RABBINICAL ASSEMBLY

CODE OF PROFESSIONAL CONDUCT



The Rabbinical Assembly

2024/5785

RABBINICAL ASSEMBLY
CODE OF PROFESSIONAL CONDUCT[1]

Rabbis sit in a unique position, engaging in leadership and learning, in mentoring and guiding, and are expected to both practice and live as individuals who can inspire in times of joy and provide pastoral presence in moments of challenge. In navigating our sacred work, it is crucial to understand how to engage in effective and ethical influence and engagement with our constituents, as well as the potential misuses of control and power that may present themselves to us. This Code of Professional Conduct ("Code" or "Code of Conduct") articulates a set of specific standards to guide Rabbinical Assembly ("RA") members in how we should engage with those around us, as we aspire to embody the highest levels of integrity, respect, and ethics in our work as religious leaders. The Code applies to all members of the RA, no matter where and how they practice, throughout their career and also in retirement.

This Code draws on values from our Jewish texts and tradition, particularly those values guiding interpersonal relationships (*mitzvot bein adam la-ḥaveiro*). It also draws on the acknowledgment from our tradition that when harm occurs there is a need to address that harm. While not every uncomfortable or disrespectful action or inaction rises to the level of a Code violation, this Code works to provide guidance on the practices that rabbis should follow to avoid harm and promote healthy and respectful relationships with constituents and colleagues. It is important to note that the Code distinguishes between behaviors that are required and those that are only recommended. Please be aware of the nuance intended between "must," which denotes an absolute requirement, and "(strongly) recommended," "suggested," or "should," which do not have the same absolute force.

We recognize that many RA members also belong to other professional associations that adhere to their own Code of Conduct. If an RA member violates the Code of Conduct of another organization to which they belong, that violation is per se a violation of the RA Code of Conduct. Therefore, if an RA member is found to be in violation of another professional association's standards, the RA will automatically also deem the member to be in violation of the RA Code (when the other violation comes to its attention). Likewise, the RA will uphold any ruling of another organization that employs or certifies our members.

We recognize that no Code can provide guidance on every situation. It is our hope that this Code will open important conversations about professional conduct and will provide guidance in complex moments. Please contact the RA Ethics Coordinator, Professional Liaison, or the chair of the Va'ad HaKavod ("VHK," Ethics Committee) with any questions or concerns about specific situations. For questions regarding Sections 17 and 18 please reach out to the RA Chief Operation Officer ("COO") or the Chair of the Committee on Jewish Law and Standards (CJLS).

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[1] This Code has been translated into Hebrew and Spanish, reflecting the international community served by Conservative/Masorti rabbis. In any cases of discrepancy, the English-language version is to be considered the authoritative text.

Two overarching concepts form the cornerstone of the RA's commitment to prioritize safety in the communities served by RA rabbis, and they are noted throughout the document. The first is the recognition of the importance of reaching out to experts in the field, like mental health and legal professionals, when certain kinds of questions arise—in recognition that their knowledge and expertise is beyond the scope of most rabbinic training. The second is the concept of transparency. When rabbinic work is transparent—observable and interruptible by others—we create the conditions for financial and interpersonal safety. When we take appropriate steps to ensure safety, we create the conditions that allow our communities to become nurturing, vibrant, ethical, and holy spaces.

Approved by the Rabbinical Assembly Executive Council,
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3 Elul, 5784

Contents

INTRODUCTION 1

The Code of Professional Conduct 1

The Va'ad HaKavod 1

Requirement to Review This Code and Self-Report Violations 1

Definitions and Concepts 2

SECTION 1: STANDARDS REGARDING HARASSMENT, DISCRIMINATION, ABUSE, AND MISCONDUCT 6

Physical Abuse 6

Sexual Abuse and Sexual Harassment 6

Bullying and Cyberbullying 7

Discriminatory Acts 7

Emotional Abuse 7

Coercively Abusive Behavior or Hazing 8

SECTION 2: STANDARDS REGARDING RETALIATION AND FILING A COMPLAINT IN GOOD FAITH 9

SECTION 3: STANDARDS REGARDING NON-DISCLOSURE AGREEMENTS ("NDA") 11

SECTION 4: STANDARDS REGARDING FAMILY RELATIONSHIPS 12

SECTION 5: STANDARDS REGARDING MINORS 13

Sexual Abuse and Grooming of Minors 13

Mandated Reporting 13

Boundaries with Non-Familial Minors 14

"Peer-Like" Behavioral Boundaries with Minors 14

Conversational and One-on-One Boundaries with Minors 14

Physical and Sexual Boundaries with Minors 15

Emotional and Behavioral Boundaries with Minors 15

Home and Transportation Boundaries with Minors 16
Electronic Communication Boundaries with Minors 16
Hotel, Overnight, and Shabbaton Boundaries with Minors 17

SECTION 6: STANDARDS REGARDING SEXUAL CONDUCT 18

Boundaries 18

Sexual Relationships 19

Dating a Constituent 19

SECTION 7: STANDARDS REGARDING KNOWINGLY ELEVATING/HONORING THOSE WHO COMMIT HEINOUS ACTS 22

SECTION 8: STANDARDS REGARDING CHILD SEXUAL ABUSERS 23

SECTION 9: STANDARDS REGARDING BYSTANDER INTERVENTION 24

SECTION 10: STANDARDS REGARDING COURT PROCEEDINGS 25

SECTION 11: STANDARDS REGARDING ARREST OR LAW ENFORCEMENT INVESTIGATION OF AN RA MEMBER 26

SECTION 12: STANDARDS REGARDING INTEGRITY WITH COLLEAGUES 27

Working Together Within a Professional Setting 27
RA Members Working at the Same Institution 27
Emeritus/Emerita Relationship 28
Ethical Supervision and Emotional Abuse/Misconduct 29

RA Members Who Share Community 29
Rabbis in a Volunteer or Lay Leadership Role 30
Among Jewish Communal Professionals 30

SECTION 13: STANDARDS REGARDING SOCIAL MEDIA ACTIVITY 31

SECTION 14: STANDARDS REGARDING FRAUDULENT CONDUCT 32

Examples of Fraud 32

Financial Misappropriation 32
Discretionary Funds 33

Personal Financial Conduct 34

SECTION 15: STANDARDS REGARDING MISCONDUCT RELATED TO ADDICTION 35

SECTION 16: STANDARDS REGARDING COMPLIANCE WITH THE VHK 36

SECTION 17: STANDARDS REGARDING STANDARDS OF RELIGIOUS PRACTICE 37

Jewish Status and Conversion 37

Wedding Officiation and *Get*/Divorce Decree 37

Wedding Officiation 37

SECTION 18: STANDARDS OF MEMBERSHIP REGARDING INTEGRITY WITH THE RABBINICAL ASSEMBLY 38

Records 38

Membership Dues 38

RA Policies 38

Regional Policies 38

Private Ordination 39

Civil Marriage 39

Administration of Gittin/Divorce Decrees 39

CONCLUSION 40

INTRODUCTION

The Code of Professional Conduct

The RA Code of Conduct guides members of the RA to fulfill their obligations individually and collectively so as to safeguard the individuals and communities served by RA rabbis. It seeks to uphold the sanctity of the rabbinate by providing clear expectations that promote safety, trust, and integrity. All RA members must agree to abide by the policies of the RA and are thus bound to the ethical standards outlined in the Code in their professional and personal capacities. Members of the RA make a collective commitment to foster and sustain a respectful and ethical rabbinate by maintaining these standards.

The Va'ad HaKavod

The Va'ad HaKavod ("VHK") is a standing committee of the RA established through the RA Constitution. It is responsible for upholding the sanctity and integrity of RA members and safeguarding individuals and communities served by RA rabbis. The chair and members are appointed by the RA president and are tasked to review and act on complaints of violations of the RA Code of Conduct. The RA takes seriously the behavior of its members. The VHK is tasked with supporting compliance with this Code of Conduct and ensuring that measures of accountability are put in place when RA members do not live up to the established standards.

The VHK complaint review process is published on the RA website.

Requirement to Review This Code and Self-Report Violations

Every RA member has an obligation to adhere to the provisions of this Code. These standards acknowledge the responsibilities that we accept upon ourselves as rabbis, and the high ethical expectations to one another and to the Jewish people to which we must adhere. This document will be used by the VHK to address complaints of misconduct and to determine whether a rabbi has violated the Code. RA members must review the Code and ensure that they understand its standards and its purpose.

If a member of the RA realizes or becomes concerned that they have or may have violated the Code, they are required to self-report to the VHK. Members may contact the RA Ethics Coordinator ("EC"), the Chair or Co-chair of the VHK, or the RA Professional Liaison to the VHK. This serves several purposes:

- It allows for transparency and accountability by rabbis who believe they have or may have made a mistake.

- It provides advice to rabbis in complex professional circumstances.
- It creates an opportunity for rabbis to be supported by the VHK as they engage in the work of repair and growth.

Definitions and Concepts

The following definitions are provided, to ensure consistency in understanding and application of the Code.

Abuse. See Child Abuse, Emotional Abuse, Financial Abuse, Physical Abuse, Sexual Abuse, and Spiritual Abuse.

Adultery is extramarital sexual conduct, and is not limited to only physical involvement.

Bullying is a pattern of physical, verbal, or psychological mistreatment (including via electronic communication) that is intended to cause, or could reasonably be expected to cause, fear, distress, or harm to another individual. See also Cyberbullying, and see Section 1 below for examples of behaviors that constitute bullying.

Child/Minor/Youth are used interchangeably in this Code and refer to anyone below the age of 18.

Child Abuse is any act or series of acts that results in harm, potential for harm, or threat of harm to a child. It may consist of physical, sexual, psychological, or emotional abuse or neglect. It may also be referred to as child mistreatment.

Coercion See below Emotional Abuse.

Consent is an agreement or permission, expressed through affirmative and voluntary words or actions that are mutually understandable to all parties involved, to engage in a specific sexual act at a specific time; consent can be withdrawn at any time.

Constituent is a person who is served by a rabbi. This may include a congregant, student, conversion candidate, member of the community, patient, or anyone served by a rabbi in their professional capacity as clergy.

Cyberbullying is a type of bullying where someone uses technology to harass, threaten, humiliate, or target another individual or community. This may include posting or threatening to post any personal information (including but not limited to photos or videos) of someone (including but not limited to a constituent, colleague, or subordinate) without their consent, or disseminating or threatening to disseminate information about someone in an embarrassing or compromised position (including but not limited to images).

Discrimination is the unfair or unequal treatment of people and groups based on actual or perceived identity or characteristics such as race, gender, sex, sexual orientation, age, or disability. See Section 1 below for examples of discriminatory acts.

Domestic Violence is a pattern of behavior in any dating, romantic, or intimate partner relationship that is used by one person to gain or maintain control and power over the other. It may consist of physical, sexual, financial, psychological, spiritual, and/or emotional abuse or control (including via electronic communication). See also Emotional Abuse, Financial Abuse, and Physical Abuse.

Emotional Abuse is deliberate non-contact behavior in which an individual insults, humiliates, and generally instills fear in an individual in order to exert control over them and/or their decisions (including via electronic communication). See Section 1 below for examples of behaviors that constitute emotional abuse.

- Coercion is a practice of convincing or persuading another person to do something they do not want to do by using force, threats, or pressure.
- Gaslighting is manipulating someone into questioning their own reality, sanity, or experience of an event.
- Hero Worship is an enmeshment between two people when one is in a position of power over the other, where the individual with less power engages in excessive admiration for the person in power, who then encourages and cultivates that dynamic.
- Manipulation is influencing or controlling another's choice or outcome when that outcome may benefit the manipulator.

Financial Abuse is any improper conduct, done without the informed consent of the individual, that results in a monetary or personal gain to the abuser, monetary or personal loss for the individual, financial harm to an individual; or taking advantage of an individual in a way that unfairly benefits the abuser from the individual's monetary resources. This is especially relevant in terms of vulnerable adults such as elders, adults with disabilities, or intimate partners in abusive relationships.

Fraud is engaging in purposeful deceit for purposes of improper financial gain, or in order to deny a right to another person.

Gaslighting See above Emotional Abuse.

Grooming. See below, under Sexual Misconduct.

Harassment is behavior that subjects someone to unwelcome or unwanted conduct that is so severe or pervasive that it hinders the person's ability to participate in communal life, significantly harms their well-being, substantially interferes with their rights, or intimidates them because of their identity. Harassment can be verbal, non-verbal, physical, or sexual, and including via electronic communication. It can be targeted toward one person or a group of people. See also Sexual Misconduct.

Hazing is any activity expected of someone joining or participating in a group that humiliates, degrades, abuses, or endangers them, regardless of a person's willingness to participate in the activity.

Hero Worship See above Emotional Abuse.

Manipulation See above Emotional Abuse.

Mara D'Atra is the rabbi responsible for determining halakhic (Jewish legal) parameters and policies for their congregation, institution, or organization.

Member is a rabbi who has submitted a signed membership application and is elected to membership by vote at the RA's annual meeting. Graduates of the Movement seminaries are automatically elected into RA membership within one year of their ordination at the RA annual meeting.

Physical Abuse is any non-accidental physical force or injury that is inflicted on any person and has a substantial risk of causing, or does cause, any kind of bodily injury or emotional harm. See Section 1 below for examples of behaviors that constitute physical abuse.

Plagiarism is taking credit for ideas or materials from another's work as your own, whether in speech or writing. Ideas must be shared with attribution.

Rabbi. In this Code, "rabbi" specifically means a member of the RA; see above, Member.

Rabbinate is the body of a rabbi's spiritual and/or career work, work position, tenure, or office.

Retaliation is imposing or threatening to impose adverse action against an individual or institution for reporting, assisting in the investigation of, or otherwise taking action to identify or address prohibited behavior. This is either in response to the reporting of a possible Code violation to the Va'ad HaKavod or in the workplace. Responding to such a report, or attempting in any way to deter someone from reporting a possible Code or workplace violation in the future.

Sexual Misconduct. See Section 1 below for examples of behaviors that constitute sexual abuse and sexual harassment.

- **Sexual Harassment** is unwanted or unwelcome behavior of a sexual nature, or actions directed at another because of their sex, gender, gender identity, or identity. This may include both verbal and nonverbal behavior, which takes place either in person or through electronic communication.
- **Sexual Assault/Sexual Abuse/Sexual Violence** is sexual contact, conduct, or behavior that occurs without the consent of the recipient. This may include a range of behaviors, including groping or unwanted touching, kissing, or forcing someone to perform or witness sex acts.
    - **Child Sexual Abuse** is any occurrence where an adult engages with a minor in any sexual activity - including any conduct or contact.

- **Grooming** is behavior whereby an adult may use seemingly innocent or boundary-crossing behaviors to gain the trust and cooperation of a child and/or to establish a relationship with a child, the child's family, or the community, for the purpose of or with the result of engaging in sexual conduct with that child.

- **Spiritual Abuse** is the use of religious authority, objects, symbols, rituals, theological language, or teachings to manipulate, coerce, exert power, or cause harm to an individual or group of people.

SECTION 1: STANDARDS REGARDING HARASSMENT, DISCRIMINATION, ABUSE, AND MISCONDUCT

RA members are expected to adhere to a standard of behavior that fosters healthy interactions and promotes safety—physical, emotional, spiritual, and sexual. This applies to RA members' interactions with individuals in a professional, personal, familial, or communal capacity.

Therefore, any behavior that demeans, degrades, or puts the well-being or safety of individuals at risk is a violation of the Code. The Code prohibits any form of harassment, discrimination, abuse, and misconduct. These include derogatory or demeaning comments, insults, slurs, or negative actions taken based on identity such as skin color, ethnicity, gender, gender identity, sexual orientation, or disability.

Though defined earlier, below are **examples** of harassment and discriminatory and abusive conduct that are prohibited by this Code. This list is meant to be illustrative but not exhaustive.

Physical Abuse

- Hitting, punching, kicking, biting, or threatening these actions.
- Any threat or actual use of a weapon against another. Weapons may include but are not limited to knives, guns, wire, rope, or any object used to threaten another.

Sexual Abuse and Sexual Harassment

- Touching, grabbing, pinching, rubbing, or fondling any part of another person's body, including but not limited to buttocks, breasts, or genital area—whether over or under clothing, without consent.
- Touching another person with one's genitals without consent.
- Engaging in sexual behavior with someone too intoxicated or cognitively compromised to give informed consent.
- Physically or verbally intimidating or pressuring someone to engage in a sex act or any manner of sexual contact or conduct, whether done so expressly or implicitly.
- Coercing, threatening, or blackmailing someone into sending nude or sexually explicit images or recordings.
- Engaging in sexualized speech or written exchanges without consent.
- Disseminating or threatening to disseminate non-consensual intimate imagery, media, or content.
- Any sexual conduct or contact that involves a minor. (See also Section 5, "Standards Regarding Minors," below.)
- Pressuring another for sexual activity or a request for sexual favors.

- Threats of punishment or promises of rewards for sexual behavior.
- Displaying sexual materials or pictures.

Bullying and Cyberbullying

- Any form of physical, verbal, or electronic harassment that one could reasonably expect would demean or threaten others, either physically or emotionally.
- Physical harm or threats of physical harm.
- Damaging, hiding, or taking another person's property.
- Excluding a person from a group or activity purposely to hurt and/or advocate for others to dislike a person.
- Calling someone offensive or demeaning names.
- Scapegoating or pranks resulting in or intending to embarrass.
- Posting offensive, demeaning, or embarrassing comments or images online, whether in a private or public setting.
- Texting or emailing mean, offensive, or demeaning comments or images, whether to another individual or to a group.
- Creating fake profiles or assuming another's identity in any social media context, in order to create content likely to cause embarrassment or concern.

Discriminatory Acts

- Making statements that include derogatory innuendoes about another person's gender, age, ability, sex, or identity.
- Making jokes involving offensive stereotypes.
- Taunting others about their actual or perceived age, race, color, or national origin.
- Taunting others about their physical development, ability, socio-economic status, sex, gender, sexual orientation, gender identity, or body functions.

Emotional Abuse

- Repeatedly verbally attacking another in a personal manner.
- Engaging in physically aggressive behavior that encroaches on another person's personal space, such as throwing objects toward someone else.
- Purposely and routinely ignoring or isolating an individual from others.
- Engaging in gaslighting, coercion, or manipulation.

Coercively Abusive Behavior or Hazing

Requiring or coercing someone to do any of the following:

- Be subjected to abusive and demeaning speech or participate in acts of personal servitude.
- Participate in any illegal activity.
- Participate in physically dangerous activities, such as exposing oneself to extreme weather conditions without appropriate protection.
- Drink alcohol, vape, smoke, or use drugs.
- Consume any inappropriate or hazardous substances or force such substance to be smeared on the body.
- Endure any physical striking, beating, burning, branding, or engage in self-mutilation, or to commit such acts upon another.

SECTION 2: STANDARDS REGARDING RETALIATION AND FILING A COMPLAINT IN GOOD FAITH

It is crucial that people are able to report possible violations of the Code without fear. Those who come forward to file a complaint against a rabbi often do so with a lot of trepidation and anxiety, given the role that rabbis play in communities. We believe that reporting is beneficial rather than harmful. Therefore, this Code includes standards regarding retaliation, as part of the RA's commitment to creating an environment that promotes reporting when a violation occurs or may have occurred.

Retaliation refers to any adverse action, intimidation, threat, or discrimination against an individual or institution for filing a complaint or participating in fact-finding, or otherwise assisting in the handling of an ethics complaint. This includes serving in an official capacity, either of the VHK or on behalf of the member's workplace, in a process to investigate the complaint.

Retaliation also refers to a person or institution taking any adverse action against an individual or institution who

- reports or attempts to report a possible Code violation to the VHK; or
- provides a witness account or cooperating in a VHK inquiry process; or
- reports or attempts to report Code-violating behaviors to a rabbi's place of work.

Retaliation is forbidden, whether in response to actions already undertaken or in order to deter or prevent someone from reporting a possible Code violation. A member may not do any of the following:

- Retaliate against an individual for reporting, seeking to report, or participating in a VHK process.
- Retaliate against an individual for reporting, seeking to report, or participating in a review process at the rabbi's place of employment.
- Retaliate against an individual for reporting to the police, or seeking a legal remedy.

Retaliation is itself a violation of this Code, and a report of retaliation may result either in its own consequences or in further consequences to violation of the original reported offense.

Filing a complaint in **good faith** is never considered in conflict with the Jewish laws prohibiting spreading a negative truth about someone (*l'shon hara*) or negative information that may end up being untrue (*motzi shem ra*). A complaint is in good faith when it does not willfully ignore facts that would disprove or negate the complaint, and is not filed for an improper purpose or objective.

Even if the outcome of the VHK process ultimately finds that the rabbi has not violated the Code, that does not mean that the complaint was filed in bad faith. If an individual makes a complaint in good faith but the VHK finds that no violation occurred, all involved are still protected from retaliation.

Complaints that are filed in an effort to harass, intimidate, or maintain control over a rabbi are not considered in good faith and are a violation of the Code.

SECTION 3: STANDARDS REGARDING NON-DISCLOSURE AGREEMENTS ("NDA")

Non-Disclosure Agreements ("NDA[2]") have been used to avoid addressing issues of real malfeasance and harm. In many situations, such agreements can be used as a harmful tool that prevents a victim of misconduct from speaking about their experience. We do not support the use of an NDA to effect the silencing of a pattern of behavior or wrongdoing. When used appropriately, an NDA may provide an opportunity for both parties to a situation involving misconduct to achieve closure and move on in a way that is respectful toward all involved.

Therefore, any[3] NDA signed by an RA member must have a clause with a provision that either party is allowed to disclose details of the situation to the VHK, should there be an inquiry made by the VHK or should there be a requirement to report something to the VHK.

[2] Note that NDA here refers to Non-Disclosure Agreements only. The Code does not take a stand on Non-Disparagement Agreements.

[3] Sometimes NDAs are used as standard practice in non-rabbinic fields such as market research. If an RA member is asked to sign an NDA in such a scenario, they should communicate with the VHK's chair or with a member of the RA professional staff connected to the VHK to determine if the "disclosure clause" is not needed.

SECTION 4: STANDARDS REGARDING FAMILY RELATIONSHIPS

Jewish laws and values guide us to build family systems of safety, love, honor, and respect. RA members are expected to adhere to all laws and ethical boundaries of their own and others' familial relationships. They may not engage in abusive behaviors toward their own family members, nor may they violate the boundaries of another family by engaging in adultery.

The following behaviors violate the Code:

Domestic and Intimate Partner Violence. An RA member must not engage in any form of domestic violence toward a spouse or partner. This includes physical, sexual, financial, and emotional abuse.

Abuse in the Home. An RA member must not engage in any form of abuse or neglect of any member of their household. This includes but is not limited to physical, sexual, and emotional abuse of a minor, adult, or adult with a disability.

Elder Abuse. An RA member must not engage in any form of elder abuse or neglect, whether physical, financial, sexual, or emotional abuse.

Failure to issue a *Get*. In the event that an RA member and their spouse decide to divorce, the rabbi must promptly give or accept a *get* or other form of halakhic divorce. A rabbi must never withhold, threaten to withhold, or refuse to accept a *get* or other form of halakhic divorce for any reason.

Adultery. An RA member must not engage in any form of adultery, which is defined as extramarital sexual conduct and is not limited to only physical contact.

SECTION 5: STANDARDS REGARDING MINORS

Sexual Abuse and Grooming of Minors

RA members are committed to the health and safety of all children. This core value requires a deep understanding of our obligations and responsibilities to the youth that we serve.

RA members must never engage in any form of sexual abuse or grooming of a minor. If any RA member has reasonable cause to suspect that an RA member is sexually abusing or grooming a minor, they are required to report the suspected conduct both to law enforcement and to the VHK.

Mandated Reporting[4]

Clergy confidentiality is protected by law in many states and countries. However, whenever there is reasonable cause to suspect that a minor is being abused or maltreated in any way, RA members **must** report suspected abuse to the appropriate child protection or law enforcement agency. If a rabbi has a legal concern about the parameters of confidentiality, they are **required** to consult with a licensed legal professional who has subject-matter expertise, for the purpose of making a report to law enforcement. Note also the requirement for mandated reporting in cases of suicidal or homicidal ideation (see below, "Conversations and One-on-One Boundaries with Minors").

If a rabbi becomes aware of past abuse of a minor (or minors) within their organization or community, they must immediately confer with a licensed legal professional who has subject-matter expertise to advise as to the requirements in that jurisdiction for reporting the abuse. Reports to law enforcement officials are required in many jurisdictions, even if the alleged perpetrator is deceased or if the victim is no longer a minor.

Rabbis dealing with a situation of possible abuse within their congregation, community, or workplace must recognize the limitation of their own training and pastoral role. Therefore, the RA requires any rabbi acting as a pastoral counselor to a family where child abuse is suspected to consult with a licensed mental health professional and with a legal professional who has subject-matter expertise. Rabbis are required to follow all directives from law enforcement or other licensed agencies (e.g., Department of Child Welfare), as well as any protective orders issued by a court of law.

All rabbis must adhere to a court or military tribunal's protective order, even in a situation of a child's lifecycle event or milestone.

[4] Chaplains serving in the military must follow all military instructions on confidential/privileged communication. The VHK is aware that military codes of conduct may differ regarding mandatory reporting.

Boundaries with Non-Familial Minors

Rabbis are examples modeling healthy boundaries and relationships. It is important for rabbis in many kinds of rabbinic work to be able to connect with and mentor minors. It is also vital to create and maintain healthy boundaries in order to avoid creating even the appearance of impropriety with a minor; doing so makes it easier to recognize when someone is actually crossing a boundary. RA members must never engage in any abuse, sexual or physical, grooming behavior, harassment, sexual harassment, hazing, cyberbullying or bullying of a minor.

The following section of the Code delineates appropriate boundaries with non-familial minors for all RA members.

"Peer-Like" Behavioral Boundaries with Minors

RA members may never engage in "peer-like" behavior with a minor whether in person or via any electronic means. This includes:

- Sharing with a minor about their own private life, especially anything pertaining to their sexual or romantic life, either current or past.
- Flirting with a minor. This includes engaging in any verbal or nonverbal behaviors that appear to signal romantic/sexual interest or attraction toward the minor.

Conversational and One-on-One Boundaries with Minors

RA members must always interact with minors in a manner that is observable and interruptible by others. For example, when spending time with a minor one-on-one, RA members must meet at a time and location where others are present and can view or interrupt the interaction. In a virtual meeting, the meeting must be documented on a calendar that others have access to, and a parent/guardian or another staff member must have access to the meeting (e.g., the link to join). Such meetings should not take place late at night.

RA members must never do any of the following with a minor:

- Make sexual jokes or comments, or engage in any conversation or banter that has sexual innuendo or contains sexual stories.
- Direct them to keep a secret from or withhold information from parents, guardians, or other adults.
- Disparage a minor's family, faith, or political beliefs in any way.
- Speak in an abusive or derogatory manner.
- Promise a minor complete confidentiality. Rabbis must follow mandated reporting provisions regarding disclosures of abuse, neglect, self-harm, suicidal ideation, or homicidal ideation, as discussed above in the Code.

Physical and Sexual Boundaries with Minors

- RA members must never discuss their own sexual or romantic experiences (present or past) with a minor, nor expose a minor to pornography, sexually explicit material, or any sexual activity—even if it does not involve touching or physical contact.
- RA members must not discipline a minor in any physical manner nor engage in any violent behavior such as (but not limited to) punching, hitting, biting, slapping, or kicking. However, they may engage in physical contact to protect a child from harming themselves or another.
- RA members must not have extended physical contact, such as a lingering touch, with a minor. Any contact should be limited to a supportive or congratulatory quick hug, arm squeeze, pat on the back, or handshake, and should be initiated by the minor.
- All physical contact, within the limitations described above, must only take place in an observable space.
- RA members must not engage in physical behavior that is or could be interpreted as sexual in nature, including, but not limited to hugging (except as delineated above), kissing, stroking, lap sitting, massaging, tickling, rubbing, touching genitals, wrestling, physical horseplay, or swatting buttocks with a towel or other object.

Emotional and Behavioral Boundaries with Minors

- RA members may not provide, show, or share information on accessing alcohol, drugs, vaping tools, cigarettes, or pornographic materials. This boundary excludes conversations about addiction or other health concerns (in which case consent must be obtained from a parent or guardian).
- RA members must not cultivate or encourage a relationship based on "hero worship" and should be mindful in putting a stop to this kind of behavior that may be directed to them.

Home and Transportation Boundaries with Minors

- RA members must never invite a minor to their home unless there are other adults present the entire time and permission has been granted by the minor's parent/guardian; or unless the minor is being invited for a playdate or get-together by the rabbi's own child or other minor family member.
- RA members must never visit a minor's home without the presence of the minor's parent or guardian.
- It is recommended that RA members not ride alone in a car with a minor.

Electronic Communication Boundaries with Minors

RA members must be aware that any one-on-one electronic communication with a minor, whether late at night or during the day, especially if not related to their work parameters, may cross boundaries.

RA members must be aware that there is an inherent difference between personal and professional social media accounts. For any professional social media account where there is communication with minors, another staff member must have access to the account and the direct messages.

The following best practice guidelines are highly recommended for communication with minors:

- Gain explicit permission from a parent/guardian before texting with a minor, and consider adding a parent or fellow staff member to the texts.
- Use only professional communications channels (email addresses, phone numbers, and social media accounts) when necessary to communicate with minors.
- If using a personal social media account, be certain that all content visible to minors is appropriate.
- Use only professional social media accounts if connecting with a minor on social media.
- Do not game on a gaming platform with minors
- If initiating a social media conversation with a minor on a professional social media account, state explicitly the purpose (for example, in regard to a synagogue or youth-group event, follow-up from a class, etc.).
- In cases of a minor's mental health crisis, seek advice/counsel from a licensed mental health counselor to advise next steps and keep a record of the interaction and the reasons for it.
- Do not post pictures/videos of minors on social media without obtaining proper legal consent from parents or guardians.
- If photos of minors are needed for work-related purposes, these should be stored on a shared work platform or deleted immediately after posting.

Hotel, Overnight, and Shabbaton Boundaries with Minors

The following standards relate to any community Shabbaton or overnight experience where minors are involved.

- In a hotel or motel, or facility providing bedroom accommodations,
  - RA members must not be the only adult alone with a minor in any room;
  - RA members must sleep in a separate room and bed;
  - RA members must not invite a minor to sleep in their room; and
  - RA members must not be inside a minor's room when the minor is changing, showering, or sleeping.
- In a camp, bunk, or retreat setting,
  - RA members may not share a tent, bunk bed, or bed with a minor.
- RA members may not appear unclothed or in their underwear in front of minors.
- RA members may not stay in an adjoining room with a minor.

- Any hotel or Shabbaton "sick room" should not adjoin an RA member's bedroom.

SECTION 6: STANDARDS REGARDING SEXUAL CONDUCT

The Jewish concept of human dignity or honor due to God's creations (*k'vod habriyot)*—is a guiding principle for how RA members should comport themselves in navigating romantic and sexual relationships. Therefore, maintaining appropriate boundaries with constituents and upholding Code standards in romantic or sexual relationships are crucial to realizing *k'vod habriyot*.

Boundaries

RA members must avoid even the appearance of impropriety. All scheduled meetings with constituents and colleagues held in a private space (such as an office) must be both observable and interruptible by others. This includes pastoral meetings, home visitations, lifecycle meetings, private residence-based programming, and more. While confidentiality for constituents is essential to rabbinic work, this can be achieved while also ensuring that the interaction is observable and interruptible, by implementing some of the following safeguards.[5]

- Choosing to meet during a time when others are typically present in the space.
- Using a public or accessible location, or a space where others (such as other staff members) are present or may walk by.
- Recording appointments on a shared calendar so that other staff are aware that a meeting is taking place (this can be done while still anonymizing names for confidentiality).
- Creating a ledger to document visits including precautions taken, like noting the set-up of the room which is viewed or accessible to an outside body.
- If meeting in a room with windows, ensuring that the rabbi is visible to those outside the room through the windows (i.e., not closing the blinds).
- If meeting in a room without windows, keeping the door slightly ajar so that the rabbi is visible from outside (and using a white noise machine to protect privacy).
- If meeting online, ensuring that another staff member is aware that the meeting is taking place and has access to the virtual meeting room.

Sexual Relationships

RA members who choose to be sexually active must engage in healthy sexual interactions, which includes adherence to sexual boundaries. All sexual interactions:

- must be consensual,
- must never humiliate or degrade another, either publicly or privately,
- must never coerce someone into something they do not want to do,

[5] In some circumstances, such as chaplaincy work with homebound constituents, it may not be possible to implement more than one of the safeguards. Where possible, multiple strategies should be employed so as to include the highest level of transparency and safety.

- must prioritize safety for both sexual partners,
- must never knowingly put someone at risk, including by knowingly exposing another to a sexually transmitted disease, or tampering with birth control.

Dating a Constituent

As human beings, rabbis are in need of love and companionship and should express their sexuality in healthy ways through consensual relationships. Consent can occur only when two people are relatively equal in power and when fear, coercion, or manipulation is completely absent from their relationship. For this reason, many believe that there can never be consent between clergy and constituents, as the power dynamics are too great. Others believe that prohibiting such relationships entirely discounts the realities of life and ultimately promotes secrecy.

The RA is invested in supporting rabbis who are seeking healthy partnerships. This section outlines a process by which rabbis who find a romantic connection within their community can ethically pursue that connection with organizational transparency. We recognize that any policy or protocol cannot successfully prevent or account for all abuses of power. And even when a consensual, mutually agreed upon relationship or sexual interaction is not legally prohibited or prohibited by organizational policy, there are additional ethical concerns at play. For clarity and guidance on questions of dating or sexual relationships, please contact the RA's EC, the Professional Liaison to the VHK, or the chair of the VHK.

Additionally, as stated in the introduction, many RA members belong to other professional associations that adhere to a code of conduct. The expectation of the RA is that if a member violates another association's code of conduct, that is a per se violation of the RA Code of Conduct; therefore, if a professional code from an outside professional affiliation requires more stringent adherence than the RA Code, an RA member must adhere to that professional organizational standard.

Rabbis, by nature of their position and title, are in a position of power and spiritual authority. This means that certain romantic and sexual interactions and relationships will automatically violate the Code. Even when legally allowed, RA members may NOT propose, request, accept, or otherwise engage in a romantic or sexual interaction or relationship with the following until there has been a one year moratorium on the clergy–constituent relationship:

- **Any individual to whom the rabbi is actively offering or providing pastoral counseling.** There is a one-year moratorium[6] on transitioning from a pastoral relationship with a constituent to a romantic or sexual one, due to the power imbalance of the pastoral relationship, and due to the possibility of transference, which typically involves developing romantic feelings for someone providing counseling or therapy.
- **Any individual with whom the rabbi is in a supervisor-supervisee relationship.** There is a one-year moratorium on transitioning from a supervisor-supervisee relationship to a romantic or sexual one, due to the initial power imbalance inherent between a supervisor and supervisee.
- **Any individual the rabbi is preparing for conversion.** There is a one-year moratorium that begins at the conclusion of the conversion. This is due to the inherent vulnerability that exists between someone converting and the person who may be guiding or determining their conversion status.
- **Any adult student in situations where the rabbi has any form of academic supervision or influence on funding and/or academic progress, and/or otherwise occupying a position of influence or power over a student's academic program or professional placement and opportunity.** There is a one-year moratorium that begins at the conclusion of the academic supervision or influence. This is due to the inherent influence and power that someone in this position may hold over a student.

In the above cases, once the one-year moratorium has come to an end, the rabbi must follow the procedure detailed below. In addition, when a rabbi intends to pursue a consensual romantic, sexual, or otherwise physically intimate relationship with a constituent, employee, volunteer, adult student, program participant, colleague, co-worker, or community member connected to the rabbi's workplace who does not meet the criteria above, the RA member must also follow the procedure below:

- Notify the RA (either the EC, Professional Liaison to the VHK, or the VHK chair) by phone or in writing of when the RA member became aware of their own romantic or sexual interest, in order to receive guidance and for the sake of transparency.
- Inform the potential romantic partner, in writing, that the RA has a trained professional available to speak with each partner in the relationship, to discuss the power dynamics of a relationship with a rabbi.[7]

[6] The one-year moratorium was established based on a variety of factors, including a review of other clergy association codes and other professional association codes, especially that of the APA (American Psychological Association), which acknowledges dating as a possibility following the cessation of therapy. The goal of the one-year moratorium is to build in sufficient guardrails to remove the power imbalance between the two individuals and to avoid overly strict rules regarding adult consensual relationships after alleviating the power imbalance. (See above caution that overly strict rules lead to secrecy.)

[7] Though this requirement may feel awkward and uncomfortable, in order to protect BOTH parties, it is a requirement in the interest of everyone's safety.

- Notify their place of employment of when the RA member became aware of their own romantic or sexual interest. This can be in writing to their HR professional or to two individuals on the board, including the board president. In cases where the RA member's workplace policies are more stringent, the member should follow those policies.
- Ensure that the potential romantic partner and their family have someone else to serve as their rabbi, especially if the person has children who are members of the congregation or are connected to the organization or workplace. This can be achieved by ensuring the constituent has a direct referral to pastoral counseling from another rabbi on staff, in the local community, or via video conferencing (which the RA office can help connect them to).

In certain extenuating circumstances, the rabbi must inquire from the VHK if it is acceptable for them to conduct a lifecycle event for family members of an individual they are dating. If the relationship leads to marriage or a long-term partnership, the rabbi may conduct lifecycle events for their extended family.

If the romantic or sexual relationship ends, the RA and the rabbi's employer must be notified and the rabbi may not re-enter a one to one pastoral relationship with the former partner or their immediate family.

SECTION 7: STANDARDS REGARDING KNOWINGLY ELEVATING/HONORING THOSE WHO COMMIT HEINOUS ACTS

Rabbis are responsible for upholding the sanctity and integrity of their communities. In exercising their leadership, rabbis have the power to make ritual and organizational decisions that uphold and celebrate certain voices over others, and this may have a significant impact on their constituents.

Offering honors, both ritual and non-ritual, to individuals who have been convicted of heinous crimes **as an adult** (i.e., murder, rape, abuse, and sexual abuse) may convey tacit approval or support for the crimes that have been committed. Therefore, rabbis **must not** knowingly facilitate or authorize such an individual to receive an honor in a public setting. In cases when RA members are not in the decision-making position within their organization, the rabbi **must** reach out to the RA to report steps they have taken in an attempt to effect compliance with this standard.

It is **strongly recommended** that RA members withhold communal honors from those who have been convicted of crimes that have significantly impacted others, such as crimes that have led to the financial ruin of others.

It is also **recommended** that if someone is under active investigation for any of the above referenced crimes, RA members should withhold communal honors from such an individual in any public setting.[8]

In the event that such a person is part of a significant Jewish lifecycle event (e.g., shiva minyan, bar mitzvah, etc.), the rabbi may consider a private invitation-only ceremony to meet the needs of family members while maintaining safety and dignity in the larger community. **(In the event of a sex crime against a minor, Section 8 below supersedes this clause.)** In such cases, it is **strongly recommended** that the rabbi seek guidance from a professional trained in trauma-informed care to advise on the ceremony, communications, and pastoral care to all involved.

[8] This does not mean that an RA member must actively stop a constituent from honoring a family member if it is a private family event such as a *bris* in a family's home. However, the RA member should consider the impact of officiating or participating in such an event.

SECTION 8: STANDARDS REGARDING CHILD SEXUAL ABUSERS

An RA member must not knowingly allow anyone, whether a minor or adult, who has been convicted or is under active investigation for a sex crime against a child, into their synagogue or organization, if there are any children who may be present. In cases when RA members are not in the decision-making position within their organization[9], the rabbi **must** reach out to the RA to report steps they have taken.

[9] In cases where such a person is permitted entry by the synagogue or organization, and the rabbi has strongly recommended the Code standard but has been overruled, the rabbi must reach out to the RA to report that they attempted to implement the RA standard but did not have the authority do so.

SECTION 9: STANDARDS REGARDING BYSTANDER INTERVENTION

The biblical prohibition of "do not stand idly by the spilling of another's blood" (*lo ta'amod al dam rei'ekha*) compels us to consider the ethical application of what it means to not stand idly by when something requires intervention. The RA applies this concept to how we engage with others when learning of a violation of the Code or a violation of other laws.

RA members who witness or have definitive knowledge of a violation of the Code must consult with the EC, Professional Liaison to the VHK, or chair of the VHK.

RA members who become aware of any employee in their workplace violating the law must consult with legal counsel and notify the VHK.[10] In all cases involving **suspicion of abuse**, see Section 5 ("Mandated Reporting") above.

[10] Active military chaplains must follow the Military Code of Conduct.

SECTION 10: STANDARDS REGARDING COURT PROCEEDINGS

Rabbis wield high power and authority and are given deference by public trust. At the same time, rabbis do not have legal training on issues of court proceedings. Therefore, the appropriate role for rabbis in a court proceeding is to provide pastoral support.

When a rabbi testifies for someone, or provides written statements or affidavits, whether as a character witness or in another capacity, the impact of that testimony may cause tremendous damage—leading to a concern about the rabbi's ability to provide pastoral care to other survivors, the individuals and families involved in the case, or to others in similar circumstances. Therefore, this kind of involvement in court proceedings should be avoided whenever possible.

RA members must comply with all subpoenas and court orders, including a court order mandating that certain individuals not attend a particular lifecycle event or other communal gathering.

RA members must not provide character testimony for a constituent or colleague where the character reference is meant to ask the court for leniency in sentencing, once someone has been convicted of a heinous crime (see discussion in Section 7).

If a rabbi has a question of whether it is appropriate to testify in a specific situation, the rabbi must call the EC, VHK Professional Liaison, or VHK chair before providing testimony.

SECTION 11: STANDARDS REGARDING ARREST OR LAW ENFORCEMENT INVESTIGATION OF AN RA MEMBER

Any RA member who is made aware of a pending law enforcement investigation, and/or is in the process of being indicted or arrested, must self-report and notify the VHK of the proceedings. An investigation, indictment, arrest, and/or conviction is not a Code violation per se. Self-reporting allows for transparency and communication about whether or not a Code violation may be at issue. In addition, RA members who become aware of any RA member's violation of the law that has not yet been made public via reporting or published articles must report it to the VHK and to law enforcement, when applicable.

RA members have an affirmative duty to make a personal disclosure to the VHK in the following cases:

- If informed they are being investigated or are under suspicion for any criminal offenses;
- If dismissed from any place of employment due to misconduct; or
- If facing or have received disciplinary action by another professional association with which they are affiliated.

SECTION 12: STANDARDS REGARDING INTEGRITY WITH COLLEAGUES

It is a privilege and honor to share sacred work, *avodat kodesh*, with rabbinic colleagues. To walk collaboratively beside those who are dedicated to the service of the Jewish people and Torah can be a blessing, both to rabbis and to the individuals and communities who they serve.

In order to honor those relationships, it is vital to treat colleagues with integrity, support, honor, and respect—whether in communal or private spaces.

Rabbinic interactions occur within congregations, organizations, hospitals, and many other kinds of communities and relationships, including those that exist beyond the scope of geography.

- For the sake of the Jewish people, rabbis must never publicly disparage other rabbis, whether or not they are employed by the same organization or congregation.
- For the sake of the Jewish people, rabbis must not publicly undermine or disparage the organization or congregation served by another RA member.
- Disparagement is not disagreement; rather, it is belittling the value or worth of the RA member, their work, or their organization, or speaking of the RA member in a derogatory manner.

Working Together Within a Professional Setting

RA Members Working at the Same Institution

RA colleagues employed by the same institution or working together within the same institution must strive to interact with respect, dignity, and a collaborative spirit at all times. Being transparent in communication and about expectations is crucial to an ethical and productive working relationship between colleagues.

In any organizational setting, unless otherwise identified and predetermined within a particular job description, the senior rabbi is considered to be the *mara d'atra* and has the position to decide all matters affecting an organization's halakhic and rabbinic policies. It must be made clear in writing if there is another clergy determining administrative or religious policies due to an extenuating circumstance, such as illness or leave of absence.

In any organization where there are co-rabbis and neither rabbi is senior, all matters regarding *halakhah* (where applicable), as well as rabbinic and administration policies, must be either co-determined, or a predetermined organizational policy must identify which rabbi makes the final determination.

In an organization where there is more than one rabbi and one of them is senior, the senior rabbi must work to promote the growth of all clergy working within the organization on their chosen

career path. For more details on the supervisor/supervisee relationship, see below on ethical supervision and emotional abuse/misconduct.

Ethical Supervision and Emotional Abuse/Misconduct

Healthy and safe ethical supervision includes constructive criticism and feedback. Constructive criticism, though not always pleasant, is not a Code violation.

Constructive criticism is results-oriented. It is designed to benefit the person on the receiving end and allow that individual to learn skills that will help them improve their work, to the ultimate benefit of the organization. Disagreement is also a natural part of any workplace. Healthy supervision allows for disagreement where there is a focus on different viewpoints but collaboration on that difference.

RA members may not engage in emotional abuse or misconduct toward another RA member, non-RA staff member, or student intern at their organization. It is especially egregious to engage in emotional abuse of an individual under an RA member's supervision.

Emotional abuse includes verbal, physical, and electronic communication. Emotionally abusive supervision may include:

- verbally attacking someone in a personal manner;
- screaming, yelling, and berating;
- publicly humiliating another individual;
- throwing, breaking, or slamming objects or body parts, or destruction of property;
- using physically aggressive or offensive body language or hand gestures to intimidate or humiliate;
- ignoring or isolating an individual from professional meetings and conversations;
- creating a dynamic of gaslighting, coercion, or manipulation; or
- offering feedback based on a person's gender, sexuality, race, age, ability status, family circumstances, or other identities/ personal status.

If an RA member suspects a supervisee is being victimized by abusive or unethical behavior (as defined by the Code) ethical supervision requires intervention and a report to both the place of employment and the VHK.

Emeritus/Emerita[11] Relationship

In a congregational setting, the emeritus and the incumbent rabbi must demonstrate mutual support and respect toward one another, for the sake of the community. A roadmap for mutual respect may include:

[11]The Code was carefully written to avoid gendered language. In the case of Emeritus/Emerita, there currently exists a lack of gender-neutral language. As we continue to look for a non-gendered way to reference this position, please note that the intent of this section is to include all rabbis of any gender and identity.

- Having an agreement on shared responsibilities during the transition period and beyond.
- Honoring each other in words and actions.
- Having a predetermined joint response to questions about duties.

Neither the emeritus/emerita nor the incumbent rabbi will engage in any harassment, discrimination, or abuse of the other, including undermining, verbal disparagement, or any form of emotional abuse of the other.

The emeritus/emerita will recognize that the incumbent rabbi is now the *mara d'atra*. If the emeritus/emerita rabbi is asked by a congregant to officiate at a lifecycle event, the emeritus/emerita should first speak directly with the incumbent rabbi and ask for their permission/decision.

For the sake of the community, the incumbent rabbi should acknowledge the longstanding pastoral relationships that an emeritus/emerita may have with their community members. The incumbent rabbi should make every effort to honor and prioritize the emotional/spiritual needs of congregants.

An emeritus/emerita must be forthcoming with the incumbent rabbi about communal knowledge, including any knowledge the emeritus/emerita has of historical or current abuse or harassment that involved the organization, community, congregation, or individuals.

An emeritus/emerita shall not be a party to any formal or informal discussions related to employment or performance reviews of the incumbent rabbi.

RA Members Who Share Community

We celebrate the diversity of opportunities for engagement in Jewish life and experiences, and we encourage RA members who live and work in the same community to strive for personal and professional collaboration. It is a blessing to share community that is enriched by the presence and gifts of fellow RA members. To respectfully share community also requires transparent communication and an unwavering commitment to ethical behavior and mutual respect.

Rabbis in a Volunteer or Lay Leadership Role

Many rabbis are members of congregations or organizations led by RA members, or they may volunteer, work at, access programming, or participate in organizations led by a member. In those settings, rabbis must respect the policies and religious authority of the rabbi who has been engaged to lead in that organizational or professional setting. If one rabbi asks another to do rabbinic work for or with them, they need to explicitly state whether the work will be volunteer or compensated.

A rabbi who is a member of a congregation or organization may serve in a governance role such as an officer, a member of the board of directors, or member of a committee (the ritual committee, personnel committee, programming committee, engagement committee, outreach committee, fundraising development, etc.).

In their governance role, RA members will limit their service to that specific leadership role. They must not infringe on the rabbi's role in the following three areas:

- Lifecycle events: They may not officiate at lifecycle events for members of the synagogue or community without the permission of the senior rabbi.
- *Mara D'Atra*: They may not make any halakhic decisions for the congregation or organization.
- Employment Decisions: They may not engage in any process or conversation that evaluates or determines the employment of the rabbi(s) within the organization. (Rabbis may invite other RA members to serve in a lay leadership capacity, provided that they do not participate in any conversation or decision about their fellow RA member's employment. If a rabbi has asked a member to serve in this capacity, please reach out to inform the RA and for guidance about best practices in this circumstance.)

Among Jewish Communal Professionals

- If an RA member invites individuals to join their congregation or other organization, this [or: such membership] must never preclude these individuals or families from maintaining any previous memberships or affiliations.
- When an RA member, whether employed in a congregational or organizational setting, is asked to officiate at a lifecycle event for a family or individual who affiliates with multiple institutions, the family or individual may be best served by receiving support from all of the organizations to which they belong. Therefore, when an RA member is aware of multiple affiliations, they are encouraged to ask permission from the individual/family to openly share the information with the other rabbi(s) in the individual/family's life.
- When an RA member seeks to launch a **new** congregation or organization in a place with established Jewish communal organizations, they should inform local colleagues, at the earliest possible opportunity, to introduce their new venture and/or invite collaborative relationships.

SECTION 13: STANDARDS REGARDING SOCIAL MEDIA ACTIVITY

RA members must be mindful that whether their social media presence is accessible on a public or private account or listserv, there is no such thing as "privacy" online. Therefore, rabbis must conduct themselves on social media with the utmost integrity. Even if their online activity is conducted on a private platform or on a "personal page," RA members can be reported to the VHK for violation of the Code.

All social media posts, messages, comments, and communications—whether on a public or private account—are subject to the Code. Examples of forbidden social media activity include:

- Comments or private messages on posts that violate the bullying, cyberbullying, or sexual harassment standards (see Section 1).
- Any online content that violates the standards regarding minors (see Section 5).

SECTION 14: STANDARDS REGARDING FRAUDULENT CONDUCT

RA members must ensure that they are beyond reproach[12] in their work product and financial affairs, in both their personal and professional lives. RA members must not engage in unethical business dealings or other behaviors that are fraudulent or deceptive. Fraud occurs when a rabbi engages in purposeful deceit that gives the rabbi unlawful gain or denies a right to another, and the Code prohibits any form of fraud.

Examples of Fraud

The following actions are forms of fraud and violate the Code:

- **Knowingly** making statements that are false, deceptive, or untrue, whether in a public forum or in a private meeting with an individual.
- Misrepresenting one's professional credentials and/or experiences.
- Taking credit for ideas, materials, sermons, articles, or books that are not one's own.
- Plagiarizing another's work, whether in public speaking or in writing.[13]
- Claiming the intellectual property of another, especially a subordinate.

Financial Misappropriation

RA members are prohibited from engaging in financial misappropriation. Given the role of rabbinic authority within synagogues and other organizations, rabbis often control aspects of their organizations' finances, including discretionary, scholarship, endowments and operations funds, as well as maintain oversight over *tzedakah* resources. Therefore, to properly dispense or disburse funds from any work-related accounts, RA members must engage in the following practices:

- Have an additional signatory, who is known to the board and who is instructed by the board and the rabbi as to the requirement of confidentiality in disbursement, or have a biannual (two times per year) audit system in place to review financial accounts and appropriations.
- Ensure that their place of work has a method for reviewing the distribution history on a regular basis, which protects the dignity of the recipients while ensuring transparency to protect all involved.

[12] We provide only general guidelines in this section of the Code because we know that organizations for which RA members work may have different infrastructures with different safeguards in place. The overarching goal is to effect transparency and accountability; it is not necessary for every RA member to hew to all of the particular details of what follows, if they are guided by protocols of their own organization that serve as safeguards in the same way.

[13] As artificial intelligence becomes more commonly utilized, there will be further ethical clarification from the RA about how misuse of this technology may become a form of plagiarism or fraud.

Misappropriating funds is a violation of the Code. The following general protocols must be adhered to, in order to prevent misappropriation of funds:

- All donations collected and earmarked for a particular fund must go to that fund and all local and national legal requirements must be met.
- Any change in direction or use of funds must be agreed to in writing by the donor or be approved by the governance authority of the organization. The board must be notified in writing of any such changes, and all local and national legal requirements must be adhered to.

Discretionary Funds

RA members must adhere to the following Code guidelines regarding their discretionary funds:

- RA members must ensure compliance with all state, local, national, provincial, or other governmental laws regarding such funds.
- RA members must establish an accountable and transparent audit system (minimally twice a year) that ensures the confidentiality of the receiver and allows for an additional individual to have access to the records.
- RA members must ensure that any signatory keeps the identity of the recipient of funds confidential. Names and other personal information of recipients may not be shared with anyone other than the identified individuals tasked with auditing the discretionary fund.
- RA members must ensure that disbursements do not personally benefit the rabbi. For example, funds may not be used to finance the rabbi's personal or familial expenses. There must be a transparent and agreed-to protocol if discretionary funds are to be used for the rabbi's professional expenses (for example, conferences).
    - RA members' children **are** eligible for any discretionary funding available to all children within the congregation or organization, such as funding a teen trip to Israel or summer camp. Proper oversight measures, such as a scholarship disbursement committee, must be in place to ensure adherence to the principle of observable and interruptible behaviors.
- RA members must be available to provide a summary or report to the board on a yearly basis about the activity of the fund, that keeps all identifying information of the recipients confidential.
- The following are acceptable way to maintain confidentiality of the reports:
    - Removing any identifying information about the recipients in reports.
    - Preparing an executive summary of the distributions.
    - Having another appropriate party, also bound by confidentiality, review the distribution history and report to the board.

RA members must adhere to ethical financial transparency:

- An RA member may not act as the sole manager with single-signing authority over any communal fund.
- An RA member may not knowingly agree to receive a donation from an individual who is under public suspicion of unethical dealings or illegal activity, even if the donation is anonymous.

Personal Financial Conduct

RA members must adhere to ethical personal financial conduct and must strive to conduct their financial affairs with integrity. Guidelines for doing so include:

- RA members must avoid financial conflict of interest, which is defined as a financial arrangement that has potential for monetary gain or loss, with a constituent or person with whom they are in a pastoral or work relationship.
- RA members must not invest in a business or fund of a constituent or person with whom they are in a pastoral or work relationship.
- RA members must fully comply with all legal requirements related to finance, including proper reporting of income (subject to parsonage provisions, where applicable), paying taxes, and repaying debts.
- RA members may not engage in embezzlement, nor may they knowingly participate or engage others to participate in a financial fraud such as a Ponzi scheme, or serve as a reference for another investment fund.
- RA members may not solicit personal funds from constituents or from those with whom they are in a pastoral or work relationship, nor may they solicit any personal financial favors from individuals connected to their workplace or work.
- RA members should not accept professional services from constituents or people with whom they are in a pastoral or work relationship, without paying fair market value for said services, as such relationships have the potential for abuse of power or manipulation. Nor may they manipulate, demand, extort, or expect discounted or free services by virtue of their rabbinic position.
- RA members should not offer their own professional services to constituents for free or at a discounted rate in an attempt to control or influence the behavior of those constituents (particularly those in a position to make decisions concerning the rabbi's employment, compensation, etc.).

SECTION 15: STANDARDS REGARDING MISCONDUCT RELATED TO ADDICTION

It is expected that every RA member who suffers from an addiction will seek treatment from a licensed expert who can advise regarding recovery and rehabilitation. The RA is committed to assisting members who are struggling with addiction. Members are encouraged to reach out to the EC, who can guide them in finding the resources they need to support their recovery. Members may also contact the COO of the RA if they need financial support. An addiction is not a violation of the Code per se. However, if the addiction leads to misconduct or a Code violation, the addiction will not mitigate the seriousness of the violation.

RA members must not knowingly put an individual in harm's way due to any addiction or use of a restricted substance. The following are examples of Code violations connected to an addiction:

- Driving while intoxicated or otherwise impaired.
- Knowingly putting someone at risk of receiving a sexually transmitted disease.
- Borrowing or stealing money to use for one's addiction.
- Engaging in any type of abuse or misconduct.

SECTION 16: STANDARDS REGARDING COMPLIANCE WITH THE VHK

An RA member who refuses to cooperate with an investigation by the VHK of a complaint against them, or who refuses to follow through on a VHK determination and requirements, is subject to suspension or expulsion from the RA.

A member who resigns from the RA in the following situations will be expelled from the RA for non-cooperation and will be subject to all the conditions of expulsion as detailed in the Va'ad HaKavod (Ethics Committee) Procedures:

- If a member resigns during or subsequent to receiving a notice of VHK complaint.
- If a member resigns during or subsequent to the VHK complaint review process.
- If a member resigns during or subsequent to receiving the finding where the complaint was founded and/or consequences imparted.

Once expelled, the RA member's name will appear on the RA public-facing website, citing both the expulsion under Section 16 for non-compliance, and the Section involved in the underlying alleged violation.

SECTION 17: STANDARDS REGARDING STANDARDS OF RELIGIOUS PRACTICE

Members of the RA are required to fulfill the responsibilities of membership and fulfill the halakhic and administrative policies established by the Assembly. Signing the membership application serves as an agreement to abide by these policies and to abide by the Assembly's code of professional conduct. Thus, while the RA upholds the status of rabbis as *mara d'atra*, granting to each rabbi the responsibility to determine halakhic parameters for their congregation, institution, or organization, it is expected that the rulings of the RA and of the Committee on Jewish Law and Standards ("CJLS") will serve as a halakhic guide for members of the Assembly and their communities. "Standards of Religious Practice" are binding upon all members of the RA. Such standards are established through the CJLS with approval of the Assembly at an annual meeting. Violations of Standards of Religious Practice usually result in expulsion from the RA. Current Standards of Religious Practice are:

Jewish Status and Conversion

Clergy of the Conservative/Masorti Movement may grant formal Jewish status only to a person who is either born to a Jewish woman or converted with *tevilah* and (if male) *brit milah* as approved by a *bet din*. Any member of the RA shall continue to possess the right to petition the CJLS for an opinion on any case of extraordinary circumstances.

Wedding Officiation and *Get*/Divorce Decree

Clergy of the Conservative/Masorti Movement may officiate in any aspect of any manner of wedding ceremony for a person previously married to a Jew only if the previous marriage was dissolved by the death of the spouse or by a divorce in both civil law and in Jewish law—the latter by a *get*, by another form of dissolution approved by the CJLS, or by the action of the Joint Bet Din.

Wedding Officiation

Clergy of the Conservative/Masorti Movement may officiate at weddings only if both parties are Jewish. Officiation means signing documents or verbal participation of any kind. Attendance as a guest at a wedding where only one party is Jewish is not included in this Standard of Religious Practice.

SECTION 18: STANDARDS OF MEMBERSHIP REGARDING INTEGRITY WITH THE RABBINICAL ASSEMBLY

Administrative policies and halakhic practice parameters are promulgated by the Executive Council of the Rabbinical Assembly and are binding upon the membership of the RA. These currently include:

Records

Keeping the RA informed of current address and place of employment, if any. The RA makes every effort to maintain contact with members of the Assembly. Should such contact not be possible due to a member's failure to inform the Assembly of a current address, after one year membership in the Assembly will end and reinstatement may only occur by application through the Membership Committee.

Membership Dues

The filing of dues forms and timely payment of dues. Failure to file annual dues forms and complete payment of dues may result in suspension or expulsion from membership. It is also expected that all other financial obligations, such as payments related to convention or attendance at seminars, will also be paid when due.

RA Policies

Abiding by the policies established by committees of the RA as approved by the Executive Council, such as those of the Placement Commission, Membership Committee, Va'ad HaKavod, Joint Beit Din, etc.

Regional Policies

Abiding by regional practices in order to strengthen rabbinic cooperation and promote communal cohesiveness. Regional policies must conform to those of the RA and are subject to review and approval by the Executive Council. Rabbis resident in or working temporarily in a region must abide by regional policies.

Private Ordination

RA members may not privately ordain individuals. The RA firmly opposes private ordination as undermining the Movement's high standards of rabbinic education and training, and as demeaning the trust and respect of the rabbinic profession.

Civil Marriage

RA members may only function in rabbinic roles and may not serve in civil capacities detached from religious officiation for marriages or other ceremonies and rites. Rabbis may not officiate at a religious ceremony when a required civil marriage license has not been previously obtained. In the case of same-sex marriages, a civil license must be obtained unless the state or country does not issue a marriage license for same-sex couples. For weddings performed in Israel, a civil license is required except in the case where the couple are both Israeli citizens and/or permanent residents and are both residing officially in Israel.

Administration of Gittin/Divorce Decrees

It is Executive Council policy that *gittin* must be arranged through certified *mesaddrei gittin* who participate in the divorce Registration Projects of the Joint Bet Din.

Failure to abide by RA policies and/or this Code of Professional Conduct may result in disciplinary action. Administrative policy violations, such as a placement violation or a failure to remit dues as required, will be reviewed by the appropriate committee of the RA (e.g., Placement Commission, Administrative Committee) and disciplinary action will be undertaken, if recommended. Violations of an ethical, moral, or religious nature will be referred to the Va'ad HaKavod. If necessary, a recommendation for disciplinary action will be reported to the Administrative Committee, and then voted upon by the Executive Council to become effective.

CONCLUSION

וְעָשִׂיתָ הַיָּשָׁר וְהַטּוֹב בְּעֵינֵי ה` לְמַעַן יִיטַב לָךְ.
Do what is right and good in the sight of Adonai,
that it may go well with you.
—Deuteronomy 6:18

This Code of Professional Conduct is extensive, but certainly does not cover every case. It is understood that our goal is to observe both the letter and the spirit of this Code. The Va'ad HaKavod enforces the Code with that same understanding.

However, the true intention is that the Code will serve as a guide and source of education to our members. By becoming familiar with it, the Code will help members consider situations that might arise in the course of their rabbinates and as they fulfill their responsibilities in their professional and personal lives. They will then be able to make decisions accordingly and to seek advice when necessary.

The behavior of every RA member affects not only themselves and those in their immediate family and community, but also brings credit or discredit to other members and the rabbinate as a whole. This Code expresses our mutual responsibilities as rabbis to ensure that we may bring blessings to those with whom we work and live, and to one another as a community of colleagues.

As we strive to fulfill the expectations of this Code, we know that it is inspired by the wisdom and teachings of Jewish tradition. As we study it and commit to following it to the best of our ability, we recall the prayer that we recite in that intimate moment when we open the synagogue ark (*aron kodesh*) and prepare to study Torah on Shabbat and holidays: יהא רעוא קדמך דתפתח לבי באוריתא ותשלים משאלין דלבי ולבא דכל עמך ישראל לטב ולחיין ולשלם, "May it be Your will that You open my heart to Your Torah, and that You fulfill the desires of my heart and the hearts of all Your people Israel, for goodness, for life, and for peace. Amen."

Rabbi Jacob Blumenthal
Rabbinical Assembly CEO, 5785