

Temple Beth David Ethics Code

(revised Jan 2024)

Introduction

At Temple Beth David, we hold ourselves and one another to the highest standards of personal and professional integrity, moral conscience and social responsibility. The first section of this document gives voice to those standards. The second section describes the structures and processes necessary to implement and enforce the Ethics Code with respect to volunteers and embed it into the culture of Temple Beth David.

The Ethics Code concerns the actions of Temple Beth David volunteers, as well as interactions between volunteers and employees. Employer/employee situations are governed by the Temple Beth David By-Laws and other documents as are disciplinary, supervisory and other matters.

In our work for Temple Beth David, we pledge ourselves to be scrupulous in our adherence to this Ethics Code and to hold ourselves and our colleagues to the highest standards. At the same time, we feel called to heal brokenness and to seek to balance *midat hadin* (principle of justice) and *midat harachamim* (principle of compassion) in all we do.

What follows is a living document, which regularly will be updated and revised in the light of experience, to guide our conduct in serving Temple Beth David.



I. Ethical Standards

A. Personal Responsibility

We are obligated to conduct ourselves at all times according to the highest standards of moral behavior. These standards include modeling Jewish values in our family, social and financial affairs. Whether in our work or personal lives, we must conduct ourselves with honesty and with respect for others.

1. Family

Our obligations to our families and our work for Temple Beth David will, at times, inevitably conflict. We have an ethical responsibility to seek a balance between these competing demands. We must endeavor to conduct our lives to maintain the integrity of our family relationships while at the same time fulfilling our responsibilities to each other and Temple Beth David by completing the tasks we have undertaken for Temple Beth David.

2. Social

Jewish values dictate our obligation to make moral decisions and act with integrity. We must never engage in exploitative practices at the expense of others. Any relationship that raises doubts as to its ethical propriety, or which a person feels compelled to keep clandestine, must give one serious pause and, at the very least, motivate the individual to seek moral counsel before proceeding.

We expect ourselves and each other to be scrupulous in avoiding even the appearance of ethical misconduct, whether by taking advantage of others or by succumbing to the temptations of willing adults. Similarly, recognizing the harmful consequences of addictive behaviors and substance abuse, we have a responsibility to seek help for any such needs or tendencies.

3. Financial

We must always act beyond reproach in conducting our financial affairs, both in our work and in our personal lives.

4. Intellectual Honesty & Transparency

It is never acceptable to take credit for work that is not one's own, and proper recognition should be made to the party whose work product is used. Plagiarism, copyright infringement or similar behavior is unethical and unacceptable. Unless confidentiality dictates otherwise, decisions should be made with transparency, that is, characterized by openness, communication and accountability. Those making decisions must take responsibility for them.

B. Stewardship of Relationships

1. Personal & Professional Relationships

Shared expectations of volunteers working together and with employees at Temple Beth David include:

- a. Treating one another as trusted colleagues, supporting one another in our work, respectfully and constructively challenging one another when appropriate and encouraging one another in our ideas.
- b. Conducting relationships in an open and honest way, and treating others with respect, dignity

and fairness in accordance with the Jewish value of *g'milut chasadim* (loving kindness).

- c. Creating an atmosphere that promotes open, respectful and honest communication.
- d. Being clear about mutual expectations of one another when it comes to workload and addressing differences constructively.
- e. Striking a healthy balance in the facets of our work lives, our volunteer lives and our personal lives to prevent our responsibilities in any of these domains from being compromised.
- f. Honoring the boundaries that each individual sets in their work and personal lives.

In working with another person, if one feels that these expectations are not being met, ideally, the first step would usually be to speak directly with that person about the matter. If this approach does not result in a satisfactory resolution of the problem, or if one is not comfortable speaking directly to that person, it should be brought to the attention of the appropriate supervisor, volunteer or professional, as the case may be.

2. Family Situations of Others

We have an ethical responsibility to protect others who appear to be victims of abuse or neglect. It is up to each individual to determine whether or not to report such matters. While reporting is typically not mandatory, other than situations involving abuse of a minor, anyone with a professional obligation to report circumstances of abuse or neglect should follow applicable professional guidelines.

3. Conflict of Interest

A conflict of interest occurs when one is in a position to influence decisions or outcomes on behalf of a party and such decisions or outcomes could directly or indirectly accrue personal benefit to oneself or one's family or friends.

A potential conflict of interest can be difficult to discern. We have a responsibility to consult others about any real or potential conflicts and help one another resolve any such conflicts.

Any real or potential conflicts of interest must be proactively and fully disclosed to the appropriate stakeholders. An individual having a real or potential conflict of interest must not engage in the decision-making process or otherwise attempt to influence outcomes with respect to matters as to which there is a conflict unless and until:

- a. There has been full disclosure to the affected stakeholders;
- b. An approved mitigation plan is in place; and
- c. The consent of the stakeholders to proceed is obtained, which, for matters of significance, should be in writing.

All Temple Beth David volunteers must be familiar with and uphold the Temple Beth David Conflict of Interest Resolution (Appendix 1). They must also attest annually to reading and accepting this Ethics Code.

4. Inclusion / Discrimination

Temple Beth David is firmly committed to the values of diversity, equity and inclusion. Our Jewish values speak to the idea that each of us, created in God's image, *b'tzelem Elohim*, has a unique

talent with which we can contribute to the high moral purpose of *tikkun olam*, the repair of our world. Our obligation in our work for Temple Beth David is to welcome all who desire to actively engage in the mission and goals of the Temple, and to assure that all who participate feel that their ideas and concerns can be openly stated and responded to with respect. Discriminating against anyone from our community based on race, age, sex, religion, disability, marital or veteran status, nationality, sexual orientation or gender identity diminishes us and compromises our ability to fulfill our mission and is unacceptable.

Discrimination against others based on any of those factors, or other legally protected classifications, is prohibited. Discriminatory harassment and other offensive acts include any conduct, whether verbal, visual, or physical, which creates an abusive and hostile work environment, or which has the purpose or effect of interfering with one's work performance or development.

C. Financial Matters

Congregants, donors and volunteers support Temple Beth David because they trust its leaders and volunteers to carry out their responsibilities in accordance with Jewish values, to be excellent stewards of resources and to uphold rigorous moral and legal standards of conduct around financial matters.

1. Financial Conflicts of Interest

As discussed in Section I.B.3 above, all undisclosed conflicts of interest are prohibited. With respect to financial matters, any behavior that calls into question one's ability to act in the best interest of Temple Beth David, without regard to that person's own independent financial or personal benefit, creates a potential conflict of interest that must be disclosed. This disclosure requirement includes, for example, ownership in, investment in or a compensation arrangement with any entity with which Temple Beth David has or may have a transaction or business relationship.

Accepting a bribe, a refund, a discount or a payment in exchange for favorable action is prohibited. This obligation includes, for example, refusing bribes or gifts that are rendered to curry favor. In contrast, volunteers are not prohibited from accepting meals, out-of-town hospitality or similar gifts from each other when motivated by team building or friendship, provided that such gifts are not (i) excessive in value, (ii) otherwise illegal, (iii) intended to seek favorable treatment or (iv) intended to induce or conceal illegal activity, breach of fiduciary duty or financial misconduct.

2. Resources and Records

Resources must not be misappropriated. All Temple Beth David assets must be used only for disclosed, legitimate and intended purposes of Temple Beth David.

Individuals who prepare, maintain, review or have custody of Temple Beth David records and reports should ensure that such documents are accurate and complete; that they clearly reflect the assets and transactions of Temple Beth David; that they are safeguarded from loss or destruction; and that they are maintained in confidence.

Financial matters should be conducted, and records maintained in compliance with national, state, provincial and local laws, rules and regulations.

D. Bullying & Sexual Boundaries

We are responsible for ensuring that personal and sexual boundaries are respected in our relationships with others. Bullying and sexual misconduct are both inconsistent with respecting the dignity of human beings. Temple Beth David volunteers are obligated to refrain from all such behaviors when interacting with other Temple Beth David employees, volunteers or program participants in Temple Beth David-related activities.

1. Bullying

Bullying is unwanted, hostile behavior, either as a single act or repeated over time, with the intent to degrade, humiliate or oppress another person. It can include: verbal behavior such as making threats, inappropriate sexual comments and taunting; social misbehavior like spreading rumors and purposeful exclusion; physical behavior that involves hurting a person's body or possessions; or cyberbullying such as persistent unwanted texts or phone calls or posting private and personal information to social media. At the same time, honest criticism of one's work and activities by a supervisor or colleague, even if sometimes harsh, is not bullying under this Ethics Code. Bullying often involves a real or perceived power imbalance such as using physical strength, access to embarrassing information, a position in an organization or popularity in order to control or harm others.

2. Sexual Harassment or Misconduct

- a. Sexual harassment includes, for example, unwelcome sexual advances, unwelcome requests for sexual favors and other unwelcome verbal, physical or visual conduct of a sexual nature when:
 - i. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's standing as a volunteer or employee.
 - ii. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting the individual or decisions concerning volunteer assignments, whether or not such decisions have direct economic consequences.
 - iii. Such conduct has the purpose or effect, intentionally or unintentionally, of unreasonably interfering with an individual's work or volunteer performance or creating an intimidating, hostile or offensive working environment.
- b. The following categories of behavior are, by definition, unethical and never acceptable:
 - i. Child sexual abuse, including any sexual activity, involvement or attempt of sexual contact by an adult, as defined by applicable law, with a person who is under the applicable legal age of consent.
 - ii. Sexual activity with a person who is legally incompetent or otherwise unable to give consent.
 - iii. Physical assaults or violence of a sexual nature, such as rape, sexual battery or abuse; or any attempt to commit such acts.
 - iv. Any action intended to build an inappropriate relationship and emotional connection with a minor that breaks down appropriate boundaries and creates both trust and reliance on the offender, allowing the offender to potentially manipulate and abuse a child while ensuring the secrecy of abuse.

E. Confidentiality & Privacy

Confidentiality involves acknowledging the sensitivity of information, especially as it pertains to personal or private information about an individual — including employees, volunteers and donors — regarding Temple Beth David.

Personal and financial information is confidential and should not be discussed publicly or disclosed to unauthorized individuals. Care should be taken to ensure that unauthorized individuals do not overhear any discussion of confidential information and that documents containing confidential information are not left in areas accessible by unauthorized persons or inadvertently shared.

On occasion, it may be appropriate and essential to break confidentiality so as to avoid physical or emotional harm to individuals at risk, particularly minors, or to report illegal behavior. Unless otherwise required by law, such situations and decisions rest with the Temple Beth David Board and President, who may discuss such matters with Temple Beth David's legal counsel before deciding whether disclosure of the situation is necessary.

F. Internal & External Communication

Temple Beth David volunteers should demonstrate professionalism and good judgment when using any communication technology. Care must be taken to protect confidentiality when required. This is especially the case when using social media, including blogs, message boards, chat rooms, electronic newsletters, online forums, social networking sites and other sites and services that permit users to share information with others.

1. Social Media

Temple Beth David encourages its volunteers to make positive use of the internet and welcomes the dissemination of ideas that this mode of communication makes possible. Although sharing Temple-related content in a positive way advances our mission, we must avoid posting impulsively or without verifying information from third parties before posting it. In addition, Temple Beth David volunteers must remain aware that what they post on social media may have an impact on Temple Beth David's reputation and must recognize the difference between a professional and a personal presence on social media. Social media use should not interfere with one's Temple Beth David responsibilities.

2. Electronic Communication

In addition to following the above guidance concerning social media, all electronic communications must be handled carefully to avoid unauthorized or inadvertent disclosures of confidential information, for example, by leaving confidential information on computer screens.

Intentional viewing or sharing of offensive communications, such as inappropriate, bigoted or pornographic materials is unethical conduct.

3. Intellectual Property

Volunteers should recognize, respect and protect the intellectual property rights of Temple Beth David and others. This obligation includes obeying copyright laws governing how published materials are used and distributed.

II. Implementation Structures and Processes

Effective implementation of the Ethics Code involves three related but distinct functions, all of which are within the province of Temple Beth David Ethics Council (EC):

1. Receiving, investigating and adjudicating complaints concerning alleged violations of the Ethics Code brought against volunteers of Temple Beth David. In the event that a complaint by a volunteer involves a Temple Beth David employee, it will be referred to the Temple Beth David President.
2. Periodically recommending revisions and additions to the Ethics Code reflecting the lessons derived from that experience.
3. Providing training and ongoing education for volunteers, employees and stakeholders affected by the Ethics Code.

A. Role and Structure of the Ethics Council

The Temple Beth David EC shall be composed of five members. Three members of the EC shall be the currently elected Trustees, with the additional two volunteer members being selected from the congregation membership by those Trustees. The most senior Trustee shall serve as the EC Chair. In addition, the Temple Beth David President shall serve as an ex-officio member of the EC. Through consultation among the Temple Beth David President and the EC, an Independent Investigator may be retained by Temple Beth David to engage in information gathering regarding any complaint that the EC determines may be an Ethics Code violation.

The EC is responsible for adjudicating decisions for each complaint, recommending revisions to the Ethics Code and providing training and education.

All EC business may be conducted either in-person or by using remote meeting technology, or a combination thereof.

B. The Ethics Review Board

For purposes of reviewing EC decisions recommending the sanction of suspension for a stated period or removal from a Temple Beth David volunteer position, the Ethics Review Board (ERB) shall be comprised of the current Temple Beth David President, Immediate Past President, First Vice President, Second Vice President and Treasurer.

C. Adjudicating Ethical Violations

All Temple Beth David management, staff, and other Temple Beth David volunteers will be informed of Temple Beth David ethics procedures.

Persons receiving a complaint should respond compassionately but should not make judgments as to the existence or not of ethical misconduct. They should inform the complainant about the procedure for making a complaint and may offer assistance in reporting the matter to the appropriate entity, if needed.

1. Filing a Complaint and Self-Reporting

Parties to the complaint include:

- a. Complainant: the person filing the claim who may or may not be the person directly affected by the asserted unethical behavior.
- b. Affected person: person or persons who have been adversely affected by the asserted unethical behavior. In certain cases, such as alleged financial misconduct, Temple Beth David or another entity, rather than an individual, may be the affected person.
- c. Respondent: the person who is the subject of the complaint.

A complaint may be filed by anyone having reason to believe that ethical misconduct has occurred, whether or not the complainant is the person affected by the alleged unethical conduct.

Volunteers who, upon reflection, believe that they have engaged in unethical conduct are permitted and encouraged to report that fact. Self-reporting of unethical conduct will not preclude the EC from initiating an investigation and making an adjudication as warranted under the Ethics Code.

For the EC to consider initiating an investigative process, information must come to the attention of the EC of alleged ethical misconduct. Such information may be contained in a written complaint or otherwise. Complaints can be submitted to the Temple Beth David President in writing or provided orally or anonymously to any member of the EC or to a Temple Beth David executive board member. There is no fixed limitation period barring the filing of a complaint with Temple Beth David or preventing the EC from investigating alleged ethical misconduct.

Temple Beth David will comply with all applicable legal obligations regarding matters covered by this Ethics Code. In addition, Temple Beth David is committed to promptly investigating any reported ethical misconduct and encourages all volunteers and employees to assist in such investigations. In addition, Temple Beth David has an obligation to report any suspected criminal activity to the proper authorities.

2. Confidentiality of Investigations

- a. Except as necessary, reports of ethical misconduct, complaints and investigations of complaints will be treated as strictly confidential. No member of the EC or other person investigating a complaint shall disclose the existence of the complaint or the facts and circumstances relating to such matters until there has been a final adjudication, except as necessary to conduct a fair, adequate and timely investigation, or to prevent imminent and substantial harm to affected persons, Temple Beth David or the community.
- b. No member of the EC or other person involved in conducting the investigation shall disseminate any information regarding a pending complaint to any source outside of the investigation, including the media, except in circumstances where notification is authorized by this document, or where disclosure is required by valid legal process, such as subpoena, and the Temple Beth David legal counsel has been consulted and afforded sufficient time to make a formal objection as warranted.
- c. Nothing in this principle of confidentiality precludes compliance with legal requirements for reporting to appropriate authorities matters that are the subject of a complaint, as such legal

requirements supersede the confidentiality provisions of this policy. Anyone with knowledge of illegal activity is obligated to report it to appropriate authorities.

- d. The Chairs of the Executive Board Nominating Committee will make a reasonable effort to ascertain that candidates for any Temple Beth David board position (a) are not the current subject of an ethics complaint or investigation, and (b) have not been sanctioned for a violation of the Ethics Code in the past.

3. Initial Notification Concerning the Complaint

- a. The EC Chair shall promptly respond in writing to the complainant, acknowledging receipt of the complaint. Either in the same communication or as soon as appropriate, the EC Chair will outline the process of investigation.
- b. The EC Chair shall promptly inform the Temple Beth David President when a complaint is filed against a volunteer. If a complaint is filed against an employee, the EC Chair will refer the matter to the Temple Beth David president.
- c. In cases in which imminent and substantial harm to the affected person, other individuals, Temple Beth David or the community is likely to occur prior to a final adjudication and when the allegations of the complaint are sufficiently substantiated, the EC Chair shall give notice of such a preliminary assessment to the Temple Beth David President, who may take such action as they deem appropriate, such as informing others of the complaint or suspending the respondent's participation in Temple Beth David activities pending a final EC determination.

4. Reporter Protection

- a. There may be times when a volunteer or employee learns of a situation that appears to constitute unethical conduct under the Ethics Code. The policy of Temple Beth David is to encourage individuals to call to its attention instances of ethical misconduct in order to protect from threats or retaliation any person who, in good faith, reports actual or perceived infractions of the Ethics Code.
- b. Retaliation in the form of harassment or adverse actions against any person who makes a good-faith report of unethical conduct under the Ethics Code is itself unethical conduct and is strictly prohibited.

5. Investigation / Information Gathering

- a. For the purpose of investigating complaints, Temple Beth David may retain an Independent Investigator with expertise in conducting ethics investigations.
- b. After a complaint is received, the EC Chair will convene the EC to review the complaint and determine whether it constitutes a violation of the Ethics Code and therefore merits sending to an Independent Investigator. For this purpose, at least a quorum (51%) of the EC voting members must be present. A vote on whether to send the complaint to the Independent Investigator will be determined by at least 51% of the voting members present. Any EC member who has a conflict of interest or is not impartial shall recuse themselves from voting.

- c. If the EC sends the complaint to an Independent Investigator, the EC Chair will provide the Independent Investigator with a copy of the complaint. If, in the course of their investigation, the Independent Investigator has questions about the context of the complaint, they will seek clarity on any such matters with the EC Chair.
- d. The Independent Investigator shall have complete independence and discretion in their conduct of the investigation. At the appropriate time and as circumstances dictate, the Independent Investigator may meet with the respondent and, in their discretion, may give the respondent advance notice of the complaint and the provision(s) of the Ethics Code at issue. In determining when notice should be given to the respondent, the Independent Investigator should consider whether there is a likelihood of adverse consequence to the complainant or affected person, continuing misappropriation of funds or interference with the investigation.
- e. Any person meeting with the Independent Investigator may be accompanied by up to two other persons for support purposes only. Those persons do not actively participate in the meeting and may not offer advice, comment or direction to the participant or the Independent Investigator unless requested to do so by the Independent Investigator. These meetings will not be recorded by any device, except that any party may take notes or have someone who is accompanying them take notes on their behalf.
- f. The complainant and respondent may file written documentation with the Independent Investigator to aid the investigation.
- g. The Independent Investigator will maintain documentation and records of all meetings and materials, and log all communications such as telephone calls and emails, and will provide these records to the EC along with a copy of their report.
- h. The parties may agree to resolve the complaint without further action by the EC, provided that the EC is satisfied that the resolution is fair, ethical and not coerced.
- i. If the EC determines that no unethical conduct occurred, the case will be closed, and no further proceedings are necessary.
- j. If the complaint and response establish the occurrence of unethical conduct under the Ethics Code and no further investigation is required (for example, the respondent admits the allegations are true), the EC may proceed with adjudication.
- k. The EC Chair will give prompt notice of a voluntary resolution or determination of no misconduct to any person previously notified of the filing of the complaint.

6. Post-Information Gathering Procedure

- a. The Independent Investigator will issue a written report based on their findings to the EC as soon as possible. It will include a recommendation as to whether the complaint should proceed to adjudication. The report will be shared with both the complainant and the respondent.
- b. The EC Chair will convene the EC to review the report. The EC may request additional information from the Independent Investigator before rendering a decision and distributing it to the parties involved. Any vote regarding the adjudication of the complaint will require the

concurrence of at least 51% of the EC members eligible to vote. Any member of the EC who has a conflict of interest or is not impartial shall recuse themselves from the case. Any party to the complaint may seek the recusal of an EC member on the basis of conflict of interest or the appearance thereof upon request to the Temple President. If an EC member is unable to serve, an alternate can be appointed by the EC Chair.

D. Decision of the EC and Sanctions

The decision of the EC shall be in writing and clearly set forth the rationale upon which it is based including the applicable section(s) of the Ethics Code. The standard for decisions is preponderance of the evidence, i.e., there is a greater than 50% chance that the claim is true. In each case the EC shall keep a record of all aspects of the case including correspondence, interview notes, statements and the like. The decision shall also include the date of the vote, the vote count and the members of the EC who participated in the vote. All decisions must be made by at least 51% of the EC members eligible to vote.

The following describes the possible outcomes of the adjudicatory process and the provisions for reinstatement after a suspension or removal.

1. Dismissal of the Complaint

A decision to dismiss the complaint requires the affirmative vote of at least 51% of EC eligible voting members and is final unless the complainant petitions the EC for a rehearing to challenge the dismissal. The complainant may, within five (5) business days of the decision recommending dismissal, petition the EC for rehearing by providing one of the following rationales:

- a. By citing significant new evidence that the complainant claims would show a code violation has occurred. In such a case, the new evidence will trigger reevaluation by the Independent Investigator.
- b. By claiming that proper investigation procedures were not followed.
- c. By claiming that the dismissal was contrary to the evidence presented.

The EC has the discretionary authority to grant or deny the petition by a vote of at least 51% of the EC members eligible to vote. The EC will communicate the decision to the respondent, the affected person(s) and to the complainant.

If the complaint is dismissed the respondent may request that the dismissal be made public and the EC will fulfill such a request. Absent such a request, the proceeding and its outcome will remain confidential.

2. Sanctions if a Violation is Found

In the event a violation is found, and in the absence of compelling extenuating circumstances, the EC shall administer a sanction. In order of severity, the sanctions are reprimand, censure, or recommending to the ERB suspension or removal of a respondent from the respondent's volunteer position within Temple Beth David and/or from participation in Temple-sponsored activities.

a. Reprimand

- i. Reprimand is a form of admonishment communicated to the respondent regarding the respondent's minor infraction of the Ethics Code.
- ii. A decision imposing reprimand is final and not reviewable unless any of the parties, within five (5) business days of the decision, petitions the EC for a rehearing to challenge

the findings or recommendations. The requesting party must provide a rationale for such rehearing based on one of the following:

1. By citing significant new evidence that the EC determines could change the findings or recommendations. In such a case, the new evidence will trigger reevaluation by the Independent Investigator.
2. By claiming that proper investigation and adjudication procedures were not followed.
3. By claiming that the finding was contrary to the evidence presented.

The EC has the discretionary authority to grant or deny the petition by a vote of at least 51% of the EC members eligible to vote. The EC will communicate the decision to the respondent, the affected person(s) and to the complainant.

iii. Notice of reprimand is not published.

iv. The Temple Beth David Board and President may approve or require more extensive notification as they deem necessary in the public interest.

b. Censure

- i. Censure is a form of sanction imposed for violations of the Ethics Code more serious than those giving rise to reprimand, but not sufficient to require suspension or removal.
- ii. Censure requires the affirmative vote of at least 51% of EC eligible voting members.
- iii. An order of censure shall incorporate such conditions or restrictions, including provisions for monitoring compliance, as the EC may deem appropriate to protect those whom we serve and to prevent recurrence of the violation.
- iv. If the respondent fails to fulfill the conditions imposed, the EC may, among other remedies, recommend to the ERB that the respondent be suspended or removed from all Temple Beth David functions.
- v. The respondent may, within five (5) business days of the decision recommending censure, exercise one of the following options:

1. Petition the EC for rehearing by providing one of the following rationales:

- a. By citing significant new evidence that the respondent claims would compel dismissal of the complaint or imposition of a lesser sanction. In such a case, the new evidence will trigger reevaluation by the Independent Investigator.
- b. By claiming that proper investigation and adjudication procedures were not followed.
- c. By claiming that the finding was contrary to the evidence presented.

The EC has the discretionary authority to grant or deny the petition by a vote of at least 51% of the EC members eligible to vote. The EC will communicate the decision to the respondent, the affected person(s) and to the complainant.

2. Request immediate review by the ERB.

3. Waive the right to a rehearing or review. If the respondent waives the right to a rehearing or review, the EC recommendation is final.

vi. The Temple Beth David Executive Board and President may approve or require more extensive notification as they deem necessary in the public interest.

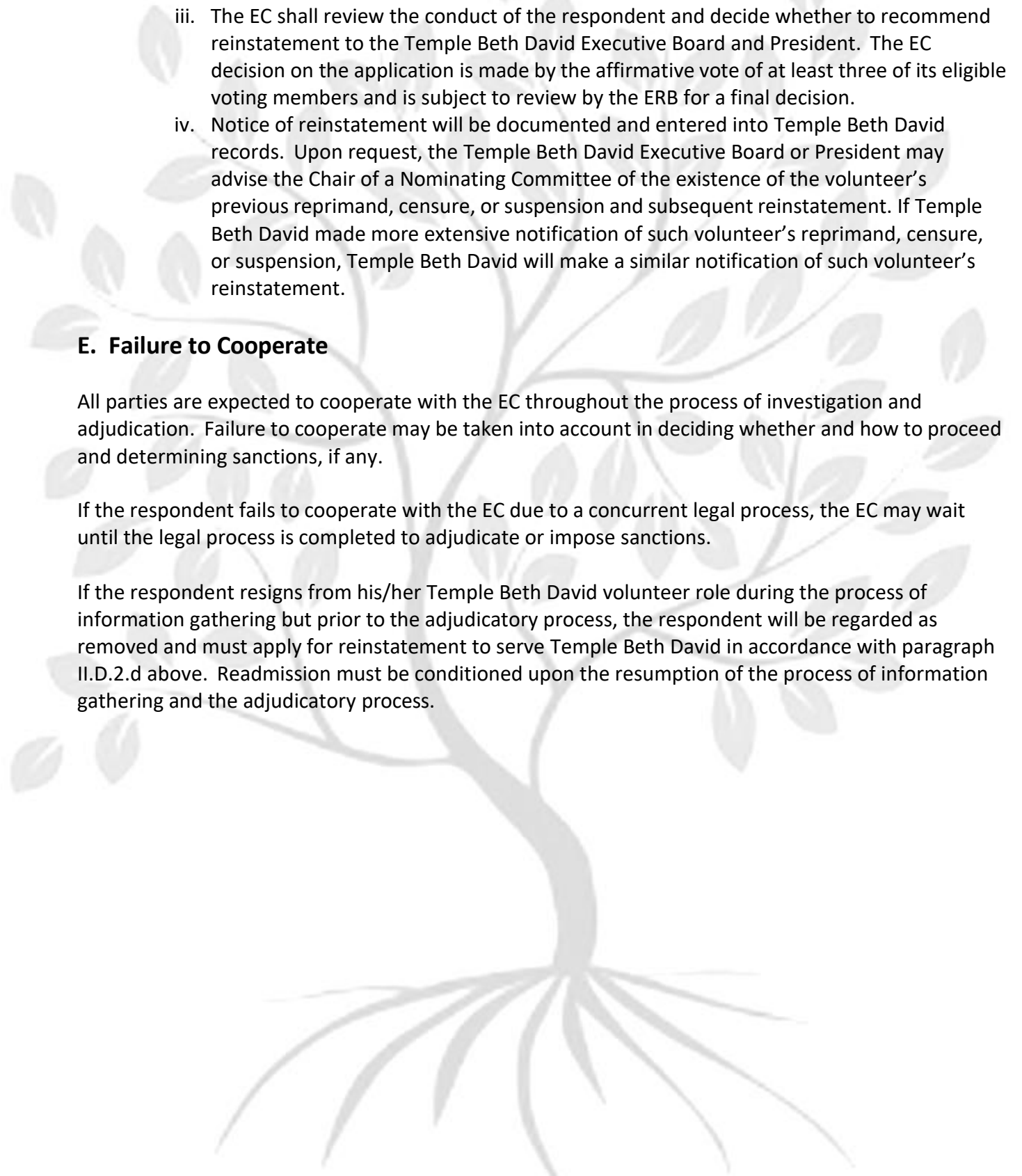
c. Suspension or Removal from Temple Beth David Position

- i. The sanction of suspension or removal is called for in cases involving the gravest offenses, repeated violations, failure to comply with conditions of censure or willful failure to cooperate. For example, in cases where:

1. The respondent's conduct causes significant harm to the affected person(s) or institutions involved; and/or
 2. The respondent fails to recognize the wrongfulness of what they have done, and to take responsibility for those actions; and/or
 3. The respondent has been censured and refuses to fulfill the conditions of censure.
- ii. An EC decision recommending suspension or removal requires the affirmative vote of at least 51% of EC eligible voting members.
 - iii. The respondent may, within five (5) business days of the decision recommending suspension or removal, exercise one of the following options:
 1. Petition the EC for rehearing by providing one of the following rationales:
 - a. By citing significant new evidence that the respondent claims would compel dismissal of the complaint or imposition of a lesser sanction. In such a case, the new evidence will trigger reevaluation by the Independent Investigator.
 - b. By claiming that proper investigation and adjudication procedures were not followed.
 - c. By claiming that the finding was contrary to the evidence presented.The EC has the discretionary authority to grant or deny the petition by a vote of at least 51% of the EC members eligible to vote. The EC will communicate the decision to the respondent, the affected person(s) and to the complainant.
 2. Request immediate review by the ERB.
 3. Waive the right to a rehearing or review. If the respondent waives the right to a rehearing or review, the EC recommendation is final.
 - iv. If there is no rehearing and the respondent has not waived ERB review, upon conclusion of a rehearing by the EC or upon request of the respondent for immediate ERB review, the decision and the record will be transmitted to the ERB promptly for its review. The ERB can accept the EC recommendation or, by an affirmative majority of its eligible voting members (1) dismiss the charge, (2) modify the sanctions imposed or (3) direct the EC to hold a rehearing and permit the respondent to submit new evidence. If the EC has a rehearing and considers new evidence at the request of the ERB, its decision following that hearing will be final and not subject to further review.
 - v. The EC will inform the Temple Beth David Executive Board when a volunteer has been suspended or removed.
 - vi. The Temple Beth David Executive Board and President may approve or require more extensive notification as they deem necessary in the public interest.

d. Reinstatement

- i. An individual who has been suspended for a stated time period may apply to the EC, once the time has passed, for reinstatement based on a showing that the person has met all conditions imposed, for example, having acknowledged and repented for the misconduct, apologized to the victim(s), not resumed the misconduct and established through the passage of time and the person's behavior that the chance of a recurrence is highly unlikely.

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- ii. An individual who has been removed may apply to the EC for reinstatement after the passage of at least three (3) years based on the same showing that a suspended individual must make.
 - iii. The EC shall review the conduct of the respondent and decide whether to recommend reinstatement to the Temple Beth David Executive Board and President. The EC decision on the application is made by the affirmative vote of at least three of its eligible voting members and is subject to review by the ERB for a final decision.
 - iv. Notice of reinstatement will be documented and entered into Temple Beth David records. Upon request, the Temple Beth David Executive Board or President may advise the Chair of a Nominating Committee of the existence of the volunteer's previous reprimand, censure, or suspension and subsequent reinstatement. If Temple Beth David made more extensive notification of such volunteer's reprimand, censure, or suspension, Temple Beth David will make a similar notification of such volunteer's reinstatement.

E. Failure to Cooperate

All parties are expected to cooperate with the EC throughout the process of investigation and adjudication. Failure to cooperate may be taken into account in deciding whether and how to proceed and determining sanctions, if any.

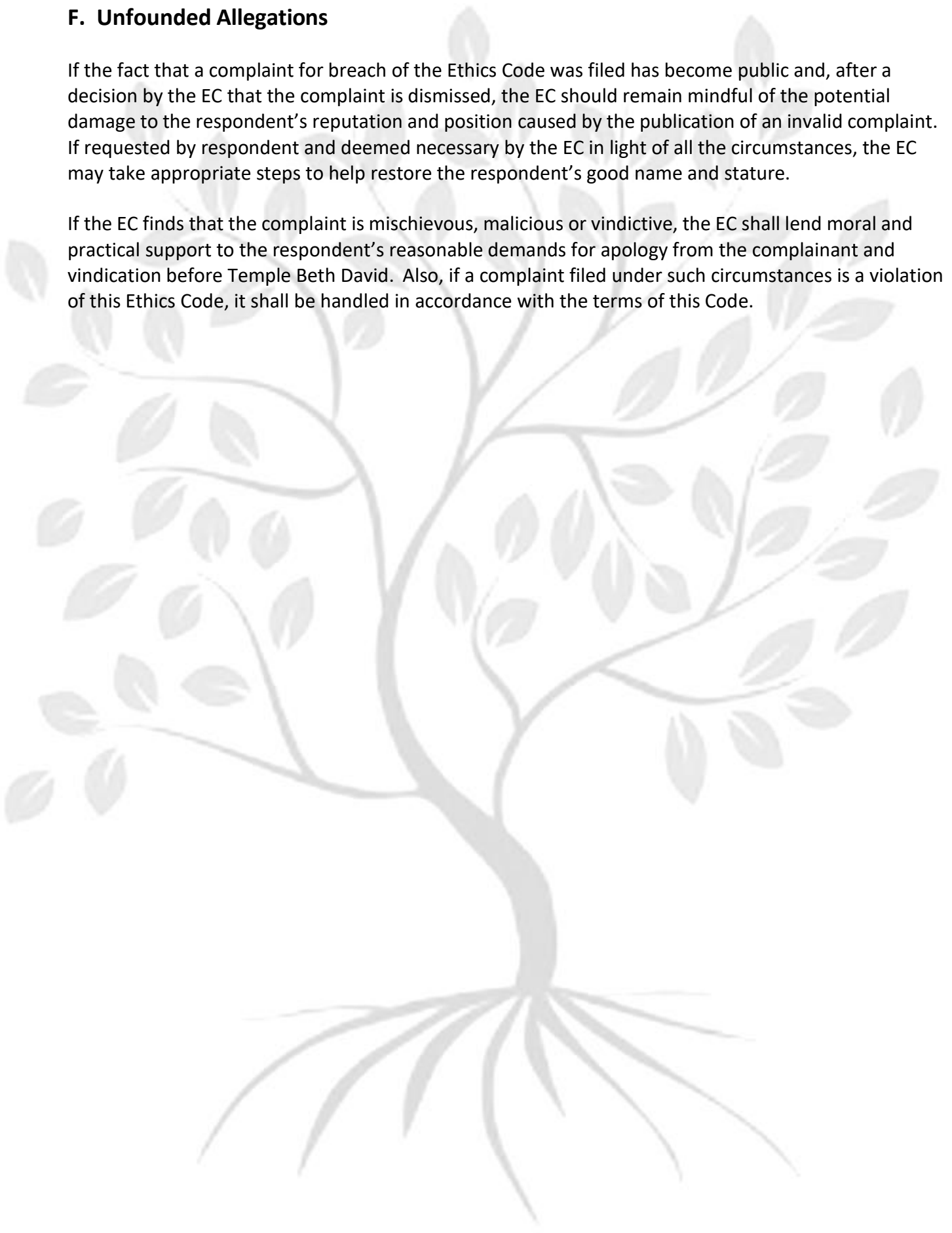
If the respondent fails to cooperate with the EC due to a concurrent legal process, the EC may wait until the legal process is completed to adjudicate or impose sanctions.

If the respondent resigns from his/her Temple Beth David volunteer role during the process of information gathering but prior to the adjudicatory process, the respondent will be regarded as removed and must apply for reinstatement to serve Temple Beth David in accordance with paragraph II.D.2.d above. Readmission must be conditioned upon the resumption of the process of information gathering and the adjudicatory process.

F. Unfounded Allegations

If the fact that a complaint for breach of the Ethics Code was filed has become public and, after a decision by the EC that the complaint is dismissed, the EC should remain mindful of the potential damage to the respondent's reputation and position caused by the publication of an invalid complaint. If requested by respondent and deemed necessary by the EC in light of all the circumstances, the EC may take appropriate steps to help restore the respondent's good name and stature.

If the EC finds that the complaint is mischievous, malicious or vindictive, the EC shall lend moral and practical support to the respondent's reasonable demands for apology from the complainant and vindication before Temple Beth David. Also, if a complaint filed under such circumstances is a violation of this Ethics Code, it shall be handled in accordance with the terms of this Code.



APPENDIX 1
RESOLUTION REGARDING POLICY AND PROCEDURES
FOR DISCLOSURE OF CONFLICTS OF INTEREST
FOR TEMPLE BETH DAVID

1. RESOLVED that no members of the Temple Beth David Board, and no officer or employee of Temple Beth David shall, directly or indirectly, have any financial interest in or derive any income from or be employed by persons, firm, corporation or any other entity doing business with Temple Beth David without full disclosure, in writing to, and approval from the Executive Board; and it is further

2. RESOLVED that no member of the Temple Beth David Board and no officer or employee of Temple Beth David shall, directly or indirectly, accept money, gifts gratuities or favors of any kind, unusual or excessive entertainment or hospitality, loans, guarantees or preferential treatment from any person, firm, corporation or any other entity doing business or seeking to do business with Temple Beth David under circumstances from which it can presumably be inferred that the purpose and/or effect of such was or is to influence said Board member, officer or employee in the conduct of its or his or her transaction with the donor; and further,

Any member of the Temple Beth David Board, officer or employee of Temple Beth David may be considered to have a direct or indirect interest in, or benefit from, an organization or transaction if any of the following have such an interest or benefit:

- a. member of the employee's family;
- b. close relation of the employee by blood or marriage;
- c. any entity in which the employee or relatives of the employee have a significant and/or financial interest or serve as an officer, employee, or representative.

3. RESOLVED that no member of the Temple Beth David Board shall knowingly divulge to any person not authorized by Temple Beth David any confidential information received in the performance of his or her duties, nor use such information for personal profit, nor shall he or she transmit any knowledge of any confidential decision or confidential information which might be prejudicial to the interest of Temple Beth David to any unauthorized person except in connection with the discharge of his or her organizational responsibilities; and it is further

4. RESOLVED that the Secretary shall distribute to all new Temple Beth David Board members and from time to time distribute to all members of the Temple Beth David Board a copy of these resolutions; and it is further

5. RESOLVED that a member of the Temple Beth David Board having a possible conflict of interest on any matter shall not vote or use his or her personal influence on the matter. The minutes of the meeting shall reflect that a disclosure was made and the abstention from voting.