

**CODE OF ETHICS FOR CLERGY AND CHAPLAINS**  
 Academy for Jewish Religion California Clergy and Alumni Association  
 Adopted 6/2/2016 by the AJRCAA Executive Board  
 Incorporating and Superseding  
 Code of Ethics for Rabbis (12/1/2014)

## Introduction

אל תתן מום בכבודך.

... Do not put a stain upon your honor.  
 -- Sefer Ben Sira 33:23

As transdenominational rabbis, cantors and chaplains working in an array of professional settings and serving diverse communities, we serve as spiritual leaders, counselors, teachers, and role models. Therefore, it is incumbent upon us to exemplify and uphold the highest principles and values within our Jewish tradition.

It is the responsibility of the Academy for Jewish Religion California Clergy and Alumni Association (hereinafter referred to as “the Association”) to set forth guidelines to facilitate the moral leadership of its members. The Ethics Committee (hereinafter referred to as “the EC”) of the Association provides both a means for support and procedures for discipline to ensure that the highest ethical standards are maintained.

The following Code of Ethics applies to all clergy (i.e. rabbis and cantors) holding ordination from AJRCA, and all chaplains holding investiture from AJRCA. AJRCA clergy and chaplains (hereinafter referred to as Spiritual Professionals or SPs) who apply for membership in the Association will be required to sign a statement affirming that they have read, agree to, and will remain bound by the restrictions and understandings of this Code. Allegations of violations shall be investigated by the EC. Care will be taken to ensure that Association members will be treated with respect and fairness throughout this process.

Association member SPs are accountable to one another to maintain the ethical and professional criteria established by the Association. SPs may take collegial action when they have good reason to believe that professional practice has been compromised.

In accordance with a fundamental teaching of Jewish tradition and law, SPs should strive to abstain from *lashon harah* and *rechilus*, that is, gossip, rumors, innuendo, idle

speculation, unverified reports, slander, libel, malicious speech, and defamation, both against fellow Association members, and generally in their professional lives.

## Professional Code of Conduct

השתדל להיות איש.

...Strive to be a mensch!

-- Pirke Avot 2:5

### Confidentiality

SPs are privy to information of a highly sensitive nature in a number of professional spheres. It is our sacred responsibility to maintain the trust granted to us by those we serve and with whom we work, by not divulging that information to others. Under certain circumstances, however, SPs are mandated to share information with authorities as required by law, and the Association asks that they do so. These include:

- 1) The abuse or neglect of a minor, dependent adult, or senior; and
- 2) The threat of harm to the oneself or others.

In preparing consultations, presentations and publications, SPs shall maintain the confidentiality of those they have served by avoiding use of identifying information. If disclosure of names in such settings is desired, the SP must obtain permission from the person to be named, or from their family or representative if the person is deceased or otherwise cannot give consent.

### Responsible Relationships

It is the responsibility of SPs to treat people with respect and to maintain relationships with honesty and integrity, both in personal and professional contexts.

#### 1. *People we serve*

Spiritual authority carries great weight with those whom we serve (congregants, staff, students, clients, etc.). SPs must not use their position to exert undue influence on others for any reason, be it financial or social gain, or simply for the power of controlling another person's actions.

#### 2. *Community at large*

SPs are visible representatives of the Jewish faith within the larger community, and as such it is incumbent upon us to embody the highest values of our tradition and behave in a manner that encourages positive relationships with people of all backgrounds.

### Professional Integrity

It is our duty to honor our commitments to those we serve. If we are unable to follow through, we must notify all parties involved, and do our best to provide a colleague as a substitute.

We must provide current, accurate, complete credentials, stated clearly and honestly, whenever and wherever information about ourselves is shared. Similarly, we must maintain intellectual integrity in our written and spoken words and musical compositions and presentations, giving credit to those whose ideas we use, and not engaging in plagiarism.

As Jewish SPs, we are responsible for upholding Jewish values, laws and morals while also abiding by the secular laws and regulations of the community in which we work and live.

As SPs in the United States and other countries, we serve all congregants and clients fairly, without bias with regard to religion, ethnicity, national origin, sexual orientation, gender identity, age, disability or other forms of discrimination.

We see it as our calling to provide public advocacy related to spiritual values and social justice concerns on behalf of persons in need.

### **Personal Ethics and Behavior**

**כל שחבתי בשמירתו, הכשרתי את נזקו.**

*I am responsible for any damage caused by my charge.  
--Mishna, Bava Qamma 1:2*

As SPs we are required to behave in a manner outside of our workplace that reflects the same standards we uphold within our professional sphere. Maintaining self-care is an essential part of fulfilling our obligations to our families, our communities and ourselves. Remaining free from addictive and unethical behaviors, and preemptively seeking help should they arise, is essential to the integrity of our profession and our ability to function within it. The Association encourages members to reach out to its EC for ethical support.

## Sexual Ethics and Behavior

לא תבייש ולא תתבייש.

*Put no other to shame and you  
will not be put to shame yourself.  
--Talmud, Moed Qatan 9B*

Part of the role of SPs is to provide care, concern and compassion for those whom we serve. As Jewish SPs, we must behave in an exemplary fashion, maintaining appropriate sexual and professional boundaries with congregants, staff members, students, colleagues, patients, and other individuals with whom we deal day to day. No matter the setting, we must be aware that those who vest us with real or symbolic religious authority may be vulnerable due to the power imbalance created. Therefore, any behavior that might exploit that vulnerability is inappropriate.

This includes sexual harassment, to include:

- 1) Seductive or risqué language either written or spoken;
- 2) Inappropriate conduct of a sexual nature;
- 3) Demands for sexual favors; or
- 4) Demeaning behavior of a sexual nature.

It also includes unethical sexual activity:

- 1) Adultery or other sexual activity between a SP in a committed relationship and someone else;
- 2) Sexual activity with someone in a committed relationship with another;
- 3) Sexual activity with someone whom the SP is counseling or serving; or
- 4) Sexual activity with a minor or an adult that is unwilling or unable to give consent.

It is up to the SP to establish appropriate boundaries, even if the other person is a willing party. By definition, if the SP violates a sexual boundary, the relationship is not consensual. When the SP is not in a committed relationship, great care should be taken before engaging in a dating relationship with someone they serve. It is strongly advised that the SP find suitable dating partners outside the sphere of work, or ask the dating partner to leave the community or agency employing the SP for the duration of the relationship.

## Financial Accountability

אבן שלמה וצדק יהיה-לך איפה שלמה וצדק יהיה-לך.

You must have completely honest weights and completely honest measures.  
Deuteronomy 25: 15

### Integrity

It is incumbent upon us as SPs to be scrupulously honest in all financial matters. The same issues of trust and integrity that exist in the areas of confidentiality and interpersonal relationships apply to the arena of fiscal responsibility. Just as SPs uphold ethical financial behavior in the workplace, so too should we maintain ethical financial behavior in the personal sphere.

### Fair Rates for Services

When hired by the public to perform a life-cycle or counseling function, SPs should charge such fees as are commensurate with the standard rate among other SPs in the community being served, not seeking to undercut competition by offering significantly lower rates.

### Compensation for Conversion

The Association is fully supportive of efforts to engage and invite into the fold those who wish to join the Jewish people, via teaching and conversion. We do encourage that SPs apply a special sensitivity with regard to payment for the work involved in this process.

SPs may accept compensation from conversion candidates for teaching an "Introduction to Judaism" course and for tutoring and counseling a candidate. Clergy may not, however, solicit nor accept compensation for serving as the sponsoring clergy person who brings the candidate before a *beit din*. Similarly, clergy may not state or imply that their endorsement is conditional upon any financial factors or charitable contributions.

Clergy who serve on a *beit din* panel shall not ask compensation for doing so (whether beforehand or afterward) from either the candidate or the candidate's family or prospective family. Clergy who serve on a *beit din* shall not state or suggest that their approval is conditional upon any payment or charitable contribution. If offered an honorarium, a clergy person may suggest it be given as *tzedakah*, such as to a congregational clergy discretionary fund, or a Jewish communal institution.

## **Addenda for Spiritual Professionals in Different Work Environments**

The following sections set out policies that apply to subgroups of the Association's membership, based on the circumstances of their employment.

### The Congregational Work Environment

This Addendum is intended to provide additional ethical responsibilities for SPs who are employed under contract to a synagogue.

#### 1. *Discretionary funds*

Spiritual leaders under contract to a congregation on a full-time, salaried basis should not charge fees for life-cycle events to members in full standing of that institution. If a congregant chooses to pay an honorarium to the SP for any such event, those funds should be deposited in the appropriate discretionary fund, as specified in the SP's contract. They should not be retained for personal use by the contracted spiritual leader. Part-time spiritual leaders may strike up an agreement in advance with their congregation, setting out specific financial arrangements for officiating at community life-cycle events.

#### 2. *Relationships Among Congregational Leaders*

When SPs share the *bimah*, respect between them is essential. Each should be supportive of the other's work and ideas; they should not act in a way that might be seen as divisive. Co-leader SPs should take advantage of opportunities to work as partners with their organizational colleagues, to enhance the spiritual lives of members of their congregation. SPs should keep their colleagues informed of concerns within the congregation. The successor spiritual leader and the leader emeritus should accord each other honor and respect. The successor and emeritus should operate with a clear agreement about their respective roles and boundaries for serving members of the organization.

#### 3. *Solicitation of Members*

It is unethical for one congregational leader to solicit members from a community headed by another SP, or to perform life-cycle functions for those members without the knowledge of their own congregational leader. It is the responsibility of the respective SP, when life-cycle services are requested by such

constituents, to notify the affected leader in a timely fashion, or to decline the work.

### The Professional Work Environment

This Addendum is intended to provide additional ethical responsibilities for SPs serving the public in such professional settings as corporate, healthcare, corrections, law enforcement, and military spiritual care.

#### 1) *Patient Information Confidentiality*

SPs working in professional settings must follow the policies of their employing institution regarding protection of private information about those they serve. They must be mindful of the confidentiality and security of this information wherever they access and use it, observing policies set out by their jobs and as required by law, including those set forth in the Health Insurance Portability and Accountability Act (“HIPAA”).

Professional spiritual care providers shall maintain accurate, current records related to their work with patients, clients, or others to whom they minister.

#### 2) *Respect for all Traditions and Philosophies*

SPs working in interfaith environments serve all clients and staff of their employer organizations, regardless of religion, faith group or beliefs. They shall affirm the religious and spiritual freedom of all persons, and refrain from imposing Jewish rules, principles, traditions, doctrinal positions or spiritual practices on persons whom they encounter in their role as a spiritual professional.

## Grievance Procedures

**צדק צדק תרדף.**

*Justice and only justice shall you pursue.  
--Deuteronomy 16:20*

### Initial Processing of Complaints

Any ethical complaint filed against a member of the Association shall be sent to the Chair of the Association's Ethics Committee. The EC Chair may at any time designate another individual to act as EC Chair for all purposes under these procedures.

If initial investigation of a complaint finds it lacking in evidence or not within the purview of an ethics review, the EC Chair may dismiss the complaint following consultation with at least one member of the EC. The EC Chair will advise the complainant and the SP that a complaint was received, and share the reason for its dismissal.

If sufficient supportive detail can be found to enable exploration of a complaint, and it is deemed valid, the EC Chair will advise the complainant that the SP in question will receive information about the complaint, and that the matter will now move to a hearing. Within two weeks of receiving a complaint deemed valid, the EC Chair will:

- 1) Constitute the EC;
- 2) Advise the accused SP of the complaint;
- 3) Provide all relevant documentation received from the complainant to the EC;  
and
- 4) Inform the complaining party that the accused has been informed.

The accused SP shall be afforded the opportunity to respond verbally and/or in writing to the complaint when it comes before the EC.

If a complaint describes a viable threat of imminent harm, the EC Chair is empowered to take any measure deemed reasonably necessary to prevent potential harm to a congregation, entity or individual.

### Disposition

The EC Chair is empowered to take steps reasonably necessary to investigate and work toward a resolution, ideally via negotiated settlement. This negotiated settlement may result in, but is not limited to, the following dispositions and sanctions, or a combination thereof:

- 1) Finding of no ethical violation;
- 2) Private reprimand;

- 3) Public reprimand;
- 4) Mandated mentoring, psychological testing, therapy or other treatment;
- 5) Probation with monitoring for compliance of the terms and conditions by the EC;
- 6) Fines;
- 7) Suspension of membership for a period of time not greater than six months;
- 8) Expulsion from membership; and/or
- 9) Requirement for an apology, restitution or other recommendations, depending upon the nature of the violation, including bearing the costs for the hearing or monitoring or any other necessary costs.

If accepted by the accused SP, a negotiated settlement requires the endorsement of two-thirds of the EC. Sanctions must provide the accused SP with a method for achieving *teshuvah*.

Ethics investigations by the EC into professional misconduct claims shall target a resolution goal of less than one year.

If a proposed settlement is not accepted by the accused SP, the EC Chair or designee will step down from the EC and act as the lead investigating member prior to hearing, and may present evidence to an EC of no less than three members, who will make a determination for the final disposition of the matter. The hearing will be conducted as soon as feasible.

### The Hearing

The EC is empowered with broad discretionary powers. It shall be guided by Jewish tradition and principles. It may summon witnesses, consult with professionals, or exclude any individuals it chooses to during the hearing process. The EC does not investigate civil or criminal issues, but may report them to legal authorities.

Procedures to conduct a fair hearing will be established and provided based upon the nature and severity of the alleged violation, anticipated number of witnesses, and the potential impact upon the public that the SP serves.

Serious violations of Jewish traditions and principles, unethical or immoral conduct, commission of a crime involving moral turpitude, or discipline from a professional organization, or any behavior that brings dishonor upon AJRCA, the Association or the Jewish people, may result in a recommendation for sanctions by the EC.

A SP who has been expelled from the Association may apply for readmission after one year, submitting along with their application evidence of adequate *teshuvah*, which may include proof of compensation of victims, public apology, completion of mandated therapy, payment of fines and the like.

Failure to comply with the terms of the negotiated settlement or final disposition following a hearing is a basis for additional sanctions. Written notice will be provided to the accused SP specifying the failure(s) to comply and recommended disposition. The accused SP should respond in writing to the written notice within the time guidelines set forth in the initial letter from the EC. Action may be taken by the standing EC to impose additional sanctions.

#### Grievance Confidentiality

All matters that come before the EC Chair and EC are deemed to be of a confidential nature, to be revealed only when necessary and in the interest of justice and fairness. Upon the final disposition of the matter, a decision will be made about the nature and extent of confidentiality for the case on an ongoing basis.