

Sexual Misconduct Prevention Policy and Ethical Code for the Pardes Institute of Jewish Studies

Contents

1. Definitions and Codes of Conduct	3
A. Sexual Misconduct Prevention and Response Committee	4
B. Key Definitions and Israeli Law	4
C. The Right to Self-Define Gender	5
D. Employee-Employee	5
E. Employee -Student / Board Member-Student Conduct Guidelines	6
F. Pardes Student to Student Sexual Code of Conduct	9
Section I: Prohibited Conduct	10
Section II: Definitions	10
2. Building Safety Guiding Principles:	13
Meetings/Open Door Policy	13
Safe Space Policy	13
Last one out protocol/Access after-hours (6:30pm-6:30 am)	13
3. Procedure for Reporting, Investigating and Remediating complaints	15
Complaint Procedure Summary	16
Full Complaint Procedure	17
A. Where to turn: Appointed Officer and Committee	17
B. Simultaneous Criminal Reporting	18
C. Retaliation	18
D. Discretion and Anonymity in Investigations	18
E. Prompt Complaint Procedures	19
F. Mandatory Reporters - Pardes Staff and Board Members	20
G. Processing Complaints and Reports	20
H. Reporting to the Committee and the Decision to Initiate an Investigation	20
I. Conflicts of Interest and Independent Auditor	21
J. Investigation	21

K. Memorializing	25
L. Appeals	25
Providing Support for Victims, Accused, Bystanders, and the Community	27
Important Phone Numbers	28
Ongoing Education and Training	29
Documentation and Forms	30
Documentation	30
Incident Report Form	30
Incident Report Part II (for Officer or Committee use)	30
Appendix: Ethical Code for Jewish Leaders	31

1. Definitions and Codes of Conduct

a. Introductory Statement Against Sexual Misconduct

Pardes Institute of Jewish Studies is committed to creating a learning and work environment in which all individuals are treated with respect and dignity as a religious imperative. Every individual has the right to study and work in a professional atmosphere that promotes equal opportunities and prohibits discriminatory practices, including sexual harassment and assault (hereafter referred to as sexual misconduct). Therefore, Pardes expects that all relationships among persons in the institution will be free of bias, prejudice, discrimination, and harassment. In order to keep this commitment, Pardes maintains a strict policy of prohibiting discrimination or harassment of any kind, including sexual misconduct and harassment based on race, color, religion, national origin, sexual orientation, gender identity or expression, sex, age, physical or mental disability.

This policy applies to all students, employer agents and employees, including supervisors and nonsupervisory employees, board members, and to non-employees in the institution (hereafter referred to as “community members”). Pardes expects all of its affiliates and constituents, including visiting teachers, community service partner organizations, and private contractors to uphold the dictates and the spirit of this policy, even outside the walls of Pardes, and regardless of the length of the event. Participants in any event are considered students for the purpose of this policy. Because of the special needs of the Pardes Spirituality Retreat, that event has an supplemental code of conduct.

Community members are afforded all of the protections described in the local law, wherever they are located. Israeli law is detailed [here](#).

Above and beyond the strict requirements of the law, Pardes as an institution is committed to creating a holy space that deeply embodies Jewish values. Specifically, we have a profound awareness that God’s image (צלם אלוקים) is embedded in every human being. Our highest aim is to “love our neighbor as ourselves” (Lev. 19). This acknowledgement entails a dual commitment: to treat all people with the utmost dignity and to hold ourselves to the highest standards of personal behavior. To that end, it is our obligation to proactively create a culture that is safe and warm and thus prevents inappropriate behavior. We must ensure that our behavior is in no way suggestive of sexual assault, harassment or misconduct. This obligation comes from the commandment "Your camp should be holy" and also from the duty we have of rescuing the oppressed from the oppressor, stemming from "neither shalt thou stand idly by the blood of thy neighbor" (Lev. 19).

Pardes is blessed to be a diverse community, joining traditional and liberal Jews from all genders, heterosexual and queer Jews from a wide range of countries of origin and ages, all of us with different cultural sensibilities around sexuality and sexual conduct. All of us need to build a home here together. Laid out below are policy decisions, which have been contributed to by all facets of the Pardes community. We want our community standards to be perfectly clear for anyone wishing to enter our community and for those who already call Pardes home. Nevertheless, because it is impossible to legislate every behavior and situation, we are also

charged to use good judgment: 'וְעָשִׂיתָ הַיָּשָׁר וְהַטּוֹב בְּעֵינֵי ה' You must do that which is right and good in the eyes of G-d. (Deut. 6:18).

Pardes is space where all community members are responsible for each other, and therefore all of its members have the ethical imperative to report when one member of the community is being threatened, harassed, or hurt by another member of the community. In case of conflict, Pardes will strive to treat all sides with fairness and respect, including complainants, witnesses, and the accused, while being mindful of the potential stigmas for all parties and the importance of handling complaints promptly. Retaliation will not be tolerated. In addition to avoiding misconduct and protecting others, the Torah also implores us: 'והייתם נקיים מה' ומישראל You shall be innocent in the eyes of G-d and Israel (Num. 32:1), making clear that we must avoid even any appearance of wrongdoing מראית עין. We also believe that injustice must never be covered up due to the fear of public exposure. On the contrary, implementing justice demonstrates the greatness of G-d and is a kiddush Hashem.

A. Sexual Misconduct Prevention and Response Committee

In order to further ensure a safe and ethical environment at Pardes, Pardes has established a Sexual Misconduct Prevention and Response Committee, charged with establishing policy and investigating and addressing complaints. The current members of the committee include the President of Pardes, [Rabbi Leon Morris](#), the Dean of Pardes, [Dr. David Bernstein](#), two faculty members, [Judy Klitsner](#) and [Rabbanit Nechama Goldman Barash](#), as well as a representative of the board, [Lynne Weinstein, MSW](#). Nechama Goldman Barash is the legally mandated Officer in charge of prevention and response, and she should be the first address of all concerns, where reasonable.

B. Key Definitions and Israeli Law

The Israeli law defines sexual harassment, as detailed [here](#).

Pardes is bound by these definitions and supplements the law and adopts a more inclusive definition:

- Sexual harassment is unwelcome conduct of a sexual nature. It includes sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:
 - Submission to such conduct is made either explicitly or implicitly in connection with a person's ability to participate fully in their education;
 - Submission to or rejection of such conduct is used as a basis for academic decisions affecting the individual; or
 - Such conduct interferes with an individual's academic performance or creates an intimidating, hostile or demeaning environment.

Sexual harassment also includes sexual violence, which refers to sexual acts that are against a person's will or where a person is incapable of giving consent.

Sexual harassment can take many forms, physical, psychological, or verbal, including, but not limited to:

- Unwanted sexual, abusive or lewd language or suggestive jokes, including sex-oriented comments on one's appearance;
- Direct or indirect threats or bribes for unwanted sexual activity, including insinuating that refusal may affect an employee or student's assessment, references or participation in any other school activity;
- Asking or commenting about a person's sexual activity or preferences; Sharing information about one's own sexual activity
- Displaying or distributing pornographic or any other sexual material;
- Unwelcome physical contact of a sexual nature, including impeding movement, and/or touching (such as brushing, pinching, patting, etc.);
- Leering, suggestive or insulting sounds or gestures;
- The use of profanity or other obscenities that are sexually suggestive or degrading; and
- Behavior that perpetuates sex-based stereotypes.

C. The Right to Self-Define Gender

1. Individuals have the right to define their own gender, and should be treated and referred to accordingly.
2. All-gender bathrooms are available on each floor. Additionally, each individual is entitled to define their own gender for the purposes of bathrooms.
3. When participating in the mechitza minyan, individuals can sit on the side that best conforms to their gender identity as they define it.
4. Each minyan has the right to define its criteria for counting towards the minyan. The egalitarian minyan counts anyone who is Jewish according to any major denomination, irrespective of gender identity. The mechitza minyan counts trans-men who have undergone genital surgery. Every individual is trusted to present themselves faithfully as counting with respect to gender and halakhic status. People will refrain from asking particular members intrusive questions in order to determine halachic status.
5. On Pardes overnight trips, students will be assigned to share rooms with members of their same gender. In cases where gender identity may cause discomfort for anyone, students may request roommates in a way that is comfortable for all in the room.

D. Employee-Employee

These standards, as enumerated above and in the Israeli law, apply to employee-employee or board member-employee conduct, acting in supervisory and nonsupervisory capacities. As a general rule, board members are expected to maintain the same standards as employees of Pardes.

North American employees are governed by this policy; when reporting violations, North American employees must make use of the procedure detailed here. Supplementally, they have recourse to the channels made available through our contractor, Insperty.

E. Employee -Student / Board Member-Student Conduct Guidelines



- Every individual within the Pardes community has the right to define which types of physical contact feel comfortable and appropriate for them. We are proud that our institution unites a wide spectrum of people - straight and queer, younger and older, Jews from across the denominational spectrum, and people from different cultures and countries - all of whom may have different norms of behavior when it comes to physical contact. There are those who, for religious reasons, refrain from touching members of the opposite gender; those who feel comfortable touching all genders; people who by nature use touch as a main form of communication; and those who prefer not to be touched at all. These individual choices should be respected by all and personal boundaries should not be crossed. Ideally, consent should be sought before any form of physical contact. For example, one might say “I see you are feeling upset, would you like a hug?” Or a teacher might say to the class as a whole, “I am a hugger, please let me know if you are not so that I can respect your choice.” We strive to create a culture where both students and employees feel comfortable to voice their needs regarding physical interactions with others and to communicate discomfort at any point regarding someone's behavior in this realm. As a community, we aim to be sensitive to individuals’ cues, body language and preferences, and we acknowledge and respect that not everyone feels similarly about touch and personal space. If one is unsure of how to behave, the best policy is to ask.
- Barring other indicators (i.e., the person prefers not to be touched at all or by members of the opposite gender), the following forms of public physical conduct are generally deemed socially appropriate and do not cross boundary lines:
 - Handshake
 - Fist bump
 - High five
 - Tapping someone on the shoulder to get their attention
 - Casual pat on the back (obtaining consent one time is sufficient unless there are other indicators)
 - Side hug (best policy would be to request consent beforehand)

Any student or employee member can always at any point state that they prefer not to engage in such forms of touch.

- The following behaviors are tricky. While they may sometimes be appropriate, caution should be exercised and affirmative consent is strongly encouraged. It is essential that one consider all context and circumstances when evaluating these behaviors. Whenever possible and appropriate, consider replacing physical contact with verbal instructions, comfort and support.
 - Putting your arm around someone
 - Squeezing/holding someone's arm or hand
 - Frontal hug (consent should be obtained each time)
- These forms of physical conduct and behaviors are not permitted and should be avoided at all times.
 - Touching private parts of the body such as chest, thighs and anywhere near them.
 - Backrub or massage, even with explicit consent
- Relationships:
 - Romantic (and physical) relationships between current Pardes students and employees are not permitted. However, relationships between employees and alumni might be possible, and the couple should notify the Pardes harassment officer of their intentions. Exceptions to this policy might be approved on a case by case basis. This behavior is a best policy/practice for staff/staff relationships as well. However, if two consenting adults choose to engage in a relationship while employed at Pardes, they should inform the harassment officer.
 - Any excessive emotional connection/investment between student and employee is prohibited, as it opens the possibility for either party to get too attached and have inappropriate expectations about the relationship. For example, an ongoing and exclusive havruta between one teacher and one student that is outside of the normal work structure for which teachers are paid is generally prohibited. However, exceptions should be discussed with the Officer.
- Meetings:
 - One on one meetings between an employee and a student, including hevrotot, in locations that are NOT observable or interruptible are prohibited. Permissible meeting locations include but are not limited to, classrooms and other/or spaces with observable windows, as well as unlocked doors. When it is necessary to use a non-ideal space for a meeting, it is recommended that the employee report to someone else in the administration that they are using such a non-ideal space so that the additional person could interrupt the meeting at least once. The student

should be informed at the beginning of the meeting that “I let X know that we are meeting here in room D.”

- In our community, we are very careful about the language we use and how we communicate with others. Words should be nurturing and aid people to learn and grow. One should take extra care to avoid blurring or crossing the lines of appropriate conversation. All speech requires great sensitivity. Use good judgment. When in doubt, it is probably best to refrain from commenting/speaking.
 - Never use lewd or sexually suggestive language
 - Never use homophobic, racist, discriminatory, or sexist language
 - Use caution when making jokes, especially related to stereotyping, sexuality, sexual orientation, and gender
 - Use caution and judgment in making personal comments, regardless of the gender of the person with whom you are speaking
 - Never comment on a person’s body or ask intrusive questions about a person’s body
 - In casual conversation about a person’s appearance, keep the following in mind:
 - It is advisable, as much as is possible, to avoid commenting on each other’s appearance at all. When it seems appropriate to comment on an article of clothing, restrict the comment to the article, not the person inhabiting it. For example, instead of saying “That dress looks good on you,” say “That is a nice dress.” Instead of saying, “You look so handsome with your haircut,” say, “Great haircut.”
 - Avoid repeated comments/references to someone’s appearance even if complimentary. Remember, it might make the target of your comments uncomfortable, even if that person does not express the discomfort to you. Also, such comments can have an effect on *others*, who might feel slighted, unworthy, or at a disadvantage upon seeing someone else receive compliments.
- Social Media:
 - Language and communications guidelines outlined above are applicable to social media as well
 - Employees should avoid all forms of intimate, or overly familiar language when communicating with students on social media
 - Pardes recommends that employees use their Pardes email in interactions with students
 - Employees should be sure that they would be comfortable if the interchange became public
- Pardes rules of conduct and speech also apply to off premises interactions between employee and students such as travel in a car, hosting over Shabbat, or other off-campus

events. Interactions between employees and students should be always be observable or interruptible, no matter where they take place. In particular, these behaviors should be avoided:

- One employee and one student should not be alone in a car. When it is impossible to have a minimum of 3 people in the car together, affirmative consent must be obtained. Furthermore, another person at Pardes should be informed of the trip in advance and upon its conclusion. Best practice is for one person to sit in the back seat of the vehicle.
- Employees may not walk students to their door after driving them home. If students and employee are walking together publicly, they should say goodbye to one another on the street.
- When a student is hosted in a teacher's home, an additional adult should always be present.
- Shabbat Sleepover Hosting:
 - If a student is invited to sleep over at a staff/board member's home on a Shabbat or hag, then the following is required:
 - There must be an additional adult present at all times
 - The sleeping arrangements for the student — including with whom they will share a room, if applicable — must be made clear to the student in advance of the visit, and the student must consent ahead of time
 - The staff or board member should not sleep in the same room as the student

F. Pardes Student to Student Sexual Code of Conduct



Jewish tradition sees companionship and intimacy as a core Jewish value; as Scripture states, “It is not good for human to be alone” (Genesis 2:18). Similarly, Jewish tradition embraces healthy sexuality, but it also regulates its expression. We are proud that relationships formed at Pardes have resulted in many successful long-term partnerships and marriages, Jewish homes, and beautiful offspring.

Healthy relationship building requires work and communication. Pardes offers classes in relationships, gender, and sexuality to help each of us make thoughtful decisions. However, the responsibility for this and healthy and safe sexuality is the responsibility of each student. Because Pardes values personal autonomy, we leave these decisions to students to navigate independently.

In order to keep the community safe, however, we offer the following guidelines.

Section I: Prohibited Conduct

Pardes prohibits sexual misconduct, which, as defined below, includes sexual harassment, sexual assault, relationship violence, creating a hostile environment, discrimination and stalking. Pardes further prohibits any form of retaliation, intimidation, threats, coercion, or discrimination or attempts thereof, whether direct or indirect, by any employee, faculty, board member or student, against a person who makes a complaint or report of sexual misconduct or participates in any way in the investigation or resolution of such a complaint or report, or who exercises their rights or responsibilities under the Policy, these Procedures or the law.

Engaging in conduct prohibited by this Policy may result in disciplinary action as described in the Procedure for Reporting, Investigating and Remediating complaints.

Section II: Definitions

When reviewing a person's actions or intent, all the definitions below are judged as they would be perceived and determined by a reasonable person.

Consent: Sexual activity of any kind requires "consent," which consists of the following:

- Consent means clear and voluntary agreement between participants to engage in the specific act.
- Consent requires a clear "yes," verbal or otherwise; it cannot be inferred from the absence of a "no."
- Consent cannot be obtained from someone who is under the age of 18, unconscious, asleep, physically helpless, or incapacitated (including, but not limited to, mentally incapacitated). A person is incapacitated when they are unable to make a rational decision because the person lacks the ability to understand their decision. A person who is incapacitated is unable to consent to sexual activity. A person can become incapacitated as a result of physical or mental disability, involuntary physical constraint, being asleep or unconscious, or consumption of alcohol or other drugs. A person can consume alcohol and/or drugs without becoming incapacitated. A person who engages in sexual activity with someone that person knows or reasonably should know is incapacitated does not have consent and will be found responsible for a Policy violation.
- Consent cannot be obtained by pressure, threats, coercion or force of any kind, whether mental or physical. Consent means actually agreeing to the specific sexual activity, rather than merely submitting as a result of pressure, threats, coercion or force of any kind, whether mental or physical.
- Consent must be ongoing throughout a sexual encounter and can be revoked at any time.
- Consent to some sexual acts does not necessarily imply consent to others.

- Past consent does not necessarily imply ongoing or future consent.
- Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.
- Consent must be obtained prior to commencing the sexual activity; consent does not apply retroactively.

Dating Violence: The term “dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, including marriage. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of: the length of the relationship; the type of relationship; and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse, but excludes acts covered under domestic violence.

Hostile Environment: A “hostile environment” results from unwelcome and discriminatory conduct that is so sufficiently severe, pervasive, or persistent that it unreasonably interferes with, limits, or deprives a member of the community of the ability to participate in or to receive benefits, services, or opportunities at Pardes programs and/or activities. The environment can be the result of acts committed by any individual or individuals, including any member of the Pardes community. Pardes prides itself as a safe, open, and welcoming community. Any person found to disrupt these values and disrespect the shalom bayit of the institution will be removed for the mental, emotional, and physical safety of the Pardes community.

Sexual Assault: The term “sexual assault” includes, but is not limited to:

- *Nonconsensual Sexual Intercourse or Rape*, which is any act of sexual intercourse with another individual against a person’s will or without consent. *Sexual intercourse* includes vaginal or anal penetration, however slight, with any body part or object, or contact between the mouth and another person’s genitals.
- *Nonconsensual Sexual Contact*, which includes:
 - Any intentional touching of the intimate parts of another person or causing another to touch one’s intimate parts against a person’s will or without consent, for the purpose of sexual gratification of either party, for the purpose of embarrassing or harassing either party, or for no legitimate purpose. Intimate parts may include genitalia, groin, breast, or buttocks, or clothing covering them, or any other body part that is touched, under all of attendant circumstances, in a sexual manner;
 - Disrobing or exposure of another against a person’s will or without consent, or any other sexual acts or sexual contact against a person’s will or without consent, for the purpose of sexual gratification of either party, for the purpose of embarrassing or harassing either party, or for no legitimate purpose.; sexual battery; sexual coercion. Resistance of any form need not occur for any of these situations to be prohibited.

Sexual Harassment: The term “sexual harassment,” whether between people of different sexes or the same sex, includes, but is not limited to, unwelcome sexual advances, requests for sexual

favors, sexual assault and other verbal, non-verbal, electronic or physical conduct of a sexual nature when:

- submission to such conduct is implicitly or explicitly a term or condition of an individual's employment or participation in an educational program;
- submission to or rejection of such conduct by an individual is used as the basis for personnel decisions or for academic evaluation or advancement; or
- such conduct creates a hostile environment.

Examples of conduct that may, depending on the facts and circumstances, constitute sexual harassment include, but are not limited to: making comments about someone's appearance in a sexually suggestive way; staring at someone or making obscene gestures or noises; repeatedly asking someone on a date; stalking (including cyber stalking); "flashing" or exposing body parts; spreading sexual rumors; rating peers or colleagues with respect to sexual performance or sexual attractiveness; non-consensual observation, photographing, or recording of sexual activity or nudity; non-consensual distribution or dissemination of photographs or recordings of sexual activity or nudity, including distribution or dissemination of photographs or recordings that were made consensually; allowing a third party to observe sexual activity without the consent of all parties; and prostituting or trafficking another person.

Sexual Misconduct: The term "sexual misconduct" includes sexual harassment, sexual assault, relationship violence, and stalking.

Stalking: The term "stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others, or suffer substantial emotional distress. For purposes of this definition, course of conduct means two or more acts, including, but not limited to, acts in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates with another person, or interferes with that person's property.

2. Building Safety Guiding Principles:

Pardes strives to meet the following criteria. If you observe violations of this policy, please notify the Appointed Officer, [Nechama Goldman Barash](#), or another member of our Committee [the President of Pardes, [Rabbi Leon Morris](#), the Dean of Pardes, [Dr. David Bernstein](#), two faculty members, [Judy Klitsner](#) and [Rabbanit Nechama Goldman Barash](#), as well as a representative of the board, [Lynne Weinstein, MSW](#)].

- All spaces should be either:
 - supervised and visible (or observable or interruptible), or
 - locked and inaccessible.
- We recognize the need to balance privacy with safety.

Meetings/Open Door Policy

The following applies to staff/staff, staff/students and students/students

- As a general rule, meetings at Pardes should take place in spaces that are observable or interruptible in order to prevent even the appearance of inappropriate conduct.
- Doors are never to be locked with people inside (regardless of number)
- When meeting with less than three people, doors and any window coverings or blinds should be open during off-hours, at night or when downstairs.
- The preferred way of having a private, two-person meeting is to have the door at least slightly ajar. If this is not possible, then:
 - a staff member should be told of the meeting in advance and asked to enter the meeting at random times
 - explicit permission for having the meeting anyway has to be given by both parties
 - and both need to be aware that there will be random interruptions
- Private meetings in public spaces (*e.g.*, parks, restaurants, etc.) are acceptable.

Safe Space Policy

- If a space is unused, it should be locked (*e.g.*, custodial areas; closets; storage rooms; basements; roofs; etc.). Keys to these spaces should be in the hands of designated staff members only.
- The roof of the building should be locked at all times. Meetings on the roof should be avoided. However, if necessary, it can be used with staff supervision only if three or more adults are there or if another staff member is told of the meeting in advance and instructed to check in at random times.

Last one out protocol/Access after-hours (6:30pm-6:30 am)

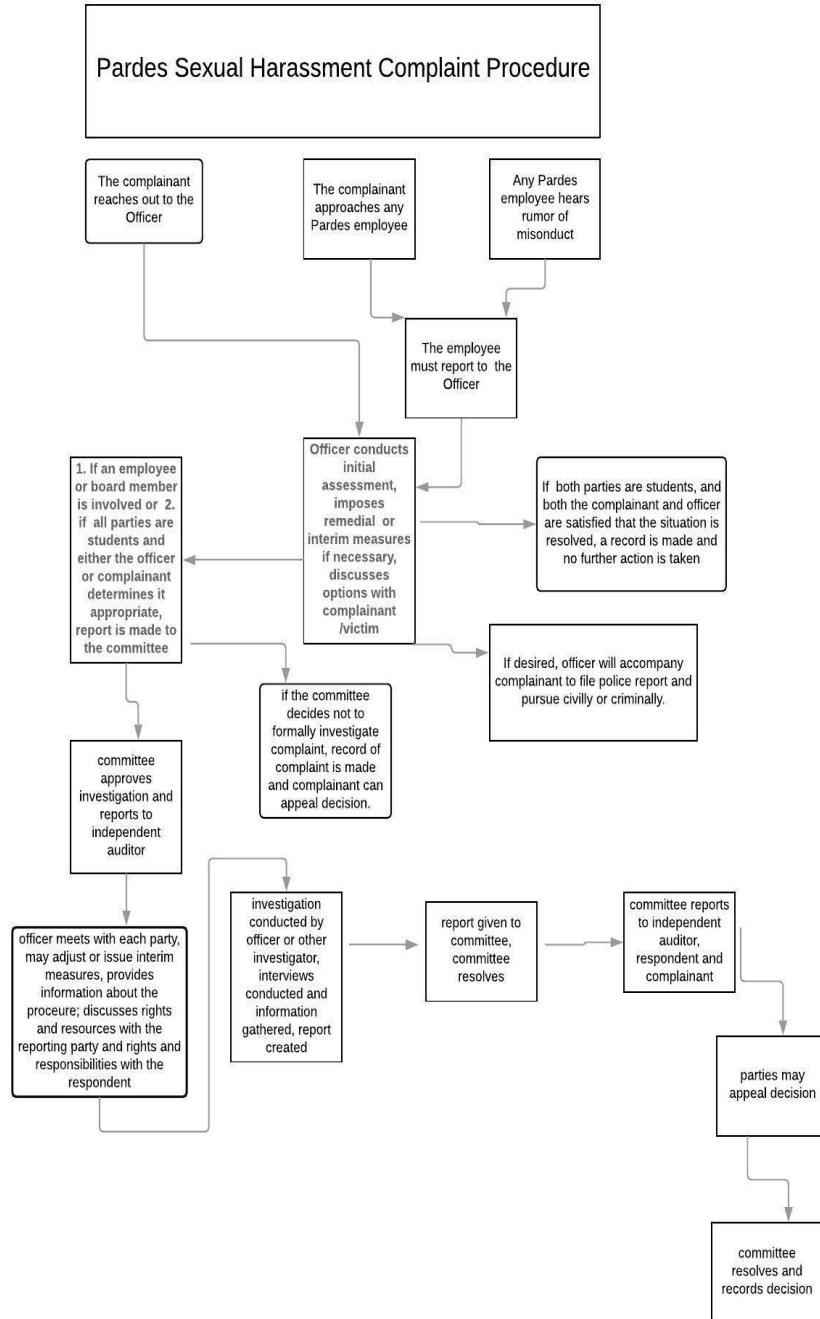
- The following apply to each floor of the building:

- Students may be in a floor of the building in a group of three or more. The other two people can be either students or staff.
- Faculty or staff may be in the building alone or with other staff members. They may not be alone with a student unless there are at least three adults present.
- As a general rule, even small groups of people should not remain at Pardes after 10 pm. If there is a need to be there later, a staff member should be told in advance.

3. Procedure for Reporting, Investigating and Remediating complaints

Below please find:

- Flowchart
- Summary
- Full Procedure



Complaint Procedure Summary

If you are either considering a complaint to the Sexual Harassment Prevention and Response Officer or the subject of a complaint, you may have a lot of questions. Pardes considers both creating as safe a space as possible as well as protecting the rights of the accused as religious imperatives. The details of this policy are designed to balance these two values. This document explains how complaints or reports of discrimination are handled under the Pardes Complaint Procedure. It summarizes steps explained in more detail in the Procedure section below.

Barring extenuating circumstances such as conflict of interest, or discomfort of the complainant, complaints should be filed with the Officer. Generally, investigations are also conducted by the Sexual Harassment Prevention and Response Officer. The Officer is the primary person charged with supporting someone with a complaint and responding. She gathers evidence as to whether or not specific allegations are substantiated.

The investigator presents the report from the initial complaint to the Sexual Harassment Prevention and Response committee, which decides what occurred and what measures, if any, are appropriate.

Investigations usually are initiated by a complaint, and that is what this summary document assumes. The procedure is slightly different for investigations initiated by the Officer, without a complaint.

1. **Initial Processing.** An investigator, usually the officer herself, meets with the reporting party to understand the complaints. The investigator will develop the allegations based on the written complaint and any other information.

The investigator will also discuss confidentiality and provide information about other resources that may be useful, such as the Rape Crisis Hotline and counseling services.

2. **Confidentiality.** Where possible, everyone involved in investigations – including the reporting party – will strive to keep the investigation confidential. If confidentiality is not maintained, this can violate the complainant's and the respondent's rights. It can also prevent the investigator from finding out the truth of the matter.

Unfortunately, confidentiality cannot always be maintained. Sometimes there is a need to report to police, the administration, community, etc. under certain circumstances. If a case goes to hearing, there may be a need to reveal names to accused, witnesses, etc. In all situations, Pardes will use the utmost discretion.

3. **The Committee is notified of complaints unless the complaint involves two students and both the complainant and the officer are satisfied that no further action is required.** The Committee approves the thorough investigation. In addition, an outside auditor is informed of the investigation so that the quality and objectivity of the investigation can be assured. This auditor is hired by Pardes and obligated to maintain the confidentiality of any information provided.

4. Investigation Procedure. The investigator plans the investigation based on the allegations, the information provided, her knowledge of Pardes and her training in investigation techniques. She reports to the Committee, which makes decisions about remediating complaint.

The investigation includes interviews with the complainant, the respondent, and any other witnesses whom the investigator believes may offer relevant information. The investigator will decide when to interview the respondent. The investigator will also seek out any other forms of evidence that might bear on the investigation, including video, electronic communications, phone records, etc. The investigator will keep both the reporting party and respondent(s) updated as to the progress of the investigation. Either party can have an advisor or support person, but that person cannot participate actively in the procedure.

5. Timing. Investigations are completed within 45 days of a complaint being filed. Extensions can be made where necessary.
6. Committee Decision. The Committee decides whether or not a school policy, law, or standard was violated. This decision is based on the preponderance of the evidence; proof need not be established beyond a reasonable doubt. The Committee will inform all parties of its decision, as well as any disciplinary actions to be taken. The specifics of disciplinary action will be shared with the complainant when appropriate.
7. Appeal. Either party can appeal the Committee's decision within 10 working days.
8. Retaliation. The reporting party, all witnesses, and anyone else who participates in the investigation are protected from retaliation. The Committee will respond immediately to any indication of retaliation and take appropriate action.

Full Complaint Procedure

A. Where to turn: Appointed Officer and Committee

Pardes Institute of Jewish Studies has designated an officer and a committee to coordinate compliance with and responses to inquiries concerning sexual misconduct. A report of a violation of this policy should be made to:

Rabbanit Nechama Goldman Barash 0548144453

nechamab@pardes.org.il

If any person feels uncomfortable turning to this Officer (for example, if the complaint is against the officer or if the complainant believes that the Officer has a personal connection to the complainant or the persons involved), any person may also file a complaint with any member of the committee. The current members of the committee include:

the President of Pardes, [Rabbi Leon Morris](#)

the Dean of Pardes, [Dr. David Bernstein](#)

[Judy Klitsner](#)

[Rabbanit Nechama Goldman Barash](#)

[Lynne Weinstein.MSW](#)

Complaints may be submitted to the Officer by email or phone.

To ensure the Officer's accountability, all members of the Committee must be notified by writing of the existence of a complaint within 48 hours of its submission.

B. Simultaneous Criminal Reporting

To the extent a violation of this policy may also violate a criminal law, affected individuals are encouraged to report their complaint to local law enforcement. The Officer or another member of the committee is available to accompany the individual to report their complaint. Any person making a complaint under this policy may pursue a complaint with Pardes and police simultaneously. The police and Pardes independently investigate complaints of sexual misconduct. The police investigate to determine whether there has been a violation of criminal laws. Pardes investigates to determine whether there has been a violation of Pardes policy and to ensure safety. The investigations proceed concurrently, and the outcome of one investigation does not determine the outcome of the other investigation.

Occasionally, Pardes may need to briefly suspend the fact-finding aspect of its investigation at the request of law enforcement while the police are in the process of gathering evidence. Pardes will maintain regular contact with law enforcement about the progress of the police investigation and to determine when Pardes may begin or resume its investigation. If this occurs, Pardes will promptly resume its investigation as soon as possible. Pardes will keep the complainant and relevant parties updated in these situations.

C. Retaliation

Under no circumstances will Pardes tolerate retaliation against a complainant or a witness.

Retaliation will be prevented and addressed as part of the complaint procedure.

Retaliation should be reported using the same procedures as grievances and will be treated with the same severity.

D. Discretion and Anonymity in Investigations

The goal of this policy is to provide members of the community with a positive working and learning environment that is free from sexual misconduct. Complaints of sexual misconduct will be investigated in a manner that is consistent with this goal.

Pardes cannot promise complete confidentiality in its handling of sexual misconduct complaints. Pardes will make every reasonable effort to handle inquiries, complaints, and related proceedings discreetly and in a manner that is sensitive to the privacy of all parties.

If a complainant requests anonymity or that an investigation not be pursued, Pardes will take all reasonable steps to investigate and respond to the complaint consistent with that request, as long as honoring the request does not prevent Pardes from responding effectively to the situation and ensuring the safety of others. If a complainant requests anonymity, the scope of Pardes' ability to respond to the alleged misconduct may be limited. In certain circumstances, Pardes may be able to address concerns and stop problematic behavior without revealing to the alleged offender the identity of the person who complained and/or the individuals involved in the investigation.

However, this is not possible in every matter, as some situations require the disclosure of the complainant's identity in order to fully investigate the matter and/or to enable the respondent to fully respond to the allegations against him or her. In cases when a complainant requests anonymity or does not wish to proceed with an investigation, the Officer will determine whether Pardes has an obligation to proceed with the investigation notwithstanding this request based on concern for the safety or well-being of the broader Pardes community. Pardes reserves the right to take appropriate action in such circumstances, even in cases when the complainant is reluctant or does not wish to proceed. In making this evaluation, Pardes may consider the following:

- a. The seriousness of the alleged incident;
- b. The age of the alleged victim;
- c. Whether there have been other complaints or reports of policy violations against the accused individual;
- d. The rights of the accused individual to receive information about the accuser and the allegations if a proceeding with sanctions may result;
- e. The increased risk that the accused individual will commit additional acts of sexual misconduct, such as: (a) Whether there have been other sexual misconduct complaints about the same alleged perpetrator; (b) Whether the alleged perpetrator has a history of arrests or records from a prior school indicating a history of violence; (c) Whether the alleged perpetrator threatened further sexual misconduct against the alleged victim or others; (d) Whether the sexual misconduct was committed by multiple perpetrators; and/or (e) Whether there have been threats to harm the alleged victim;
- f. Whether the alleged policy violation was perpetrated with a weapon or violence; and/or
- g. Whether Pardes possesses other means to obtain relevant evidence of the policy violation (e.g., security cameras or personnel, physical evidence)

Safety risks associated with Pardes contacting or interviewing the accused will be taken into consideration before that occurs, especially in cases where the alleged victim is fearful and does not want the perpetrator contacted, or when the threats and abuse may escalate and put the alleged victim in increased danger due to the investigation process. A complainant who requests confidentiality may later decide to file a complaint to Pardes or law enforcement and have the incident fully investigated.

The safety of victims is of paramount concern. Pardes will treat complaints in a way that balances protecting the complainant, as well as the community at large and complies with the law. If questions arise, Pardes will consult with a mental health professional specializing in this field.

E. Prompt Complaint Procedures

Pardes can most effectively investigate and respond to alleged violations of this policy if the complaint is made as promptly as possible after the alleged violence or misconduct occurs. Pardes does not, however, limit the time frame for reporting. In addition, if the respondent is not a member of the Pardes community at the time of the report, Pardes will still provide reasonably available support for a complainant, but its ability to investigate and/or take action may be limited. Pardes will, however, assist a complainant in identifying external reporting options.

F. Mandatory Reporters - Pardes Staff and Board Members

All Pardes staff and board members, other than those employees legally regarded as confidential sources (such as rabbis or therapists receiving information *in the course of their pastoral or therapeutic services*) must report all allegations of sexual misconduct and other acts prohibited by this policy that they observe personally or learn about from any source immediately to the attention of the Officer or Committee. Failure to do so can result in disciplinary measures.

Students who are not also employees do not have reporting obligations under this Policy. Nevertheless, students who have witnessed sexual misconduct or violations of Pardes policy are strongly encouraged to promptly report such information to Pardes.

The employee must report all relevant details about the alleged policy violation, including the name of the alleged victim, the accused, any witnesses, and any other relevant facts, including the date, time, and specific location of the incident.

G. Processing Complaints and Reports

Pardes reserves the right to address all complaints and reports of policy violations it receives, regardless of where the conduct which is the basis for the complaint allegedly occurred, including in private apartments or public places. The Officer may also determine that an investigation is warranted without a complaint if Pardes has sufficient notice that violations of this policy may have occurred.

H. Reporting to the Committee and the Decision to Initiate an Investigation

The Committee must be notified of all complaints. However, the complainants and officer reserve the discretion to keep this notification anonymous and undetailed. If this situation occurs, the notification to the Committee shall state why it was handled in this way. On the other hand, all complaints involving a staff member of Pardes must be fully reported to the Committee. Similarly, at the discretion of either the complainant or the Officer, student-student conflicts will be fully reported to the Committee, or three representatives thereof, who will then determine whether or not to initiate a formal investigation. Decisions will be made within a few weeks and notifications will be sent through email.

If the complainant and respondent are both students, and Pardes and all parties agree, conflicts that do not involve violence or severe violations may be resolved informally, with or without an investigation, including in appropriate cases, through mediation. All informal resolutions will be conducted or overseen by the Officer or a member of the Committee. Record must be made of the complaint.

Any case that involves allegations of severe misconduct or sexual violence will entail an investigation. Cases of smaller infractions, such as violations of building use or miscommunication between individuals may be treated with discretion. Even if it is determined by the Committee that a formal investigation is not warranted, Pardes will take prompt, responsive action to support a complainant and will take steps to eliminate, prevent, or address a hostile environment if it determines that one exists. Such steps might include providing increased security or supervision at locations or activities where a pattern of violations exist;

providing education and training materials for students, student groups, or employees; reviewing applicable sexual misconduct or disciplinary policies; and conducting climate surveys regarding sexual misconduct.

Similarly, the decision will be memorialized in a written statement of reasons for the determination and the complainant will be notified.

For the sake of clarity, the members of the committee named above are the only people at Pardes with the authority to institute corrective measures on Pardes's behalf pursuant to this policy. Conversely, the committee has the discretion to designate any combination of three members to consider any particular complaint according to the procedure described below.

I. Conflicts of Interest and Independent Auditor

Pardes does not allow conflicts of interest, real or reasonably perceived, by those investigating or adjudicating allegations under this policy. A conflict of interest exists when an individual's knowledge of the matter or personal or professional relationships with the complainant, respondent, or witnesses would preclude the individual from being able to investigate or adjudicate the case fairly and impartially. Individuals who wish to challenge an investigator's participation because of a conflict of interest may do so by way of [email](#) to the Officer or any member of the committee within five business days of an investigator being appointed. The Committee retains sole discretion to determine whether a conflict exists and to otherwise take appropriate actions to address the issue in a prompt and equitable manner.

Pardes retains an independent auditor, tasked with ensuring that Pardes meets its commitments to impartiality and good governance. In order to further prevent and monitor conflicts of interest and the quality of the investigation, all investigations, conclusions, and appeals will be reported to and reviewed by Pardes' independent auditor.

J. Investigation

The investigatory and appeal procedures pursuant to this policy applies to everyone whether either the complainant or the respondent is a student, faculty, staff or board member, or subcontractor working at Pardes, or other person.

An investigation pursuant to this policy will commence as soon as practical following receipt of the complaint by the Officer, not longer than two weeks after the filing of the complaint. An investigator will be appointed by the Officer; in most cases this will be the Officer herself. In some cases, the Officer may retain an outside investigator or delegate the investigation to another committee member.

The complainant may decline to participate in the investigation, appear in a proceeding with the respondent present, or otherwise confront the respondent during the grievance procedure, including any meetings or appeals. Accommodations will be made so that the complainant and respondent can choose to never be investigated while physically occupying the same space. If the respondent is not an employee of Pardes, they may also decline to participate. However, refusals to cooperate may be interpreted at the discretion of the committee.

a. Notice

Both the complainant and the respondent will be promptly notified of the initiation of an investigation. The notice will be in writing and shall be given by the Officer. All notices provided to students under this Policy will be sent to the individual's official email account, and students are presumed to regularly check their email accounts.

Unless reasonable extensions of time are needed, both the complainant and respondent will be notified within ten business days of receipt of the complaint or the time upon which Pardes otherwise becomes aware of conduct necessitating investigation.

The notice to both the complainant and the respondent shall include the nature of the alleged policy violation(s) at issue. Each shall be notified of their right to participate in an investigation and timelines for responding. Each shall be notified of the identity of the investigator and their ability to challenge the assignment of the investigator. Each shall be further advised that the investigation may proceed without the participation of either party.

b. Investigatory Procedure

During an investigation, the complainant will have the opportunity to orally describe his or her allegations and present supporting witnesses or other evidence. Written reports may be submitted as a supplement. The respondent will have the opportunity to respond to the allegations and present supporting witnesses or other evidence. The investigator will review the evidence presented and may seek additional evidence from witnesses, social media, electronic communications, and other sources, as determined appropriate in the sole discretion of the investigator.

The complainant or respondent's **character or reputation with respect to other sexual activity is irrelevant** and will not be considered as evidence, except in the following limited circumstances:

- Where there was a **prior or ongoing relationship** between the complainant and respondent. As noted in other sections of the policy, however, the mere fact of a current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Evidence of a prior or current consensual dating or sexual relationship between the parties by itself does not imply consent or preclude a finding of sexual misconduct.
- To establish a pattern or practice of conduct similar in nature by the respondent.

In addition, other conduct by either party may, under limited circumstances, be relevant to establish intent, motive, absence of mistake, to explain an injury or physical finding, or another ground deemed probative by the investigator.

All parties and witnesses choosing to participate in the investigation are expected to provide complete and truthful and good faith information throughout the investigation procedure. In some cases, the investigator may interview the parties on more than one occasion.

c. Investigation Meetings

During the investigation procedure, both parties will be provided timely notice of any meeting at which their presence is requested. Such meetings can provide both parties with an opportunity to be heard and present their account of the events in-person. Either party may submit questions in writing to the investigator to be asked of the other party. The investigator has the sole discretion to determine whether the questions are relevant to the investigation and whether to direct the question to the other party. The investigator will dismiss questions that might be intended to harass or intimidate the other party.

d. Advisor/Support Person

Throughout the investigation and any subsequent appeals, both the complainant and the respondent shall have the right to have an advisor of choice present at any meeting. Any person who serves as an advisor should plan to make themselves available for meetings throughout the procedure. Limits on the role of an advisor shall be applied equally to both the complainant and respondent.

The advisor is a silent and non-participating presence who is there solely to observe and provide support during the procedure. The Officer has the right at all times to determine what constitutes appropriate behavior on the part of an advisor as well as the right to request that an advisor leave a meeting in the event the investigator determines that the advisor is not acting appropriately. The advisor is encouraged to join the complainant or respondent's initial meeting with the Officer for an orientation to Pardes's policies and procedures, privacy protections and expected participation/decorum. The advisor may not be a fact witness or otherwise have any conflicting role in the procedure.

e. Interim Measures

Pardes may provide reasonable interim accommodations or remedies to support a complainant and to ensure a safe and nondiscriminatory environment pending investigation through final resolution of a complaint, including appeals. The issuance of interim measures is not disciplinary in nature and should not be construed as a determination by Pardes that the respondent violated this policy. Interim measures are available during Pardes' investigation through final resolution of a complaint, including appeals and may be requested by the complainant at any time by contacting the Officer. Examples of interim protective measures include, but are not limited to: access to counselling or mental health services, an order of no contact, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position.

Pardes will attempt to ensure, where possible and as supported by available information, that such interim measures minimize the burden and adverse effects on the complainant and the respondent. Pardes will maintain the privacy of any interim measures provided under this policy to the extent practicable and will promptly address any violation of the interim measures.

Violations of interim measures, such as Pardes no-contact orders and access restrictions, should be reported to the Officer. Students may face disciplinary action up to and including expulsion for such violations.

f. Preponderance of Evidence

At all stages in the procedure, the investigator and/or persons hearing any appeal will investigate and make findings on the merits of an alleged violation using a preponderance of the evidence standard.

Preponderance of the evidence means that the greater weight of the evidence favors either the finding of a violation or the finding of a non-violation. This standard is based on the quality of the evidence and its probable truth or accuracy, and not on the quantity of evidence presented.

g. Investigation Conclusions

At the conclusion of the investigation, the investigator or Officer will then provide their analysis and findings to the Committee (or three members thereof). The Committee will review the analysis and conclusions to ensure that a thorough and equitable investigation was conducted and determine whether the preponderance of the evidence indicates that the respondent has violated this policy. If the Officer or committee concludes that additional witnesses should be interviewed, additional evidence should be considered, or has questions regarding the investigative report, they can request the investigator address any and all deficiencies or questions identified. Assuming there are no questions or additional investigating to be conducted, the Committee (or three members thereof), will make a decision concerning any corrective or remedial actions that will be imposed.

h. Potential Remedial Actions and Disciplinary Sanctions

In cases where a violation of this policy is found to have occurred, the Committee will determine the appropriate, enforceable sanction. The sanction will be reasonably calculated to stop the violation and prevent its recurrence.

When a violation of this policy is found, possible disciplinary actions may include, but are not limited to written warnings, loss of privileges, mandatory training or counseling, probation, suspension, demotion, exclusion, expulsion, and termination of employment.

Pardes's response is based on several factors, including the severity of the conduct and any prior policy violations, and aims to prevent problems from recurring and remedy any discriminatory effects on a complainant or others.

In addition, Pardes may take steps to address the effects of the conduct on victims and others, including, but not limited to, counseling and support resources, academic assistance, change in work situations, leaves of absence, and training or other preventative measures.

Pardes is entitled, following a change in circumstances, to alter its decision as necessary, and will send a written notification to the relevant parties clarifying the reasons for the change.

i. Notice of Outcomes

The complainant and the respondent will be notified in writing of the outcome of the investigation, including whether the policy was determined to be violated, any sanctions imposed on the respondent that directly relate to the complainant, and other steps that have been taken to eliminate a hostile environment and prevent recurrence.

j. Investigation Timelines

Pardes will use its best efforts to complete its investigations within 45 calendar days, although this timeframe may be extended for good cause. Good cause may exist for a variety of factors, including the complexity of the circumstances of each allegation, the discovery of new information, the integrity and completeness of the investigation, to comply with a request by law enforcement, to accommodate the availability of witnesses, to account for Pardes breaks or vacations, or to address other legitimate factors. In the event a time frame is extended, both the complainant and the respondent will be notified of any delay and the anticipated length of the delay.

K. Memorializing

All proceedings of the investigation, recommendations of the Officer, Committee proceedings and decisions will be properly recorded and documented. Such documentation shall be maintained and preserved in the designated files of the Appointed Officer as well as the Pardes lawyer by the Committee and kept confidential except as needed by the Officer and the Committee. Only in exceptional cases in which public safety or other concerns are relevant, can these records be made available. These files will be reviewed twice annually by the Committee.

L. Appeals

The complainant or respondent may appeal a decision by writing an email to the [Officer](#). Both parties may participate equally in the appeal procedure even if one party did not file the appeal. The appeal must be made within five business days of the date of the written notification of the conclusion of the investigation, or if a sanction is being appealed, within ten business days of the date of the written notification of the sanction imposed unless good cause is shown for failure to meet that deadline, such as international travel, hospitalization, etc.. An appeal must be in writing, submitted to the Officer, and specify the substantive and/or procedural basis for the appeal.

All appeals will be reviewed to assess adherence to the procedures laid forth in this policy. Grounds for appeal also include:

- a. Partiality.** The inability of the investigator to refrain from acting upon predisposed or developed bias during the investigation or the determination of its outcome.
- b. New Evidence.** Information or material which was unable to be known at the time of the investigation. The appealing party is expected to demonstrate why such evidence was unable to be known at the time of the original investigation and proceedings. Evidence that was known or was accessible during the investigation, but which the party chose not to or neglected to present, does not constitute a sound basis of appeal. In those cases where new evidence becomes known after the period of filing for an appeal has expired, and reasonable grounds for an appeal seem substantial, access to the appellate process may be granted at the discretion of the officer.
- c. Disregard for Rights.** That a party was not afforded a significant right provided by this policy.

- d. Arbitrary and Capricious Decision.** The decision is arbitrary and capricious in that it was not made on reasonable grounds.
- e. Inappropriateness of the Sanction.** A sanction is inappropriate if it does not reflect a proper alignment between the nature of the offense, the student's previous disciplinary record, other factors which should be considered, and the sanction administered. Because these multiple factors are incorporated in each individual disciplinary decision, previous decisions do not establish precedent in Pardes disciplinary hearings.

The Officer will share the appeal with the other party or parties, who has the right to file a response and request an appeal on the same grounds or different grounds. All five members of the committee will conduct an initial review to determine if the appeal request meets the limited grounds and is timely.

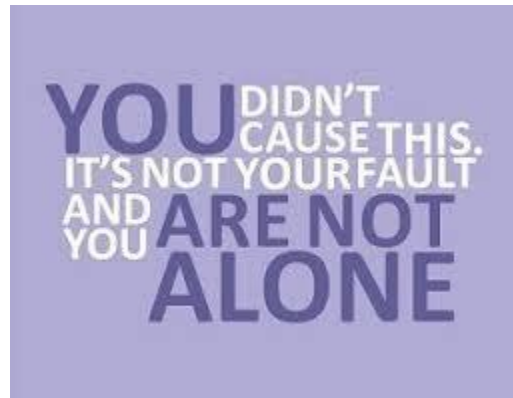
If the appeal is not timely or substantively eligible, the original finding and sanction will stand and the decision is final. If the appealing party has standing, the Committee will review the appeal. In conducting the review, the original finding and sanction are presumed to have been reasonably and appropriately decided, thus the burden is on the appealing party (parties) to show clear error. The Committee must limit their review to the challenges presented.

The Committee may affirm or change the findings and/or sanctions of the original investigation but only according to the permissible grounds. Procedural or substantive errors should be corrected, new evidence should be considered, and sanctions should be proportionate to the severity of the violation and the student or employee's cumulative conduct record.

All decisions of the Committee are to be made within fifteen business days of submission (though this may vary based on the scope of the investigation or unforeseen circumstances) and are final. A written decision will be provided to both parties, which shall be final and not subject to further appeal.

While an appeal is pending, any interim or final measures that have been put into place shall remain in effect unless and until the Committee decides otherwise.

Providing Support for Victims, Accused, Bystanders, and the Community



If you are a victim of sexual misconduct, you deserve and need support. The Officer or whomever you decide to entrust commits to providing a discrete, listening, non-judgmental ear. Every effort will be made to protect you from retaliation, further victimization, stigmatization or blaming.

If you decide to report your complaint to the police, the Officer or someone else can accompany you through this process to provide you with support. Similarly, should you need to visit the hospital, the Officer or someone else can accompany and support you.

Due to limited resources, Pardes is unable to offer ongoing therapeutic services, but commits to offering you continued support in the following ways.

Pardes can provide you with one complimentary session with our mental health professional.

We also provide the following resources:

Recommended resources for students who have experienced harassment or are unsure if they have:

<https://www.psychologytoday.com/us/blog/trauma-and-hope/201704/overcoming-sexual-assault-symptoms-recovery>

Bystanders, community members, friends and family can also be affected in these sensitive situations. And those who are accused of misconduct are also entitled to fair treatment and support. The therapists below may be resources for everyone who might be in need.



Important Phone Numbers

- Police --Dial 100
- Rape Crisis Centers in Israel (<https://www.1202.org.il/en/>) (dial 1202)
- Religious rape crisis center for women = 02-673-0002
- Treatment sites throughout Israel
- <https://www.1202.org.il/en/union/info/after/emotional-and-therapeutic-support-and-treatment>
- Hadassah Medical Center Sexual Abuse Center
- <http://www.hadassah-med.com/medical-care/departments/obstetrics-and-gynecology-ein-karem/womens-health-center/sexual-abuse-center>
- **Providers Recommended by Pardes**
- Caryn Green – therapist who works regularly with Pardes
- Yael Solomon 054-3960628 (Specializes in religious crises and sexual trauma)
- Bracha Gross 052-3370200 (Specialist in sexual trauma)

Ongoing Education and Training

While recognizing that our primary mission is learning Torah, Pardes is committed to regular training and education around issues of preventing and addressing harmful sexual conduct.

The appointed Officer together with the Committee is charged with ensuring the issue of sexual harassment at Pardes stays on everyone's radar, by

- Being the point-people for everyone to send articles of interest/new research on preventing/addressing sexual harassment in an educational institution
- Regular dissemination of relevant articles on the topic

In order to educate and raise awareness, Pardes commits to:

1. Include an excerpt from the Pardes sexual harassment policy with a link to the full policy in the student orientation book
2. Schedule annual student training on this topic in the fall, usually but not always given by the Officer. This shiur will ground the topic in text and Jewish tradition, open the conversation around sexual harassment among students, and serve as an opportunity to remind students of the Pardes policy. Nechama and Karen are responsible for determining the topic and scheduling.
3. Short or electronic annual Faculty/Board training sessions. A full training session is repeated every 3-5 years. The first full employee training was November 1, 2018 2-5pm. New staff and board must attend the annual student training.
4. The Committee will also meet at least twice over the course of every year for continuing education, situation assessment, or a policy update.

Documentation and Forms

Documentation

All proceedings of the investigation, recommendations of the Officer, Committee proceedings and decisions will be properly recorded and documented. Such documentation shall be maintained and preserved in the private files of the Appointed Officer as well as the Pardes lawyer by the Committee and kept confidential except as needed by the Officer and the Committee. Only in exceptional cases in which public safety or other concerns are relevant, can these records be made available.

Incident Report Form

This form should be used to report to the Officer or Committee Member any violation of the Pardes Sexual Harassment Policy, boundary violations, disclosures of abuse, safety concerns, or other behaviors or allegations of behavior that concern you. Proof or firsthand knowledge of a behavior or incident is not necessary to submit this form. The information contained in the report will be treated with the utmost discretion and will only be shared with the members of the Sexual Harassment Prevention and Response Committee.

1. Date and Time of incident/behavior
2. Location of incident/behavior
3. Name of Individual(s) who accidentally or intentionally violated the policy or otherwise engaged in concerning behavior.
4. Name of others who were effected or observed the incident
5. Describe, with as many details as possible, the incident/behavior

Individual Submitting this report:

Name:

Email:

Cell phone:

Signature:

Date:

Submit this form by email, nechamab@pardes.org.il or another member of the committee, or by putting it in Nechama's (or another committee member's) office mailbox.

Incident Report Part II (for Officer or Committee use)

1. Date/Time/Name of contact with individual submitting report
2. Summary of conversation
3. Date/time of full committee discussion of reported incident, including those in attendance
4. Key discussion points, and actions recommended by the committee
5. Follow up to discussion, and recommended actions
6. Additional information

Appendix: Ethical Code for Jewish Leaders

Our employees, faculty and board further commit themselves to the principles laid forward in [the Sacred Spaces Ethics code for Jewish leaders](#), which is listed in full below:

I approach my task as a Jewish communal leader with a profound awareness that God's image (צלם אלוקים) is embedded in every human being. This acknowledgement entails a dual commitment: to treat all people with the utmost dignity and to hold myself to the highest standards of behavior. Aspiring to the ideal that God is said to model in Psalms 84:12, I strive to be a source of "light and protection" (שמש ומגן) to my community, promoting transparency within my institution and guarding the welfare of its constituents.

I recognize that the authority I wield is not my own, but is rather entrusted to me by the community I serve; thus, I am duty bound at all times to exercise my authority mindfully and appropriately. I acknowledge the harmful physical, emotional, and social consequences that abuse victims have often suffered at the hands of those in positions of Jewish communal authority, and I personally pledge to use my own authority to help create safer and healthier communal spaces. Toward this end, I hereby publicly undertake the following commitments:

- I will use my authority first and foremost for the good of humanity and the Jewish people.
- I will maintain the honor, noble traditions, and values of the Jewish faith.
- In following God's call to build a "holy camp," I will at all times avoid even the appearance of wrongdoing (מראית עין).
- I will respect proper physical, emotional, and psychological boundaries between myself and anyone over whom I have authority or with whom I work.
- I will not exert my power over others in ways that demean, harass, exploit, or otherwise cause harm.
- I will respect appropriate boundaries between adults and children.
- I will help my institution to develop robust policies for preventing abuse. These policies will specify behaviors that promote a healthy communal environment, thereby translating our principles and standards into a blueprint for daily action. I pledge to abide by my institution's policies at all times.
- I will acquaint myself with, and abide by, all local, state, and federal laws related to abuse, and I will abide by all codes of conduct governing my professional affiliations.
- I will ensure access to independent, safe, and discreet reporting mechanisms for abuse and boundary violations, which will be made clear to everyone, at every level of my institution.
- I will reach out for help if I feel temptation or confusion regarding my interpersonal behaviors and choices.
- I will not stand idly by if I witness suspicious behavior in a colleague or community member; I will take concrete action as outlined in the policies of my institution.
- I will not succumb to pressures to cover up suspected abuse.

I strive to cultivate the strength, wisdom, and humility to carry out successfully the sacred task of guiding others. Through the above commitments, I hope to help create a true sanctuary (מקדש) of safety and holiness for all that dwell within it.