

Procedures for Responding to Allegations of Ethics Code Violations

The Temple B'nai Israel Ethics Code will be made available to all congregants, staff, and clergy. Visitors and guests will be able to obtain the Code, on request, from the Temple B'nai Israel main office (e-mail is admin@templebnaiisrael.com and phone is 269-342-9170). The Code will also be published on the Temple B'nai Israel website (<https://www.templebnaiisrael.com/>). The Code and the Procedures for Responding to Allegations of Ethics Code Violations document will be updated as appropriate. Examples contained in the Code are not all-inclusive.

The TBI president will appoint a congregant to chair an Ethics Committee for receiving and addressing allegations of unethical behavior. The president and the committee chair will also select three committee members who demonstrate integrity, leadership, independence, and the ability to handle challenging situations. TBI members who serve on this committee should be able to balance a strong sense of right and wrong with an ability to see multiple sides of a situation. The temple president shall be an ex-officio member of the Ethics Committee. If unable to serve on this committee, the president will appoint another member of the TBI Board to serve in that capacity. Members of the Ethics Committee must recuse themselves if an allegation pertains to them in any way.

An allegation of unethical behavior, presented orally or in writing, should be directed to the temple president, rabbi, or Ethics Committee chair. In order to initiate an Ethics Committee process, the person who received the allegation will share the information with the other two individuals listed in the previous sentence. If the allegation pertains to any of the three individuals, they must recuse themselves.

If an allegation of unethical behavior pertains to a member of a professional organization with its own code of ethics such as the Central Conference of American Rabbis (CCAR), American Conference of Cantors (ACC), Association of Reform Jewish Educators (ARJE), National Association for Temple Administration (NATA), or Union for Reform Judaism (URJ), the Ethics Committee will determine whether to handle the allegation or refer it to the appropriate organization.

When an allegation of unethical behavior gets reported to the Ethics Committee, the chair will decide with the TBI president whether they should consult an independent legal counsel representing the temple.

If an allegation raises the possibility of imminent and substantial harm to the person(s) of concern, legal obligations will take precedence and supersede any procedures otherwise delineated by this Code. The temple president, in consultation with the Ethics Committee chair, may take such action as deemed appropriate. They may also have to notify TBI's insurance company.

Investigative Process

The Ethics Committee will decide on a process that includes information gathering, deliberation, and resolution based on the particulars of each allegation that is received.

1. The Ethics Committee and any other people involved in each case will try to resolve matters as promptly as possible.

a) Additional communication between the chair of the Ethics Committee and the person submitting the complaint may be necessary to determine what type of violation may have occurred, including the possibility of a criminal offense.

b) If it is determined that a Code of Conduct violation may have occurred, the chair, in consultation with the Ethics Committee, the rabbi, and the board president, determines the appropriate process for working towards resolution. Process options include, but are not limited to the following:

- one-on-one discussions with the complainant and/or person about whom the complaint was lodged;
- informational discussions between the complainant and the subject of the complaint; and/or
- further Ethics Committee investigation, including interviews with others who may have been involved or witnessed the incident in question.

c) Within 14 days of receiving a complaint, the complainant will be contacted regarding the next steps for addressing the complaint.

2. Everyone involved in an Ethics Committee process is expected to comply with all Ethics Committee requests to assist in information gathering. All TBI members and staff are expected to cooperate with any requests to assist in an investigation. Failure to do so may be viewed as an ethical violation and may lead to sanctions as the Ethics Committee may deem appropriate, subject to review by the board upon request of the person sanctioned.

3. All steps, from an initial allegation of unethical conduct to the ultimate resolution, will be documented in writing by the Ethics Committee.

4. Confidentiality will be maintained throughout any Ethics Committee process to the extent practicable and consistent with thorough assessment and resolution of the matter.

5. Temple B'nai Israel will try to protect those who make an allegation of unethical behavior from retaliation. Harassment or taking adverse action affecting the employment or volunteer status of anyone who makes a good faith report of unethical conduct under the Code is itself unethical conduct and violates the Code. Good faith reporters and participants in any part of the complaint and investigation process should expect to endure no form of retaliation for their participation.

6. Ethics Committee processes will balance the Jewish principles of judgment (*din*) and compassion (*rachamim*).

a) All allegations will be responded to with sensitivity and compassion. Judgment will be withheld pending the completion of a full evaluation.

b) During information gathering and/or consideration of a resolution for an ethics violation, the committee will bear in mind that, as a sacred community, healing and reconciliation are important goals to achieve.

7. While there is no time limit to making an allegation of unethical behavior, the time that has elapsed since the alleged violation occurred will be one of many factors in the totality of circumstances considered by the Ethics Committee in weighing appropriate sanctions.

8. The final report and the outcome documentation will be kept by the rabbi in a locked confidential file. To ensure continued confidentiality of the Ethics Committee's interviews and discussions following the conclusion of any reports, committee members should turn in to the TBI president all copies or recordings of interview transcripts or notes, as well as any notes taken during committee discussions of the investigation. The president will then ensure that the confidential material is shredded in a timely manner.

9. If any of the involved individuals are dissatisfied with the outcome, they may request reconsideration within 30 days of receiving the results by submitting a written request for reconsideration to the Ethics Committee chair, provided, however, that they have new evidence or information to present. The board president reviews and addresses all appeals, except for the following:

- appeals regarding issues involving employees will be referred to the TBI's Board
- appeals regarding legal issues will be referred to the congregation's counsel.

10. An acknowledgment of receipt of such a request for reconsideration will be provided within 5 days. Every effort will be made to provide the requestor with a final decision within a reasonable time frame.

This document, "Procedures for Responding to Allegations of Ethics Code Violations," was reviewed and adopted by Temple B'nai Israel on the following date: February 28, 2024.