



Policy for Formally Reporting Abuse and/or Violations of Mishkan's Community Norms, Values and Guidelines

If you are a Mishkan community member, visitor or staff-member and you believe that you have been subject to abuse (physical, emotional, sexual, spiritual or any other kind) or another violation of our community norms, values and guidelines by someone at a Mishkan event, class, public-space gathering or home-hosted gathering and wish to disclose this, you may bring your complaint to any member of the Safety Respect Equity Team (SRE).

This procedure and policy was developed in consultation with Sacred Spaces and Jewish Child and Family Services. This policy may be updated according to best practices in the field, as those practices evolve.

Safety Respect Equity Team (SRE)

Formal complaints will be received by all members of Mishkan's Safety Respect Equity Team (SRE), which is composed of Mishkan's Executive Director and two community members at large. The community members at large will serve staggered two year terms on the SRE Team and will receive training in abuse and harassment prevention, information-gathering procedures and trauma-informed response. Mishkan's Board President and Founder/Senior Rabbi are ex officio members of the SRE without voting power and will also receive all formal complaints. If any members or ex officio members of the SRE have a conflict of interest they will be recused from the information-gathering and determination process and will not receive further updates on the status of the report.

In addition to receiving complaints, SRE will support complainants and respondents by providing referrals to social services and other supports.

Disclosure and Reporting

Individuals can disclose a complaint of abuse or violation of Mishkan's community norms and guidelines to any member of SRE. If the complainant wishes to register a formal complaint, they must fill out the [incident reporting form](#). Proof or direct knowledge of a behavior or incident is not necessary to make a formal complaint. If a member of SRE receives a complaint of an egregious nature, be it formally through the incident reporting form or informally through conversation, they have a responsibility to the community to take additional steps.

Preliminary Response

All formally reported complaints will receive a preliminary response by an SRE team member within 48 hours to set up a meeting between the complainant and at least two members of SRE. That preliminary meeting will take place within one week of receiving the complaint.



Information Gathering

SRE will conduct preliminary fact-finding and information gathering from the complainant, respondent and any third-party witnesses. This fact-finding will be into the nature of the complaint, parties involved, etc. SRE will endeavor to conclude the preliminary information gathering process within one month of the preliminary meeting with the complainant. All information gathered either verbally or via electronic communication will be documented in writing and shared with the members of SRE including ex officio members. A representative from SRE will be in touch once per week with the complainant and the respondent during the information-gathering process, from the date of the complaint being officially received by SRE.

Independent Investigation

Recognizing that SRE are not trained investigators, complaints of an egregious nature may warrant engaging independent, trained professionals to conduct information-gathering and make a determination about whether or not the respondent's conduct violates Mishkan's community norms and guidelines. SRE will make the determination about whether external review is warranted in a given scenario.

Interim Measures

Interim measures during the information-gathering process may include non-contact between the complainant and respondent, restricted access to Mishkan events during the time of information-gathering, and/or an increase in physical security presence. If the complaint involves a full-time or part-time Mishkan staffer, measures may include suspending the staffer with pay pending the results of the information-gathering process, or offering leave of absence with or without pay. If the complaint against a staff member is of an egregious nature (harassment, assault), then the staffer will be suspended pending the results of the investigation.

Determination

Once information gathering has concluded, SRE will make a determination as to whether or not Mishkan's community norms and guidelines have been violated by the respondent. If SRE finds that there has been no violation, the report will be closed and no disciplinary action will be taken. If SRE finds that there has been a violation, then the respondent may be subject to disciplinary action.

Consequences and Disciplinary Action

Once SRE determines that there has been a violation of Mishkan's community norms and guidelines, SRE will also determine what disciplinary measures or consequences are appropriate. These measures may include temporary or permanent restricted access to all Mishkan programs and events, temporary or permanent restricted access to some subset of Mishkan programs and events, no contact with the complainant, or other measures deemed



appropriate by the SRE. If the complaint involves Mishkan full or part-time staff, disciplinary measures may include suspension without pay or termination of employment. The complainant and respondent will be notified of the disciplinary actions both verbally and in writing within 48 hours of the determination.

Appeals

Appeals can be filed within 1 month of notification, by submitting the following [form](#), which will be reviewed by SRE. Either the complainant or respondent can appeal the determination, but only in the following cases: if there's a conflict of interest, if confidentiality has been breached in such a way as to prejudice the fact-finding, or if new information comes to light.

Confidentiality

All complaints will be kept confidential to members of the SRE to the greatest extent possible. There may be scenarios in which, for safety reasons, confidentiality is not possible. Complainants will be notified verbally and in writing within 48 hours if confidentiality is breached.

Mandated Reporting and Criminal Reporting

Reports of abuse or suspicion of abuse involving minors and elders will be reported to the proper authorities by Mishkan's staff, even when not required by law. Any member of the community may file a criminal report. SRE may assist the complainant in making a criminal report, if requested. If a criminal report involving abuse in the Mishkan community is filed first, it may initiate an internal information-gathering process. If a criminal report is filed, the organization's investigation will comply with and defer to the criminal investigation. The outcome of the criminal investigation will not determine the internal information-gathering regarding the policy violations. The internal information-gathering process will continue even if the complainant or respondent withdraws from the community during the process.

EEOC

Any Mishkan full or part-time staff may file a report with the Equal Employment Opportunity Commission (EEOC).

Retaliation

All reports made in good faith (an honest belief or purpose, faithful performance of duties or absence of fraudulent intent) are protected from retaliation. Retaliation by Mishkan staff, board or community members against any individual who makes a good faith report or who assists in the investigation of a report, is not permitted.

Community Notification



The Mishkan community will be notified via email of the determination or of any disciplinary measures only if the SRE finds that public safety is at risk.

Terms

Safety Respect Equity Team (SRE) is the body which receives formal reports of abuse, gathers information about the claim, makes a determination about whether or not Mishkan's community norms, values and guidelines have been violated, and makes decisions about disciplinary measures. It is comprised of Mishkan's Executive Director and two community members. The Senior Rabbi/Founder and Mishkan's Board president are ex officio members without voting power. Members of the SRE will maintain confidentiality to the greatest extent possible.

Complainant refers to the individual who discloses information about subjection to prohibited conduct.

Respondent refers to the individual who is alleged to have engaged in prohibited conduct.

Third Party refers to the individual who discloses information about prohibited conduct in which they were not directly involved.