

**RS - 132 -A POLICY ON CLERGY SEXUAL ETHICS FOR THE NEW
ENGLAND ANNUAL CONFERENCE**

(submitted by the Board of Ordained Ministry)

(Adopted Saturday Morning, June 7, 1997)

**CLERGY SEXUAL ETHICS FOR THE NEW ENGLAND ANNUAL
CONFERENCE**

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I. INTRODUCTION

The pastoral office is a position of sacred trust and responsibility. By virtue of the trust people place in the office and the person of pastor, the office is also a position of great personal authority and power over others. Unfortunately, some persons in pastoral roles violate the sacred trust and responsibility given them. When such behavior occurs or is alleged, the Church is called to intervene and assist all persons involved, in caring and loving ways. While legal alternatives exist for persons with complaints, the Church must not ignore its responsibility to address such behavior and allegations. These guidelines deal with the specific abuse of power by those who engage in violations of professional ethics which involve sexual behavior. Such behavior, which is an abuse of power, may occur as clergy relate to laity, and as clergy relate to one another.

II. THEOLOGICAL REFLECTIONS

“As the Church of Christ, we are called to understand and receive the gospel promises in our troubled and uncertain times.” In acknowledgment of and in response to this summons, we affirm that:

1. God creates persons in the Divine image, male and female.
2. All people are equal in the eyes of God. This is true even if that equality is contradicted by the language, laws, prejudices, customs, habits and hidden assumptions of human society or the practices of the church.
3. The human body is good, a special part of the divine creation of matter. It is the temple in which the Holy Spirit dwells.
4. *"Sexuality is God's good gift to all persons. We believe persons may be fully human only when that gift is acknowledged and affirmed by themselves, the Church, and society. We call all persons to the disciplined, responsible fulfillment of themselves, others, and society in the stewardship of this gift"* The 1996 Book of Discipline (Par. 65.G).
5. Like any gift, sexuality can be abused and misused. Violation of the boundaries inherent in the pastoral relationship through sexual behavior is a sin against God, the victim, and the redemptive community. This violation:

- causes potentially serious psychological, spiritual and emotional harm to victims;
 - reveals the brokenness of the perpetrator:
 - betrays Christ and the pastoral office in that it abuses the power and authority of ministry by changing it from healing and redemption to exploitation and gratification, and tarnishes the symbol of Christ as healer and Savior; and
 - rends the local parish and the whole Body of Christ in ways which require special efforts for healing the deep wounds.
6. The open airing of differences within the community of faith has strong Biblical support.
 7. Too often the Church has avoided conflict and in so doing, has failed to do justice. While the Church is called by God to bring peace and reconciliation to a broken world, there can be no peace or reconciliation without justice.
 8. While healing can occur for victim, perpetrator and the community, it is a gift of God's grace. Our task is to facilitate that process by seeing that justice is done.
 9. The Church embraces the hope and possibility of redemption, through God's grace and by the individual's commitment to change. If a clergy person is found guilty of sexual misconduct he/she may remain in or return to full connection following rehabilitation and having met remedial requirements.

III. ASSUMPTIONS

1. Justice requires: -providing a setting in which the complainant may share her or his story and be heard with openness and compassion; providing a means by which judgment can be made as to the validity of the complaint; providing clear, consistent steps, known to all participants, which will lead to achieving justice. Such steps may include: protecting the vulnerable, calling the abuser into account by confrontation and the imposition of consequences, providing pastoral care and vindicating the victim, or the accused pastor if the complaint is deemed not valid.
2. For the purpose of this policy statement, sexual misconduct occurs when there is abuse of power through sexual contact or activity, not limited to sexual intercourse, in which a pastor abuses the vulnerability of a parishioner¹, client, church staff person, or any other person to whom the pastor has a professional relationship in his or her ministry. Therefore, any conduct which sexualizes the pastoral relationship, including but not limited to, sexual propositions or threats, suggestive actions, comments or insults, unrelenting jokes about sex or sexuality, is considered sexual misconduct because it is a violation of power and professional boundaries.
3. If there is suspicion of child sexual molestation or harassment one should make himself/herself familiar with state law and abide by it.

¹When a single pastor dates a parishioner, it is recommended that the pastor discuss with the local church PPRC or SPRC or its chair and with the dating party concerning the fact that a dating relationship significantly shifts the pastor-parishioner relationship. One implication is that if the dating relationship is terminated, for whatever reason(s), the parishioner may well feel the need to find another pastor and church. Similarly, the pastor may feel the need to seek another appointment.

4. In this policy a "complainant" is understood to be a person who submits a written and signed complaint for arbitration. While a complainant may also be an alleged victim, the Policy of the New England Conference does not assume that the complainant is an actual victim. The complainant may be other than the person against whom the alleged offense was committed. The term "victim" will be used for the person against whom the offense was committed if the accused pastor makes a confession of sexual misconduct or is proven to be guilty.
5. When sexual misconduct occurs, there are many victims: the person(s) who has been abused, the spouse(s) and families of the abused person(s), the spouse and family of the accused pastor, and the congregation(s) and the larger community surrounding them. While all these victims are not addressed by current disciplinary procedures of the United Methodist Church, all are hurt when sexual misconduct occurs. An Area Response Team of the Conference will be available to provide care for the accused pastor and family, the complainant(s) and families, as well as appropriate intervention on behalf of the congregation(s) or the larger community. When allegations of sexual misconduct are made against a pastor, the complainant(s), the alleged victim(s), and the families of the pastor, will receive sensitive and respectful care from the Area Response Team. Justice for the accused pastor will also be sought. Reasonable care will be taken to protect the privacy of the pastor, the complainant(s) and the victim(s).
6. Within the New England Conference, there will be a minimum of six Area Response Teams with a chair person for each. The teams will be divided geographically in the following ways:
 - Metro Boston North/Metro Boston South
 - Rhode Island & Southeastern Massachusetts (including the Cape Cod)
 - Northern Maine
 - Central Maine
 - Southern Maine and New Hampshire
 - Central & Western Massachusetts and Connecticut

Each team will consist of at least four persons, both lay and clergy persons. Attention shall be given to inclusiveness. Members of the Board of Ordained Ministry cannot serve on the Area Response Team. Within each team two members shall be assigned to the complainant(s) and family, one shall be assigned to the accused pastor and family, and one shall be assigned to the local congregation. These persons shall be trained in the administration of this policy and the procedures outlined in The Book of Discipline. They will also be knowledgeable of the dynamics of sexual misconduct and readied to provide care for the persons and families involved. The Board of Ordained Ministry, in consultation with the Bishop and Cabinet, will recruit all team members. Input will be sought from COSROW. Input will also be sought from the Response Team's chair persons. Nominations for new members will be cleared with the Response Team. The Board of Ordained Ministry will be responsible for the cost of training and work of the team members, and the team will be accountable to the Board of Ordained Ministry.

These assumptions provide the basis for the procedures which follow:

IV. STEPS TO TAKE WHEN A VIOLATION HAS BEEN ALLEGED

The following policy outlines the steps a complainant may take in order to bring his/her complaint “to light and seek resolution according to the procedures outlined in the Book of Discipline, 1996.”

1. Initial Steps

Anyone who feels that he/she has experienced sexual misconduct by a member of the clergy should first contact a District Superintendent and/or the Bishop. The person may also then contact a member of the Area Response Team and/or the SPRC or PPRC chair with the knowledge of a D. S. and Bishop. Team members will be on call to support the complainant(s), the accused pastor and the local congregation. If a D. S. or Bishop does not respond within 7 days, then the complainant is encouraged to contact a member of the Area Response Team.

(Members of the Pastor/Parish Committee, Lay Leaders, and other key lay persons and staff of the local church as well as District Superintendents and other Conference personnel should have a current list of Area Response Team members.)

Any D.S. receiving a report of clergy misconduct must notify and inform the Bishop of the report. The Bishop may direct the complainant to the Area Response Team.

After the allegation has been received, the complainant will be encouraged to take one or more of the following actions:

- 1) To confront the accused pastor with his/her behavior and explain why it is unacceptable.
- 2) To keep a diary listing the time, place and nature of the offenses.
- 3) To understand the procedures available within this policy and The Book of Discipline for dealing with the problem.
- 4) When appropriate, consider a referral to a professional counselor. Each Area Response Team will compile a list of these persons.

2. Filing a Written Complaint /Response of the Bishop

If a written complaint is filed by the complainant, the Bishop receives it and determines whether or not the complaint is based on allegations of one or more chargeable offenses listed in the 1996 Book of Discipline, Para. 2624.1. If so, the Bishop may respond according to Par. 358. The Bishop may utilize the Area Response Teams to assist in this process.

Suspension is not intended, nor is it to be interpreted, as punitive action toward the accused pastor; it is to be understood as a “neutral category” during which the procedures of this policy are followed according to Par. 358.1c.

The Bishop and/or a D.S. may share with the SPRC/PPRC the nature of the complaint that has been filed and the pastor’s response.

3. Refusal to File a Written Complaint

If the complainant will not file a written complaint and chooses to stop the process at that point, the team member will continue to be available to offer counsel and referral, if appropriate, until a time when either the complainant or the team member brings closure. In such cases, the Bishop and D.S. may initiate conversations with the clergy person to process credible allegations, including theological reflection, and/or make suggestions for remedial actions.

4. Response to Findings of Committee on Investigation

When a complaint is sent to the Committee on Investigation, the Committee on Investigation will process the complaint in accordance with The Book of Discipline (1996 para. 2626). It is in this process that both parties are heard, and through consensus, when possible, reach a mutually acceptable resolution.

A. If remedial action is deemed necessary by the Committee on Investigation, the Committee may recommend the following steps be taken:

- 1) A form of pastoral care may be developed for the victim. This may include:
 - a. provision for future therapy
 - b. a letter of apology by the clergyperson
- 2) Other remedial action deemed proper by the Bishop and consistent with those actions enumerated in The Book of Discipline (.1996 para. 358.3a) may be taken.
- 3) The original complaint, signed by the Bishop, and the recommended remedial requirements will be entered in the clergyperson's personal file.
- 4) The Board of Ordained Ministry through its Executive Committee will monitor the compliance of the clergyperson with the remedial requirements.

B. According to the 1996 Book of Discipline Para. 2626.3e, "If a determination is made that a complaint is not based on chargeable offenses, the committee on investigation may refer the complaint to the bishop for administrative or other action."

The Bishop's response may include:

- 1) requesting that a letter be sent by the Board of Ordained Ministry to the clergyperson, informing him/her of the determination of the Committee on Investigation. This letter will be included in the clergyperson's personal file in the Bishop's office and the District Superintendent's office.
- 2) returning the clergyperson to full responsibilities and restoring back pay;
- 3) asking the D.S. and/or team member to inform the SPRC/PPRC and facilitate healing in the local church;
- 4) asking the DS and/or team member to meet with and inform the complainant, and facilitate healing.

5. When Disclosure is Necessary

After the resolution is reached the Bishop may, for the health and protection of the local church and to assure justice, recommend that the District Superintendent share pertinent information with the PPRC or SPRC who may choose to disclose this with the members of the local congregation.

6. Subsequent Appointments

When a pastor has been found guilty of a chargeable offense, the nature of the charge and its disposition shall be shared in confidence by the District Superintendent with the PPRC or SPRC of each church to which he/she shall be subsequently appointed.

7. Withdrawal from the Annual Conference

If the clergyperson chooses to withdraw from the Annual Conference under complaint, the PPRC or SPRC of the local church should be informed by the D.S. that a complaint was filed and that the clergyperson chose to withdraw. A concise record will be entered in the clergyperson's personal file in the Bishop's office and the District Superintendent's office.

V. STRATEGIES FOR EDUCATION

1. Introduction

To enable the implementation of this policy, the Board of Ordained Ministry will appoint District Clergy Sexual Ethics Task Forces consisting of at least four persons from each District (two clergy and two lay). Attention to inclusiveness will be given. Members of the Task Force will be responsible for explaining the procedures in this policy and for providing education for clergy and laypersons on issues relating to sexual ethics. The Board of Ordained Ministry will sponsor ongoing training for the District Clergy Sexual Ethics Task Force, the Cabinet, Area Response Team members, members of the Committee on Investigation, and Camps and Conferences personnel. The above persons will meet at least once each quadrennium to review the policy and to receive further training. The Board of Ordained Ministry is responsible for monitoring the effectiveness of this policy and for recommending its revisions, with input from the aforestated groups.

2. Evaluation of Policy and its Implementation

“Each person who has been involved with the procedures of this policy is encouraged to reflect on the process and give feedback to the Board of Ordained Ministry. A formal process for evaluation is in place, persons who have feedback, concerns or questions are encouraged to contact the chair of the Continuing Education Committee of the Board of Ordained Ministry so that the evaluation can be a helpful tool.”

3. Education about the Policy

The BOM will appoint District Clergy Sexual Ethics Task Forces which will include four persons from each district (including two lay and two clergy members). Members of the Task Force will be resource people, readied to provide education about this policy. The Task Force will receive training in order to carry out its function.

In order to educate clergy and laity about this policy, the District Clergy Sexual Ethics Task Forces in co-operation with the District Superintendents will offer workshops to review the policy and provide education on prevention of sexual misconduct. Clergy attendance is mandatory. Local church PPRC's (or SPRC's) will be expected to attend these workshops in order to teach the congregation about the function of this policy. District education will include methods for presenting the issues to the congregation. Education will be ongoing.

The District Committees on Ordained Ministry, the BOM, and the mentors are charged with informing those persons who are in the process of preparation for ministry about this policy.

- a. Those seeking candidacy on the District level
- b. Those seeking Deacon's Orders and Probationary Membership into the NE Conference.
- c. Those who are Continuing Probationers
- d. Those who are seeking Elder's Orders, Permanent Deacon's Orders and Full Membership into the NE Conference
- e. Those transferring into the NE Conference
- f. Those enrolled in Local Pastor's School

4. Prevention Education

To be effective in preventing sexual misconduct, education must be a priority for the Church. Such education includes in-service training, growth in self awareness, a disciplined spiritual life and the clarification of one's relationship with community.

A. Clergy

Primary responsibility for one's spiritual growth, health and stewardship of sexuality rests with the clergyperson. Part of this responsibility is to discover people and other resources that assist in this journey.

The Cabinet is responsible for the continuing education of its members with regards to clergy ethics.

Clergy gatherings (such as Pastor's Assembly, Spiritual Life Retreat, Executive Session at Annual Conference) are opportunities for training and reflection on matters of sexuality such as boundary issues, stress management, and support systems.

Persons seeking membership in the NE Conference will demonstrate an understanding of the issue of sexuality and clergy ethics appropriate to the level that they are being examined. Such demonstration can be made through seminary courses, written work, practice of ministry or verbal dialogue with those persons on DCOM or BOM who are examining them in the ordination process.

B. Local Church

The PPRC or SPRC is charged with teaching the congregation (for example, through youth and adult education, worship, conversation) about the ethical sexual conduct in the pastor-parishioner relationship. Therefore, the PPRC or SPRC is responsible for seeking out resources, identified in Section III and utilizing resources provided by COSROW, by which it can inform itself about the dynamics of issues surrounding appropriate sexual boundaries, clergy ethics and sexual misconduct.

The Conference program agencies and personnel (for example, the District Committee On Ministry, United Methodist Women, United Methodist Men, the Conference Lay Leader and the Commission On the Status and Role Of Women) are responsible for providing continuing education for the laity about sexuality and ethics. Traditional laity gatherings such as Annual Conference, Cluster events, and Conference on the Ministry of the Laity are opportunities for such training and reflection.

GLOSSARY OF TERMS

Abuse of Power: Power resides in a position which confers status, authority and resources to accomplish goals and tasks. Power is the ability to move, sway, influence and/or control others. A failure to recognize unequal power relationships may lead to the abuse of power. Abuse of power occurs when an individual uses an office or position with its inherent status and authority in a manner which does not respect the rights of others.

Chargeable offense: See 1996 Book of Discipline Para. 2624.1

Clergy: For the purpose of this document, “clergy” refers to local pastors, associate members, probationary members, full members (Elders and Permanent Deacons), and any person appointed by the bishop or assigned by the district superintendent. All persons in any of the above categories, including those on leaves of all types, honorable or administrative location, or retirement are included in this definition.

Resolution: The goal of the complaint process is to seek resolution of complaints. Resolution is a process designed to insure that all parties are heard and that recommendations are formulated which will lead toward justice. Sexual harassment is illegal and can be prosecuted under Federal Law.

Child Protective Services: a private agency or any equivalent state agency that provides protection for children.