

## PREAMBLE

As Educators, we know how essential it is to create safe, positive spaces so that all are able to learn, develop identity and build community. As members of the Association of Reform Jewish Educators, our Code of Ethics reminds each of us that we are obligated to maintain the highest standards and to serve as role models in our professional lives.

The role of our Code of Ethics and Ethics Committee is to ensure that the profession of Jewish Educator remains both safe and sacred. When a member of our community violates any of these pillars of our profession, we must act quickly and seriously to address the situation. In Pirke Avot 1:14 we read the familiar words, *im ein ani li mi li* - our reminder that each of us is ultimately responsible for our own actions. But just as the verse continues, *uch'sheani l'atzmi mah ani* - we cannot ignore the actions of others, and this is all the more true when our actions negatively impact the Jewish communities in which we serve. Our Ethics Committee can help us care for our entire community and repair the tears we have made when we misstep.

It is with this framing text and [the ARJE values](#) in mind that we establish this Code of Ethics so that we may inspire excellence in all of the work we do.

## ARJE Code of Ethics

*The ARJE Code of Ethics will live, in its entirety, on a public Ethics specific page of the ARJE website. In order to become and maintain membership in the ARJE, educators must affirm they have read the code and will abide by it in their membership application/renewal. It is the expectation of the ARJE that all members will review the code each year.*

### I. PROFESSIONAL RELATIONSHIPS

- A. Educators are expected to act with professionalism and *menschlichkeit* in all their professional relationships. Educators fulfill many different functions in their roles and serve their communities in a variety of different ways. As such, educators have relationships with a diverse group of people. Each of those relationships should be treated as sacred and educators are expected to always maintain a high ethical standard. These relationships include, but are not limited to:
  1. Colleagues
    - a) Educators who work in different institutions
    - b) Other members of ARJE
    - c) Members of other professional organizations (ie: ACC, ATID, CCAR, ECE-RJ, NATA, PEP-RJ, etc.)
  2. Co-Workers
    - a) This includes all individuals who work at the institution regardless of their role and relationship to the educator
  3. Supervisees, Employees, and Interns
  4. Constituents

- a) This includes but is not limited to community members, lay leaders, committee members, congregants, learners in a class/study setting.
- 5. Volunteers
  - a) This includes but is not limited to teens, young adults, and others who assume responsibility for programs or events.
- B. The actions of educators in their relationships should reflect the value of b'tzelem elohim. Educators shall treat everyone with respect and dignity and may not use any form of verbal or emotional abuse, intimidation, gaslighting<sup>1</sup>, coercion, harassment, retaliation, blackmail or any form of bullying<sup>2</sup> in their interactions and communications.
- C. Educators are given both real and symbolic authority in their role and, as such, have the responsibility to recognize the power differential inherent in many relationships and that certain speech or conduct may be experienced as intimidating. Educators need to be mindful of the vulnerability of those whom we teach, counsel and serve while maintaining appropriate boundaries in all situations and settings.

## II. SEXUAL BOUNDARIES

1. Educators must abstain from all forms of sexual misconduct. All violations of sexual boundaries are unacceptable and will be taken seriously. Violations need not be physical to be inappropriate. Violations of this section of the Code include but are not limited to inappropriate comments, jokes, verbal and/or visual conduct of a sexual nature, sexual harassment, intimidation, physical assault, sharing or requesting pornographic materials, stalking, grooming, invasion of privacy, requests for sexual favors or unwelcome physical contact or conduct.
2. Educators should not engage in relationships where there is an inability for both parties to give meaningful consent because of an inherent power imbalance.

## III. CONFIDENTIALITY AND ITS LIMITS

1. Educators are obligated to maintain outward confidentiality<sup>3</sup> about the financial and personal information of constituents of their organization and the organization as a whole.
2. When sharing experiences, disclosing information, asking for advice on social media or from third parties, or utilizing AI and other digital

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<sup>1</sup> Gaslighting is defined as manipulating someone by psychological means into questioning their own perception of reality.

<sup>2</sup> Bullying is defined as deliberate and persistent unwanted, aggressive behavior.

<sup>3</sup> Outward Confidentiality refers to not sharing publicly any of the aforementioned information. It may be necessary for educators to share information with senior level staff members at their institutions in order to assist members/constituents. To maintain outward confidentiality, educators should not share details with other members/constituents, non-senior level staff, or others outside of the organization.

technology, educators should take care to protect the confidentiality of those involved in the situation or obtain permission.

3. Educators have an obligation to know and follow the laws regarding mandated reporting for their current location. Educators may need to break confidentiality in order to make such a report.
  - a. Educators who also hold the title of clergy are expected to adhere to all mandated reporting laws, regardless if they are not required to do so under their clergy title.
4. Educators should aspire to create a safe and sacred community for their students by undertaking responsible due diligence in regard to hiring staff.
  - a) Educators have an obligation to know and follow the laws regarding hiring staff in relation to minors.

#### IV. PERSONAL OBLIGATIONS

##### A. Addictive, Illegal and Controlled Substances

Educators should make thoughtful and responsible choices with respect to addictive, controlled and illegal substances as they can cause reputational or material harm even in the case of individual use.<sup>4</sup>

1. In professional settings and during work hours, educators shall not be under the influence of drugs, alcohol or other controlled substances in a manner that would prevent or inhibit them from fulfilling the responsibilities of their job in a safe and appropriate manner, or impair their sound judgment.
2. Educators should make appropriate professional choices around making available legal substances to members of their staff or community during community organized or sanctioned events.
3. Educators should be mindful of power differentials and not offer or share controlled or illegal substances to minors, supervisees or members of their community, regardless of state laws.<sup>5</sup>

##### B. Intellectual Honesty

1. Proper attribution shall be used in all instances where Educators are using or sharing the intellectual property created by another. Educators are responsible for doing their own due diligence to ensure they are not presenting plagiarized material, including AI, as their own.
2. Educators shall describe their credentials, experience, and services accurately and with integrity.

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<sup>4</sup> If you are suffering from any addiction, we encourage you to reach out to Beit T'shuvah at [btsrecovery.org](http://btsrecovery.org) or 1-888-511-0676, or the T'shuvah Center at [tshuvahcenter.org](http://tshuvahcenter.org), both of which are Jewish addiction treatment centers.

<sup>5</sup> This does not apply to distributing medication or over-the-counter substances where there is explicit written consent.

## V. FINANCIAL

1. Educators shall not participate in any form of financial impropriety. Financial impropriety includes, but is not limited to: inappropriate use of funds for personal or family expenses, embezzlement, non-payment of just debts, tax evasion or any illegal or improper monetary dealings.
2. Educators should be mindful of the propriety of accepting or asking for gifts or financial benefits from constituents, lay leaders, students, vendors, and volunteers. Educators should be mindful of all gifts and conflict of interest best practices and policies.

### **ARJE Ethics Process**

#### I. The Ethics Committee

1. The ethics committee shall investigate and adjudicate complaints against members of the ARJE.
2. Members of the ethics committee will keep all committee matters confidential.

#### II. Reporting

1. Complaints should be made in writing using the form developed by the ARJE Ethics Committee and will be sent to the Chair of the Ethics Committee and the Executive Director.
  - a) If someone has questions or wants additional information about the ethics code or process before filing a complaint, they may reach out to the Chair of the Ethics Committee directly ([ethics@reformededucators.org](mailto:ethics@reformededucators.org))
2. An educator may report their own violation or suspected violation of the Code of Ethics.
3. Any person with direct knowledge of misconduct may file a complaint about a member of ARJE.
  - a) In order for a complaint to be reviewed by the Ethics Committee, it must be done so in writing, include a complainant's first and last name, the first and last name of the accused educator and set forth in sufficient detail the factual allegations of the educator's accused violation of the ethics code.
  - b) There is no statute of limitations on reporting.

#### III. Confidentiality in Ethics Cases

1. Members of the Ethics Committee are expected to maintain strict confidentiality. They may not share any details of a case, complaint or

investigation with those who are not on the Ethics Committee or individuals who are official advisors to the ARJE on legal or ethical issues.

2. All parties involved with an ethics complaint/case are asked to use discretion in discussing the complaint/case.

#### IV. Ethics Investigation

##### A. Response to Filed Complaint

1. Upon receiving a written complaint, the Chair of the Ethics Committee will write back to the complainant within 48 hours<sup>6</sup> and will set up a time to speak with the complainant within 7 days.
  - a) Throughout the ethics process, the complainant may reach out to the Chair or Vice Chair anytime for support.
2. The educator about whom the complaint is made will be notified within one week of the complaint being received.
  - a) The educator will be given a general overview of the complaint made against them and given the opportunity to respond in writing. This written submission will be brought with the complaint to the Ethics Committee. The educator will have a minimum of three days to submit this writing.
  - b) Throughout the ethics process, the educator may reach out to the Chair or Vice Chair for support.
3. The Ethics Committee will meet within 2 weeks of receipt of the complaint. It will be the role of the committee at that time to review the complaint and determine if it warrants an investigation.
  - a) At least  $\frac{2}{3}$  of the Ethics Committee must vote in favor of an investigation.
  - b) If it is determined to move to an investigation, the educator and complainant will be notified in writing. Both parties will be asked to submit names of other individuals who have direct knowledge about the incidents/events of the case.
  - c) If it is determined to move to an investigation, a supervisor of the educator will be notified by the ARJE Executive Director.
  - d) If the alleged incident is so severe that people or institutions are in imminent danger, the Chair and Executive Director may recommend to the educator's supervisor that the educator be removed from their position while the investigation is taking place.
4. Prior to reviewing the complaint, any member of the Ethics Committee who believes they have a conflict of interest will inform the Chair to determine if they need to recuse themselves from the process.

##### B. Investigation of Complaint

1. Following a  $\frac{2}{3}$  vote of the Ethics Committee to begin an investigation, a subcommittee of the ethics committee will be created, known as an

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<sup>6</sup> If a report is made over a holiday or shabbat, it may take additional time for the Chair of the Ethics Committee to respond.

Information Gathering Group. This group will consist of 3-4 individuals from the Ethics Committee.

- a) The ARJE Ethics Committee may choose to hire a professional to assist with an investigation where an outside professional is deemed necessary or appropriate.
2. With the assistance of the Ethics Chair, the Information Gathering Group will set up interviews with the accused educator and parties who were involved with the incident(s) in question or have direct knowledge about them.
  - a) During each interview, at least two members of the Information Gathering Group will be present - one of whom will be taking notes.
  - b) When consent is given by the individual being interviewed, interviews should be recorded to be shared with the Ethics Committee for the purposes of adjudication.
  - c) Following their interview, anyone who is interviewed will be given the opportunity to submit a written statement to the Ethics Committee. These should be submitted within one week of their interview.
3. The Information Gathering Group will also ask parties to submit any relevant documentation, including but not limited to emails, accounting records, text messages, relevant files, and notes.
4. After completing the interviews, the Information Gathering Group will organize all interview notes and videos and other documentation and submit them to the entire Ethics Committee along with a report summarizing their findings.
5. The Information Gathering Group should take no more than 60 days to complete their process and write their report. If they need more than 60 days, the Chair of the Ethics Committee must be notified in advance.
  - a) The Chair of the Ethics Committee will notify the accused educator, complainant, victims, and the educator's supervisor that additional time is needed.

## V. Adjudication

- A. The Ethics Committee will meet within two weeks of receiving the Investigation Gathering Group's report to adjudicate the case.
  1. At this meeting, the Committee will determine whether to dismiss the complaint or move forward with adjudication.
  2. If the Ethics Committee finds that the facts and circumstances do not sustain the complaint, they may dismiss it in whole or in part.
  3. A vote of  $\frac{2}{3}$  of the Ethics Committee is needed to find an educator in violation of the Code of Ethics.
- B. If an educator is found to be in violation of the ARJE Code of Ethics, it will be the responsibility of the Ethics Committee to determine the next steps needed in order to, if possible, repair the harm that has been caused, restore the status of

the educator and the role of educator in the community. The Ethics Committee will determine both the severity of the violation and, using the severity and the information from the case, the appropriate restorative actions to be taken in the goal of repairing the harm that has been caused.

1. Severity of Violation - When determining this, the Ethics Committee may consider part of the code that has been violated, whether it was a single offense or repetitive action, the age or vulnerability of those involved, impact on the victims and institution, and the intention of the educator. The severity of violation should assist the Ethics Committee in determining the necessary restorative actions.
  - a) Repeated violations of the same area of the code will be considered more severe.
  - b) Offenses concerning incapacitated individuals and minors will automatically be considered a more severe violation.
2. Restorative Actions - Restorative actions refers to actions that are taken to restore any or all of the following: the educator in violation of the code, their reputation, their relationships, their judgement, a sense of safety, the dignity of the victim, the larger reputation of the profession of educator, the reputation or standing of our professional organization, ARJE. These restorative actions will be considered when an educator is found in violation of the ethics code. The Ethics Committee may determine that **one or more of the following actions** are necessary in order for the educator to try to, where possible, repair the harm caused and give the educator the opportunity to gain understanding and further develop their professional ethics:
  - a) Restorative Justice Process
    - (1) Recommended for use in cases where relationships have been damaged by the words or actions of the educator and the complainants or victims are willing to be part of the process.
    - (2) If a restorative justice process is determined to be required by the Ethics Committee, the Ethics Chair or Vice Chair will work with the educator to find a professional for this process.
    - (3) If this restorative action is required without suspension, there is no public notification.
  - b) Professional Coaching
    - (1) Recommended for use in cases where complainants are not specifically harmed or where professional discretion was not used appropriately.
    - (2) Recommended for use in cases where relationships have been damaged by the words or actions of the educator and the complainants or victims are not willing or able to be part of a restorative justice process.

- (3) If professional coaching is determined to be required by the Ethics Committee, the Ethics Chair or Vice Chair will work with the educator to find a professional for this process.
- (4) If this restorative action is required without suspension, there is no public notification.
- c) Other learning or growth opportunities that are appropriate based upon the specifics of the case and those involved.
  - (1) If this restorative action is required without suspension, there is no public notification.
- d) Suspension from ARJE
  - (1) Recommended for use in cases where there is concern that the educator may cause additional harm but with restorative actions could be reinstated as a member in good standing.
  - (2) If an educator is convicted in a court of law of a felony or misdemeanor that has implications of ethical misconduct, the educator may be suspended even if a complaint has not been filed, except in cases of civil disobedience or acts of conscience.
  - (3) Suspension will result in publication of the person's name and the area of the code that they have violated on the Ethics page of the ARJE website.
    - (a) If the Ethics Committee believes that the suspended educator may cause additional harm to the members of the ARJE, they will recommend to the ARJE President and Executive Director that the membership be notified of the suspension through a separate or regular email communication.
  - (4) A member who is suspended will need to complete all actions set forth by the Ethics Committee and submit a personal letter of reflection and a letter of recommendation of reinstatement submitted by a coach, supervisor, mentor or other relevant professional that the educator has worked with during the suspension period. These documents will be reviewed by the Ethics Committee, who will determine by a  $\frac{2}{3}$  majority whether or not to lift the suspension.
    - (a) In the case where the Ethics Committee does not believe the educator has done the work necessary to be reinstated, they will review the list of restorative work for this case and explain what work has not been done to the fullest extent.
  - (5) Once a suspension is lifted, the ARJE Ethics Page will be updated to state that the educator is once again a member

in good standing of the organization. This will remain on the website for a period of no less than 3 months and no more than 6 months.

e) Expulsion from ARJE

- (1) This should only be used in cases where a severe violation has occurred.
- (2) Expulsion from the ARJE requires a unanimous vote by the Ethics Committee.
- (3) Expulsions will be listed on the ARJE Ethics webpage permanently, stating the name of the educator, the area of the code that they violated and the date of expulsion.
- (4) If an educator is convicted in a court of law of a felony or misdemeanor that has implications of ethical misconduct, the educator may be expelled even if a complaint has not been filed, except in cases of civil disobedience or acts of conscience.
- (5) Any educator who resigns during the course of the investigation or refuses to participate in the recommended actions of the Ethics Committee will automatically be expelled. Their reason for and date of expulsion will be listed on the Ethics page of the ARJE website.

(a) If the Ethics Committee believes that the expelled educator may cause additional harm to the members of the ARJE, they will recommend to the ARJE President and Executive Director that the membership be notified of the expulsion through a separate or regular email communication.

3. All of the above actions, except for expulsion, will require a  $\frac{2}{3}$  vote by the Ethics Committee.
  4. The Educator in violation of the Code of Ethics will be responsible for all fees associated with their restorative actions, including but not limited to professional coaching, restorative justice, consultation or travel for mediation.
  5. If a restorative action is not completed in a timely manner by the Educator without a legitimate request for extension or an alternative consideration, the Ethics Committee reserves the right to review the adjudication and add additional actions.
- C. Within one week of the Ethics Committee's decision, the accused educator, the complainant, any direct victims and the educator's supervisor<sup>7</sup> will be notified in writing with a summary of the decision and the action steps that the Ethics Committee has determined for the educator if they have been found in violation

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<sup>7</sup> The Ethics Committee reserves the right to inform additional stakeholders (such as lay leaders) if there is concern that additional harm could be inflicted.

of the code. Information about the appeals process will also be included in the disseminated written opinion.<sup>8</sup>

- D. Following the written decision, one member of the Ethics Committee will be assigned to check in regularly with the educator to assist with and keep track of their restorative actions.

## VI. Appeals Process

- A. Appeals may be filed by any party who received the written decision if they believe that there is prejudicial abuse of discretion by the Ethics Committee. Prejudicial Abuse of Discretion is understood as either of the following:
  - 1. Procedural Unfairness: Was the Ethics Committee's process unfair or not in adherence to the procedure set forth in the Code of Ethics?
  - 2. Unsupported Decision: Was the decision reached by the Ethics Committee unsupported by the evidence of the case?
- B. Parties may lodge an appeal within two weeks of receiving the written report. They will notify the Ethics Chair of their intent to lodge an appeal. The Ethics Chair will then notify the ARJE President and all parties who received the written decision.
  - 1. During an appeals process, any restorative action determined by the ethics committee will be paused until the decision of the Appeals Committee is written and disseminated.
- C. The ARJE President and Va'ad, in consultation with the Executive Director, will have 2 weeks to appoint an appeals committee to serve on a case-by-case basis.
  - 1. The Appeals Committee will consist of 5 former members of the ARJE Board or Ethics Committee or have been a Committee Chair/Team leaders within the past 15 years. The Executive Director will be a non voting member of the Appeals Committee.
  - 2. The Appeals Committee's role will be to review the original case, with the presumption of correctness, as their role is to determine if there is prejudicial abuse of discretion.
  - 3. The Appeals Committee does not have the authority to ask for any additional documentation from involved parties or re-interview involved parties.
- D. Prior to reviewing the case, any member of the Appeals Committee who believes they have a conflict of interest will inform the Chair or the President to determine if they need to recuse themselves from the process. In the case of recusal, another person will be chosen to sit on the Appeals Committee.
- E. The Appeals Committee will meet with the Ethics Chair after their appointment to be given the information about the case and to review their role. They may also

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<sup>8</sup> If the educator is found in violation of the code and is also a member, volunteer, or employee of a partner organization (e.g. JEA, CCAR, URJ, ACC, ECE-RJ), the written decision will be sent to the partner organization. Additionally, ARJE will act in reciprocity with these partner organizations if a member of ARJE is found in violation of their Ethics Code.

- meet with the Ethics Chair and members of the Information Gathering Group in order to ask clarifying questions in their review.
- F. The Appeals Committee will have 30 days to review the case and come to a decision. If additional time is needed, they will inform the ARJE President and the Ethics Chair.
    - 1. The Ethics Chair will notify all necessary parties of the additional time required by the Appeals Committee.
  - G. Once they come to a decision, the Appeals Committee will send a written decision to all parties who received the first decision. This written decision will include a summary of their decision.
    - 1. In the case that the Appeals Committee finds that there was prejudicial abuse of discretion, they will consult with the Executive Director and the Chair of the Ethics Committee to determine the next steps for the case.
    - 2. The Appeals Committee may create a list of suggested better practices to the Ethics Committee for the future, regardless of whether or not they find prejudicial abuse of discretion.

### **ARJE Ethics Appendices**

*These appendices are recommended best practices. Where possible and appropriate, the ARJE will adhere to these appendices in maintaining the ARJE ethics process.*

#### **APPENDIX A: FORMATION OF THE ETHICS COMMITTEE**

- 1. The Ethics Committee will be led by a Chair and a Vice Chair.
  - a. The Chair will be appointed by the ARJE President, in consultation with the Executive Director.
  - b. The Vice Chair will be appointed by the ARJE President and the Ethics Chair, in consultation with the Executive Director.
- 2. The Chair of the Ethics Committee will serve for 3 years.
  - a. Upon completion of their term, they will remain on the Ethics Committee for one additional year as a committee member and as counsel to the incoming Chair.
- 3. The Vice Chair will be the assumed successor upon the end of the Chair's term.
  - a. The Ethics Chair and the President will appoint the Vice Chair.
- 4. The Ethics Committee will have an additional 10 people. The committee should, to the best of its ability, be composed of a diverse group of educators.
  - a. It is recommended that one member of the committee be someone who is outside of the ARJE membership and brings specific ethics or HR experience.
  - b. Ethics Committee members may not be current ARJE Board members.
- 5. Ethics Committee members will be chosen by the ARJE President, Executive Director, Ethics Chair, and Vice Chair.

- a. The membership of the ARJE will be notified of all new Ethics Committee members and will be given at least one week to submit any objections for the above leaders to review.
  - b. Ethics Committee members will serve for a minimum of 2 years and a maximum of 4 years.
  - c. The members of the Ethics Committee will be listed on the Ethics page of the ARJE website.
6. The Executive Director of the ARJE will serve as a non-voting member of the Ethics Committee, and may designate an additional advisor for the committee.

**APPENDIX B: CODE OF ETHICS REVIEW TASK FORCE**

- 1. The Chair of the Ethics Committee will convene a small group of ARJE members to review and update the Code of Ethics.
  - a. The ARJE President and Executive Director will recommend members for this task force.
  - b. The task force will have 5 people and be composed by a diverse group of educators.
  - c. The task force should include at least one former member of the ARJE Board and at least one former member of the ARJE Ethics Committee.
- 2. The Code of Ethics will be reviewed and updated as needed at least every three years.
  - a. Notice of this review and request for comments will be sent to the ARJE membership at the start of the review process.
- 3. An explanation of the proposed changes and a draft of the changes will be sent to the ARJE membership. ARJE members will have at least two weeks to respond before the ARJE Board votes on the proposed changes. Changes to the Code of Ethics must be approved by the ARJE Va’ad and the ARJE Board of Trustees and shared with the membership in writing at the next scheduled annual meeting of the membership.

**APPENDIX C: ETHICS EDUCATION**

- 1. The ARJE strongly encourages all members to participate in ongoing ethics training and education in the areas delineated in the ARJE Ethics Code.
- 2. The ARJE will strive to have at least one session at each Annual Gathering and at least one online learning opportunity each year dedicated to ethics.

**APPENDIX D: STEPS OF ETHICS PROCESS**

ACT	TIMELINE
Complaint filed	
Written response by Ethics Chair to Complaint	Within 48 hours of receipt complaint
Ethics Chair Conversation with Complainant	Within 7 days of receipt of complaint

Educator Notified by Ethics Chair	Within 7 days of receipt of complaint
Ethics Committee Reviews Complaint to determine if there should be an investigation	Within 2 weeks of receipt of complaint
Moving to Investigation: Educator, Complainant, Supervisor of Educator notified	
Information Gathering Group interviews and collects relevant data	*Must be completed within 60 days of start (unless additional time requested)
Information Gathering Group creates a report for Ethics Committee	
Ethics Committee meets to review case/report	
Written Decision is issued by Ethics Committee	
IF APPEALED: Appeal Committee appointed	2 weeks from request to appeal
Appeals Committee reviews case and written decision	*Must be completed within 30 days (unless additional time requested)
Appeals Committee issues written decision	

→ *Restorative Actions being after the written decision is issued (or after the completion of the appeals process. There is no predetermined timeline for restorative actions as each case is unique and the restorative actions necessary and the timeline for it should be appropriate for that particular case.*