

RRA Ethics Procedures
Amended January 2020

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I. Purpose and Principles

- A. RRA members are accountable for maintaining the professional and ethical standards established by the RRA. This document defines the procedures for investigating a complaint alleging unethical behavior made against an RRA member (“member”).
- B. These procedures are intended to ensure a proper investigation, and when relevant, adjudication of a complaint in order to hold a member accountable for an ethical violation if such is found to have occurred, as well as to exonerate a member from unsubstantiated or false allegations.
- C. These procedures correlate to the Reconstructionist Rabbinical Association Code of Ethics (“Code”) adopted on 3.13.2007. The Code defines ethical issues for which a member may be investigated and adjudicated, and if found to have behaved in an unethical manner, held accountable by the RRA. Violations of conduct (whether of commission or omission) that are described in the Code as “unethical,” “unacceptable,” “violation(s)” or “breach of ethics” or are denoted by “must” are subject to action by the RRA Ethics Committee (hereafter “Ethics Committee”). These are in bold print in the Code. Other issues in the Code can be raised for educational purposes, and members can be held accountable in cases of repeated offenses.
- D. The RRA Ethics Procedures are based on what the RRA has determined to be principles of fairness—not on due process rules of civil or criminal procedure nor on *halakha*. The Ethics Committee makes a determination based on the preponderance of evidence from interviews and from information provided by the parties involved, and by others who hold information relevant to the case at hand.
- E. Proceedings of the Ethics Committee are conducted in a timely manner, with reasonable effort to expedite the proceedings.

II. The RRA Ethics Committee

- A. The RRA Bylaws adopted March 2006 define the procedures by which the Ethics Committee is constituted. (Appendix 1) Adjustments to the Ethics Committee are explained below in Section XIV.
- B. The Ethics Committee will receive appropriate training and/or updates on training as determined and paid for by the RRA every two years, following elections at the Annual Meeting, or any time there is a turnover of half or more of the Ethics Committee. Members who come on the Ethics Committee in a year between

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46 formal trainings will be briefed by the Chair on basic issues and provided with
47 written summaries of training materials.

48

49 C. All substantive and formal proceedings of the Ethics Committee will be
50 documented in writing. Records will be kept in a confidential file at the RRA
51 office. Access to those files is restricted to the RRA Executive Director
52 (“Executive Director”), the RRA President (“President”) and the Chair of the
53 Ethics Committee (“Chair”).

54

55 III. Scope of Activity

56

57 A. The Ethics Committee does not address certain types of grievances. A grievance
58 that alleges violation of RRA Bylaws, *Gevulot* standards, membership criteria or
59 placement rules, but does not include a breach of the Code of Ethics, is addressed
60 by RRA staff or officers, or the committee relevant to the particular grievance,
61 such as the *Gevulot* Committee or the Reconstructionist Placement Commission.

62

63 B. Grievances of an interpersonal nature that do not include a breach of the Code of
64 Ethics, while not dealt with by the Ethics Committee, may be addressed through
65 mediation and/or other interventions including the convening of a Bet Din if
66 agreed to by the parties involved.

67

68 IV. Nature of the Proceedings of the RRA Ethics Committee

69

70 A. The Ethics Committee administers an educational and internal adjudicatory
71 process.

72

73 B. The Ethics Committee does not investigate or adjudicate the legal status of
74 alleged violations of civil or criminal law.

75

76 V. Procedures for Receiving Inquiries and Filing Complaints

77

78 A. An initial inquiry alleging unethical behavior by a member will normally go to the
79 Executive Director either by phone or in writing, but not via email. The Executive
80 Director will refer the inquirer to the Code and these procedures on the RRA
81 website, or send paper copies. (See XIV.E for exception). An inquiry may or may
82 not result in a complaint being filed.

83

84 B. When the Executive Director receives a grievance about a member, they
85 determine the appropriate channel for addressing it. The Chair of the Ethics
86 Committee shall be consulted if the grievance appears to fall under the
87 jurisdiction of the Ethics Committee. The President shall be notified when a
88 grievance is directed anywhere other than to the Ethics Committee.

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- 90 C. A complaint is a grievance submitted in writing and signed, alleging a violation of
91 the criteria established by the RRA Ethics Code. The specific standard(s) that are
92 alleged to have been violated must be named. Anonymous complaints will not be
93 accepted.
94
- 95 D. A complaint may be submitted by:
96
- 97 1. A person against whom the alleged violation occurred.
 - 98
 - 99 2. A third party who has credible information relating to an alleged violation.
 - 100
 - 101 3. A member of the RRA, including a member of the Ethics Committee, who has
102 credible information relating to an alleged violation.
 - 103
 - 104 4. An RRA member who has acted, or believes they may have acted, in violation
105 of the Code of Ethics and voluntarily informs the Chair of the Ethics
106 Committee.
107
- 108 E. Complaints must be filed within three years of the event occasioning allegations.
109 Where the Ethics Committee determines that fraud, intimidation, or any other
110 unethical conduct by the member or the age of the complainant prevented the
111 earlier emergence of the complaint, or where not to investigate would seriously
112 jeopardize the safety or welfare of the member or public served by the member,
113 the time limitation may be suspended by the chair of the Ethics Committee in
114 consultation with the RRA Executive Committee as represented by the RRA
115 President.
116
- 117 F. Upon receiving an inquiry, the Executive Director shall:
118
- 119 1. Determine that the rabbi in question comes under the jurisdiction of the RRA.
120
 - 121 2. Determine if the nature of the conduct alleged falls within the scope of the
122 Ethics Committee and the criteria V.C and V.D above are met. If it falls
123 within the scope of a different RRA committee or process, contact information
124 is provided.
125
 - 126 3. Provide the name and contact information of the Chair of the Ethics
127 Committee to the inquirer if the alleged conduct or action implies a violation
128 of the Code and the above jurisdictional criteria are met. Normally it is the
129 responsibility of the complainant to contact the Chair.
130
 - 131 4. In consultation with the member in question, appoint a member of the RRA to
132 serve as a support person throughout the course of the Ethics proceedings. The
133 support person may not be a member of the RRA professional staff, Board, or
134 Ethics Committee.

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- G. When the inquirer contacts the Executive Director, they will be asked to submit a complaint and any substantiating documentation. It should be sent in a timely manner to the Chair of the Ethics Committee.

VI. Initial Investigation of Complaint

- A. Upon receipt of the complaint, the Chair sends by registered mail a copy to the member, who has thirty days from receipt in which to respond in writing to the complaint. The response goes to the Ethics Committee Chair, who forwards a copy to the complainant.
1. If the member refuses to respond, the Ethics Committee shall proceed on the basis of information it has received, or can seek additional information to determine whether to or not to conduct an investigation.
- B. The Chair will ascertain from the Executive Director if any prior complaints have been made against the member in question. (See VII.A below.)
- C. The Chair will conduct a preliminary interview with both the member and the complainant, and request any supporting documentation and names and contact of witnesses.
- D. Upon completion of steps A-C, the Chair consults with not fewer than two members of the Ethics Committee to take one of the following three actions:
1. *No cause for action.* The allegations are found to be unsubstantiated.
 2. *Issuance of an Advisory.* An Advisory is a message to the member, which may include a warning and may include a required educational component. At its discretion the Ethics Committee may require other actions or conditions.
 3. *Convene a Full Investigation.* And, if circumstances warrant that the full Ethics Committee be convened to recommend an expedited suspension (see Section X.E below)

VII. Action after Initial Investigation on Complaint

- A. The Chair notifies the complainant and member by registered mail of the determination by the Ethics Committee (see VI.C) whether to proceed with a Full Investigation. The Executive Director and President are copied on the correspondence. The Placement Director will be notified that a complaint alleging a violation of the Code by the member has been made but the details will not normally be disclosed.

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- 180 B. If the decision falls within VI.C.2 above, the Chair in consultation with not fewer
181 than two members of the Ethics Committee shall determine the process in which
182 the member must engage. The Chair is given flexibility in determining a
183 reasonable and proportionate process which may consist of but is not limited to
184 one or more of the following: mediation, if the complainant agrees, meeting(s)
185 with (a) rabbinic mentor(s); meeting(s) with the Ethics Committee; or
186 participating in a relevant program, seminar, class and/or therapy or counseling.
187
- 188 1. Any expense associated with a mandated program of education, counseling or
189 therapy is the responsibility of the member. Mediation costs shall be borne by
190 the RRA.
191
 - 192 2. A member may refuse to participate in the actions decided by the Ethics
193 Committee without an investigation. In that case, an investigation will
194 commence and the full range of sanctions is open pending the investigation's
195 outcome. These may or may not include the original pre-investigative process.
196
- 197 C. If there is sufficient cause for a Full investigation, the Chair shall notify both the
198 complainant and the member by registered mail with copies to the Executive
199 Director, the President and the Placement Director of Reconstructing Judaism
200 when the Ethics Committee begins the process.
201
- 202 1. If the member is the subject of an active investigation by another rabbinic or
203 professional association or is the subject of a criminal or civil proceeding, the
204 Ethics Committee at its discretion may defer an investigation pending the
205 outcome of the other process. The outcome of another such process may be
206 included as a factor in any decision of the Ethics Committee, including
207 whether to proceed with an investigation and/or invocation of a particular
208 sanction.
209
- 210 A member being investigated for a violation of criminal law may voluntarily
211 request that the Ethics Committee impose a provisional suspension (see X.E)
212 in order for the member to avoid possible self-incrimination that could
213 prejudice the legal proceedings. If a provisional suspension request is granted,
214 the proceedings of the Ethics Committee are suspended until either: a) the
215 Ethics Committee terminates the provisional suspension at its discretion, or b)
216 the rabbi requests that the voluntary provisional suspension be lifted. The
217 Ethics Committee reserves the right to impose a subsequent provisional
218 suspension in accordance with X.E below.
219
- 220 If the member refuses to cooperate in an investigation, they will be
221 immediately suspended until an investigation is completed and a decision
222 reached by the Ethics Committee. The suspended member is subject to the
223 conditions described below in X.D.2. The member's employer or supervisor

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- 224 shall be notified that the member has been suspended for refusal to cooperate
225 with the Ethics Committee pursuant to a complaint that has been made.
226
- 227 2. The Ethics Committee reserves the right to recommend expulsion for a
228 member who refuses to cooperate with an investigation of a complaint against
229 them.
230
- 231 3. If the member resigns from the RRA, they shall be considered expelled, and
232 procedures of the Ethics Committee regarding that member shall terminate
233 because the RRA no longer has jurisdiction over the former member.
234
- 235 4. The member will be given the first opportunity to notify her or his employer
236 and/or supervisor that the Ethics Committee is beginning an investigation of
237 an alleged violation of the Code. The Chair shall (also) notify the employer
238 and/or supervisor of the investigation without naming the complainant.
239
- 240 5. If a member seeks placement while an investigation is active, that member is
241 offered the first opportunity to inform a prospective employer. The Placement
242 Director shall inform a prospective employer of the active investigation
243 without naming the complainant.
244
- 245 6. In an investigation of alleged unethical, abusive or violative behavior
246 involving children or minors, or incapacitated adults, immediate notification
247 shall be given by the Chair to the appropriate state authorities or agencies in
248 accordance with state reporting requirements.
249

250 VIII. Procedures for a Full Investigation
251

- 252 A. When an investigation is warranted, the Ethics Committee Chair shall appoint an
253 investigative team of two trained people. One must be an RRA member. The
254 investigative team may include a lay person, trained through the RRA or a
255 comparable process, appointed by the Chair. The Chair will appoint the head of
256 the investigative team, who must be an RRA member.
257
- 258 B. The investigative team first interviews the complainant (and the alleged victim if
259 different from the complainant, hereinafter understood to be included in
260 subsequent references to “the complainant”). The team then separately interviews
261 the member to discuss the allegation and gather relevant information. One Ethics
262 Committee team member is the chair and contact person for the investigative
263 team. In allegations of sexual misconduct, the investigative team should take into
264 consideration the gender identity, race, and sexual orientation of the parties. At
265 the discretion of the Ethics Committee Chair, the RRA may invite an outside
266 professional with relevant expertise to provide additional guidance.
267

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- 268 C. In most cases, the investigative team will go to the place/s where the complainant
269 or the member lives to do the interview. The complainant and/or member may be
270 asked to meet with the investigative team at another location, in which case the
271 complainant's (and if the complainant is a minor, the accompanying adult's)
272 and/or the member's reasonable travel and/or accommodation expenses shall be
273 borne by the RRA. The same format should normally be used when the
274 investigative team interviews the complainant and the member. Subsequent
275 conversations with the complainant or member for the purpose of clarification or
276 follow-up may take place by phone.
277
- 278 D. If one hasn't been appointed already (V.F.4), the complainant and the member
279 may each be accompanied by one person to provide support. When a support
280 person is coming, the head of the investigative team must be informed three
281 business days in advance as to who that person will be. Any expenses associated
282 with travel or accommodations for a support person are the responsibility of the
283 complainant or the member. The member's support person can be a member of
284 the RRA, but may not be a member of the RRA Staff, Board or Ethics Committee.
285 The RRA has the right to invite an advisor to sit in on the interview. A support
286 person or an advisor may not participate in or speak during the proceedings, and
287 is obliged to confidentiality. If a conversation or consultation is needed, a break in
288 the interview may be requested by any party.
289
- 290 E. A minor being interviewed by the investigative team must be accompanied by the
291 parent, guardian or another adult designated by the parent or guardian. The head
292 of the investigative team must be informed three business days in advance as to
293 who is coming.
294
- 295 F. The reasonable expenses of the investigative team and of the Ethics Committee
296 shall be paid for by the RRA. The Chair will decide whether to authorize any
297 expenses about which there is a question.
298
- 299 G. All interviewees as well as support persons or advisors must sign a release form
300 before an interview can take place. Minors shall have a parent or guardian sign on
301 their behalf.
302
- 303 H. Interviews by the investigative team may be recorded by any method.
304
- 305 I. At its discretion, the same investigative team may interview a few persons
306 suggested by the complainant and/or a few suggested by the member to gather
307 relevant information. The team may not be able to interview everyone each party
308 requests but will attempt to balance the number of interviews.
309
- 310 1. The investigative team in consultation with the Chair may at its discretion
311 designate another RRA member to gather additional information and/or meet

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312 with someone with information relevant to the case. That member shall
313 normally be chosen from a list of former members of the Ethics Committee.
314

315 J. Information gathered in investigative interviews shall be treated as confidential.
316 Information can be shared on a “need to know” basis with the RRA Executive
317 Committee or Board, but otherwise will normally not be disclosed beyond that,
318 unless the RRA is compelled to do so by subpoena, court order or state reporting
319 laws.
320

321 K. The nature of the interviews with the investigative team is not pastoral,
322 confessional or counseling, and does not fall under the categories of
323 “confidential” or “privileged” with regard to clergy under secular law.
324

325 IX. Ethics Committee Adjudication
326

327 A. When the investigative team has completed its information gathering, a written
328 report assessing the allegation(s) shall be prepared in a timely manner by the chair
329 of the team and sent to the Chair of the Ethics Committee. The Ethics Chair
330 reviews the investigative report and then forwards copies to the rest of the Ethics
331 Committee within two weeks of having received it. The Ethics Committee can
332 request from the investigative team clarifications, additional information,
333 documentation or other such data as may be deemed necessary for it to adjudicate
334 the case.
335

336 B. Once the investigative team has submitted its report, the Chair arranges an
337 electronic (conference call, video conference) or in-person meeting of the Ethics
338 Committee to review and evaluate the fact-gathering report and then adjudicate
339 the case.
340

341 C. For purposes of reaching a decision, the quorum for the Ethics Committee shall be
342 three members, none of whom were on the investigative team. A minimum of
343 three concurring votes and a majority of those participating are required for a
344 decision. The decision is based on a preponderance of the evidence which is a
345 qualitative, not quantitative standard, meaning whether it is more likely than not
346 that a violation occurred.
347

348 X. Actions Available to the Ethics Committee
349

350 A. *Dismissal*. The allegations are found to be unsubstantiated. The Chair of the
351 Ethics Committee will notify the member’s employer of the finding.
352

353 B. *Issuance of an Advisory*. An *Advisory* is a message to the member, which may
354 include a warning and may include a required educational component. At its
355 discretion the Ethics Committee may require other actions or conditions. The

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- 356 Chair of the Ethics Committee will inform the member's employer and/or
357 supervisor.
358
- 359 C. *Issuance of a Reprimand.* A *Reprimand* is a significant reproof or rebuke of a
360 member for a substantial ethical violation which does not, in the judgment of the
361 Ethics Committee, warrant suspension. The presumption is that a reprimand is
362 adequate to ensure that the unethical or inappropriate actions will not re-occur. A
363 reprimand includes a warning to the member about consequences of any further
364 violations, and shall include a required educational component. At its discretion,
365 the Ethics Committee may require other actions or conditions. A reprimand
366 represents the Ethics Committee's judgment that the member has accepted
367 responsibility for her or his actions, completed any appropriate compensatory
368 steps, and can continue to function as a rabbi. The Chair of the Ethics Committee
369 will inform the member's employer and/or supervisor.
370
- 371 D. *Suspension.* A *Suspension* represents the judgment of the Ethics Committee that
372 there has been a serious and substantial violation by the member that warrants a
373 discontinuation of membership privileges in the RRA for a fixed period of time.
374
- 375 1. Ratification: Unless the member appeals [Sec XII] the RRA Executive
376 Committee shall ratify a decision of the Ethics Committee to suspend a
377 member.
378
 - 379 2. Suspension includes but is not necessarily limited to the following restrictions.
380 The member may not:
 - 381 a. Serve on the RRA Board and/or committees and/or commissions.
382
 - 383 b. Attend and/or vote at RRA conventions, regional and/or other duly called
384 meetings of the Association.
385
 - 386 c. Use the Reconstructionist Placement Service.
387
 - 388 d. Participate in RRAnet, the RRA Member Facebook group or RRA
389 programs and webinars.
390
 - 391 e. represent themselves as a member in good standing of the RRA.
392
 - 393 f. have access to the members section of the RRA website.
394
 - 395 3. The Chair shall notify the member's employer and/or supervisor (or
396 congregational president if employed by a synagogue) of the suspension,
397 including the date on which the suspension begins and the date at which it will
398 be determined whether the member is reinstated. The notification will indicate
399 the relevant section of the Code, but shall not normally disclose the specifics
400

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- 401 of the case without the written permission both of the member and of the
402 subject of the rabbi's behavior. (If the employer or supervisor is the
403 complainant, they will be notified according to the procedures described in
404 section XI.A below.)
405
- 406 a. If the violation involved unethical, abusive or violative behavior with children,
407 minors or incapacitated adults, or if in the judgment of the Ethics Committee, the
408 member poses a threat, whether physical, emotional, or otherwise in her or his
409 professional position, the Ethics Committee Chair may inform the member's
410 employer and/or supervisor of the nature and circumstances of the violation,
411 but may not disclose the name(s) of the victim(s) of the member's
412 behavior without written permission of those persons or their guardians.
413
- 414 b. The Ethics Committee may recommend that the member be suspended
415 from her or his professional work based on the nature of the violation.
416
- 417 4. The Ethics Committee shall determine the conditions of the suspension.
418
- 419 a. Length of suspension: Suspension is for a fixed duration, set by the Ethics
420 Committee and reviewed by it one month prior to expiration to determine
421 if suspension conditions have been met and if reinstatement is warranted.
422 If conditions have not been met to the Committee's satisfaction, the
423 suspension may be extended for up to six months with additional or
424 adjusted conditions. Additional extensions may be granted. A member
425 who has been suspended for a total of three consecutive years is
426 automatically expelled. There is no limit to the number of extensions the
427 committee may impose.
428
- 429 b. Conditions of the suspension: These may include but are not limited to
430 rabbinic mentoring, psychological assessment and/or treatment, financial
431 restitution, or other conditions at the discretion and direction of the Ethics
432 Committee.
433
- 434 i. Expenses associated with mandated psychological assessments and/or
435 therapy and/or prescription medications are the responsibility of the
436 suspended member.
437
- 438 ii. If psychotherapy and/or rehabilitation are mandated, the choice of
439 therapist and/or program requires the approval of the Chair of the
440 Ethics Committee, who may consult with an appropriate professional
441 outside of the RRA. The Chair may propose names of recommended
442 therapists and/or programs.
443
- 444 iii. The relationship between a suspended member and a therapist with
445 whom the member is working in relation to the action(s) that triggered

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- 446 the suspension shall remain confidential. Another therapist, paid by the
447 RRA and approved or named by the Chair of the Ethics Committee,
448 shall provide an initial assessment of the member to the Ethics
449 Committee. A second assessment, normally to be done by the same
450 therapist, shall be done at mid-point of the suspension, and a third
451 assessment shall be done approximately two months prior to the
452 projected end date for the suspension. The second and third
453 assessments shall be provided to the Ethics Committee. The suspended
454 member will provide the assessment therapist with requisite
455 permissions to share the assessments with the Ethics Committee.
456
- 457 iv. If rabbinic mentoring is mandated, the rabbinic mentor shall normally
458 be an RRA member. Under some circumstances the Chair in
459 consultation with two members of the Ethics Committee may invite a
460 rabbi who is not a member of the RRA to serve as a rabbinic mentor.
461 No RRA stipend, salary or honorarium shall be offered. The mentor
462 and suspended member should specify their own financial
463 arrangements (if mutually desired).
464
465
- 466 v. The relationship between a suspended member and a rabbinic
467 mentor(s) with whom the suspended member is working in relation to
468 the actions(s) that triggered the suspension shall remain confidential. A
469 different rabbi, paid by the RRA and approved or named by the Chair,
470 shall provide an initial assessment of the rabbi to the Ethics
471 Committee. A second assessment, normally to be done by the same
472 rabbi, shall be done at mid-point of the suspension, and a third
473 assessment shall be done approximately two months prior to the
474 projected end date for the suspension. The second and third
475 assessments shall be provided to the Ethics Committee. The suspended
476 member shall provide the rabbi doing the assessment with requisite
477 written permissions to share the assessment with the Ethics
478 Committee.
479
- 480 c. The Ethics Committee may require that the rabbi resign from, not continue
481 to serve in, and/or seek employment in, a rabbinic position during the
482 suspension.
483
- 484 d. If a member is suspended from employment it is up to the rabbi's
485 employer or supervisor whether upon the ending of the RRA suspension
486 the rabbi may resume the work they was doing prior to the suspension, if
487 the rabbi's employment was not terminated earlier.
488
- 489 5. RRA dues: Members who have been suspended are responsible for
490 completing payment of their RRA dues for the year in which the suspension

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491 commences. If a member is suspended after having completed her or his dues
492 payment for the year in which a suspension begins, there will be no refund.
493 For suspensions continuing beyond that dues year, no dues assessment shall
494 be required of the suspended rabbi. If the rabbi is subsequently reinstated, they
495 is responsible for the prorated dues of the year in which reinstatement takes
496 place, but not for any dues that might have been assessed in the interim if
497 there had been no suspension.
498

- 499 6. Subject to the conditions listed in X.D.4.a. above, the Ethics Committee may:
500
501 a. Approve concluding the suspension on the date originally set, thus
502 restoring the rabbi to membership in good standing.
503
504 b. Extend the suspension for six months.
505
506 c. Recommend expulsion if warranted in the opinion of the Ethics
507 Committee.
508
- 509 7. The suspended rabbi will be notified by registered mail by the Chair of the
510 decision of the Ethics Committee.
511
- 512 8. Appeal. The suspended member cannot appeal the first extension of
513 suspension. After that is served, any further decision of the Ethics Committee
514 not to lift suspension may be appealed. (See below, section XII)
515
- 516 9. Reinstatement to membership in good standing is a judgment by the Ethics
517 Committee that the member has acknowledged her or his violation,
518 demonstrated *teshuva*, successfully fulfilled any counseling, mentoring or
519 therapeutic requirements, and met any required compensatory actions. It is a
520 judgment that the member will not repeat the violation, and can be entrusted
521 with the responsibilities of serving as a rabbi.
522
- 523 10. Care and counseling for a suspended member's family: Within reasonable
524 limits, the RRA Ethics Committee may offer the suspended member's family
525 one or two rabbis, chosen from members of the RRA and accepted by the
526 family, to provide limited pastoral, spiritual and emotional support.
527
- 528 11. Non-participation and non-cooperation: If the rabbi in question refuses to
529 comply with the conditions of suspension imposed by the Ethics Committee,
530 the Chair shall inform the Ethics Committee and the RRA Executive
531 Committee. Refusal to comply with the conditions of a suspension shall be
532 grounds for expulsion.
533
- 534 E. *Provisional Suspension*: Under exceptional circumstances, including but not
535 limited to: when a member is charged with a felony or a civil violation that would

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536 affect his or her ability to function with integrity as a rabbi, or there is a credible
537 allegation of substantial abuse of power or authority, or other circumstances
538 where the member could pose an imminent risk to self or others, the Ethics
539 Committee by majority vote may recommend to the Executive Committee that a
540 provisional suspension be imposed prior to beginning an investigation by the
541 Ethics Committee. The member shall be notified by registered mail of the
542 recommendation. A provisional suspension is not intended to prejudice the
543 outcome of an Ethics Committee investigation, but is a precautionary action based
544 on information currently available to the Ethics Committee.
545

- 546 1. The Ethics Committee recommendation shall include conditions attached to
547 suspension (See X.D.4 above)
548
 - 549 2. The Executive Committee by majority vote shall act on the recommendation
550 for provisional suspension.
551
 - 552 3. If approved, the provisional suspension begins immediately, and the member
553 and any complainant are informed by registered letter. The Ethics Committee
554 will review the case and, where appropriate, begin an investigation following
555 the procedures described above. (See Section VIII.)
556
 - 557 4. The Chair shall notify the member's employer and/or supervisor
558 [congregational president] if a provisional suspension is imposed, including
559 the date on which it took effect. A statement shall be included indicating that a
560 provisional suspension shall not prejudice the outcome of the investigation or
561 imply substantiation of the allegations. The relevant section of the Code and
562 related circumstances that led to imposition of a provisional suspension, but
563 not the details, will be disclosed.
564
 - 565 5. If the recommendation for provisional suspension is not approved by the
566 Executive Committee, the Ethics Committee will proceed to review the case
567 and, where appropriate, begin an investigation per the procedures described
568 above. (See Section VIII).
569
 - 570 6. A provisional suspension remains in effect until the Ethics Committee
571 concludes its investigation and reaches a decision. If the member is
572 exonerated, or if the member is given an advisory or a reprimand, the
573 provisional suspension terminates at that point. If the recommendation of the
574 Ethics Committee is suspension, the provisional suspension terminates and the
575 terms of the suspension begin. In either case, the member's employer and/or
576 supervisor shall be notified.
577
- 578 F. *Expulsion*. "Expulsion" from membership reflects a judgment by the Ethics
579 Committee that the member committed an ethical violation of such magnitude
580 that membership in the RRA is not viable. An expulsion automatically follows a

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581 felony conviction, and may follow on entry of a civil judgment, based on conduct
582 contrary to the RRA Code of Ethics. Expulsion reflects a judgment that the
583 member should not be entrusted with any future clergy responsibilities in any
584 setting.

585

586 1. Approval: The RRA Executive Committee shall approve by majority vote a
587 decision of the Ethics Committee to expel a member unless the expelled
588 member appeals.

589

590 2. The Chair shall notify the member's employer and/or supervisor
591 [Congregational President] of expulsion, including the date on which it took
592 effect. The relevant section of the Code and related circumstances that led to
593 expulsion but not normally the details will be disclosed. (If the employer or
594 supervisor is the complainant, they will be notified according to the
595 procedures described in section XI.A below.)

596

597 If the violation involved unethical, abusive or violative behavior involving
598 children, minors or incapacitated adults, or, if in the judgment of the Ethics
599 Committee, the former member poses a threat, whether physical, emotional, or
600 otherwise, should they remain in her or his professional position, the Ethics
601 Committee may inform the rabbi's employer and/or supervisor of the nature
602 and circumstances of the violation, but may not disclose the name(s) of the
603 victim(s) of the member's behavior without written permission from the
604 victim(s) or, in the case of a minor or someone incapacitated, from their
605 guardian(s).

606

607 3. In accordance with the RRA Bylaws, members expelled under the provisions
608 of the Ethics Guidelines may not apply for readmission. (Article II, Section
609 3.E)

610

611 4. There is no refund on RRA dues paid for the year in which expulsion occurs.

612

613 XI. Notification of Decisions of the Ethics Committee

614

615 A. The Chair shall notify the member by registered mail of decisions of the Ethics
616 Committee with regard to the case at hand.

617

618 B. The Chair shall notify complainants by registered mail of decisions of the Ethics
619 Committee. The conditions of any action(s) required by the Ethics Committee
620 shall not be disclosed without the written permission of the adjudicated member
621 except as noted otherwise in these procedures.

622

623 C. Information, data and documentation of the Ethics Committee proceedings shall
624 be confidential within the guidelines established in these procedures.

625

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- 626 D. The Executive Director and the RRA Executive Committee shall be notified of
627 decisions of the Ethics Committee in all cases.
628
- 629 E. Decisions of *no cause for action* will not normally be made known to the
630 membership of the RRA unless the member in question asks in writing that such a
631 decision be made known. Notification will be by letter and consist only of the
632 information that a complaint was made to the Ethics Committee regarding the
633 member and that either at the intake level or, after an investigation, a decision of
634 *no cause for action* was taken.
635
- 636 F. An advisory or a reprimand shall not normally be made known to the membership
637 of the RRA.
638
- 639 G. Suspensions and expulsions will be made known to RRA members by
640 confidential letter. It is at the discretion of a suspended member whether
641 reinstatement as a member in good standing following a suspension is to be made
642 known to RRA members. If so, that shall be done by letter.
643
- 644 H. The Reconstructionist Placement Director shall be notified of all suspensions and
645 expulsions, and of any placement-related conditions attached to a reprimand or
646 advisory.
647
- 648 I. Suspensions or expulsions of RRC alumni shall be communicated to the RRC
649 President and Vice-President for Academic Affairs.
650
- 651 J. Notification of Suspensions or Expulsions shall be made by the RRA Executive
652 Director to: national rabbinic or other professional associations that the rabbi
653 belongs to of which the Ethics Committee is aware as well as the regional office
654 (or national office if no regional office exists) of the congregational organization
655 to which the member's congregation belongs if the rabbi serves a congregation.
656 Where a professional field in which a rabbi might normally seek employment has
657 a national office, such as, but not limited to, the National Association of Jewish
658 Chaplains or the national Hillel office, those organizations shall also be notified.
659 Details of the cause for action shall not be disclosed. Notification of Reprimands
660 will be made if the violation is sexual in nature (i.e., in violation of Section XI of
661 the Code of Ethics), and at the discretion of the RRA Executive Director for other
662 violations.
663
- 664 K. A member who has been suspended and subsequently reinstated shall have a note
665 appended to any resume forwarded by the Reconstructionist Placement Service
666 for five years from reinstatement. The note is limited to stating that the member
667 was suspended from date X to date Y, and giving the date of reinstatement as a
668 member in good standing. It is the responsibility of the member to respond to
669 inquiries from potential employers regarding the details of the suspension.

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- 670 Representatives of the RRA are limited to providing the information outlined in
671 applicable portions of these procedures.
672
- 673 L. A member who has been suspended and subsequently seeks employment outside
674 of the Reconstructionist Placement Service, either during the suspension or after
675 reinstatement, must notify a potential employer of the suspension for five years
676 from suspension. The member must send the RRA Executive Director a copy of
677 the notification provided the potential employer. The RRA may confirm
678 notification with said employer.
679
- 680 M. To preserve the privacy of the proceedings, responses to inquiries, whether from
681 individuals, organizations or the media, are to be limited to:
682
- 683 1. acknowledgment of an ongoing investigation
 - 684
 - 685 2. acknowledgment of an investigation that has been completed and resolved
 - 686
 - 687 3. reporting a decision of no cause for action
 - 688
 - 689 4. stating that a member has been suspended (and is not in good standing) or has
690 been expelled (unless noted differently in applicable sections of these
691 procedures).
692
 - 693 5. acknowledgment that a member has completed a suspension and been restored
694 to good standing.
695
 - 696 6. acknowledgment that a member has been exonerated and is in good standing.
697
- 698 Responses shall normally be issued on behalf of the RRA only by the Executive
699 Director or by the President. At his or her discretion, the Executive Director may
700 share limited information with appropriate Reconstructing Judaism, Camp
701 Havaya or RRC staff who might be called upon to comment and are authorized to
702 do so by the Executive Director or President in a specific circumstance.
703
- 704 N. No notifications of decisions by the Ethics Committee shall be communicated via
705 e-mail or RRAnet, or other social media
706
- 707 O. No discussions of specific cases or actions of the Ethics Committee shall appear
708 on the RRAnet. Any such discussion is a violation of the privacy of the parties
709 involved.
710
- 711 P. As needed, the RRA will work with Reconstructing Judaism Department of
712 Thriving Communities and others in developing support services for the victim of
713 the ethics violation.
714

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715 XII. Appeal

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- A. A member or complainant may appeal a decision of the RRA Ethics Committee only if either of the following would have substantially altered the decision of the Ethics Committee: a) The member or complainant was refused reasonable opportunity to obtain and present evidence within the Ethics Procedures of the RRA, or, b) there was gross irregularity in the proceedings established by the Ethics Procedures of the RRA.
- B. An appeal must be submitted in writing by registered mail to the RRA President c/o the RRA office within thirty days of receipt of the decision of the Ethics Committee. An appeal must document the grounds [XII.A] on which it is submitted.
- C. A minimum of five voting Executive Committee members is normally required for reviewing an appeal. An Executive Committee member shall disclose any actual or potential conflict of interest to the RRA President who shall decide whether to recuse a member of the Executive Committee if they has a personal or professional relationship with the member that would potentially affect judgment.
- D. Appeals are to be evaluated on the basis of the record only. To assess an appeal, the Executive Committee may convene by phone or in person. The Executive Committee shall have access to relevant records of proceedings of the Ethics Committee to ascertain whether grounds for an appeal exist. The Chair of the Ethics Committee shall be consulted to respond to the grounds cited for the appeal, and to clarify relevant issues.
- E. The decision of the Executive Committee regarding an appeal shall be by majority vote. If an appeal is denied, the decision is final.
- F. If there is a determination that either of the conditions described in XII.A. existed, the Executive Committee may return the case to the Ethics Committee for reconsideration. The Ethics Committee shall normally report its subsequent decision to the RRA President within thirty days of receipt of the request for reconsideration.
- G. When the Ethics Committee has reviewed a case on appeal, its decision is subject to ratification by majority vote of the Executive Committee. The RRA Executive Committee shall ratify this decision unless compelling evidence demonstrates that the Ethics Procedures were again not followed, and/or that relevant evidence or testimony again was deliberately disregarded, such that the outcome was significantly affected.
- H. For a given case, members or complainants are entitled to one appeal only.

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760 XIII. Record Keeping and Documentation

761

762 A. The Chair of the Ethics Committee and the chair of any investigative committee
763 shall keep written records of any complaints, investigations, decisions and
764 recommendations. The Chair shall keep a log of all contacts with a complainant
765 and with a member who has been accused of a violation, including date, time and
766 means of communication (phone, letter, or fax), and brief summary of the nature
767 of the exchange.

768

769 B. Care should be taken to maintain security and confidentiality of all
770 correspondence. If email is to be used for the transmission of documents, it must
771 be through a secure, password encrypted server and program.

772

773 C. When a case is concluded, the records for that case shall be kept permanently in a
774 confidential file at the RRA office.

775

776 D. Access to the files of the Ethics Committee is normally restricted to the Executive
777 Director, President, and Chair of the Ethics Committee. Other access will
778 normally be only by court order.

779

780 E. A memo summarizing the record of the RRA's response to a complaint and all
781 actions by the Ethics and other RRA committees along with copies of all official
782 correspondence will be placed in the permanent RRA file of the member against
783 whom the complaint was made.

784

785 XIV. Provisions for Adjustments to the Ethics Committee and Special Cases

786

787 A. An Ethics Committee member whose term expires while an active case is in
788 process will remain on the Ethics Committee ("continuing member") until a
789 decision is reached and the disposition of the case determined, at which time that
790 member shall no longer serve. Only under such circumstances shall the number of
791 Ethics Committee members exceed what is provided for in the RRA Bylaws. A
792 continuing member will not participate in deliberations of the Ethics Committee
793 regarding any other cases that arise after her or his term would have otherwise
794 expired.

795

796 B. A member who joins the Ethics Committee will not normally participate in
797 deliberations for a case that was in process before they joined.

798

799 C. If there is a different Chair of the Ethics Committee when review of a suspension
800 comes up than there was at the time that the suspension was imposed, the prior
801 Chair will be invited on to the Ethics Committee temporarily, as a non-voting
802 member, for the deliberations regarding whether to conclude the suspension. The
803 current Chair of the Ethics Committee, however, will remain the contact person
804 for the suspended member.

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D. An Ethics Committee member shall disclose any actual or potential conflict of interest to the Chair of the Ethics Committee, who shall decide whether to recuse a member if they has a personal or professional relationship with the member that would potentially affect judgment. If the Chair needs to disclose any actual or potential conflict of interest, s/he shall do so to the Vice-Chair.

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E. If the RRA Executive Director is the subject of an alleged violation, his or her roles and functions as described in these procedures shall be carried out by the RRA President.

F. If the RRA President is the subject of an alleged violation, his or her roles and functions as described in these procedures shall be carried out by the RRA First Vice-President, or if they is not available, by the RRA Second Vice-President.

G. If the Chair of the Ethics Committee is the subject of an alleged violation, his or her roles and functions described in these procedures shall be carried out by the Vice-Chair of the Ethics Committee. The Chair shall be suspended from the Ethics Committee pending the outcome of any investigation.

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XV. Website Posting of Suspensions and Expulsions

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A. Provisional suspensions, suspensions and expulsions shall be listed by category on a separate public page of the RRA Website as soon they go into effect.

B. Listings shall be posted throughout the period of suspension and removed at the end of suspension. Expulsions shall never be removed.

C. Resignations from membership during an ethics procedure will not be accepted. Such resignations along with refusals to cooperate with the Ethics Committee shall be construed as admissions of guilt and treated accordingly for the purpose of posting to the RRA website.

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- 849 D. Postings shall include the name of the member, the date of decision by the Ethics
850 Committee, and a quotation of the relevant section(s) of the RRA Ethics Code.
851 E. A suspended or expelled member may appeal the posting on the RRA website as
852 part of the single appeal allowed under the appeals process in section XII above.
853

854

855 XVI. Authority, Amendment and Review

856

- 857 A. These procedures are adopted under the 2006 RRA Bylaws and in conjunction
858 with the 2007 RRA Code of Ethics.

859

- 860 B. These Ethics Procedures are understood to be an administrative document that is
861 subject to amendment as necessary by the RRA Board, with notification to be
862 made to the RRA membership. Such adjustments shall be in keeping with the
863 basic intent of these procedures. Substantive adjustments that significantly affect
864 these procedures in terms of content, intention or process shall be proposed by the
865 RRA Board to the membership at an RRA Annual Meeting.

866

867 Appendix 1: From the RRA Bylaws regarding Ethics Committee

868

- 869 A. Composition. The Ethics committee shall be composed of six RRA members, one
870 of whom shall be the alternate.

871

- 872 1. The position of alternate shall rotate among the members of the committee
873 annually, so that no person is an alternate for more than one year.

874

- 875 B. Quorum. A Quorum for hearing ethics matters shall be three members

876

- 877 1. If a member recuses themselves from hearing a particular matter, the alternate
878 shall serve in place of the recused member.

879

- 880 C. Election and Term of office

881

- 882 1. Members will be elected at the Annual Meeting, upon nomination by the RRA
883 Board of Directors.

884

- 885 2. The term of office shall be six years.

886

- 887 3. Terms shall be staggered.

888

- 889 4. No person shall serve more than two consecutive terms on the Ethics
890 Committee

891

- 892 D. Chair/Vice Chair

893

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- 894 1. The Chair and Vice Chair shall be appointed from the elected committee
895 members by the Executive Committee.
896
897 a. Chair and Vice Chair shall serve for a three-year term.
898 b. No person may serve more than two consecutive terms in
899 any one office.
900

901 E. Authority and Duties.
902

- 903 1. The Ethics committee shall investigate, and if necessary conduct a hearing, on
904 any charge of ethical misconduct of an RRA member.
905
906 2. The Ethics committee may dismiss a charge it determines is without
907 foundation.
908
909 3. The Ethics Committee shall recommend disciplinary action, up to and
910 including expulsion from membership, to the Board of Directors.
911 a. Such action to be governed by the adopted guidelines of the RRA.
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914 II. **Appendix 2: Release form (TO BE DRAFTED)**
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