

## **Congregation Ahavas Achim Sexual Abuse Prevention & Response Policy**

### **Foundational Concerns**

Congregation Ahavas Achim aims to provide its congregants with a positive spiritual, social, and learning environment in a peaceful atmosphere that promotes religious life and growth. We are deeply committed to safeguarding the members of our synagogue community so they feel and are safe at all times. With that goal in mind, we have created this policy.

Sexual misconduct is antithetical to *Halacha*, to Jewish values and ethics, to the values and ethics of this synagogue, and to an ethical society at large. This policy applies both to sexual misconduct directed against adults and to all forms of abuse against children and vulnerable adults, who are less able to protect themselves.

This statement is meant to be an evolving document. As time passes, and we learn from our collective experiences and the practical nature of the statement's implementation, its parameters may need to be altered and updated.

### **Statement of Purpose**

The purpose of this document is to: (1) establish a policy for Congregation Ahavas Achim that defines, prohibits, and prevents abuse against children and vulnerable adults and all forms of sexual misconduct; and (2) establish a procedure to address complaints relating to alleged violations of this policy.

### **Scope**

This policy applies to all activities on-site and/or under the auspices of Ahavas Achim, and to anyone affiliated with the congregation, including all staff members, congregants, volunteers, and guests.

### **Policy Use and Review**

This policy shall be disseminated widely to the Ahavas Achim community through publications, public discussion, educational opportunities, rabbinic teachings, training programs, and other means of communication that will raise awareness and create a safe environment for our community members. Ahavas Achim requires all staff, regular volunteers, and Board of Directors members to sign an affirmation indicating that they have read, and agree to abide by, the terms of this policy.

Intermittent volunteers, contractors, and lessees will receive an abridged version of the policy. Contracts with lessees and contractors will include a clause stating that signees have received this abridged policy and agree to abide by its terms, as a precondition of engagement with the Ahavas Achim community or space.

## Definitions

Board. The Board of Directors of the synagogue.

Child. Any youth from birth through 18 years old.

Community Member. Ahavas Achim congregants, clergy, staff, volunteers, guests, and visitors.

Complainant. A person who has lodged a written or verbal complaint under this policy. A complainant may be the alleged victim or someone who has allegedly witnessed, or has knowledge of, a violation of this policy.

Congregant. A Full or Associate member of the synagogue.

Constitution. The Constitution of the synagogue in effect when a complaint has been filed under this policy.

Employee. Any person employed by the synagogue.

Executive Committee. The Executive Committee of the synagogue, as defined in the Constitution.

Independent Contractor. Any person, business, or corporation that provides goods or services to the synagogue under terms specified in a contract or within a verbal agreement.

Lay Leader. Any member of the synagogue, including an adult or adolescent volunteer, who exercises authority on behalf of the synagogue, such as a youth director, officer, or member of the Board.

Respondent. The person against whom an accusation of sexual misconduct has been made.

Synagogue. Congregation Ahavas Achim (also referred to as Ahavas Achim).

Vulnerable Adult. Anyone who is 18 years or older, residing in a community setting and subject to abuse, neglect or exploitation, because of physical or mental illnesses or disabilities. He or she lacks sufficient understanding or capacity to make, communicate or carry out decisions concerning his or her well-being.

### Volunteers: Regular and Intermittent

A regular volunteer is an individual who routinely works in the congregation at known and expected intervals e.g. a volunteer who assists weekly with Shabbat morning programming.

An intermittent volunteer is an individual who intermittently and without a set schedule works in the congregation e.g. a high holiday group leader.

### **Code of Ethical Conduct**

It is a violation of this policy to neglect, or sexually, physically, or emotionally abuse a child or vulnerable adult, or groom a child or vulnerable adult for such abuse. It is a violation of this policy for any adult employee, lay leader, or community member to engage in any form of sexual misconduct against another adult. Definitions of each of these violations are included in this policy's glossary.

### **Policy Violations**

Policy violations are those actions by individuals that either accidentally or intentionally breach or disregard the expectations for behavior and conduct delineated by this policy. All policy violations are reported to the Congregant Safety Committee, while suspected acts of child/vulnerable adult abuse or maltreatment are additionally reported to the Statewide Central Register.

### **Designated Committee**

In keeping with Ahavas Achim's commitment to protecting community members from abuse, a standing Congregant Safety Committee (CSC) will be established to oversee the development, implementation, and monitoring of an ongoing abuse prevention program at Ahavas Achim.

The Committee's role is to coordinate and oversee:

- Implementation of these guidelines
- Educational forums and trainings
- Ongoing maintenance of, and compliance with, this statement
- Advisement to the congregation on questions of congregant safety
- Handling of policy violations and other allegations of misconduct, abuse, or concern.

The Committee shall consist of a minimum of three members appointed by the Ahavas Achim President (in consultation with the Rabbi), of which one should be a member of the Board of Directors. The President will designate a Chairperson of the Committee. These individuals should be members in good standing of the congregation. The President and the Rabbi shall be ex officio members of the committee without voting privileges.

Committee members are required to receive training specific to the areas of sexual misconduct, abuse and neglect of children and vulnerable adults, and other parameters covered by this policy. The President, in consultation with the Rabbi and the committee chairperson, will appoint new committee members as necessary. When feasible, no more than one new committee member should be replaced in any one twelve month period.

Committee members agree to follow the protocols as outlined in this document for preventing and responding to cases of sexual misconduct or the abuse of children/vulnerable adults, and will be transparent about the process.

Committee members will undergo background checks.

The Ahavas Achim CSC welcomes questions, concerns and input about community member safety at Ahavas Achim and the terms of this policy. The Committee can be reached by:

- Email address - CongregantSafetyAA@gmail.com. Emails sent to this address are automatically forwarded to all members of the Committee (excluding the Ex Officio members) to ensure that emails are not overlooked.
- Ahavas Achim members are also welcome to approach or contact directly individual members of the Congregant Safety Committee or Ahavas Achim staff. The names of the Committee members are listed on the Ahavas Achim website.
- A locked Congregant Safety mailbox and incident reports can be found on the first floor of the building. Ahavas Achim members can leave reports or other correspondence for the Committee here. Only CSC members will have access to this mailbox. Copies of the incident reports can also be found on the Ahavas Achim website.

### **Guiding Principles and Assumptions**

This policy and its procedures are designed, and should be applied, to promote fairness to (1) the complainant, (2) the respondent, and (3) the synagogue. Criminal standards of evidence do not apply to the proceedings described below, and the investigations and hearings described in this policy are not bound by the rules of criminal or civil courts.

All allegations will be taken seriously, investigated, and treated confidentially. Information will be shared only on a need-to-know basis for the purpose of conducting an investigation or as required by law. The anonymity of the complainant's identity shall be preserved to the extent possible, but neither anonymity nor absolute confidentiality can be guaranteed. All of those involved in the process of investigating a complaint will be instructed to respect and maintain the confidentiality of information received during the process.

These guidelines are not designed or intended to avoid civil or criminal charges that may be made by the complainant. If civil and/or criminal charges are threatened or filed, an investigation will still be conducted.

All employees, board members, lay leaders, and others authorized to act on behalf of the synagogue will cooperate fully with any governmental authority charged by law with investigating allegations of sexual abuse.

To the extent authorized by law, all cases of suspected child or vulnerable adult abuse shall be reported immediately to the appropriate governmental authorities. All complainants will be urged to notify governmental authorities whenever criminal conduct is alleged.

No single individual should ever determine that an allegation is not serious enough to investigate.

Those responsible for investigating an alleged violation of this policy should withhold judgment about what occurred until the synagogue has completed its investigation. Statements or actions that impugn the integrity or motives of the complainant should be avoided. Similarly, judgments about the guilt or innocence of the respondent should be avoided until the investigation has been completed.

Both the complainant and the respondent should be informed of the process the synagogue will be using to investigate the complaint. Both should be informed of the procedure used to investigate a complaint, as well as the identity of a person to whom questions about this process may be directed.

### **Support for Complainants**

Should the committee become aware that a community member has been, or is suspected to have been, abused, they will take the following steps to clearly communicate support for the individual and, in the case of child/vulnerable adult abuse, the victim's family:

Ahavas Achim's rabbi or other relevant lay leader will be designated as "Support Person(s)" and will reach out to the community member within 24 hours of ascertaining abuse occurred to express the synagogue's unequivocal support. Understanding that abuse can have ongoing impact on an individual and their family, the support person will seek permission from the individual and their family to continue offering support on an ongoing basis. This support will include:

- Showing up, listening, and affirming.
- Offering to accompany the community member/family in filing a police report, meeting with Department of Child Protection and Permanency, and attending court hearings or trial and other related meetings, interviews, or hearings.
- Asking the community member how else Ahavas Achim can support them.

Support persons will understand the limitations of their role and will not offer therapeutic, legal, or other expert advice, but will instead function as members of a multidisciplinary support team, working when possible to support and complement the efforts of involved professionals to support the community member and, when relevant, their family.

Ahavas Achim will offer to help the community member find a qualified mental health practitioner with expertise treating victims of abuse and their family members.

Ahavas Achim aims to create a space that is safe for all survivors of abuse – both those we know about and those we don't.

To this end, Ahavas Achim will:

- Protect the privacy of survivors of abuse;
- Post signs throughout the building about abuse prevention and reporting;
- Speak about sexual abuse publicly and
  - At the rabbi's discretion, he will speak from the pulpit about abuse and misconduct;
  - Initiate communal dialogue;
  - Post the contact information for Committee members who are available to answer any questions about child and adult safety.

### **The Safety of Adults**

It is a violation of this policy for any adult employee, lay leader, or community member to engage in any form of sexual misconduct against another adult. Sexual misconduct is defined in the Glossary, and includes any sexual activity in which a power differential exists, such as between a lay leader and any person who the leader is counseling or aiding in life cycle events. Should any form of sexual misconduct be reported to the Congregant Safety Committee, such as sexual harassment by an employee or sexual assault on synagogue grounds, an investigation into the allegations will be conducted, and consequent repercussions may incur against the respondent.

If a community member misinterprets the concern of an adult employee or lay leader as the expression of romantic or sexual interest and voices this understanding of events, it is the responsibility of the adult employee or lay leader to state that such a relationship is not possible.

### **The Safety of Children and Vulnerable Adults**

Under no circumstances should an Ahavas Achim community member have physical contact with a child or vulnerable adult that could be considered or result in sexual, physical, or emotional abuse or neglect, as defined in this document, and as more specifically set out below:

- Includes touching genitals, breasts, thighs, or buttocks and would appear to a reasonable person to have a sexual connotation or purpose
- Includes the touching of body parts that would normally be covered by a bathing suit.
- Is intended to cause pain or distress to the child or vulnerable adult, including physical punishment.
- Is overly physical and may include roughhousing, tickling, wrestling, or carrying children or vulnerable adults.
- Is initiated against the wishes of the child or vulnerable adult
- Is private, in a one-on-one setting, or otherwise out of sight of other adults.

Nurturing touch is an important part of healthy development. We do not seek to ban all physical contact between adults and children, but to limit such contact to the parameters listed below.

The appropriateness of physical contact will vary with different ages, the context of the interaction, and the stages of childhood development. Three key principles regarding touch include: (1) obtaining parental consent, (2) obtaining child consent, and (3) ensuring that at least one additional adult is present.

Several touching policies apply for all interactions with children/vulnerable adults:

- A child or vulnerable adult's development and age must be considered to determine what, if any, contact is appropriate. For example:
  - For individuals 0-5 years of age, or developmentally within that range, appropriate touch may include assistance with the changing of clothing, toileting for those who are not toilet trained, assisting while walking up stairs, lifting onto a chair or into a stroller or wheelchair, lap-sitting when in appropriate context, or providing comfort during moments of distress.
  - For individuals 6+ years of age, or developmentally in that range, nurturing touch may be appropriate such as during moments of distress to provide comfort.
- Appropriate physical contact areas may include: shoulder, upper back, arms, hands. Other forms of touch in an appropriate context may include: a hand shake, a fist bump or high five, side hugs, or comforting a distressed individual by picking him/her up or providing a hug.
- Before touching, whenever possible, it is best to check first with the child or vulnerable adult, when developmentally appropriate and within context.
- Whenever possible, when an adult intends to pick up, hug, or comfort a child or vulnerable adult, that adult should seek permission from the parent or guardian before doing so.
- Whenever possible, the touching of a child or vulnerable adult should always occur in a public space with more than one adult present.

- Ideally, and whenever possible, verbal instructions and directions should replace physical contact.

Staff/Volunteers should gently block and redirect a child or vulnerable adult who attempts to touch him/her in an inappropriate or sexual manner. They will discourage children or vulnerable adults from inappropriate expectations of touch in a gentle manner, being mindful to not embarrass them.

Staff and volunteers should gently set limits when children or vulnerable adults seek excessive, inappropriate, or sexual attention and obtain support services for those who continually struggle with these limits.

Additionally, all staff and volunteers should be mindful of the child or vulnerable adult's behavior and actions, taking notice of behaviors that may be suggestive of past abuse, as communicated during trainings. Such behaviors should be so communicated to the CSC as soon as possible.

All interactions with youth, including both instructional and non-instructional interactions, are to take place in spaces that are both observable and interruptible. The following guidelines apply in all instances of 1:1 interactions with youth at Ahavas Achim (including both instructional and non-instructional interactions):

- 1:1 interactions should be scheduled on the calendar of the 1:1 instructor and parents will be notified of scheduled interactions.
- During 1:1 interactions, the room door should be open or with an unobstructed window view with clear visibility into the room. The door should be unlocked and the adult should not physically be between the child or vulnerable adult and the room exit. Note: The rabbi's office will not have a window. However, there will be a camera running in the rabbi's office that, to protect confidentiality, will be focused exclusively on the rabbi's seat and will not include sound. This camera will only be reviewed under necessary circumstances.
- Ideally 1:1 interactions should be scheduled at times when additional staff and/or adults are present in the Ahavas Achim building.
- When 1:1 interactions must occur at times when the Ahavas Achim building is not otherwise occupied, an adult other than the instructor must accompany the child or vulnerable adult into the Ahavas Achim building and remain in the building within a reasonable distance and within sight and hearing of the instruction for the duration of the session.
- Children and vulnerable adults should not be given private lessons in the home of an adult employee or lay leader or their own home when no other adult is present.
- In the event that a parent/guardian engages an Ahavas Achim Community Member for private teaching, such tutoring and/or instruction to be conducted off the Ahavas Achim premises will be considered separate and distinct from Ahavas Achim sponsored sessions.

Members of the community should be careful and cognizant of language used at all times, and especially when speaking to and/or in the presence of children. All Ahavas Achim community members must

refrain from making any sexually suggestive comments, jokes, innuendos, behavior, or using inappropriate language with a child or vulnerable adult or in their presence. In addition:

- Communications should include language that is encouraging and respectful.
- Adults may not use language that teases, belittles or shames others.
- Adults should never ask a child or vulnerable adult to keep a secret

In addition, the following guidelines apply to staff and volunteers:

- In the event that a teacher, tutor, staff member, or volunteer wishes to communicate with a child or vulnerable adult via email, text message, or social media, it is the responsibility of the adult to obtain permission from the parent or guardian in advance. Once permission is granted, and parents are reminded to monitor messaging as they see fit, the staff member, volunteer, or teacher/tutor is permitted to message the child/vulnerable adult on an ongoing basis.
- Staff and volunteers should not accept social media “friend” requests from a child or vulnerable adult utilizing a personal social media account. The youth group director is the only exception to this rule.

For the protection of all, staff, group leaders and volunteers should never be alone with a child or vulnerable adult in a bathroom with the door closed and never be in a closed bathroom stall with a child or vulnerable adult.

- Children five years of age and younger will be escorted to the bathroom as necessary. The escort should remain outside the bathroom door (or stall, if a greater level of assistance is required) and escort the children back to the activity.
- If a child or vulnerable adult is taking longer than seems necessary, the escort should open the bathroom door and call the individual’s name. If he or she requires assistance, the escort should prop open the bathroom door and leave the stall door open as he or she assists the child or vulnerable adult.
- Children with special needs may be particularly vulnerable to abuse. If a child with special needs requires assistance, the escort should prop open the stall door as he or she assists the child.
- Older children who are deemed by the staff present to be able to safely use the bathroom without supervision will not require escorts. For children over the age of five, or vulnerable adults, who require escorts, at least one same-gender group leader or adult should escort individuals to the bathroom. The escort should remain outside the bathroom door and escort them back to the activity.
- Two adult staff or volunteers will make random bathroom checks during programming hours.

Ahavas Achim actively promotes photographic recording of our community for archival and promotional purposes. We also acknowledge that images or videos may be used inappropriately or illegally. The following rules apply to photography and videography of children and vulnerable adults at Ahavas Achim:

- All photos/videos taken on synagogue premises and/or at synagogue events may be posted in public places, such as around the synagogue building or on synagogue social media pages. Parents may opt out of this should they prefer no media be posted including their child/ren.

- No photography may be conducted inside changing areas/bathrooms, while a child or vulnerable adult is in a state of undress.
- No images of children or vulnerable adults may include identifying personal information such as: full name, address, phone number.
- All photographers/videographers seeking permission to photograph at Ahavas Achim must agree to and adhere to the guidelines set forth by this statement.
- Any image (digital or other) of a child, taken with permission, but which unintentionally reveals private body parts, violates these rules, or is otherwise not suitable for public display, is to be destroyed or deleted.

Ahavas Achim staff members and volunteers should maintain full transparency when meeting with children/vulnerable adults individually. To this end, parents must be notified and meetings must take place in public places and/or with other adults present.

Ahavas Achim seeks to promote and foster healthy childhood and teen peer-to-peer relationships. We are committed to preventing emotionally and/or physically harmful peer interactions. Ahavas Achim does not seek to ban physical contact between peers; however all contact, behaviors, and communications must be in context, age appropriate, and non-sexual. Prohibited behaviors include but are not limited to:

- Sexual harassment
- Sexually explicit language
- Bullying
- Sexting
- Online bullying and harassment
- Unwanted physical contact
- Sexual pressure and/or coercion
- Stalking

The supply of drugs or alcohol to children is a criminal offense and is prohibited at all Ahavas Achim sanctioned events. Similarly, it is prohibited for adults or teens to interact with children while under the influence or in possession of drugs or alcohol.

Ahavas Achim staff and volunteers are discouraged from transporting children, other than their own children, to or from Ahavas Achim sanctioned events. When transporting children other than one's own, at least two adults should accompany the children. In the unavoidable situation when an Ahavas Achim employee or lay leader must transport a child alone, this must be communicated to the parent/guardian and to another Ahavas Achim staff member before the journey takes place. This communication must include the departure and a notification of the completion of the journey.

### **Hiring Practices and Process**

One objective of this policy is to ensure that all Ahavas Achim employees and regular volunteers are appropriately vetted so that Ahavas Achim can provide a safe environment for all of our community members.

The basic screening program for all staff applicants may include the following elements depending upon the position applied for:

- A completed employment/volunteer application form
- Personal interviews
- A conversation
- Reference checks
- Background check
- Social media and internet check

Subject to the above information obtained, the employee/volunteer applicant may be denied.

New employees/regular volunteers may not begin their engagement at Ahavas Achim before the interview and screening process has been successfully completed.

Ahavas Achim requires a current background check to be completed for all adult staff hires. This screening is good for three years after which time a re-screening will be necessary. Ahavas Achim has the discretion to re-screen any individual earlier than the three year period and to terminate employment at any point for concerns regarding an individual's ability/reliability to keep community members safe.

### **Limited Access for Sex Offenders**

This policy will limit the contact of any known sex offender with children, vulnerable adults, and survivors of sexual misconduct in our congregation. This policy is designed to reduce the risk to our community members and sex offenders of an incident or accusation. Sex offenders' participation will be limited to ensure the safety of our children, community members, and survivors and to assure that the sex offender will not be subject to future accusations.

- Secrecy may encourage abuse; transparency makes everyone safer. Megan's Law will be made known to community members through education.
- When a person on a sex offender registry shows interest in joining the congregation, an individual assessment of that person will be conducted by the Congregant Safety Committee.
- If a majority of the CSC approves of the individual's participation, a Covenant of Limited Access agreement will be presented to the individual for his or her agreement. Each Covenant of Limited Access will have specific terms that correspond to the crime committed by the applicant. The sex offender may not attend activities before the covenant is signed by all parties.
- If a victim of the registered sex offender attends services at Ahavas Achim, is a member of the congregation, is an employee or client of other services provided by the congregation, then the registered sex offender shall not be approved by the CSC.

### **Mandatory Training and Supervision**

Ahavas Achim will offer practical guidance and/or training to all members of the Ahavas Achim Community (including staff, volunteers, contractors, vendors, congregants, parents, and visitors) about sexual misconduct as well as acceptable and unacceptable behavior with children and vulnerable adults in order to minimize the risk of child/vulnerable adult abuse and sexual misconduct occurring within the community and at all Ahavas Achim sanctioned events.

Ahavas Achim will require completion of an annual in-person training for all Ahavas Achim staff members, members of the Congregant Safety Committee, and regular volunteers.

Ahavas Achim will offer optional annual in-person trainings and educational opportunities to children, teenagers and adult congregants.

### **Reporting Procedures for Child/Vulnerable Adult Abuse**

These steps should be followed, in order, when reporting suspected abuse of a child or vulnerable adult:

1. Ensure the child or vulnerable adult is in a safe environment.
2. In cases of emergencies, such as when an individual is in immediate danger, call 911.
3. By New Jersey law, *any person* having reasonable cause to believe that a child or vulnerable adult has been subjected to abuse or acts of abuse is *required by law* to immediately report this information to the State Central Registry (SCR) by calling 1-877 NJ ABUSE (1-877-652-2873). A concerned caller does not need proof to report an allegation of abuse and can make the report anonymously. Alternatively, individuals may directly notify the Congregant Safety Committee of any suspected incident of child or vulnerable adult abuse, whose job it will be to support this individual in reporting the incident to the SCR, or will report directly to the SCR.
4. While the reporting community member is strongly encouraged to contact the Congregant Safety Committee, Ahavas Achim staff and regular volunteers are required by this policy to notify the CSC or their supervising staff member subsequent to making a report.

In the case where abuse is suspected by youth group leaders, the following steps should be observed:

1. Ensure the child or vulnerable adult is in a safe environment.
2. In cases of emergencies, such as when an individual is in immediate danger, call 911.
3. For all other situations, report directly to the employed Youth Director, whose job it will be to follow steps (3) and (4) listed above.

Additionally, this policy encourages reporting to the State Central Registry suspected historical events that are suspicious for child or vulnerable adult abuse or maltreatment.

For any noted violation of this policy that does not meet any of the definitions of child or vulnerable adult abuse, and thus SCR notification is not mandated, a report should be made to the CSC.

All reports made to the Congregant Safety Committee will be treated as confidential in accordance with New Jersey regulations, protecting the confidentiality of the information and individuals involved. Information will be shared among the members of the CSC and if necessary with appropriate New Jersey personnel. Further, this policy protects all individuals, who in good faith report an episode of suspected abuse to the SCR or the CSC, from any form of retaliation.

When a report is filed, the CSC will respond as detailed in the Response Plan section of this policy.

### **Reporting Procedures for Adult Sexual Misconduct**

By state law, individuals are not mandated to report sexual misconduct committed against competent adults. However, it is the synagogue's policy that whenever an employee or regular volunteer of the synagogue believes in good faith that a violation of this policy has occurred, he or she must notify the Congregant Safety Committee directly. For community members, such a report is encouraged but not mandated.

The below steps should be followed, in order, when reporting suspected sexual misconduct:

1. Ensure that the individual is in a safe environment.
2. In cases of emergencies, such as when an individual is in immediate danger, call 911.
3. For guidance regarding non-emergent incidents, or uncertainties regarding reporting, the CSC may be contacted by a community member, and must be contacted by employees and regular volunteers of the synagogue.

All reports made to the Congregant Safety Committee will be treated as confidential in accordance with New Jersey regulations, protecting the confidentiality of the information and individuals involved. Information will be shared among the members of the CSC and if necessary with appropriate New Jersey State personnel. Further, this policy protects all individuals, who in good faith report an episode of suspected sexual misconduct to the SCR or the CSC, from any form of retaliation.

When a report is filed, the CSC will respond as detailed in the Response Plan section of this policy.

### **Response Plan**

When the Congregant Safety Committee is notified of suspected sexual abuse or sexual misconduct, the following steps will be adhered to with expediency:

1. In emergent situations in which no emergency calls have been placed, the CSC will call 911.
2. In the case of child/vulnerable adult abuse, if the reporting individual did not yet report to the State Central Registry, the CSC will either provide support while the individual does so, or will immediately and directly notify the SCR.
3. Pending permission of the SCR, and when relevant, the CSC will notify the parent or guardian as soon as possible.

Following any immediate steps as taken above, the Congregant Safety Committee will convene a meeting as soon as possible to initiate an investigation separate from any criminal investigation. A person accused of sexual misconduct or abuse, or any person close with the accused, may not participate in any CSC deliberations on the matter or in the investigation.

1. If there is a credible allegation made against a staff member or an individual that otherwise has regular interactions with children, the individual will immediately be placed under constant supervision by enlisting another staff member/individual to shadow the alleged violator whenever he/she is interacting with children under synagogue jurisdiction.
2. The CSC may elect to solicit the assistance of counsel, human resource professionals, clergy or psychologists/psychiatrists in conducting the investigation.
3. The CSC will determine if there is sufficient credible information to pursue further investigation. If the CSC determines that the information is not credible or that the information does not constitute a violation of this policy, it should notify the complainant and respondent of its determination and advise the complainant of its right to appeal to the Board.

Even if the complainant elects not to pursue formal disciplinary charges, the CSC should continue its investigation if, on the basis of the complaint and initial investigation, it has continuing concern about the respondent.

In those instances where a report is made to the SCR or 911 and the authorities are unable or unwilling to move forward, Ahavas Achim's CSC will continue to execute due diligence in responding and conducting its own investigation.

The CSC will follow a set of guidelines, the steps of which will be available to any interested member of the synagogue, when investigating any allegation. Upon completion of its investigation, the CSC shall convene to determine what action, if any, it will follow.

When a report is communicated to the CSC, a written Incident Report shall be generated, either by the individual reporting or by the CSC itself. The Committee is thereafter responsible for the filing, appropriate distribution, and preservation of all relevant forms.

Any violation of this policy will initiate actions that may include but are not limited to the following:

- Immediate actions to protect the victim and all community members.
- The contact of the synagogue's legal counsel or insurance carrier.

- If the incident involves an Ahavas Achim employee or staff member, appropriate disciplinary action will be taken, up to and including termination.
- If the incident involves an Ahavas Achim member, a warning, limited access, assignment of a Shomer, termination of membership, or banning from all synagogue events and premises.
- Notification of other community institutions, including other synagogues, of the actions taken by Ahavas Achim.
- A discussion regarding the violation between the violator and a minimum of two members of the committee. During that discussion, the Policy and the violation will be reviewed to ensure the violator understands the guidelines. There will be written documentation of the policy violation and subsequent discussion that will be added to the violator's file, and affirmation by the violator to abide by the Policy going forward.
- A formal written warning may be delivered following an initial violation.
- Referral of the victim for a medical evaluation.
- Referral of the victim for psychological evaluation and mental health supportive services.
- Consultation with an outside expert.
- Referral of the violator for appropriate supportive and/or mental health assistance.

## Glossary

Sexual Misconduct is an umbrella term that includes, but is not limited to, acts of sexual violence, criminal sexual conduct, sexual assault, or sexual harassment.

Each of these will be defined as follows:

Sexual Violence: Any form of unwanted, unwelcome or coercive sexual behavior. Sexual violence exists on a continuum from sexual harassment (defined below) to rape, and can include anything from stalking to inappropriate touching to penetration either (1) without the victim's consent or (2) with a victim who is unable to consent. A victim who is unable to consent is someone:

- Under the age of 13
- At least 13, but less than 16 years old and the actor is at least four years older than the victim
- At least 16, but less than 18 years old and
  - The actor is related to the victim by blood or affinity to the third degree
  - The actor has supervisory or disciplinary power over the victim by virtue of the actor's legal, professional or occupational status
  - The actor is a resource family parent, a guardian, or stands *in loco parentis* within the household
- With diminished mental capacity - the victim is one whom the actor knew or should have known was physically helpless, mentally incapacitated, or had a mental disease or defect which rendered the victim temporarily or permanently incapable of understanding the nature of his conduct, including, but not limited to being incapable of providing consent. This includes a victim who is drunk, drugged, high, unconscious, or has a developmental disability.

Criminal Sexual Contact is legally defined as "intentional, non-consensual touching by the victim or actor, either directly or through clothing, of a victim's or actor's sexual organs, genital area, anal area, inner thigh, groin, buttock or breast, for the purpose of degrading or humiliating the victim or sexually arousing or sexually gratifying the actor" (NJSA 2C:14-3).

Sexual Assault, often referred to as rape, is legally defined differently in each state. In New Jersey, the law defines sexual assault as "the penetration, no matter how slight, in which physical force or coercion is used or in which the victim is physically or mentally incapacitated."

Sexual Harassment includes unwelcome sexual advances, requests for sexual relations or other verbal or physical conduct of a sexual nature. Sexual harassment can include, but is not limited to, the following types of contact and non-contact behaviors:

- Kissing
- Sexual communication (whether verbal or written, including by telephone, text message, email or social media)
- Voyeurism (spying on private or intimate behaviors, such as those involving undressing, nudity, or sexual activity)
- Exposing someone to pornography or other sexually explicit material
- Exposing part or all of an adult or child's naked body (except as necessary for caregiving or medical purposes)
- Exploiting a person by prostitution and/or pornography

Child or Vulnerable Adult Abuse: Abuse is the physical, sexual, or emotional harm or risk of harm to a child under the age of 18, or vulnerable adult, caused by a parent or caregiver. Within the context of the synagogue, any abuse caused by a parent on synagogue premises, or caused by any employees or volunteers of the synagogue, falls under the definition of abuse. Sexual activity between children can also be abusive; some indicators might include a significant disparity in age, development, or size; if one child is in a position of responsibility, trust or power over the other; if one child is unconscious; or any time coercion is used. The following are forms of abuse:

Neglect: When a parent or caregiver fails to provide proper supervision for a child or adequate food, clothing, shelter, education or medical care although financially able or assisted to do so.

Emotional Abuse: Acts that cause or have a substantial likelihood of causing harm to the child or vulnerable adult's physical, psychological, social, spiritual, or moral development. Emotional abuse might include, but is not limited to patterns of: restricting a child's movement, discriminating, blaming, belittling, denigrating, threatening, scaring, ridiculing, or other non-physical forms of hostility or bullying.

Sexual Abuse: When an adult or older adolescent uses a child or vulnerable adult for sexual stimulation. Forms of sexual abuse include engaging in sexual activities with a child or vulnerable adult, indecent exposure, grooming, or using a child or vulnerable adult to produce pornography. Any sexual activity between a child/vulnerable adult and adult is considered abusive, as children and vulnerable adults are legally unable to provide consent.

Grooming: An adult may use seemingly innocent behaviors to gain the trust and cooperation of a child or vulnerable adult, establish a relationship with them, their family, or the community, for the purposes of his/her own sexual gratification. Such behaviors may include but are not limited to: the giving of preferential gifts to a child or vulnerable adult; asking him or her to keep a secret; seeking his or her attention; spending an increasing amount of time with him/her; being overly physical with him/her; inappropriate interactions with him/her in person or via electronic devices or social media; or the testing or ignoring of professional boundaries or rules.

Physical Abuse: When a parent or caregiver either inflicts or allows to be inflicted upon a child physical injury by other than accidental means which causes or creates a substantial risk of death, or serious or protracted disfigurement, or protracted impairment of physical or emotional health or protracted loss or impairment of the function of any bodily organ; or creates or allows to be created a substantial or ongoing risk of physical injury to such child by other than accidental means which would be likely to cause death or serious or protracted disfigurement, or protracted loss or impairment of the function of any bodily organ.

