

## **CONGREGATION KOL AMI ETHICS CODE**

### Structured Format For Responding To Alleged Ethics Code Violation

Congregation Kol Ami's Ethics Code will be made available to all congregants, staff, and clergy. The Code will also be published on the congregation website and will be available in the synagogue office. The synagogue is committed to promptly investigating any reported violations. The following procedures delineate how allegations of unethical behavior based on the Ethics Code will be addressed.

#### **PART 1: INTRODUCTION**

Congregation Kol Ami provides members of its community with a confidential avenue for addressing alleged breaches of the Congregation Kol Ami 's Ethics Code. The synagogue Ethics Committee reviews all submitted allegations and collaborates with the involved individuals to achieve appropriate and timely resolution of a complaint. Its decisions are subject to the Board's ultimate authority.

Confidentiality shall be maintained throughout the Ethics Committee process to the extent practicable and consistent with thorough assessment and resolution of the matter. No person shall disseminate any information regarding a complaint or the facts and circumstances relating to such matters, except as necessary to conduct a fair, adequate, and timely investigation.

No person who in good faith reports or assists in the investigation of a violation of the Code shall suffer retaliation, harassment, or adverse employment consequences. Retaliation against any person who makes or is involved with investigating a good faith report of unethical conduct under the Code is itself unethical conduct and will be investigated as such.

#### **PART 2: SELECTION, ROLE AND TERM OF ETHICS COMMITTEE AND CHAIR**

1. The Committee is composed of three individuals selected by the Board President(s) in keeping with the by-laws of the congregation, one of whom serves as the Chair. Each member serves a term of three years, and terms are staggered to ensure continuity and overlap of new and existing members. Each member may serve up to two terms.
2. Committee members should possess qualities of good judgment, integrity, leadership, independence and ability to handle challenging situations. Members should be able to balance a strong sense of right and wrong with an ability to see multiple sides of a situation. All members shall have or receive training in conflict resolution within 90 days of appointment to the Committee.
3. The Committee meets at least annually to welcome and orient new members and discuss any outstanding issues. Subject to the Board's oversight, the Committee works to develop processes for resolving complaints, evaluates the Code and its implementation and recommends changes if necessary.
4. The Committee is notified by the Ethics Committee Chair (Chair) of all complaints received by the Chair, the Board President(s), the Rabbi or any other member of the Board or staff and assists in resolving complaints that require action beyond a meeting between the Chair and the complainant. Such assistance may include discussions with other affected individuals; internal discussion of the breadth of the problem; potential implications of the problem and the possible need for further action; and research regarding generally accepted standards of ethical behavior (both civil and Judaic).

5. Committee members must recuse themselves if an allegation pertains to their own conduct or conduct of a member of their family. A member of the Committee may take the place of the Chair in the event the issue involves conduct of the Chair, or the Chair is unavailable.
6. The Chair is appointed by the Board for a three year term and may not serve on the Board during their tenure in this role. The Chair receives and reviews all allegations reported by congregants or staff regarding possible Code violations, ensures that the allegation is communicated promptly to the Committee and is pursued in a timely manner and, in consultation with the Committee, makes a determination regarding the appropriate process and/or people required to address the allegation.
7. The Chair communicates directly with the Board President(s) regarding receipt and resolution of complaints and may also communicate with the Rabbi, Executive Committee and/or Board (if needed/appropriate); and ensures that the complainant and other involved parties receive documentation regarding resolution of the matter.

### **PART 3: REPORTING**

1. A person can report an alleged violation to any of the following: the Chair, an Ethics Committee member, a Board member, or the Rabbi. The communication may include a request for a personal meeting to discuss the incident or a written description of the issue of incident. All such communications, verbal or written, shall be forwarded to the Chair, who notifies the Board President(s). The Chair can be contacted directly via email at [Ethics@NYKolAmi.org](mailto:Ethics@NYKolAmi.org).
2. When the Board President(s) are informed of an alleged violation, they will immediately inform the Executive Director so that the Whistle Blower Policy can also be followed, if appropriate.
3. All communication regarding alleged Code violations will be confidential as stated in the first paragraphs of this policy.

### **PART 4: INVESTIGATIVE PROCESS**

1. Additional communication between the Chair and the person submitting the complaint may be necessary to determine what type of violation may have occurred, including the possibility of a criminal offense.
2. When an allegation of unethical behavior is made to the Ethics Committee Chair, the Board President(s), after consultation with the Chair, will decide whether they should consult independent legal counsel representing the synagogue.
3. Where an allegation raises the possibility of imminent and substantial harm to the person(s) of concern, legal obligations take precedence and supersede any procedures otherwise delineated by this Code. The Board President(s), in consultation with the Chair, may take such action as deemed appropriate.
4. If it is determined that a Code of Conduct violation may have occurred, the Chair, in consultation with the Committee, Rabbi, and Board President(s), determines the appropriate process for working towards resolution. Process options include, but are not limited to:
  - a. One on one discussions with the complainant and/or person about whom the complaint was lodged;
  - b. Informational discussions between the complainant and the subject of the complaint and/or
  - c. Further Committee investigation, including interviews with others who may have been involved or witnessed the incident in question.
5. Within 14 days of receiving a complaint, the complainant will be contacted regarding next steps for addressing the complaint.
6. Everyone involved in an Ethics Committee process is expected to comply with all Ethics Committee requests to assist in information gathering. All members and staff are expected to cooperate with any

requests to assist in an investigation. Failure to do so may itself be an ethical violation, which is subject to review by the Ethics Committee.

7. If the alleged ethics violator is a member of the Central Conference of American Rabbis (CCAR), American College of Cantors (ACC), Association of Reform Jewish Educators (ARJE), National Association for Temple Administration (NATA), or Union for Reform Judaism (URJ), the Ethics Committee must consult with the Ethics Committee Chair of that organization to coordinate the congregation's process with that of the professional organization, balancing the needs of the congregation and those of the professional body.

## **PART 5: CONFLICT RESOLUTION/HEALING PROCESS**

Some alleged ethics violations may warrant or benefit from meetings aimed at facilitating healing of a breach between the involved individuals. The Chair, a committee member, the Rabbi, or the Board President(s) may encourage and/or facilitate such a meeting if those individuals are interested and willing. Upon the request of any individuals involved, the Chair shall provide referral information for professional help.

## **PART 6: OUTCOME**

1. Every possible attempt will be made to conclude the matter as soon as possible. Possible outcomes may include but are not limited to:
  - a. Satisfactory resolution of the issue, as agreed upon by the individuals involved in the complaint;
  - b. Continued contention or disagreement between the individuals, with an agreement to move forward with the complaint;
  - c. Continued disagreement and request for additional intervention and/or appeal; and
  - d. Recommendation to the Board by the Committee that one or more involved individuals be removed from congregational membership or have a probationary period defined and implemented. In such cases, the Rabbi is also informed and consulted regarding a final plan.
2. All steps in the process, from initial allegation to ultimate or recommended resolution, are documented in a report written by the Ethics Committee. The Committee must review the report, and once finalized, the Chair provides this confidential document to the Board President(s) and the Rabbi for their approval. They may request further action, including the possibility of consulting legal counsel if this has not already been done. The final report is then given to the involved individuals.
3. The final report and the outcome documentation will be kept by the Rabbi in a locked confidential file.

## **PART 7: APPEALS**

1. If any of the involved individuals are unsatisfied with the outcome, they may request reconsideration within 20 days of receiving the results by submitting a written request for reconsideration to the Chair. The Board President(s) reviews and addresses all appeals, except for the following:
  - a. Appeals regarding issues involving employees will be referred to the Executive Board or the Personnel Committee;
  - b. Appeals regarding legal issues will be referred to the congregation's counsel.
2. Acknowledgment of receipt of requests for reconsideration will be provided within 5 days. Every effort will be made to provide the requestor with a final decision within a reasonable time frame.
3. The process for addressing the appeal is determined by the person/group charged with the reconsideration and will include a review of the findings of the initial complaint. The person appealing may request additional investigation or other discussions with the parties to the complaint. A written final decision will be provided to the requesting party within 5 days of the final determination.