



NJPA LISTSERV

Approved 11/1/17

Non-Commercial Use Rule 2 Amendment Approved 10-12-18

Rule 2 Member Research Amendment Approved 1-11-2019

Revisions Approved 12-13-19

Legal Disclaimer and NJPA/Affiliates CE section Approved 1-24-20

NJPA welcomes you to the NJPA Members Only LISTSERV!

By using the NJPA Member LISTSERV,

NJMEMBERS@LISTS.APAPRACTICE.ORG, you agree to be bound by the below terms of use.

Section I. Purpose Statement:

NJPA welcomes you to the NJPA Members Only LISTSERV! By using the NJPA Member LISTSERV, NJMEMBERS@LISTS.APAPRACTICE.ORG, you agree to be bound by the below terms of use. The NJPA Members Only LISTSERV provides NJPA members with an electronic platform for interactive discussion, networking, and easy access to colleagues for the purpose of sharing information, resources, and opportunities that are relevant to the profession of psychology. The information gained on NJPA Members Only LISTSERV should not be used as a substitute for obtaining personal legal advice and consultation prior to making decisions regarding individual circumstances. The terms of use aims to facilitate a collegial, respectful, and welcoming listserv environment that enhances safety and produces maximal participation. To accomplish these goals member participants will be expected to have reasonable knowledge of the terms of use presented below and use this knowledge to inform listserv participation. Moreover, the listserv monitor team will provide ongoing education on the terms of use and as a first response to terms of use violations the listserv monitor team will respond in an educative manner.

If you are uncertain about whether a post you are contemplating is appropriate, please contact a member of the LISTSERV Monitor Committee, or the NJPA Executive Director at: njpa@psychologynj.org

Section II. LISTSERV Disclaimers:

I understand that NJPA assumes no responsibility for the content of the messages posted to the LISTSERV. The thoughts, opinions, and positions expressed on the LISTSERV are solely those of the individual authors and are not endorsed by NJPA, its executive board, or executive director. I acknowledge that NJPA assumes no liability for any libelous, misleading, inaccurate, or otherwise improper information, and that all responsibility and liability for the content of a message rests with its author. I further acknowledge that the information gained on NJPA

Members Only LISTSERV should not be used as a substitute for obtaining personal legal advice and consultation prior to making decisions regarding individual circumstances.

I understand that participation in this LISTSERV is a member privilege and that NJPA retains the right to deny access to a member who violates the policies contained herein, at any time. The LISTSERV removal process is listed below. As this LISTSERV is supported by an APA platform, all participants are also required to adhere to APA LISTSERV rules.

I hold harmless and indemnify NJPA, its executive board, executive director, and all its other agents and representatives, from and against any claims, complaints, or causes of action for any damages, losses, or expenses that arise out of, or are related to, either directly or indirectly: (1) any libelous, misleading, inaccurate, or other improper comments I post; (2) those that are posted about me by anyone else; and (3) any other use of the NJPA LISTSERV by me.

I understand that I bear responsibility for keeping my e-mail address current with the NJPA Central Office.

The American Psychological Association Practice Organization provides the LISTSERV rules, resources for maintaining this LISTSERV, including the hardware, software, and technical assistance.

Section III. Member-Participant Accountability

The LISTSERV operates under a user accountability model (IDAF). This model is intended to provide clarity and guidance that will enhance NJPA members' LISTSERV experience. The following steps represent the key elements necessary in determining whether your post follows the LISTSERV rules.

I - Identify the issue of the post and ensure that it relates to the science or the practice of psychology.

D- Determine if a LISTSERV rule applies to the post.

A - Analyze if the post would violate the LISTSERV rule.

F - Form a conclusion about whether the post complies with LISTSERV policies.

Example - I want to post about my positive/negative reaction to the administration's actions on deporting immigrants.

Apply the IDAF Steps as follows -

(I) *I will ask myself what is the issue of my post, is it my reaction to the administration or it is about the psychological health of immigrants being subject to deportation?*

(D) *The LISTSERV rules state that statements regarding political views and social issues are only permitted if they relate directly to the mission of NJPA. Messages requesting others to advocate for issues that are not directly relevant to NJPA, or psychology as a whole, are not permitted, no matter how worthy the cause.*

(A) *If I express my positive/negative reaction to the administration's actions I will be violating the LISTSERV rules.*

(F) Therefore, I cannot post about my reactions but I could restructure the post to present the psychological research on the impact of immigrant deportation.

The LISTSERV Committee can be reached if the user is uncertain with the conclusion. The committee and the NJPA executive board will hold all LISTSERV users to this accountability model when reviewing posts.

Section IV. LISTSERV Etiquette:

NJPA expects that communication on the LISTSERV to be done in a spirit of mutual respect and openness to differences of opinion. Differences of opinion are encouraged but must be expressed in a courteous, respectful and civil manner. NJPA members are expected to maintain professional decorum always. Avoid a hostile, aggressive, and/or demanding tone. Personal attacks on or derogatory comments about, NJPA members or NJPA staff, are strictly prohibited. Polling and voting takes place through formal channels in the existing NJPA structure of governance. Members are prohibited from informally polling membership or calling them to vote on the LISTSERV.

We understand that individuals from different cultures and groups have varying customs and beliefs as to what constitutes civil and uncivil behavior. We expect all NJPA members participating on the LISTSERV to be respectful and mindful of these differences. Any member who is made to feel uncomfortable by a post or has a grievance is encouraged to backchannel the poster and/or contact the Monitor Committee. Communications to the Monitor Committee will be kept confidential. The Monitor Committee will take appropriate action in response to the complaint.

NJPA Members can expect that corrective feedback will be provided by the LISTSERV Monitor Committee in a constructive, respectful manner to maintain a comfortable, safe and professional environment for all NJPA members.

Section V. Rules

Any member with a complaint about a LISTSERV rule should present the complaint to the NJPA Executive Board.

Rule 1 - Member to Association Questions and Concerns:

The NJPA Members Only LISTSERV is a NJPA benefit offered to members for allowing engagement in peer to peer communication. NJPA Members Only LISTSERV is not the platform for official association responses that address association business or actions. Association business does not include NJPA announcements of activities and events. Given that not all NJPA members choose to enroll in the listserv, it is not the most efficient and effective way for members to address the association or receive prompt answers. NJPA strives to get members prompt and accurate responses to association questions through other means. The appropriate way for members to receive responses to association questions is through the NJPA Central Office, and/or the executive director. The NJPA Central Office staff or executive director will either answer your question, via backchannel emails or phone calls, or facilitate a response through the appropriate committee or individual. The association may also address member

questions and concerns through the weekly NJPA Friday Update, or the quarterly NJ Psychologist. In addition, all NJPA committee, board, and Foundation meetings are open to members and members can gain access to archived meeting minutes from the Members only section of NJPA's website. Members are also strongly encouraged to attend the annual NJPA business meeting each year. Lastly, members are encouraged to take an active part in existing committees to stay abreast of ongoing developments in their areas of interest. The LISTSERV Monitor Committee will be responsible for reminders about communication methods and will pass along LISTSERV concerns to the NJPA Executive Board.

Rule 2 – Non-Commercial Use:

NJPA is a 501(c)(6) organization. The IRS requirements for a Section 501(c)(6) organization are:

- (a.) It must be an association of persons having a common business interest.
 - (b.) Its purpose must be to promote that common business interest.
 - (c.) It must not be organized for profit.
 - (d.) Its activities should not be engaged in a regular business of a kind ordinarily conducted for profit.
 - (e.) Its net earnings, if any, must not inure to the benefit of any private shareholder, individual, or entity. In a professional association, the members are the shareholders.
- (1.) NJPA cannot be in the business of profit – for itself, for other entities, or for our individual members without being vulnerable to tax consequences and potentially losing NJPA's special tax status. The IRS imposes a tax on income to a nonprofit organization derived from any trade or business activity which is not substantially related to the organization's exempt business purpose.
 - (2.) NJPA can generate income through NJPA sponsored activities and use it to cover expenses. In fact, revenue generation from appropriate sources is essential to NJPA's sustainability. If NJPA's activities are associated with the NJPA purpose, any revenue generated from these activities isn't taxable.
 - (3.) NJPA can engage in certain advertising activities but only if those activities are related to the association's purpose and falls within the IRS rules.
 - (4.) NJPA can have corporate sponsorships of NJPA events if it follows the sponsorship guidelines for not-for profit organizations.

NJPA members may not use the listserv for commercial purposes, including using hyperlinks in email signature lines that actively promote commercial purposes. "Commercial" as used for purposes of evaluating listserv messages means communications that have more than an incidental result of advancement of the business or financial interests of any person or entity, or otherwise promotes a financial transaction for the benefit of the author directly or indirectly.

Announcements relevant to the profession and described below are acceptable as they serve to benefit the public and NJPA members with not more than an incidental result of advancement of the business or financial interests of any person or entity, or otherwise promote a financial transaction for the benefit of the author directly or indirectly. Announcements may not be commercial as described above. All announcements must be limited to title, subject matter,

relevance for psychologists, and a contact name – no commercial language, flyer, or link will be permitted. All members posting must refer to Section III. Member-Participant Accountability before posting and are encouraged to contact the LISTSERV Committee for clarification as to whether the post complies with the LISTSERV policies.

1. NJPA member seeking supervision for oneself, borrowing testing materials, or looking for educational and clinical resources for their clients - The responses must be backchanneled.
2. Job posting: A member or a member group practice is entitled to one job posting a year, either the member's own or a third party job posting, and the announcement is limited to job title and geographic location, no announcement of salary may be included. No links or flyers allowed. The job listing must be related to the profession of psychology. Interested members may contact the poster backchannel for further details. Full details of job offerings can be advertised via the NJPA website, Friday Updates, E-Newsletter, and/or journals and may not be posted on the listserv. If interested in advertising, please contact Central office at 973-243-9800 or visit our advertising page at - <http://www.psychologynj.org/advertise-with-njpa>
3. Books by members, initial publication or new editions, may be announced one time on the listserv. The announcement can state the title, the subject matter and its relevance to the profession, but cannot mention how or where the book can be purchased. No links or flyers allowed. Published articles or op-ed pieces related to psychology, may be announced one time on the listserv. The announcement can state the title of the article or op-ed, the subject matter and its relevance to the profession, but cannot mention how or where the article can be purchased or be hyperlinked.
4. NJPA and NJPA Affiliate Continuing Education: Only NJPA staff will post the NJPA and NJPA-cosponsored Affiliate announcements on the listserv, to ensure that all NJPA and affiliate announcements are consistent. The announcement will consist of the program title, presenter name, date, and may include a hyperlink to the NJPA approved full promotional materials. Affiliate announcements can continue to be sent to Central Office for posting on the Friday Update, the website as well as the LISTSERV, up to three postings per event per electronic platform. Calls for volunteers to participate in the program exercises may be included once in an announcement, with a request for a backchannel response.
5. Notice of continuing education relevant to the profession, by for profit or non-profit outside entities: A onetime per event announcement by a member is allowed and must be sent to the LISTSERV monitors for posting. The announcement is limited to the title, date of program, relevancy to the profession, and a backchannel name for more information. No hyperlinks or flyers allowed. Monitors will post the approved CE announcements within two business days of receipt of announcement. A full description of the program can be advertised via the NJPA website, Friday Updates, E-Newsletter, and/or journals and may not be posted on the listserv. If interested in advertising, please contact Central office at 973-243-9800 or visit our advertising page at - <http://www.psychologynj.org/advertise-with-njpa>
6. Calls for Papers: Members may announce a "call for papers" for NJPA and non-NJPA conferences on the listserv. The purpose may not be commercial in nature.

7. Member Research: Members may solicit subjects for one's own professional psychological research, or research related to mental health, being conducted through a relevant professional organization. A onetime per research announcement by a member is allowed and must be sent to the LISTSERV monitors for posting. The purpose may not be commercial in nature. Research is defined as collection of data for a professional paper, article, or project. The announcement can briefly state the research subject matter, timeline for participating and contact information to learn more (100-word limit) and no hyperlinks allowed.

8. Non-continuing education events or programs: Non-continuing education events or programs which contribute to the professional development of psychologists may be posted if it does not have more than an incidental result of advancement of the business or financial interests of any person or entity, or otherwise promotes a financial transaction for the benefit of the author directly or indirectly. The announcement should briefly state only the event or program's title, date of event, the relevancy to the profession, and contact information to learn more. No hyperlinks or flyers allowed.

Infractions of the non-commercial use rule can adversely impact the tax status of the association. A violation can result in loss of LISTSERV participation.

Rule 3 - Expression of Personal Opinions on Political and Social Issues:

Statements regarding political views and social issues are only permitted if they relate directly to the mission of NJPA. Messages requesting others to advocate for issues that are not directly relevant to NJPA, or psychology, are not permitted, no matter how worthy the cause.

This LISTSERV is to be used solely to express professional perspectives. The member must illustrate how their post clearly represents one of a professional nature, based on their professional experience and expertise, distinguishable from a personal view.

Rule 4 - Inappropriate Statements:

Any postings, whether intentional or unintentional (including jokes or comments, intended as humor or satire) that denigrate, show hostility or aversion towards, or are otherwise offensive to an individual's age, gender, gender identity, race, ethnicity, culture, national origin, religion, sexual orientation, disability, language, and socioeconomic status are all strictly prohibited and may result in immediate suspension from LISTSERV participation.

Rule 5 - Confidential Information:

Any discussion of identifying or potentially protected health information is strictly prohibited. Examples can be provided by the LISTSERV Monitor Committee and can be found on the NJPA website.

Rule 6 - Copyrighted Materials:

Unauthorized distribution of copyrighted material is strictly prohibited.

Rule 7 - Discussion of Fees for Service Prohibited:

Fees for services may not be discussed (it gives the appearance of price-fixing, which is prohibited by Anti-Trust laws). Examples can be provided by the LISTSERV Monitor Committee and can be found on the NJPA website.

Rule 8 - Endorsement of Political Candidates:

Use of the LISTSERV to promote candidacy for affiliate or state level leadership roles is prohibited. Likewise, endorsements of candidates for local, state, or federal offices or positions are prohibited.

Campaigning by NJPA Board Slate candidates, or electioneering by any member on behalf of any NJPA Board Slate candidate, on any NJPA listserv or other public forum should follow the current rules set out in the NJPA Nominations and Leadership Development (N&LD) Committee policies and procedures.

Any listserv endorsement for an APA candidate must include a disclaimer stating that this is a personal endorsement for the candidate and not an NJPA endorsement. The following disclaimer language was created and distributed to NJPA membership via the LISTSERV. **“the above endorsement is a personal endorsement and is not to be perceived as an endorsement by NJPA.”**

Rule 9 - Back-Channel Individual Messages and all Referrals:

Responses intended for a single individual, such as a “thank you” or other private comments should be made back-channel. Responses to referral requests must be made back-channel. Backchannel communication is considered private. Members are prohibited from posting backchannel email conversations to the LISTSERV.

Rule 10 - Computer Virus Protection:

All participants must maintain updated virus protection.

Rule 11 - Members Only:

As participation on the LISTSERV is a member benefit, messages should not be sent on behalf of others who are non-members.

NJPA Members are prohibited from forwarding any NJPA LISTSERV messages to anyone not an NJPA LISTSERV participant, unless the author of the LISTSERV message gives their permission.

NJPA LISTSERV discussions are confidential, in that they are meant for NJPA members only.

Section VI. LISTSERV Monitor Committee Structure and Duties

The LISTSERV is a peer-to-peer communication tool of NJPA that is governed by a committee of appointed members who report directly to the NJPA Executive Board. The members are appointed by the NJPA Executive Board for a term of three years, with an option to renew for another term with board approval.

A. Structure of Committee

The Committee membership will reflect the diversity of the organization with regard to age, gender, gender identity, race, ethnicity, culture, national origin, religion, sexual orientation, disability, language, immigration status, and socio-economic status, geographic location, career specialty, and years in practice. Members from all groups are encouraged to join, including

ECPs and Permit Holders. NJPAGS members may be a committee member and shall be paired with mentor for their committee term.

The Monitor Committee consists of an odd number of members, at least seven. There will be a staggered rotation of members. The Committee will reserve a spot for an ECP or Permit Holder who will serve a one-year term, with the option of a second term. If the Committee is unable to get an ECP or Permit Holder volunteer, then it can fill that place with someone else for that term.

The Monitor Committee will develop a system for achieving consensus when not all members agree on a decision or course of action. When there is no consensus, the majority will rule.

Monitors are also Listserv members and can participate in discussions. Because the monitors have positions of power within the organization, their posts should be prefaced with a statement, "I, XXX am expressing my personal or professional opinion, and not as a List Monitor." If a Monitor is involved in any thread that needs to be addressed by the Committee of Monitors, that monitor is to recuse him or herself from any Committee discussion.

B. Duties of the Committee

The Monitor Committee will support the NJPA Listserv goals of communication, networking and professional development for its members. They will also promote dialogue and professional discourse that allows colleagues access to resources and share information related to the practice of psychology.

The Monitor Committee will check in on member concerns about the listserv through focus groups periodically (twice a year). This will be conducted via virtual meetings, in person meetings and/or on-line surveys.

Monitors are custodians of the Listserv and serve as educators, mentors and Listserv supervisors. Therefore, it is important for Monitors to reflect and carefully address posts that may not violate the rules, but may be perceived as provocative or controversial. The Monitors will assist members in reconstructing posts by respectfully educating and offering alternative perspectives to members' posts. NJPA Members can expect that corrective feedback will be provided by the LISTSERV Monitor Committee in a constructive, respectful manner to maintain a comfortable, safe and professional environment for all NJPA members.

C. Education Component

The Monitor Committee will educate members monthly about a variety of items such as:

1. LISTSERV Purpose and Rules

2. NJPA Communication Means

3. Member-Participant Accountability and LISTSERV Etiquette

D. Tracking the LISTSERV Conversation

The Monitor Committee will educate members on the APAPO and NJPA Listserv guidelines. Committee members will monitor posts and flag problematic ones. Monitors will maintain open

communication with the committee about specific posts and procedures for problematic posts. A committee member will back channel any responses from the Committee, respectfully and with a reference to the rule being violated. The Committee will use templates for responses to common violations for efficiency and consistency. As appropriate, the templates can be modified or tailored for individual responses.

Section VII. LISTSERV Violations

NJPA has a range of outcomes should the poster be found in violation of the NJPA LISTSERV rules. One potential outcome is a request to remedy a post (repost with clarification); another potential outcome is a suspension from the LISTSERV for a period of time to be determined; and another potential outcome is an indefinite suspension.

All responses to LISTSERV violations should be back channeled. The Monitor Committee should establish criteria for when violations prompt the committee to post the rules. The committee shall inform the poster before the rules are posted.

Any member who has a complaint about another member's post, shall notify in writing the LISTSERV Committee chair or the NJPA executive director. Complaints shall include the name of the NJPA member in question, complainant contact information, description of the complaint, date(s) of the LISTSERV thread and responses in question. A complainant may request their complaint against another member to be held confidential. However, the person complaining must identify themselves at least to the committee chair or the executive director. Every reasonable attempt will be made to maintain confidentiality throughout the adjudicative process. The complaint will be referred to the executive board for consideration.

Monitor Committee should, as needed, be able to *push a pause* button on a thread or a member's post when it is believed that the discussion is becoming unproductive and moving in the direction of violating the rules. At such times, the Monitor Committee can post on the list, stating it is not directed at any one person, a request that the thread stop. The LISTSERV should be periodically reminded of this possibility.

When a poster continues to violate rules, despite the committee's attempts to engage the poster, by following the procedures, the Monitor Committee should submit the poster's name and posts that violated the rules to the NJPA Executive Board. The Committee should demonstrate that it has followed all the procedures for handling violations. It is up to the Executive Board, after hearing from the poster, his or her reasons for violating the rules and dismissing the Committee's recommendations, to decide in Executive Session any further actions to be taken.

Section VIII. NJPA Executive Board LISTSERV Grievance Policy

The NJPA Executive Committee will review any complaints by NJPA members against the LISTSERV Governance or member of the LISTSERV Monitor Committee.

Complaints shall be sent in writing to the NJPA executive director. Complaints shall include the name of the NJPA member, contact information, description of the complaint, date(s) of the LISTSERV thread and responses in question.

A complainant may request their complaint to be held confidential. However, the person complaining must identify themselves at least to one of the members of the Executive Committee. Every reasonable attempt will be made to maintain confidentiality throughout the adjudicative process.

The NJPA Executive Director will present the complaint to the NJPA Executive Committee, or with confidential complaints to a member of the Executive Committee designated by the complainant. A request will be made for the NJPA Monitor Committee and any individual subject of the grievance to present their description of the LISTSERV interaction(s) in question, and their documented responses. Complaints shall be reviewed in a timely manner, not to exceed 30 days. The NJPA Executive Committee will make a timely, not to exceed 30 days from the date of the complaint, recommendation to the NJPA Executive Board as to their recommendation.

The recommendations can be one or more of the following -

1. Dismissal of the complaint with a written explanation;
2. Continuing education, or a period of supervised participation or mentoring/consultation;
3. Provide a written acknowledgment of LISTSERV governance mismanagement;
4. The complaint can lead to a modification of the LISTSERV rules with a written explanation;
5. When circumstances warrant it e.g., allegations involve significant violations of listserv policy, professional conduct, and/or the association's member conduct code the NJPA Executive Committee has the authority to temporarily suspend committee participation of the subject of the complaint;
6. When circumstances warrant it e.g., allegations involve egregious violations of listserv policy, professional conduct, and/or the association's member conduct code the NJPA Executive Committee has the authority to permanently suspend committee participation of the subject of the complaint.

Any egregious findings against an NJPA volunteer member who serves as a NJPA LISTSERV Monitor Committee member shall be reviewed under the NJPA Member Removal Policy, as stated in the NJPA Bylaws.

Decisions by the board will be made in a timely fashion, not to exceed 30 days from the date received by the Executive Board, and presented in writing to the NJPA member and the NJPA Monitor Committee.