



# Rabbinical Council of America

## CONSTITUTION As of September, 2007

### Article I – Name

The name of this organization shall be the Rabbinical Council of America. The equivalent Hebrew name shall be התאחדות הרבנים דאמריקה (Histadrut HaRabbanim D'America).

### Article II - Purposes

#### Section 1

The purpose and objectives of the Rabbinical Council of America shall be:

1. To advocate, teach and promote the practice and study of Orthodox Judaism and to actively assist and encourage all efforts by groups and individuals with the House of Israel in that direction.
2. To advance the cause of continued Torah scholarship with the ranks of its membership.
3. To defend the honor of the Torah, to champion the rights and the dignity of the Jewish people everywhere and to help build and strengthen the religious and general welfare of the State of Israel.
4. To be ever on guard against any distortion or misinterpretation of Torah-true Judaism by individuals or groups within and without the House of Israel and to clarify through the written and spoken word the true teachings of the Torah.
5. To serve as a unifying force among Orthodox rabbis and roshei yeshiva in order that there be an authoritative voice expressing the Torah view on all questions of proper interest to the American Jew.
6. To encourage the forces of freedom and justice as expounded in the Torah and thereby help the continuity of the basic American institutions of equal liberty and justice for all.
7. To help promote the economic welfare and security of the Rabbi through the rights of tenure, health insurance and old-age retirement arrangements.

8. To establish the Rabbi as the religious authority of his community or synagogue and to rally to his defense whenever, by virtue of the execution of his proper duties, his position or authority should be challenged.

9. To help unite the Orthodox American synagogues into an effective organization for the Jewish laity; to work with and give religious direction to our recognized synagogue body, the Union of Orthodox Jewish Congregations of America, in the building and strengthening of Judaism on the American scene.

10. To promote religious instruction for adults and aid in the development of effective instruments for its implementation.

### Article III - Membership

#### Section 1

Any person whose conduct is in keeping with the standards of Orthodox Judaism and upon whom smicha has been properly conferred by a recognized yeshiva or authority and who is actively engaged in the rabbinate or in an allied field, and who desires to aid in furthering the purpose and program of the Rabbinical Council of America shall be eligible for membership in the Rabbinical Council of America.

Affiliate membership shall be open to rabbis who qualify for membership except that they are not actively engaged in the rabbinate or an allied field. The procedures for admission to this category of membership shall be identical with those for all other members. Rabbis admitted to affiliate membership shall be governed by all the regulations of the Rabbinical Council of America, receive all membership benefits and attend all conventions and conferences except that they shall not be entitled to attend Executive meetings nor vote on any issue nor hold any office.

Upon the recommendation of the Executive Committee, honorary membership to recognized outstanding rabbinic personages may be conferred by the Rabbinical Council at its annual Convention.

#### Section 2

Candidates for membership shall apply in writing, and when recommended by the Membership Committee and approved by the Executive Committee, shall be granted membership in the Rabbinical Council of America.

#### Section 3

The Executive Committee may prescribe additional qualifications, and shall have the power to enact further rules to govern the applications of candidates for membership.

The Executive Committee shall have the power to request the resignation of any member who ceases to be engaged in the active rabbinate or an allied field.

#### Section 4

The Executive Committee shall have the power by a vote of two-thirds of the members present and voting to expel or suspend from membership or impose such other discipline and penalty upon a member as it may deem appropriate, provided that:

1. Except as otherwise provided in Section 2 of Article IV, to be liable to expulsion or suspension, the member shall be charged with having committed an act of a public or private nature unbecoming to a rabbi, or of having acted in a manner detrimental to the best interests of the Rabbinical Council of America.
2. Such charges shall be submitted in writing to the Executive Committee which shall, if it determines that such charges have sufficient basis, refer the charges to the Beth Din HaKovod. Complaints which are exclusively personal and in no way involve the business or the affairs of the Rabbinical Council of America may be sent directly to the Beth Din HaKovod by one member against another. The Beth Din HaKovod may act as a Beth Din to adjudicate the dispute. This, however, shall not limit either member from requesting a Zabla, provided that all of the members of the Beth Din selected shall be members of the Rabbinical Council of America.
3. The member against whom the charges are brought shall be notified of the charges and given ample opportunity to state his case, which shall be recorded in writing. The identities of any complainant and any alleged victim shall remain confidential throughout the investigative and fact finding processes and shall be made known, when necessary, only to those responsible for investigating the allegations, the members of the FFT and VHT. If it is deemed necessary by the VHT to reveal the names of any complainant or any alleged victim to the accused rabbi, permission to reveal such identities must be obtained in writing from each complainant or alleged victim by the head of the VHT.
4. The Beth Din HaKovod shall conduct any hearings or investigations it deems appropriate.
5. The Beth Din HaKovod shall recommend to the Executive Committee the disciplinary action, if any, to be taken on the charges.
6. Despite the conditions set forth in this section, any accusation against a member regarding any form of sexual activity or sexualized contact with any person to whom the member is not married or with any minor; lewd behavior; the exploitation of the rabbinic position for the purpose of gaining sexual gratification or sexual favors, the matter shall be referred by the Executive Vice President to the Vaad HaTzedek, according to the policies and procedures that will be adopted from time to time by the Executive Committee. The jurisdiction of the Vaad HaTzedek, includes, but is not limited to, the behaviors enumerated in this paragraph.
7. The Vaad HaTzedek shall determine the disciplinary action, if any, to be taken on the charges. Such action, including expulsion or suspension shall be effected immediately by the decision of the Vaad HaTzedek.

### Section 5

Whenever proceedings under this article shall be commenced and the member against whom such proceedings have been instituted shall submit his resignation as a member of the Rabbinical Council of America, the proceedings may, in the discretion of the Executive Committee, be continued or terminated and if continued the Executive Committee shall proceed to a final determination of the issue and place upon the record its findings, conclusions and recommendations.

## Article IV - Dues

### Section 1

The Executive Committee shall fix the dues for membership and may establish a scale of dues which is related to the income or salary of the member. The said schedule of dues shall be announced and take effect at the annual Convention.

### Section 2

Any member who shall be in arrears for payment of dues for two year or more may be suspended or expelled, provided that such member shall have been notified by registered mail at least thirty days before such final action is taken.

### Section 3

A member suspended or expelled for non-payment of dues, who makes application for reinstatement, may be reinstated by a vote of a majority of the Executive Committee present and entitled to vote. The application for reinstatement must be accompanied by the amount of arrears for which the member was suspended or expelled. The Executive Committee may, by a majority vote, waive the payment of all or part of the arrears.

### Section 4

All monies due the Rabbinical Council of America from a member shall be considered dues and be subject to all the provisions covering same.

## Article V - Officers

### Section 1

The officers of the Rabbinical Council of America shall be an Honorary President; President; First Vice President; four Regional Vice Presidents; Recording Secretary; and Treasurer, all of whom shall be elected at the annual meeting of the Rabbinical Council of America. The New York area shall be deemed to include any place within a radius of 100 miles from the City of New York.

### Section 2

The term of each officer shall be from the annual meeting to the next annual meeting and until his successor is chosen and qualified, except that no officer shall be elected for more than two consecutive terms.

### Section 3

To be eligible for the office of President or First Vice President, a candidate shall have previously served as an officer of the Rabbinical Council of America.

To be eligible for any other office, a candidate shall have previously served as a member of the Executive Committee.

### Section 4

A vacancy in any office shall be filled for the unexpired portion of the term by the Executive Committee unless otherwise provided for in this constitution.

### Section 5

1. The President shall be the Chief Executive Officer of the Rabbinical Council of America. He shall have such powers and perform such duties as usually pertain to the office of President, or that may be assigned to him by the Executive Committee. He shall be ex-officio a member of all standing or special commissions or committees, except the Nominating Committee, and shall have the right to vote.

2. In the event that the President shall be incapable of completing his term of office, the First Vice President shall succeed to the office of the President and the Executive Committee shall in such even designate one of the four Regional Vice Presidents as First Vice President.

### Section 6

Upon leaving office, the President shall be designated Honorary President during the term or terms of his successor. Having served two consecutive elected terms, the President and First Vice President shall be ineligible to hold these offices again

### Section 7

Each Vice President shall have such powers and perform such duties as may be assigned to him by the Executive Committee.

### Section 8

The Recording Secretary shall keep the minutes of all meeting of the Executive Committee. He shall perform such duties as usually pertain to this office.

### Section 9

The Financial Secretary shall keep books of account and render such reports as the Executive Committee may request from time to time. He shall perform such duties as usually pertain to the office of Financial Secretary or that may be assigned to him by the Executive Committee.

### Section 10

The treasurer shall have custody of all the funds of the Rabbinical Council of America. He shall perform such duties as usually pertain to the office of Treasurer.

### Section 11

The Executive Officer shall, subject to the Executive Committee, exercise general supervision over the organization and shall serve as Chief of Staff in the implementation of the policies of the Rabbinical Council of America. He shall be ex-officio a member of all committees, except the Nominating Committee. The Executive Committee shall fix the terms and conditions of employment of the Executive Officer.

## Article VI - Executive Committee

### Section 1

The power to transact the business and affairs of the Rabbinical Council of America between annual conventions shall be vested in the Executive Committee, which shall consist of the Officers of the Rabbinical Council of America plus 48 members whose terms of office shall be three years except that these members shall be divided into three classes, so that one-third of the Committee shall be elected at each annual meeting.

Upon the request of the President, the Executive Committee shall be authorized to add six additional members to the Executive Committee from the various regional areas. These six members shall serve until the next convention and in no even for more than one year.

### Section 2

No member shall be eligible for election to membership in the Executive Committee who shall not have been a member of the Rabbinical Council of America for one year prior to such election. No member who has served on the Executive Committee for one term shall be eligible for re-election until one year has elapsed.

### Section 3

Every former president of the Rabbinical Council of America shall automatically be a member of the Executive Committee with full voting powers for the period of his natural life.

### Section 4

If a vacancy shall exist for a seat of an elected member of the Executive Committee, the Executive Committee shall select a person to fill his vacancy until the next annual meeting, at which time an election shall be held to fill the remainder of the unexpired term.

### Section 5

The Executive Committee shall meet a minimum of six times a year at a time and place to be designated by the President. The President may call special meetings of the Executive Committee. Upon the written request of ten members of the Executive Committee, the President shall call a special meeting. The final meeting of the year of the Executive Committee shall be held on the day of the official opening of the annual meeting of the Rabbinical Council of America.

### Section 6

The President shall preside at all meeting of the Executive Committee and in his absence the

First Vice President, the Regional Vice President whose last name ranks first in alphabetical order shall preside, and in the absence of a Regional Vice President, any other officer may preside.

#### Section 7

Seven members of the Executive Committee shall constitute a quorum.

#### Section 8

The Executive Committee shall have the power to adopt rules and regulations not inconsistent with any provisions of this constitution, to govern its affairs and procedures.

#### Section 9

The Executive Committee shall make provision for the keeping of a separate record of all policies adopted by the Executive Committee, commissions and committees. A journal of these adopted policies shall be submitted to the membership for the annual meeting.

### Article VII - Annual Meeting

#### Section 1

The Rabbinical Council of America shall meet annually in convention at such time and place as the Executive Committee shall designate. Each member shall be notified at least 60 days in advance of such annual meeting.

#### Section 2

The President shall, with the approval of the Executive Committee, appoint a Convention Committee at least six months prior to the annual meeting. This committee shall make the necessary convention arrangements, prepare the convention agenda and appoint a Nominations Committee and a Resolutions Committee at least four months prior to the annual meeting. The Convention Committee shall submit to a meeting of the Executive Committee, for its approval, at least 60 days prior to the annual meeting, rules and procedures which shall govern the election of the officers and members of the Executive Committee and the transaction of all business at the convention; except that no rule shall be adopted which shall limit or restrict any member qualified to hold office or membership in the Executive Committee from becoming a candidate for such office upon the submission of a nominating petition signed by at least 25 members and submitted to the national office of the Rabbinical Council of America at least 30 days prior to the annual meeting and provided, however, that said candidate has indicated to the Nominations Committee verbally or in writing his acceptance of the nomination with the 48 hours before the ballots are prepared. The Resolutions Committee shall prepare and present resolutions to the annual meeting in accordance with the procedures adopted by the Executive Committee. The Nominations Committee shall submit to the annual meeting its recommendations for candidates for office and Executive Committee, as well as the candidates properly nominated by petition. It shall prepare a ballot and supervise the balloting in accordance with the rules of procedure adopted by the Executive Committee.

### Section 3

Five percent of the membership of the Rabbinical Council of America shall constitute a quorum for the transaction of all business at the annual meeting.

## Article VIII - Standing Committees and Commissions

### Section 1

The President shall, with the approval of the Executive Committee, appoint the following commissions and committees and such other committees as may be authorized by the Executive Committee:

1. Commissions - Education, Halachah, Kashruth, Publications, Social Action, Beth Din HaKovod, Religious Observance, Israel, Youth
2. Committees - Constitution, Membership, Nominating, Office and Finance, Rabbinic Welfare, Chaplaincy

### Section 2

The Executive Committee shall determine the membership, functions and powers of all commissions and committees and may adopt rules and regulations to govern their operation.

## Article IX - Regions

### Section 1

The Executive Committee of the Rabbinical Council of America shall have the power to establish regions of the Rabbinical Council of America upon a regional or local basis; approve the name to be used by such region; and enact such rules as it shall deem appropriate for the organization and governing of each region.

### Section 2

The regions shall concern themselves with furthering within their respective regional areas the purpose and program of the Rabbinical Council of America as set forth in this constitution and adopted from time to time by the Executive Committee of the Rabbinical Council of America.

### Section 3

Each region shall have the power to elect its own officers and adopt such rules of procedure as it may determine, subject to the approval of the Executive Committee of the Rabbinical Council of America. The President of the Rabbinical Council of America shall be an ex-officio member of the Executive Committee of each region.

### Section 4

The President, with the consent of the Executive Committee of the Rabbinical Council of America, may designate a Vice President of the Rabbinical Council of America to serve with

the Executive Committee of each region. The Vice President so designated shall be an ex-officio member of the Executive Committee to which he shall be designated and shall report to the Executive Committee of the Rabbinical Council of America on the activities of such region.

Section 5

The regions shall adopt no rules or policies which shall not be in conformity with this constitution and the rules and policies adopted by the Executive Committee of the Rabbinical Council of America.

Article X - Voting by Proxy

The annual convention or Executive Committee may provide for voting by mail on any matter, in such manner as it shall prescribe.

Article XI - Amendments

This constitution and by-laws may be amended by the following procedure:

1. The proposed amendment may be introduced when undersigned by 25 members in good standing and submitted to the national office at least 30 days prior to the annual meeting and a copy forwarded to each member of the Rabbinical Council of America at least 15 days prior to the annual meeting.
2. The proposed amendment may be submitted by the Executive Committee, upon majority vote of those present and voting at a meeting at least 30 days prior to the annual meeting and a copy forwarded to each member of the Rabbinical Council of America at least 15 days prior to the annual meeting.
3. The original language of the proposed amendment shall be presented to the annual meeting without debate. Upon approval by majority vote of those present and voting, it shall be laid over for at least 24 hours, whereafter it may be adopted by a two-thirds vote of the members present and voting.

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