

# SEXUAL MISCONDUCT POLICIES & PROCEDUR

Revised: 3/18/05

## West Virginia Annual Conference The United Methodist Church

*Prepared by the Sexual Misconduct Policies & Procedures Task Force  
Adopted by the West Virginia Annual Conference (June 2005)*

### PREAMBLE

The purpose of this policy is to provide guidelines and procedures for clergy, laity and congregations of the West Virginia Annual Conference of The United Methodist Church regarding sexual exploitation, sexual harassment, sexual abuse, and sexual misconduct. This policy is under-girded by a conference-wide education program.

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### **I. THEOLOGICAL RATIONALE**

- A. God creates persons in the Divine image, male and female. (Genesis 2:18-25)
- B. Women and men are equal in the sight of God, even if that equality is contradicted by the language, laws, customs, habits, or hidden assumptions of human society, or the practices of the church. (Genesis 2:18-25)
- C. The human body is good and is a special part of the divine creation. It is the temple in which the Holy Spirit dwells and a place where the Word is flesh.
- D. Human sexuality is an integral part of our humanity. It is profoundly personal. Its physical, emotional, and spiritual expression in relation to another person should be the basis of a loving commitment and accountability to God and that other person.

- E. God calls persons to wholeness through Jesus Christ and to participation in the Body of Christ, which is the community whose central quality is redemptive love.
- F. God, through the Holy Spirit, calls some persons from the Body of Christ to ordained ministry or consecrated ministry. In these roles, persons are entrusted with the responsibility to care for those they serve, and they are not to misuse their roles to the detriment of those they serve.
- G. The violation of the professional relationship between a clergy person or a diaconal and a parishioner, employee, client, or another professional by sexual misconduct is a sin against God, the victim, and the redemptive community and indicates the brokenness of the accused.
- H. God is a God of justice and compassion and always stands with and on behalf of the victims of oppression; and, in the context of justice, God forgives in holy love.

## **II. DEFINITIONS**

### **A. Personnel:**

The term “clergy” includes the Bishop and all persons who are appointed or assigned by the Resident Bishop: local church pastors, local church employees such as deacons, diaconal ministers and clergy members of other denominations, Conference staff persons including camping staff, District Superintendents, and other clergy persons in extension ministries in the West Virginia Annual Conference.

In addition, these policies and procedures shall apply to all clergy on leave of any type, those honorably or administratively located, as well as those in the retired relationship.

The term “laity” refers to non-ordained staff members of local churches, employees of an agency of the Annual Conference, lay persons serving as staff members at Conference camps, as well as to lay members of congregations.

The term “congregations” includes not only local church constituencies but also the individuals served by camps, agencies, and organizations sponsored by or amenable to the West Virginia Annual Conference.

### **B. Sexual Exploitation:**

Sexual exploitation means allowing, permitting or encouraging an adult with special needs or a child to engage in prostitution or in photographing, filming, creating and distributing electronic or computer generated images or any other form of depicting an adult with special needs or child engaged in actual or suggestive sexual contact. Sexual exploitation also means sharing inappropriate individual nude images with another individual or group of individuals.

### **C. Sexual Harassment:**

Sexual harassment is any unwanted sexual advance or demand, either verbal or physical, which is reasonably perceived by the recipient as demeaning, intimidating or coercive. Sexual harassment must be understood as an exploitation of a power relationship rather than as an exclusively sexual issue. Sexual harassment also includes the creation of a hostile or abusive working environment resulting from discrimination on the basis of gender.

D. Sexual Assault:

First degree sexual assault is forced sexual intercourse or penetration (anal, oral, or vaginal) with the infliction of a serious bodily injury or the employment of a deadly weapon in the commission of the act. It is a felony. (W.Va. Code #61-8B-3, 61-8B 1) (Maryland Code, Article 27, #464}

Second degree sexual assault is forcible, threatening, intimidating sexual intercourse or penetration (anal, oral, or vaginal) without consent or with an individual who is physically helpless (unconscious or unable to communicate an unwillingness to the act). It is a felony. (W.Va. Code#61-8B-4, 61-8B- 1.) {Maryland Code, Article 27, #464-A. }

Third degree sexual assault is sexual intercourse or penetration (anal, oral or vaginal) with an individual who is a mentally defective or mentally incapacitated person (thereby being incapable of consent) or sexual intercourse or penetration (anal, oral or vaginal) by one who is at least sixteen years old with an individual or who is less than sixteen years old and at least four years younger than the actor. It is a felony. (W.Va. Code 61-8B, 61-8B-1.) (Maryland Code, Article 27, 464-B}

E. Sexual Abuse:

First degree sexual abuse is forcible, threatening, or intimidating sexual contact (intentional touching of the anus or sex organs of an individual, the breasts of a female, or any bodily parts with the actor's sex organs where the parties are not married and the purpose of the touching is to gratify the sexual desire of either party); sexual contact (intentional touching as defined above) with an individual who is physically helpless (unconscious or unable to communicate an unwillingness to the act); or sexual contact (intentional touching as defined above) by one who is at least fourteen years old with an individual who is eleven years old or less. It is a felony. (W.V. Code #61-8B-7, 61-8B- 1.) (Maryland Code 35-A, FL 7-101, HG 10-705 and 110 15-127).

Second degree sexual abuse is sexual contact (intentional touching as denned under "first degree sexual abuse," above) with an individual who is mentally defective or incapacitated (thereby being incapable of consent). It is a misdemeanor. (W.V. Code #61-8B-8, 61-8B-1.)

Third degree sexual abuse in sexual contact (intentional touching as defined under "first degree sexual abuse," above) by one who is at least sixteen years old and at least four years older than the victim with an individual who is less than sixteen years old. It is a misdemeanor. (W.Va. Code 61-SB-9, 61-8B-1.)

F. Sexual Misconduct:

For purposes of this Policy, sexual misconduct is any form of sexual exploitation, sexual harassment, sexual assault, or sexual abuse or any similar offense that is contrary to The Book of Discipline of The United Methodist Church, Annual Conference Policy, or any civil law, state or federal.

1. United Methodist clergy agree through licensing or ordination to “exercise responsible self control by personal habits conducive to bodily health, mental and emotional maturity, integrity in all personal relationships, fidelity in marriage and celibacy in singleness, social responsibility, and growth in grace and in the knowledge and love of God.” (2004 Book of Discipline, Paragraph 304.2) Sexual misconduct breaks the sacred trust inherent in licensing, ordination, and consecration in The United Methodist Church, and is exploitative, abusive, and a violation of ethics.
2. Sexual misconduct is a misuse of authority and power. The roles of clergy and diaconal ministers carry with them authority and power and are intended for the benefit of the persons who call upon clergy and diaconal ministers for professional services. Even if it is the other person (e.g. lay person attending the church or working in the office where the clergy or diaconal is working) who initially sexualizes the relationship, it is still the clergy person’s or diaconal minister’s responsibility to maintain the ethical boundaries of the professional relationship.
3. Sexual misconduct is taking advantage of vulnerability. The other person in a professional relationship is vulnerable to the clergy or diaconal in many ways. The other person is predisposed to believe that the clergy or diaconal will act in ways that contribute to the person's well-being.
4. Sexual misconduct is the absence of meaningful consent. Meaningful consent assumes that both clergy or diaconal and the other person have equal power in the professional relationship; however, it is presumed that the power is always unbalanced on the side of the clergy or diaconal. The clergy or diaconal is always responsible for keeping the relationship free of sexual exploitation, harassment, assault or abuse.

Given the dynamics of relationships and the requirement of mutual consent, any dating relationship between a clergyperson and a parishioner, client, church staff person, colleague, or student must be considered with the utmost responsibility on the part of the clergyperson. Any sexualized behavior by the clergyperson irrevocably alters the relationship between these two individuals and renders an objective, professional relationship difficult.

Any decision to initiate a dating relationship in these circumstances requires very great care. Both parties must be conscious of the inevitable changes it will cause, aware of the non-clergyperson’s potential vulnerability, and sensitive to hurt that may result. Both parties must be clear in and between themselves and with their community about the changed nature of their relationship.

### **III. Policies and Procedures**

Note: This policy shall not infringe upon the United Methodist Constitution or the principles of fair process contained in the Book of Discipline. In the event of any conflict between this policy and the Constitution or Discipline, the provisions of the Constitution or Discipline shall prevail.

A. Functional Process

1. Persons who desire to discuss a concern regarding sexual misconduct may contact their clergyperson, another UMC clergyperson, a District Superintendent, the Bishop and/or a member of the Conference Sexual Misconduct Team.
2. Persons bringing a concern are taken seriously, received in a respectful and caring manner, and encouraged to have a support person with them throughout the process. These persons will not be subject to any kind of retaliation as a result of the report. Anyone with knowledge of the alleged wrongs will be expected to come forward, and persons who give false information and/or reports will be disciplined to the extent that they are answerable to the annual conference.
3. Care will be taken to deal fairly and promptly with those involved, including, when appropriate, the person bringing the concern, the accused, the families of both, and the congregation or institution.
4. Confidentiality of the persons bringing a concern of sexual misconduct will be strictly maintained both before and after an accusation has been substantiated. Confidentiality of the accused will be maintained prior to the substantiation of an accusation, but information about the incident and the accused may be released to appropriate persons or agencies if the accusation is substantiated, in order to protect potential victims.
5. As appropriate, the Bishop or Superintendent may utilize the services of the Conference Sexual Misconduct Team. (2004 Book of Discipline, paragraph 362.b)
6. All proceedings to clarify allegations are impartial.
7. In the case of a clergyperson, when the Bishop determines that sufficient cause exists, the local church or agency will be informed by the Superintendent (in cooperation with the Conference Sexual Misconduct Team).
8. In cases of alleged clergy sexual misconduct, when deemed appropriate, a clergyperson may be suspended for the time period allowed by the 2004 Book of Discipline (paragraph 362.c).
9. When the Executive Committee of the Board of Ordained Ministry is asked by the Cabinet to consider suspension of a clergyperson according to paragraph 362.c, 2004 Book of Discipline, the Executive Committee may request the Cabinet and Conference Sexual Misconduct Team to provide reports of their findings. The proviso is that such reporting should not breach any matters of appropriate confidentiality.

10. All parties (the person bringing a concern, the accused, the congregation or institution) will be kept informed of the sequence of events throughout the process. This information will be shared by the District Superintendent on whose district the alleged offense occurred.
11. The Bishop or District Superintendent may, in consultation with the Conference Sexual Misconduct Team chairperson, make available a trained resource person and/or the Conference response team who can assist the congregation or agency in whatever ways necessary to bring about healing.
12. When appropriate, a list of qualified therapists may be provided to the person bringing a concern. While this does not imply financial responsibility on the part of the Annual Conference, the Cabinet may offer financial support for this purpose.
13. The Cabinet, in consultation with the Conference Sexual Misconduct Team, may provide for training and education for successor pastors and churches following instances of clergy sexual misconduct.
14. If a trial process is instituted, “the presumption of innocence shall be maintained until the conclusion of the trial process.” (2004 Book of Discipline, Para. 2701)
15. The disciplinary action deemed appropriate is understood within the context of Christian theology that calls persons to accountability and confession and provides the potential for personal redemption and healing. Those ministering to an offending person must remind the offender and be reminded themselves of the cost of God’s forgiveness in Christ and of the depths of God’s grace.
16. If it is determined that the allegations are not substantiated, the investigation will cease. A record of the process, including the findings of the Response Team will be filed in the Bishop’s Office. If a person so chooses, an appropriate statement may be issued exonerating him/her.
17. While confession and/or acknowledgment of responsibility for misconduct will be regarded as an important first step in the possible restoration of an offending clergy person to effective ministry, the nature of clergy authority, combined with the intimate access of the clergy person to vulnerable people, will require a high level of maturity and emotional health. Therefore, full restoration to pastoral ministry requires the judgment of the Board of Ordained Ministry.
18. The Bishop may direct an offending clergy person to make restitution, in part or in full, to cover therapeutic expenses incurred by the victim.
19. An offending clergy person has the responsibility of responding to the person bringing a concern and to the congregation. Repentance and restitution are due to both of these parties, and the fulfillment of that duty to the person bringing a concern does not substitute for a response to the congregation.

20. This policy is meant to encompass not only situations in the local church, but also those at District and Conference levels, as well as in church agencies and institutions.
21. By direction of the General Conference each local church will develop a policy statement. Training regarding procedures will be offered by the Annual Conference. (see Appendix C – Sample Local Church Policy)

#### B. Specific Procedures

1. If you desire to discuss a concern regarding sexual misconduct, contact your clergy person, another UMC clergy person, a District Superintendent, the Bishop, and/or a member of the Conference Sexual Misconduct Team.
2. If you are accused of sexual misconduct, contact your clergy person, another UMC clergy person, a District Superintendent, the Bishop, and/or a member of the Sexual Ethics Response Team.
3. In the case of alleged clergy sexual misconduct, the process continues as outlined in Para. 362 and 2701ff in the 2004 Book of Discipline.
4. In the case of alleged sexual misconduct on the part of laity the process continues as outlined in Para. 2701ff in the 2004 Book of Discipline.

#### C. Sexual Harassment

1. If you are harassed:
  - a. Exercise your right and responsibility to say no. Make it clear to the person that the behavior is unwelcome. Say no. Say it firmly, without smiling, without apologizing.
  - b. If you feel unsafe or unable to confront the person alone, consider taking another person with you for support.
  - c. Keep a journal that documents all incidents and names of any witnesses to the harassment. Keep copies of all written materials you complete in reference to the harassment. If you receive any written letters, cards, or memos of a suggestive nature from the harasser, keep them. Note the date received and how received (mailed to your home, left on your desk, etc.). Keep all materials in a secure place, preferably at home.
  - d. Contact the individual in writing: be specific about the act(s) that you consider to be harassment. Date your letter and send a copy to the person, to a witness if appropriate, and keep a copy.
  - e. Contact your clergy person, another UMC clergy person, a District Superintendent, the Bishop, or a person trained to function as a member of the Conference Sexual Misconduct Team.
2. If you are accused of Sexual Harassment:

- a. Contact your clergy person, another UMC clergy person, a District Superintendent, the Bishop, and/or a member of the Conference Sexual Misconduct Team and request a meeting with the offending person to resolve the issue. Take a member of the Team with you. Document the agreement and actions taken to resolve the situation.
  - b. If the issue is not resolved, document the meeting and contact the District Superintendent.
3. If Sexual Harassment is reported to you:
- a. Listen objectively; take it seriously.
  - b. Help the person follow the steps outlined above.
  - c. If you are a pastor or in a supervisory position in the local church or a Conference agency and an employee is being accused of harassment, document information including dates, times, and descriptions of the incidents. Record the names of any witnesses to the harassment. Keep copies of all written materials you complete in reference to the harassment. If you receive any written letters, cards, or memos of a suggestive nature from the harasser, keep them. Note the date received and how received (mailed to your home, left on your desk, etc.). Keep all materials in a secure place, preferably at home.
  - d. Contact the accused individual in writing: be specific about the act(s) that you consider to be harassment. Date your letter and send a copy to the person, to a witness if appropriate, and keep a copy.
  - e. Contact your clergy person, another UMC clergy person, a District Superintendent, the Bishop, or a person trained to function as a member of the Sexual Misconduct Team.

#### D. Sexual Abuse

1. Child abuse (Under 18 years of age):
  - a. There is NO discretion. All alleged incidents of child abuse MUST be reported to Child Protective Services and may be reported to law enforcement.
  - b. Name of person(s) to whom reported, date & time of reporting must be documented. A copy of documentation should be forwarded to the District Superintendent.
  - c. DO NOT confront or discuss with the alleged abuser without first reporting the incident and getting professional guidance.
  - d. Contact the appropriate church authority; i.e. Pastor, District Superintendent, or Bishop.
  - e. Call the Conference Sexual Misconduct Team if you have questions.
2. Adult sexual abuse procedures for the abused or for the witness of abuse. Take the following steps:
  - a. There is NO discretion. All alleged incidents of adult sexual abuse MUST be reported to Adult Protective Services and may be reported to law enforcement.

- b. Name of person(s) to whom reported, date & time of reporting must be documented. A copy of documentation should be forwarded to District Superintendent.
- c. DO NOT confront or discuss with the alleged abuser without first reporting the incident and getting professional guidance.
- d. Contact the appropriate church authority; i.e. Pastor, District Superintendent, or Bishop.
- e. Call the Conference Sexual Misconduct Team if you have questions.

E. Response and Intervention to Churches:

In the event of an alleged act of sexual misconduct, the Bishop and Cabinet may utilize a process that will involve a support team from the Conference Sexual Misconduct Team or trained individual whose goal is to offer to congregations affected, the complainant, the accused, and their families counseling, educational tools, communications skills, mediation insights, and other resources to bring about healing.

**IV. Organization of the Conference Sexual Misconduct Team**

A. The purpose of the Conference Sexual Misconduct Team is:

- 1. To be a first response to persons having concerns regarding sexual misconduct; to provide a trained resource for the Bishop and Cabinet; to provide a support person for a person bringing a concern; and to provide a support person for those who are accused of misconduct. The Team is not a mediation team, nor an investigative body.
- 2. To develop trained leaders who will provide sexual ethics, boundary, and relationship training to clergy and laity in the Annual Conference and to ensure that training is offered at least once each year in cooperation with the Cabinet.

B. The goal of the Conference Sexual Misconduct Team, over a period of time, is to offer training to persons serving appointments in the Annual Conference, to Conference staff members, to laypersons serving on the Board of Ordained Ministry, to candidates for ordained and licensed ministry, to those receiving Local Pastor's licenses, and to other clergy and lay persons deemed appropriate by the Bishop and Cabinet.

C. The Conference Sexual Misconduct Team shall be at least eighteen (18) persons, consisting of at least two representatives from each district. The bishop shall nominate the Team annually to the Annual Conference, and select the chairperson of the Team. In selecting the Team, the Bishop shall give consideration to inclusiveness and other professional needs. The Assistant to the Bishop for the Episcopal Office will serve as staff person for the Sexual Misconduct Team.

D. The bishop shall review the make-up and work of the Sexual Misconduct Team annually and make changes as he or she deems appropriate.

E. When a sexual misconduct case is received by the bishop, he or she will discuss with the Chairperson of the Sexual Misconduct Team the assignment of individual Team members for intervention or consultation.

**V. Education, Documentation, & Resources**

A. Education and awareness for both clergy and congregations are key elements in the prevention of sexual misconduct. To be effective in preventing sexual misconduct, the Church must set education and training of clergy and congregations as a high priority.

B. This education should include knowledge of state & federal laws, ethical guidelines, standards, and training in personal emotional health care for clergy. Congregations shall be supplied with the current W.Va. Conference Sexual Misconduct policy and are expected to:

1. Establish clear and realistic expectations for leaders (i.e. workloads, skills)
2. Ensure the training of Pastor/Staff-Parish Relations Committee in expectations regarding appropriate professional sexual behavior.
3. Work with clergy and laity to establish safe boundaries within which to function for the protection of their own emotional and physical health and that of congregation members and constituents.

C. All clergy of the West Virginia Annual Conference are required to take mandatory training provided by the Conference Sexual Misconduct Team regarding sexual misconduct.

D. Following mandatory training provided by the Conference, all clergy will sign a report form to be filed in their clergy supervisory record held by District Superintendents.

E. Local church Pastor/Staff Parish Relations Committees are encouraged to participate in training on sexual misconduct policies as provided by the Cabinet and the Conference Sexual Misconduct Team.

F. Clergy are encouraged to increase their awareness of resources available for their individual growth and for support of any counseling ministry.

The following documents and resources were used to develop this policy:

UM Book of Discipline, 2004

UM Book of Resolutions, 2004

Central PA Annual Conference policy on sexual misconduct

New York Annual Conference policy on sexual misconduct

Troy Annual Conference policy on sexual misconduct

## **VI. Appendices**

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## APPENDIX A: SELF CARE

### A. Standards for Determining Appropriate Behavior

The following questions will be helpful in determining behavior: (Questions from Prayer and Our Bodies, by Flora Slossen Wuellner)

1. Am I hurting or harming anyone, or endangering anyone's health, including my own, by sexual activity?
2. Am I violating any of my commitments, relationships, responsibilities? Am I breaking any promises?
3. Am I trying to grow into a faithful and committed relationship with my partner?
4. Does my sexual activity increase my power to love others with compassion and concern, or is my use of sexuality an act of bargaining, submission, manipulation?
5. Am I able to carry God's love and presence with me into my sexual activity? Am I able to celebrate fully my form of activity as a member of the Body of Christ?
6. Is my sexual activity a part of my deep, whole self, or a compartmentalized activity, cut off from the rest of the way I feel, think, or act?
7. Does my sexual activity make me feel healthier, more whole, increasing my honor of and delight in my own body?
8. Would it trouble me if my sexual activity were known by others whom I respect?

### B. Areas of Self Care

There are a variety of areas in our lives that can be reference points for assessment of ourselves as whole persons. The following represent some of these areas:

1. **Spiritual Life:** Does my prayer life include reflection on my sexual feelings and thoughts? Am I setting time for myself to grow in this area? Do I seek opportunities to nourish my spiritual life?
2. **Physical Care:** Do I get enough sleep? Do I exercise, eat healthily more often than not? Do I listen to my body? Do I seek medical care when appropriate?
3. **Sexuality in Singleness:** Am I aware of my sexual needs? Can I talk about my sexual needs with others? Can I maintain appropriate boundaries? Do I provide time for intimate relationships?

4. Marriage: If married, do I give quality time to my marriage? Do I communicate with my spouse about my sexual needs? Do I know my spouse's needs? Do we listen to one another on a regular basis? Do we share goals?
5. Counseling: Personal, marital, and family counseling are nearly always profound experiences. They enhance ministry and reduce the likelihood of problems among church professionals.
6. Recreation and Interests: Do I spend some time on a regular basis outside the church activities? Vacation? Take days off during the week? Have social relationships and activities beyond the church?
7. Use of Time: Does my use of time reflect my priorities? Do I assess the use of my time occasionally and adjust my patterns if they do not reflect my priorities? Do I have a balance of my use of time between work, play, family, and reflection?
8. Anger/Conflict: Do I have the ability and skills to recognize my own anger and that of others? Do I know how to respond to anger (my own and others)? Do I respond? Do I need help here? (A study by the Maces reports this is the highest ranked area of difficulty in marriages by clergy and spouses.)
9. Peer Relationships: Do I have them? Am I authentic in some of them? Can I discuss my sexuality with colleagues? Do I have a consulting relationship with anyone in a formal way? Do I experience competitiveness with my peers? Do I participate in a supportive setting regularly?
10. Awareness of Power: Do I recognize and acknowledge the power and authority which are given to the position and role of clergy persons? Am I responsible in my use of that power? Do I have a grandiose concept of my own power? Am I able to surrender power when necessary?
11. Boundaries: Do I have an awareness of what are appropriate boundaries for the various relationships I have in my personal life, professional life, and counseling work? Do I utilize them? Do I give myself permission to say "no" to a telephone call, a meeting, a sexual invitation?

This list is not exhaustive, but is suggested as a beginning for individual assessment. There are many other resources for self care.

## **APPENDIX B: UNDERSTANDING SEXUAL HARASSMENT**

To help you understand what sexual harassment is, the West Virginia Sexual Misconduct Team provides the following:

### **VERBAL:**

- Referring to an adult as a girl, hunk, doll, babe, or honey.
- Whistling at someone, cat calls.
- Making sexual comments or innuendos about a person's body.
- Turning work discussions to sexual topics.
- Telling sexual jokes or stories.
- Asking about sexual fantasies, preferences, or history.
- Making sexual comments about a person's clothing, anatomy, or looks.
- Repeatedly asking out a person who is not interested.
- Making kissing sounds, howling, and smacking lips.
- Telling lies or spreading rumors about a person's personal sex life.

### **NON VERBAL:**

- Looking a person up and down.
- Staring at someone.
- Blocking a person's path.
- Following the person.
- Giving personal gifts.
- Displaying sexually suggestive visuals.
- Making facial expressions such as winking, throwing kisses.

### **PHYSICAL:**

- Unwanted kissing or hugging.
- Giving a massage around the neck or shoulders.
- Touching the person's clothing, hair, or body.
- Hanging around a person.
- Touching or rubbing oneself sexually around another person.
- Standing close or brushing up against a person.
- It is the right of the recipient of a behavior to define its appropriateness or inappropriateness.

When a person who has been the recipient of unwanted behavior requests that it be stopped, if that request is not honored, then behavior will be viewed as greater than harassment, i.e. role-inappropriate sexualized behavior or sexual abuse.

**APPENDIX C: SAMPLE LOCAL CHURCH POLICY STATEMENT**

**SAMPLE  
LOCAL UNITED METHODIST CHURCH  
BASIC POLICY STATEMENT  
ON  
SEXUAL AND GENDER HARASSMENT  
AND MISCONDUCT OF A SEXUAL NATURE**

The \_\_\_\_\_ United Methodist Church affirms *The 2004 Book of Resolutions, Sexual Abuse Within the Ministerial Relationship and Sexual Harassment Within the Church*, which states that sexual abuse within the ministerial relationship and sexual harassment within the church are incompatible with biblical teachings of hospitality, justice and healing.

As the promise of Galatians 3:26-29, states all are one in Christ, we support equity among all persons without regard to ethnicity, situation, or gender.

Sexual abuse within the ministerial relationship occurs when a person within a ministerial role of leadership (pastor, educator, counselor, youth leader or other position of leadership) engages in sexual contact or sexualized behavior with a congregant, client, employee, student, staff member, co-worker or volunteer.

Sexual harassment is any unwanted sexual advance or demand, either verbal or physical, that is reasonably perceived by the recipient as demeaning, intimidating, or coercive. Sexual harassment includes, but is not limited to, the creation of a hostile or abusive working environment or intimidating or coercive behavior that threatens or results in a tangible employment action.

Gender harassment is behavior that is harassing in nature against a woman because she is a woman and against a man because he is a man.

Sexual harassment is any unwanted sexual advance or demand, either verbal or physical, that is reasonably perceived by the recipient as demeaning, intimidating, or coercive. Sexual harassment includes, but is not limited to, the creation of a hostile or abusive working environment resulting from discrimination on the basis of gender.

Sexual abuse within the ministerial relationship involves a betrayal of sacred trust, a violation of the ministerial role and exploitation of those who are vulnerable. Similarly, gender or sexual harassment are usually understood as exploitations of power relationships rather than as exclusively sexual or gender issues.

Sexual and gender harassment, sexual abuse and misconduct of a sexual nature within the life of the Church interfere with its moral mission.

\_\_\_\_\_ United Methodist Church prohibits and will not tolerate these behaviors, which are sinful, demeaning, abusive and wrong.

The \_\_\_\_\_ United Methodist Church commits itself to fair and expedient investigation of any complaint of sexual and gender harassment, sexual abuse or misconduct of a sexual nature within the church and to take action deemed appropriate and in compliance with the *Book of Discipline*.

Further, the \_\_\_\_\_ United Methodist Church bears affirmative responsibility to create an environment of hospitality for all persons, male or female, which is free of these sins and encourages respect, equality and kinship in Christ.

Some instances of harassment can be resolved informally by conversation between the parties or facilitated mediation. In all other instances, the conduct must be reported immediately to the chair or another member of the Pastor-Parish Relations Committee and the pastor in charge. If the conduct involves the pastor in charge or another clergy person, it must be reported to the pastor's supervisor, district superintendent or the bishop.

The \_\_\_\_\_ United Methodist Church will not retaliate against any person who brings forward a complaint. All staff leaders and members are expected to immediately report any knowledge of harassment, abuse or misconduct to any one of the persons listed above.

Prompt and appropriate investigation and corrective action will be taken, including discipline.

Persons who make false accusations will be disciplined.

While the \_\_\_\_\_ United Methodist Church cannot guarantee absolute confidentiality, it will make every reasonable effort to maintain confidentiality by disclosing information about the complaint only on a "need to know" basis and as necessary to promote God's call for justice, reconciliation and healing.

Anyone who has any questions or concerns about this policy or the issues addressed is encouraged to air those questions or concerns to the PPRC or \_\_\_\_\_.