fees, and member identity in the DIGs, Theme Committees, Activity Committees, and Journals. By contrast, many other Associations, especially those of our size, employ lawyers, policy analysts, and writers to issue statements on important matters of concern to members.

Q: What was the old AOM policy on taking stands, and how was it amended?

The former policy was: "The Academy of Management does not take political stands. Officers and leaders are bound by this policy and may not make publicly stated political views in the name of the AOM or through use of AOM resources." This policy applied to all officers, including those in the Divisions and Interest Groups, Activity Committees, Theme Committees, and Journals. Moral, academic, pragmatic, and other arguments were barred if the subject was also political. Breaches of these policies are ethics violations under the AOM Code of Conduct. AOM Officers and Governors are further bound by the Board Code of Ethics to certain principles of collaboration, process, and adherence to policy and changes in policy.

The new policy seeks to preserve our identity as a member-driven, decentralized organization while, at the same time, allowing a statement in an exceptional situation. Several ideas that reflect our history guided the Executive Committee and the Board in amending the policy. First, we must retain the character of our organization as a scholarly body. Second, in a broad sense, all important political actions engage morality and ethics. Our Ethics Statements -- as well as our statements of values, objectives and goals -- contain and reflect principles that we must adhere to in our policies. The AOM must be able to respond in terms that reflect our principles. Third, the amendment must provide direction on what stand we would take if exceptional circumstances arise. We can take guidance from the fact that, while the AOM's members have differing views on many matters, they collectively endorse the purpose and existence of the AOM as an

organization by virtue of their very membership. Fourth, no one, including the AOM President, should unilaterally represent his or her view as the organizational view. The AOM needs a process for developing an organizational stand if exceptional circumstances warrant one. Fifth, the AOM must adhere to legal requirements arising from our §501(c)3 status. Our general counsel has provided us with guidelines that emphasize that any stand taken must be issue-based. Finally, the amended policy cannot be implemented until after a task force advises the Board of Governors on how the policy will be elaborated and implemented.

The newly amended policy on political stands is: "The Academy of Management does not take political stands. Officers and leaders are bound by this policy and may not make publicly stated political views in the name of the AOM or through use of AOM resources. However, under exceptional circumstances, and with the consensual support of the Executive Committee and in consultation with the Board of Governors, the President is authorized to issue a statement on behalf of the AOM when a political action threatens the existence, purpose, or functioning of the AOM as an organization." This policy is under embargo for 90 days.

Q: Will Divisions, Interest Groups, Committee Chairs, and/or Journal Editors be able to take stands in the name of the AOM?

No.

The amendment passed by the Board of Governors focuses on stands in cases where a governmental action or event threatens the whole organization as a single entity. No officer of the AOM – including those in the Divisions, Interest Groups, Committees, and Journals – can take a stand in the name of the AOM or one of its Divisions, Interest Groups, Committees or Journals. The task force will deliberate on the implications of the new policy for the DIGs, Committees, and Journals, as well as find ways in which the membership can voice their opinions on taking stands.

Q: What is the charge to the Board Task Force on taking stands?

The task force is asked to consider four items: (a) define further when a political action threatens the existence, purpose, or functioning of the AOM as an organization; (b) identify mechanisms for member input; and outline the decision and vetting process for taking any stand, and for developing such a stand; (c) define the implications of the policy for the DIGs, Committees, and Journals; and (d) determine how such a stand would be taken. The task force is also requested to deliberate on any other matters that it sees as important for elaborating and implementing the policy. In support of this work, the task force will be provided with a number of documents, including case studies and our analysis of how other Associations that do take stands operate.

Q: I am directly affected by the policy and won't be able to travel to the U.S. for the Annual Meeting. How can AOM help?

The AOM fervently values all members, and is committed to enabling the participation on the program of members who are impacted by the recent Executive Order. As a first step, AOM has suspended, for those affected, the requirement of attendance as a condition of inclusion in the program at the Annual Meeting. The AOM is also suspending registration fees for these members. We are mobilizing virtual and other resources so those accepted on the program and impacted by the ban can participate in some form. We are working to contact members in the affected countries and others who hold passports from the named countries to determine how AOM can best help. We are working with all management scholars from the targeted countries who have reached out to us, including non-members. In particular, the AOM is working with an immigration law firm to stay abreast of the situations of affected members. We are also in touch with several

universities that are offering 'safe harbor' to affected scholars. If you are directly affected by the ban, please contact Taryn Fiore at tfiore@aom.org. We are also exploring a range of member suggestions, such as increased reliance on web-based technologies and video-conferencing. If you have suggestions for other ways in which we can support and enable scholarly participation by affected scholars, please [reach out to us](#).

Q: Will AOM be moving the 2017 conference from Atlanta?

No.

There are a number of reasons for not moving the conference. The Executive Order effectively jeopardizes citizens of the seven named countries who are already in the United States from returning if they leave. Of course, the Executive Order also bans members from the target countries from entering the United States. Our best available information suggests that there may be more affected members inside the United States than outside. We will continue to monitor this evolving situation and post additional information on this circumstance as we receive it.

Moving the meeting under any circumstances just a few months ahead of the conference is extraordinarily difficult. The AOM Conference is among the largest in the world of academic bodies, with approximately 10,000 attendees. There are relatively few venues where it can be held, in particular because of our need for hundreds of concurrently available, contiguous meeting rooms and thousands of nearby hotel rooms. In the conference field, contracts are written years in advance to reserve venues. Our best information indicates that no alternative venue of sufficient size is available in a country where the AOM can operate. In addition, the AOM writes contracts with conference centers, hotels, and other bodies seven to ten years in advance. AOM is committed contractually to Atlanta, and would incur substantial financial penalties were the meeting site to be changed.

Q: What about future conferences? Will AOM hold future conferences outside the United States?

Yes.

The Annual Meeting will be in Vancouver, Canada, in 2020. The schedule of future Annual Meetings is at <http://aom.org/Meetings/Future-Meetings.aspx>. In addition, specialized AOM conferences will be held outside North America. The initiative on specialized conferences will offer members opportunities to gather at thematic and experiential conferences in locations outside of North America. We invite you to take part in these new conferences and consider submitting a proposal to hold such an event. Please see our website at <https://aom.org/Meetings/Specialized-Conferences-Initiative.aspx> for information on this initiative.

Some members have suggested that the AOM's Annual Meeting be held in countries other than the United States and Canada. We are vigilantly open to new possibilities.

Q: Will we be discussing these issues at the 2017 conference in Atlanta?

Yes.

The 2017 theme, "At the Interface," provides many opportunities for academic scholarship to address issues related to borders and the policies that affect them. To advance this scholarly agenda, plans are on the drawing board about sessions along these lines. Divisions and Interest Groups are considering ways in which they will respond. This initiative is evolving. We will be posting updates here as they arise.

Q: I'm frustrated, and am thinking of boycotting the meeting in Atlanta as a protest against the U.S. President's Executive Order. What do you have to say about that?

We understand your frustration, and yet we hope that you will attend. It is our view that this is a time for strengthening institutions of science. We need your ideas, views, and energetic participation in the conversation in Atlanta to advance our collective scholarship on, for example, the importance of academic freedom and scholarly exchange. It is critically important that, under the principles of academic integrity, we express what is true and right. The mission of the AOM is to "To build a vibrant and supportive community of scholars by markedly expanding opportunities to connect and explore ideas." By attending, you strengthen that mission and community and contribute greatly to support the scholars who engage in it. This is a time for us to unify, improve and strengthen AOM, which we need your help to accomplish.

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