I. PURPOSE

A church professional is in a position of great trust, power, and responsibility. This provides the opportunity for unique relationships of grace and caring. Church professionals sometimes violate the trust given them. Sexual misconduct is one of the gravest violations of this trust.

This policy seeks to address the abuse of power by all church professionals, both men and women, who engage in sexual misconduct.

The intent is to provide guidance to both laity and clergy of the Annual Conference and the local church regarding sexual misconduct.

It is both the ethical and legal responsibility of the Annual Conference to ensure that there are mechanisms for addressing grievances in matters of sexual misconduct.

This policy, which includes procedures for complaints, will serve to guard against inappropriate behavior and will outline a means for handling grievances should sexual misconduct occur.

II. THEOLOGICAL FOUNDATION

All persons are created by God. In the Genesis stories, as in the life, death and resurrection of Jesus, it is affirmed that we are created in the image and likeness of God. God values human life, intending all women, men and children to have worth and dignity in all relationships with God and others. God calls us into covenant with each other in God. We are one connected body, holy in Christ, created equal. Where one part of the body is injured, physically, emotionally or spiritually, the entire body is rendered less than God’s intended wholeness. We are called to use our bodies, including our sexuality, in a responsible way. Sexual misconduct of any kind violates a person’s integrity and is an unjust use of status and power, and a sinful behavior against God and one another. The United Methodist Book of Resolutions (1996, p. 481) states:

“Jesus was sent into this world that we might experience whole relationships with each other and God. ‘There is neither Jew nor Greek, there is neither slave nor free, there is neither male nor female, for you are all one in Christ Jesus’ (Galatians 3:28 RSV).”

One who repents for sinful behavior is promised forgiveness. However, discipline should be distinguished from forgiveness. A church professional guilty of sexual misconduct needs and may receive forgiveness and be offered avenues for redemption and change. And yet, the church must still take steps to protect the people of God.

III. DEFINITIONS

A. Sexual misconduct occurs when a church professional engages in sexual contact or sexualized behavior with a congregant, client, employee, student, staff member or other person (adult, teenage or child) within the professional relationship. Sexual misconduct includes sexual harassment and any form of criminal sexual conduct.

B. Sexual Harassment includes unwanted sexual advances or demands, either verbal, or physical, or by communication including electronics (i.e. computer) and may be
demeaning, humiliating, intimidating, or coercive, often resulting from exploitation of power. Sexually oriented humor or language, questions or comments about sexual behavior or preference, unwelcome or undesired physical contact, inappropriate comments about clothing or physical appearance, or repeated requests for social engagements are sexual harassment in a situation where there in an employment, mentor, or colleague relationship between the persons involved. Sexual harassment may include the development or attempted development of a sexual or romantic relationship between a church professional and a person with whom he/she has a ministerial relationship, whether or not there is apparent consent from the individual.

C. Complainant is a person who communicates a concern regarding alleged sexual misconduct.

D. Grievant is a person who submits a written allegation of sexual misconduct. A grievant may be a parent or responsible party for a minor or an adult incapable of self-reporting.

E. For the purposes of this policy, a church professional is a clergy person, deacon, or local pastor whose appointment is set by the Bishop.

IV. SEXUAL ETHICS RESPONSE TEAMS

A. The purposes of the response teams:
   1. To provide support to the complainant, the accused, and the congregation affected by allegations or incidents of sexual misconduct.
   2. To provide the complainant with a safe, non-threatening environment within the church family in which he/she can reveal allegations of sexual misconduct and receive support, compassion, and direction.
   3. To provide support, compassion, and direction for a person accused of sexual misconduct.
   4. To offer congregations affected by incidents of sexual misconduct support and recommendations regarding care and healing for their community and the individuals and families involved.
   5. To offer information about the sexual misconduct policy to persons who are referred to the support team.

B. The makeup of the response team:
   1. Twelve laity and twelve clergy (one each from each district) have been chosen to serve as our team. These team members have undergone training by professional staff from the Methodist Home for Children.
   2. When sexual misconduct takes place a team of three or more persons from the larger team will be deployed.
   3. Training on issues of sexual misconduct shall be conducted by the staff of Methodist Home for Children for all persons who serve on the sexual ethics response team.

C. Structure and Function
   1. A team may be instructed by the Bishop to respond to the needs of any or all of the following: complainant or grievant, the accused professional, the congregation.
   2. A team will:
      a. explain the procedures available within the structures of the church for dealing with the problem;
      b. offer resources and consultation to the accused professional, the complainant and/or the congregation and assist in any appropriate manner;
c. encourage the person making the allegation to keep a diary listing time, place, and nature of the offenses;

d. support the person if they choose to submit a written grievance;

e. accompany the person to meetings with the church authorities if he/she desires it.

V. PROCEDURES FOR REPORTING AND RESPONDING TO COMPLAINTS OF SEXUAL MISCONDUCT

A. Anyone who desires to discuss a concern regarding sexual misconduct may contact their pastor, another United Methodist clergy person, a district superintendent, the Bishop, or a person trained to function as a member of a Sexual Ethics Response Team.

B. Persons may contact a confidential hotline, staffed by Lighthouse services, by calling 1-800-946-2926. The information will then be relayed to the Director of Ministerial Relations for appropriate follow-up.

B. The provisions of Paragraphs 361, 362 and 2702-2714 as well as any other relevant paragraphs of THE BOOK OF DISCIPLINE (2008) shall determine the procedure.

C. When an allegation of misconduct is subject to mandatory reporting requirements by the state (as in the case of a minor or an adult incapable of self-reporting), it shall be reported to the Bishop, and to the appropriate authorities and agencies.