

SEXUAL ETHICS POLICY FOR CLERGY
of the East Ohio Annual Conference of The United Methodist Church
Statement of Policy

Clergy of the East Ohio Conference of The United Methodist Church shall not engage in clergy sexual misconduct, sexual abuse, or sexual harassment.

THEOLOGICAL FOUNDATION

All human beings, male and female, are created in the image of God, and have been made of equal value in Christ. From the beginning God intended us to live out our equality in relation with one another. Jesus was sent into this world that we might experience whole relationships with each other and God. “There is no longer Jew or Greek, there is no longer slave or free, there is no longer male and female; for all of you are one in Christ Jesus.” (Galatians 3:28, NRSV)

Definitions

1. Clergy: Clergy membership of the East Ohio Conference consists of Deacons and Elders in full connection, probationary members, permanent deacons, associate members, local pastors, affiliate members, and retired members within the meaning of Paragraph 602.1 of the 2008 Book of Discipline of The United Methodist Church.
2. Clergy Sexual Misconduct: Clergy sexual misconduct occurs whenever a clergy person initiates or allows any sexual contact or behavior with a person with whom he or she has a clergy relationship and includes but is not limited to sexual abuse and sexual harassment. This includes the chargeable offenses listed in Paragraph 2702 of the 2008 Book of Discipline of The United Methodist Church.
3. Sexual Abuse: Sexual Abuse is an actual or attempted sexual invasion of the body by force and without full consent. Sexual abuse is any of but not limited to the following: rape, sexual assault (a forced sexual act against one’s will), incest, indecent exposure, statutory rape, involuntary, voluntary or deviant sexual intercourse with a child, promotion of prostitution, pornography with children, indecent assault, and aggravated indecent assault.
4. Sexual Harassment: Sexual harassment is any sexually related behavior that is unwanted, offensive or which fails to respect the rights of others. This behavior includes any unwelcome sexual advance, request for sexual favor or relationship and other verbal, nonverbal or physical conduct of a sexual nature that creates an intimidating, hostile or offensive environment and/or which is based on gender discrimination and/or perceived by the recipient as demeaning, intimidating or coercive.

IMPLEMENTATION OF POLICY

Clergy, church employees, and local churches of the Annual Conference will receive a copy of this policy printed in Volume II of the East Ohio Conference Journal. Mediation will be available from the Bishop and the District Superintendents. A workshop/continuing education event will be provided by the Board of Ordained Ministry. Please see APPENDICES.

Making a Complaint

A complaint about any clergy person in violation of this policy may be made to any District Superintendent, or the Bishop. A complaint against a clergy person, which involves a child under the age of 18 must also be reported to the nearest agency charged with child protection. All complaints will be dealt with promptly

and in confidence according to Paragraph 361 of the 2008 Book of Discipline of The United Methodist Church. Persons who report misconduct or file a complaint must not be subject to retaliation. Persons who have knowledge of alleged misconduct are expected to come forward. Persons who knowingly give false information or reports will be disciplined. All investigations of clergy will be conducted according to Paragraphs 2701-2706 of the 2008 Book of Discipline of The United Methodist Church.

APPENDICES TO SEXUAL ETHICS POLICY FOR CLERGY
of the East Ohio Annual Conference
of The United Methodist Church

Further Definitions

Clergy Relationship - A clergy relationship exists between a clergy person and any other person (i) when the other person is a parishioner of a congregation to which that clergy person was previously or is currently appointed, (ii) when the other person is supervised by, is a colleague with or receives ministry from a clergy person serving in any function for which he or she was ordained, licensed, hired or approved by the Annual Conference or its representatives, (iii) when a clergy person uses the authority of the clergy office or role in establishing a relationship with the other person, and (iv) when the other person is a member of a community which recognizes the authority of the clergy person as a person in ministry (i.e. extension ministry appointments and honorable location, retirement, leaves of absence and other situations in which a clergy person serves a community other than a local congregation).

Clergy Sexual Misconduct - Clergy sexual misconduct must be understood primarily as an issue of the abuse of the power, trust, and status inherently present in any clergy relationship rather than an issue of the sexual morality of an individual clergy person. An inherent imbalance of power exists in any clergy relationship simply through the clergy role and totally separate from the clergy person's character, personality and style of ministry. A similar imbalance of power can also exist when one clergy supervises another clergy. The same sacred trust inherent in ordination, consecration and licensing that makes effective ministry possible leaves persons in clergy relationships open and vulnerable. This predisposes those persons to believe that clergy will act only in ways that will contribute to their well-being. The only appropriate and acceptable clergy response to the trust and power given to clergy through their role is ministry to the emotional, spiritual and temporal needs of those who come to them for help.

Clergy Sexual Misconduct In Context of Single Clergy Romantic

Relationship - A single clergy person engaging in a romantic relationship with a single person with whom he or she has a clergy relationship does not necessarily commit sexual misconduct. The clergy person must be aware of the inherent imbalance of power that he or she has in this type of clergy relationship and take full responsibility for the related potential for harm. A single clergy person entering into this type of relationship bears the burden of demonstrating that there has been no exploitation in the relationship, in light of all relevant factors, including the personal history and mental status of the other person and the likelihood of an adverse impact on the person or on others. A clergy person should refrain from entering into a romantic relationship with a person with whom he or she currently has a pastoral counseling relationship. Should a pastoral counseling need arise for a person with whom the clergy person is romantically involved, that clergy person would make recommendations of two or three choices for pastoral or other professional counselors. Neither shall a single clergy person enter into a romantic relationship with a person whom he or she has had a pastoral counseling relationship for at least two years after cessation or termination of the pastoral counseling (consistent with the American Psychological Association Code of Ethics of 1992). The clergy person who engages in such activity after the two years following cessation or termination of the pastoral counseling

relationship bears the burden of demonstration that there has been no exploitation, in light of all relevant factors, including the amount of time that has passed since the pastoral counseling relationship terminated, the nature and duration of the pastoral counseling, the circumstances of termination, the personal history of the counselee and others and any statements or actions made by the clergy person during the course of the pastoral counseling suggesting or inviting the possibility of a post-termination romantic relationship with the counselee.

Pastoral Counseling - Pastoral counseling is the special dimension of ministry in which a clergy person utilizes a variety of counseling perspectives and techniques to help people handle their problems and crises and thus work toward healing. A pastoral counseling relationship begins at the point that the clergy person and the person or persons seeking pastoral counseling explicitly agree to enter into a relationship wherein it is understood that the clergy person will apply special skills to assist the other person or persons in resolution of problems or crises.

Sexual Harassment - (further definition) Sexual harassment can consist of a single intense or severe act or of multiple persistent or pervasive acts. There are many possible scenarios in sexual harassment situations. Each situation must be evaluated on a case-by-case basis. Types of unwanted conduct that constitute sexual harassment as listed by the Equal Employment Opportunity Commission include (but are not limited to):

1. Unsolicited and unnecessary touching, pinching, patting or closeness.
2. Sexist remarks about a person's body or clothing.
3. Sexually degrading words to describe a person.
4. Repeated propositions or explicit demands for sexual activity.
5. Sexually suggestive pictures or objects in the work place or gathering place for the group or activity.
6. Judging a person by looks or body instead of ability.
7. Unsolicited suggestive looks or leers.
8. Unsolicited attempt to fondle or kiss.
9. Unsolicited sexual comments, teasing or telling of jokes with sexual context.
10. Unsolicited letters, calls or materials of a sexual nature.
11. Offer to use influence in return for sexual favor.

NOTE:

The above definitions are provided solely for the purpose of this **SEXUAL ETHICS POLICY**. The definitions do not create any chargeable offenses pursuant to The Book of Discipline of The United Methodist Church. This policy does not sanction any conduct, which may constitute a chargeable offense pursuant to The Book of Discipline of The United Methodist Church.

Theological Reflections

Affirmations

Our relationship with and knowledge of God guides and illuminates our reflections on human sexual behavior. We affirm that:

- God created us as embodied sexual beings, male and female; there is no dichotomy between body and spirit—our selves are not separate from our bodies (see Genesis 2:18-25).

- God calls us to honor our bodies and gives us responsibility over our own bodies (see I Corinthians 6:12-20).
- God calls us to honor the integrity of our neighbors, and their authority over their own personhood (see Deuteronomy 22:25-30).
- God calls us into covenant with each other within the family of God (see Deuteronomy 14:1-2; Ephesians 4:14-16).
- Christ taught, “You shall love your neighbor as yourself.” (Matthew 22:39, NRSV)
- God, through the church, calls leaders (whether ordained, consecrated, elected or appointed) to witness to the preciousness of bodies, our own and others;, and to declare that each person is unique and of divine worth (see I Corinthians 6:19-20; Ephesians 4:1).
- In light of these understandings, when we honor the complete integrity of another, we honor and remember the Body of Christ.

Alienation/Confession

We sometimes make willful choices that violate our covenantal relationships, victimize others, and alienate us from God, others, and our best selves. The story of Jesus’ temptation to misuse power (see Luke 4:1-13) reminds us of our own temptation to covet or employ unjust power which harms the fragile covenant relationship within ministry, church and community. When sexual misconduct violates community among persons within the church, brokenness is our common plight, and none is spared its suffering—“If one member suffers, all suffer together with it.” (I Corinthians 12:26a, NRSV) God calls us to humility and repentance in order to gain “a new heart and a new spirit” (Ezekiel 18:30-32, NRSV; Matthew 18:1-5)

Redemption/Wholeness

For the abused, God came in Christ to proclaim wholeness through loving acceptance by empowering the powerless as Christ helps them name the oppressors and claim the healing that comes through justice (see Luke 13:11-13; John 9:1-7).

For the abusers, many of whom were also abused, God provides forgiving and healing power. When they confess their woundedness, and their own abusive actions, accept consequences while taking responsibility for their abuse and, in repentance, pursue reconciliation (see Mark 2:17b; Luke 18:13).

As Christ’s body, through God’s grace, the church is entrusted with the ministry of naming the woundedness and abuse, vindicating the oppressed and reconciling community (see Matthew 18:15-18; II Corinthians 5:18-20).

Suggested Methods of Dealing with Allegations of a Breach of Clergy Sexual Ethics

- I. Incidents Involving Children under 18 Years Old
(For the purposes of this section, sexual misconduct includes all forms of sexual misconduct except sexual harassment and gender harassment.)
 - A. If any incident of sexual misconduct is known or suspected to have occurred involving clergy and a person under the age of 18, the nearest agency or authority charged with child

protection must be contacted immediately and a report given. This report is mandatory as outlined by the Ohio Child Abuse Reporting Law Section 2151.031.

- B. Do not confront or discuss the incident with the alleged perpetrator.
 - C. Contact the District Superintendent or other church authority to inform them of the report that you have made.
- II. Clergy Sexual Misconduct Against Persons 18 Years Old or Older (For purposes of this section, sexual misconduct includes all forms of sexual misconduct except sexual harassment and gender harassment.)
- A. If a clergy commits an act of sexual misconduct against you:
 - 1. Contact the Bishop or a district superintendent who will act according to his/her responsibility as outlined in Paragraph 359.1 of the 2000 Book of Discipline of The United Methodist Church. In addition, the bishop or district superintendent may include third parties for mediation and consultation.
 - 2. It is advisable to keep a journal which documents all incidents in question, including conversation and contacts with the person, dates, times, witnesses and descriptions of the incidents.
 - 3. When the alleged conduct constitutes a criminal act, report it to the police.
 - B. If you are accused of sexual misconduct:
 - 1. Listen objectively when confronted with behaviors that have caused discomfort or harm to another, whether intended or not, and be open to ways that your behavior can change.
 - 2. It is advisable to keep a journal which documents all incidents in question, including conversations and contacts with the person, dates, times, witnesses and descriptions of all incidents.
 - C. If sexual misconduct is reported by complainant to you as Clergy, Deacon, Christian Education Director, Diaconal Minister, Staff-Parish Relations Committee Chairperson:
 - 1. Listen objectively and take it seriously with due consideration and sensitivity given to the safety and emotional needs of the complainant.
 - 2. Make certain the complainant is aware of the East Ohio Annual Conference's Sexual Ethics Policy and his or her option to report the incident. Affirm with the complainant the decision to participate in reporting the incident(s) is in the hands of the complainant. The person hearing the report should resist making decisions for or attempting to influence the complainant.
 - 3. Alleged sexual misconduct is reported to the district superintendent. If the alleged perpetrator is the district

superintendent, contact the bishop. If it is the bishop, contact the Council of Bishops.

- III. Sexual Harassment and Gender Harassment
- A. If you are sexually harassed or gender harassed by a clergy:
1. It is advisable to keep a journal which documents all incidents of sexual or gender harassment including dates, times, witnesses and descriptions of the incidents. If you receive any written letters, cards, or memos of a suggestive nature from the harasser, it is advisable to keep them, noting the date received and how received (mailed to your home, left on your desk, etc.)
 2. If you choose, confront the alleged harasser before taking official action.
 - a. Tell the alleged harasser firmly and clearly what behavior is not acceptable to you. If you choose, take another person with you for support. Be as specific as possible. This action, in many cases, will be sufficient (see attached Exhibit A); or
 - b. Contact the alleged harasser in writing. Clearly state what behavior(s) and action(s) are not acceptable to you, or
 - c. Contact another pastor or supervisor and ask them to talk with the alleged harasser. Clearly state what behavior(s) and action(s) are not acceptable to you.
 3. If you choose not to confront the alleged harasser, contact a district superintendent. See the list of District Offices.
- B. If you are accused of sexual harassment:
1. Listen objectively when confronted with behaviors that have caused discomfort or harm to another, whether intended or not, and be open to ways your behavior can change.
 2. It is advisable to keep a journal which documents all incidents in question, including conversations and contacts with the person who confronts your behavior, dates, times, witnesses and descriptions of the incidents.
 3. If there is no one-on-one resolution you may contact a district superintendent.
- C. If acts of sexual harassment or gender harassment are reported by complainant to you as Pastor, Deacon, Christian Education Director, Diaconal Minister, Staff-Parish Relations Committee Chairperson:
1. Listen objectively and take it seriously with due consideration given to the safety and emotional needs of the complainant.
 2. Give complainant the East Ohio Annual Conference's Sexual Ethics Policy and review with her or him the option to report the incident to the district superintendent.
 3. If you are a district superintendent or in a supervisory position (such as senior pastor) and you are aware that an employee or clergy person is being harassed by another

employee, clergy person or even a non-employee, you are legally required by 29 Code of Federal Regulations 1604.11 paragraphs “d” and “e” to take immediate and appropriate corrective action.

Statute of Limitations

Limitations of claims for sexual misconduct apply only to the extent that the behavior in question was one listed in The Book of Discipline of The United Methodist Church in effect at the time the behavior took place. A person may be charged with an offense only if it was a chargeable offense in The Book of Discipline of The United Methodist Church in effect at the time the action was committed. The applicable limitation periods for sexual misconduct and sexual or gender harassment may be found in paragraphs 359.1.a).(1), 413.3a, and 2702.4 of the 2000 Book of Discipline of The United Methodist Church.

District Offices:

Canal (330) 252-0299	Ohio Valley (740) 264-1601
Firelands (419) 668-6115	Southern Hills (740) 425-4355
Mahoning Valley (330) 270-3400	Three Rivers (740) 622-8880
Mid-Ohio (419) 522-3881	Tuscarawas (330) 492-7817
North Coast (216) 441-4527	Western Reserve (440) 352-2083