

## MBPA Listserv Rules and Standards 11/6/2020

An important benefit of membership in MBPA is the privilege of joining and participating in our Listserv. The MBPA Listserv is a communication platform to support open dialogue and promote connections between all members of MBPA.

The main aims of the Listserv are to build a strong sense of community among our members and to help us as a profession to optimally meet the needs of our counties' residents. Toward that end, typical Listserv postings contain clinical and practice questions, identification of helpful resources, requests for referrals, announcements of relevant professional opportunities and educational events, requests for participation in research and other academic and professional activities, and the ability to exchange the latest research and health policy updates.

The Listserv also provides our members with the opportunity to learn from each other and to identify issues at the local, state, national and international levels that require input and advocacy. As a communication platform of a not-for-profit organization, the MBPA Listserv, in accordance with CPA and APA guidelines, cannot be used for electioneering for public office, nor for endorsing a specific candidate or political party. However, discussions of political policies and legislative and regulatory changes are permitted insofar as they clearly **relate to the profession of psychology**. This policy is also in accordance with the following APA ethics codes:

APA ethics code 5.04 Media Presentations: When psychologists provide public advice or comment via print, Internet, or other electronic transmission, they take precautions to ensure that statements (1) are based on their professional knowledge, training, or experience in accord with appropriate psychological literature and practice; (2) are otherwise consistent with this Ethics Code; and (3) do not indicate that a professional relationship has been established with the recipient. (See also Standard 2.04, Bases for Scientific and Professional Judgments.)

APA ethics code 2.04 Bases for scientific and Professional Judgments: Psychologists' work is based upon established scientific and professional knowledge of the discipline. (See also Standards 2.01e, Boundaries of Competence, and 10.01b, In- formed Consent to Therapy.)

Please bear in mind that our goals in defining these listserv parameters are to ensure that we remain in accordance with APA listserv protocol and so that we demonstrate organizational citizenship by recognizing diversity of thought among our members. It is important that listserv postings are not comprised of **opinions** about current sociopolitical issues that may alienate any member with a philosophical or political opinion that differs from posted sentiments. Below are some examples to further illustrate these points.

Not Acceptable: *President Nogood and his cronies from the Bull Moose Party are leading our country into ruin.*

Acceptable: *I am writing to express my deep concerns regarding the very distressing policy of using solitary confinement of teens in our prison systems. The writings of Dr. Wellinformed and others have warned about the permanent harm caused by the extreme measure, including significant posttraumatic stress disorder and even brain injury.*

Acceptable: (Example from the CPA Information Alert website, dated 2/19/20): *I want to raise my grave concern regarding the egregious practice of breaching confidentiality for the purpose of deportation of youth. This practice is the result of the April 2018 memorandum between the Office of Refugee Resettlement (ORR) and the U.S. Immigration and Customs Enforcement (ICE). The ultimate result of this breach of confidential information, obtained through the course of mandated counseling, is that the information is used to deny asylum to some immigrant youths. This Washington Post article raises grave concerns about abuse and violation of confidentiality of mental health records. Such abuse of confidentiality can perpetuate already existing trauma and traumatic stress of minor immigrants. It is abhorrent that the therapeutic relationship is being used to cause harm to those most vulnerable and in need of care.*

However, we recognize that members may find listserv protocol parameters constraining with respect to the expression of personal opinions regarding political matters, including the discussion of political candidates. For this reason, MBPA strongly encourages members to join our Social Justice and Diversity committee and/or our Concerned Psychologists Forum to develop and participate in platforms where **open dialogue** can occur regarding the impact of the current sociopolitical climate on our communities, colleagues, clients, and selves.

MBPA is committed to providing formats where members can freely discuss the intersection of politics and psychology (e.g., town hall meetings, Concerned Psychologists email group). In the context of such forums, should members feel that a position should be taken by our board on a policy issue, a proposal can be submitted directly to the MBPA board.

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### **MBPA Listserv Protocol**

MBPA adopts both the APA Listserv Usage Rules and the APA Civility Statement. Links to both documents appear at the end of this message. By embracing the following standards, we all contribute to a climate of trust and collegiality that encourages friendly and informed discourse. In summary:

MBPA seeks to foster a supportive, collegial listserv environment. Consistent with APA ethical principles, list members are aware of and respect cultural, individual, and role differences, including those based on age, gender, gender identity, race, ethnicity, culture, national origin, religion, sexual orientation, disability, language, and socioeconomic status. Listserv members consider these factors when communicating with other listserv members and when communicating about others on the listserv.

**1. Do not use the forum for illegal purposes**, including, but not limited to, defamation, violation of intellectual property laws, violation of antitrust or unfair competition laws or violation of criminal laws.

**2. Do not intentionally interfere with or disrupt other forum members, network services, or network equipment.** Commercial use is prohibited, as is distribution of unsolicited advertising, chain letters, propagation of computer worms or viruses, and use of the network to make unauthorized entry into any other machine accessible via the Forum.

**3. Do not use the forum for commercial purposes.** "Commercial" as used for purposes of evaluating listserv messages means communications whose primary purpose is to advance the business or financial interests of any person or entity, or otherwise to promote a financial transaction for the benefit of the author directly or indirectly.

- Examples of prohibited communications include advertisements for products or services or direct solicitations of listserv members to purchase products or services.
- Examples of messages that may be of financial benefit to listserv members but are *not* prohibited because they do not inure to the financial benefit of the author include news of job listings or position openings, or discussion of professionally-related products or services where the listserv member conveying the information is not in the business of selling the products or services.
- Announcements that provide useful professional information to the listserv members but may also have some incidental commercial benefit to the sender (e.g. an author who is a list member merely advising the list of publication of a professional book) typically would not be "commercial" for purposes of this restriction.
- MBPA members are able to express the desire to rent an office or send an announcement regarding a known office availability.

**4: Do not use this forum for any communication that could be construed in any way as support for or opposition to any candidate for a federal, state or local public office.** The federal law providing for the Monterey Bay Psychological Association's tax-exempt status absolutely forbids the use of MBPA resources or facilities, including the listserv, in any way that would even appear to support or oppose such a political candidate.

- While using the list to endorse political candidates in a federal, state, or local election or for commercial purposes likely won't expose a member to personal legal risk, it can jeopardize MBPA's tax exempt status under section 501(c)(6) of the Internal Revenue Code.
- To keep this advantageous tax status, MBPA cannot ever be involved in or support in any way electioneering or endorse a candidate for federal, state, or local political office.
- MBPA must assure that its activities are focused on the scientific, educative, and charitable purposes for which it gained tax-exempt status.

**5. "Personal reflections" upon other members, no matter how serious their differences over policy questions, is prohibited.** Common courtesy and respect, which excludes personal attacks or criticism, must be observed.

- **Defamation and Libel** - In exchanges on the listserv and when referring to others, avoid personal attacks and characterizations that question a person's or entity's motives, qualifications, or actions. Sometimes a robust debate about ideas spills over into attacks on the proponents or opponents of the ideas. Listserv members need to be reminded that a false statement that harms someone's reputation can be actionable as libel. There is a substantial difference between disagreeing with how someone did their research or treated a patient and accusing the person of fraud or incompetence. Because negative statements that impugn someone's professional qualifications can cause substantial economic and emotional harm, this is an area for careful scrutiny. Keeping criticism on an objective basis that is factually verifiable and skipping personal commentary about character, competence, or motive minimizes legal risk (source: LA Psychological Association).

**6. Postings should pertain to psychologists and psychological issues, and not to issues unrelated to psychology.** Messages exhorting listserv members to advocate for issues that are not on MBPA's or APA's agenda are not to be placed on MBPA's listserv, no matter how worthy the cause.

**7. Communications should be oriented towards increasing the knowledge base of psychologists.** The listserv is a forum for sharing information and community building. It is a place where differences of opinion can be aired, however, with courtesy and respect.

**Violations of Listserv Protocol:**

Content posted on the listserv that violates protocol will be reviewed by the MBPA Board. If the content is a clear violation, it will be removed from the listserv. If the content falls into a grey area, the Board will review the post to determine if the content can remain on the listserv or will be removed. The Board makes these decisions as a group, taking care to consider the guidelines carefully. The Board will also contact the member responsible for the post to explain the decision process and to provide further guidance regarding listserv protocol.

**APA Listserv Usage Rules:**

[http://listserve.apa.org/infopages/APARules.html?\\_ga=2.55529768.2032898697.1588289093-1782132611.1588289093](http://listserve.apa.org/infopages/APARules.html?_ga=2.55529768.2032898697.1588289093-1782132611.1588289093)

**APA Civility Statement:**

<https://societyforhealthpsychology.org/wp-content/uploads/2018/02/CivilityStmDefinitions2017.pdf>