

Keeping Our Sacred Trust: *Sexual & Professional Misconduct Policy for Ministry Professionals*

North Carolina Conference of The United Methodist Church

Revised May 2013

I. Purpose

A church ministry professional is in a position of power and authority, which is a sacred trust to maintain an environment that is safe for people to live and grow in God's love. Church ministry professionals sometimes violate the trust given them. Sexual and professional misconduct within ministerial relationships inhibits the full and joyful participation of all in the community of God, hinders the mission of Jesus Christ, and is a betrayal of sacred trust.

Ministry professionals have the responsibility to avoid actions and words that hurt others, but also to protect the vulnerable against actions or words, that cause harm. It is both the ethical and legal responsibility of the Annual Conference to ensure that there are

procedures for making and responding to complaints in matters of sexual and professional misconduct. The North Carolina Conference will not condone or tolerate instances of sexual or professional misconduct, and is committed to procedural justice and pastoral concern through a fair process of justice making for victims and survivors, real accountability for abusers, and healing for all parties.

This policy serves to provide guidelines for the prevention of incidences of sexual or professional misconduct, and for reporting and responding to incidences of sexual or professional misconduct should they occur. (*Book of Resolutions 2012*, ¶2044).

II. Theological Foundation

We affirm that we are all created in the image of God and therefore possess sacred value, which must be respected in all relationships. We are one connected body, and when one part of the body is injured physically, emotionally, or spiritually, the whole body suffers.

Galatians 3:26-29 encourages us with these words: "you are all God's children." United Methodists support equity among all persons without regard to ethnicity, situation, or gender. We further seek

to create environments of hospitality for all persons that are free from misconduct and encourage respect, equality, and kinship with Jesus Christ.

Sexual and professional misconduct are abuses of power and authority, and are not only an act against one person, but an act against fellow ministry professionals; members in the local congregation; the church at large; and God (*Book of Resolutions 2012*, ¶2044).

III. Definitions

- A. "Sexual Misconduct within ministerial relationships is a betrayal of sacred trust. It is a continuum of unwanted sexual or gender-directed behaviors by either a lay or clergy person within a ministerial relationship.... It can include child abuse, adult sexual abuse, harassment, rape or sexual assault, sexualized verbal comments or visuals, unwelcome touching and advances, use of sexualized materials including pornography, stalking, sexual abuse of youth or those without capacity to consent, or misuse of the pastoral or ministerial position using sexualized conduct to take advantage of the vulnerability of another." (*Book of Resolutions 2012*, ¶2044). Additionally, "the use of pornography in church programs, on church premises or with church property by persons in ministerial roles (lay and clergy) is a form of sexual misconduct." (*Book of Resolutions 2012*, ¶2081, ¶2082)
- B. "Sexual Harassment is any unwanted sexual comment, advance, or demand, either verbal or physical, that 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...." (*Book of Discipline 2012*, ¶161.I). "It can create a hostile, offensive environment that can include unwanted [inappropriate] sexual jokes, repeated advances, touching, displays, or comments that insult, degrade, or sexually exploit women, men, elders, children, or youth." (*Book of Resolutions 2012*, ¶2045)
- C. A complaint is a written, signed, and dated report claiming misconduct. Reports of "Professional Misconduct" can include actions such as: abuse of pastoral authority, breach of confidentiality, funds mismanagement, dishonesty, plagiarism,

- improper dual relationships, and giving or receiving excessive or inappropriate gifts. Reports of misconduct can also be made claiming unsatisfactory performance of ministerial duties as defined in (*Book of Discipline 2012*, ¶2702.1): These can include the following offenses (subject to the statute of limitations in ¶2702.4): "(a) immorality including but not limited to, not being celibate in singleness or not faithful in a heterosexual marriage; (b) practices declared by The United Methodist Church to be incompatible with Christian teachings, including but not limited to: being a self-avowed practicing homosexual; or conducting ceremonies which celebrate homosexual unions; or performing same-sex wedding ceremonies; (c) crime; (d) disobedience to the Order and Discipline of The United Methodist Church; (e) dissemination of doctrines contrary to the established standards of doctrine of The United Methodist Church; (f) relationships and/or behavior that undermines the ministry of another pastor; (g) child abuse; (h) sexual abuse; (i) sexual misconduct or (j) harassment, including, but not limited to racial and/or sexual harassment; or (k) racial or gender discrimination."
- D. A complainant is a person who submits a written, signed, and dated complaint regarding an alleged incident of sexual or professional misconduct.
- E. A respondent is a person against whom a complaint is made.
- F. "A just resolution is one that focuses on repairing any harm to people and communities, achieving real accountability by making things right in so far as possible and bringing healing to all the parties." (*Book of Discipline 2012* ¶363)

IV. Procedures for Reporting and Responding to Complaints of Misconduct

- A. Anyone who desires to discuss a concern regarding sexual or professional misconduct may contact their pastor, another United Methodist clergyperson, a district superintendent, or the Director of Ministerial Relations.
- B. Persons may contact a confidential hotline, staffed by Lighthouse Services, by calling 1-800-946-2926. The information will be relayed to the Director of Ministerial Relations for appropriate follow-up.
- C. The two aforementioned processes are first steps toward making a formal complaint. However, in order for a complaint to be formally acted upon, it must be in writing, signed and dated by the complainant. The Report of Clergy Sexual or Professional Misconduct Form is a standardized form used for reporting concerns of clergy misconduct in writing. The form can be obtained by contacting any United Methodist clergy person, a District Superintendent, the Director of Ministerial Relations, or the form can be downloaded from the conference website at nccumc.org.
- D. 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.
- E. The provisions of ¶361, ¶362, and ¶2702-¶2714, as well as any other relevant paragraphs of *The Book Of Discipline 2012* shall determine the procedure for responding to the complaint.
- F. Legitimate complaints are encouraged and will be taken seriously. Retaliation against anyone who reports an act of ministerial misconduct in good faith will not be tolerated and will be handled through appropriate discipline. However, individuals who make false, frivolous, or malicious complaints will be held accountable.
- G. Upon receiving a written, signed and dated complaint, immediate action will be taken in accordance with the provisions of the current *Book of Discipline* of The United Methodist Church for just resolution, real accountability, and healing for all parties.
- H. The Bishop or any District Superintendent may receive or initiate complaints about the performance or character of a ministry leader. Confidentiality will be preserved, and general information will only be shared on a need to know basis. However, a certain degree of transparency is essential for the process of just resolution, real accountability, and healing for all parties.

V. Cyberspace and Social Media Guidelines

Social Media is comprised of a variety of online activity, and anything posted remains accessible, even if it has been deleted. Sexual and professional boundaries can be violated in cyberspace. Messages that contain threatening, obscene, offensive, vulgar, profane, pornographic, racist, sexist, hurtful, tactless, demeaning, libelous,

defamatory, sexually explicit, sexual innuendo, and the like, even though no hurt or harm is intended, are inappropriate. Anyone who participates in this form of misconduct is subject to discipline. Care should be taken to be wisely selective about sites visited, and messages that are posted online.

VI. Dating Between Clergy and Parishioners

The question of whether it is acceptable for a clergyperson to date a parishioner continues to be the subject of much debate. Despite varying opinions, the Judicial Council asserts that dating, romantic or sexual relationships between clergy and their parishioners “are never appropriate because of imbalance of power.” (Decision 1228). Therefore dating between clergy and their parishioners cannot be considered a situation of two consenting adults entering into a relationship.

It is an act of misconduct for a clergyperson to enter into a dating relationship with a parishioner. For the sake of maintaining healthy boundaries and preventing a betrayal of sacred trust, a clergyperson who has a genuine desire to date a parishioner must contact their District Superintendent, and in consultation with the District Superintendent, determine a reasonable course of action for discontinuing the pastor/parishioner relationship before beginning a dating relationship.

VII. Sexual and Professional Misconduct Response Teams

- A. The purposes and function of the response teams:
 1. To provide objective support, compassion, direction, just resolution, and healing for the complainant, the accused, their families, the congregation, and any others affected by allegations or incidents of sexual or professional misconduct.
 2. To provide the complainant with a safe, non-threatening environment in which he/she can reveal allegations of sexual or professional misconduct and receive support, compassion, direction, just resolution and healing.
- B. The response team members:
 1. The team is led by a coordinator and is comprised of approximately twelve members with an inclusive focus in regards to: gender, ethnicity, age, geography, lay and clergy, who may have experience in areas such as counseling and social work, and are objectively supportive and compassionate.
 2. The members of the team receive specialized training focusing on responding to incidents of sexual and professional misconduct with objectivity and compassion.
 3. When an incident of sexual or professional misconduct takes place, the coordinator will deploy team members based on the particular needs of the situation.