

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

Baltimore-Washington Conference of the United Methodist Church

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I. Purpose

A church ministry professional is in a position of power and authority, which entails 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. Professional and sexual misconduct within ministerial relationships inhibits the full and joyful participation of all in the community of God, hinders the mission of Jesus Christ, harms individuals, families, and churches, and is a betrayal of that sacred trust.

Each ministry leader has the responsibility to avoid actions and words that hurt others, and also to protect the vulnerable against actions or words that cause harm. It is both the ethical and the legal responsibility of the Annual Conference to ensure that there are procedures in place for making and responding to complaints of professional or sexual misconduct. The Baltimore-Washington Conference does not condone or tolerate instances of professional or sexual misconduct. As a conference we are committed to procedural integrity and pastoral care through a fair process of justice-making for victims and survivors, accountability for abusers, and healing for all parties.

This policy seeks to mitigate instances of sexual misconduct among or by those assigned or appointed to serve in positions of pastoral leadership by providing resources for clarity, accountability, and training on issues of sexual misconduct; along with guidelines for responding to incidents of misconduct, should they occur. This policy does not supplant the formal complaint process and its attendant fair process protection as found in the *2016 Book of Discipline*. Rather the policy stands alongside it, to ensure the deepest clarity of definitions, expectations, and processes.

II. Theological Foundation

Every human being is created in the image of God and therefore possesses sacred worth, 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. (I Corinthians 12:12-26)

Galatians 3:26-29 reminds us that we are all God's children. United Methodists "support equity among persons without regard to ethnicity, situation, gender," or age. (§ 2044, *2016 Book of Resolutions*) We further seek to create environments of hospitality in which persons are shown and schooled in respect, equality and the kinship of Jesus Christ while also protected from misconduct.

Professional and sexual misconduct are abuses of power and authority. Such abuses 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.

III. Definitions

A. Ministry Leaders: Ministry leaders are defined in our context as those persons who have been entrusted with authority within a congregation or faith community and its facilities by virtue of being appointed or assigned by the Baltimore-Washington Conference, or being employed or elected by the local church or faith community. (§ 2044, *2016 Book of Resolutions*).

- B. Sexual misconduct: “Sexual misconduct within ministerial relationships is a betrayal of sacred trust. It is a continuum of sexual or gender-directed behaviors by either a lay or clergy person within a ministerial relationship (paid or unpaid). It can include child abuse, adult sexual abuse, harassment, rape or sexual assault, sexualized verbal comments or visuals, unwelcome touching and advances, the use of sexualized materials including pornography, stalking, sexual abuse of youth or those without the capacity to consent, or the misuse of the pastoral or ministerial position using sexualized conduct to take advantage of the vulnerability of another” (§2044, *2016 Book of Resolutions*).
- C. Sexual Harassment: We define sexual harassment as 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” (§161.J, *2016 Book of Discipline*) Sexual harassment “can create a hostile, offensive environment that can include unwanted sexual jokes, repeated advances, touching, or comments that insult, degrade or sexually exploit women, men, elders, children, or youth” which “alters the conditions of employment or volunteer work or unreasonably interferes with the employee or volunteer’s performance” (§ 2-45, *2016 Book of Resolutions*).
- D. Complaint: A complaint is a written, signed, and dated report claiming misconduct, as defined in §2702.1 (clergy) or §2702.3 (laity) of the 2016 Book of Discipline, received by the Bishop (§362).
- E. Complainant: A complainant is a person who submits a written, signed, and dated complaint regarding an alleged incident of sexual or professional misconduct.
- F. Respondent: A respondent is a person against whom a complaint is made.
- G. Just Resolution: The complaint procedures in §362 “may include a process that seeks a just resolution.” “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.” (§362, *2016 Book of Discipline*).

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 clergy person or, a District Superintendent. The contact information for District Superintendents may be found at www.bwcumc.org.
- B. Persons may contact a confidential hotline staffed by the General Commission on the Status and Role of Women for additional information or support. COSROW hotline: 1- 800-523-8390.
- C. The two aforementioned processes are first steps toward making a formal complaint. The Report of Ministry Leader Sexual or Professional Misconduct Form is a standardized form that can be used for reporting concerns to the Bishop about misconduct in writing. The form can be obtained by contacting a District Superintendent or downloaded from the conference website at bwcumc.org.
- D. When an allegation of misconduct is subject to mandatory reporting requirements by the state (as can be the case with a minor or an adult incapable of self-reporting), it shall be reported to the Bishop and to the appropriate authorities and agencies. All persons serving as pastoral leaders are responsible for knowing the reporting requirements in the area where they serve.

- E. The provisions of ¶361, 362, 363, and 2701-2719 of the 2016 Book of Discipline (as well as any other relevant paragraphs) shall determine the procedure for responding to the complaint.
- F. Legitimate complaints are encouraged and will be taken seriously. Retaliation against anyone who in good faith reports an act of ministerial misconduct will not be tolerated and will be handled through appropriate discipline. However, individuals who make false, frivolous, or malicious complaints will be held accountable. Immunity from prosecution of participants in administrative or judicial processes is described in ¶361.3 and ¶2701.4d of the *2016 Book of Discipline*.
- 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* 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 (¶362.a, *2016 Book of Discipline*). 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 activities 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 harm or hurt 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 Judicial Council asserts that dating, romantic or sexual relationships between clergy and their parishioners “are never appropriate because of the 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, and 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:

Bishops or their designees may deploy a Response Team whenever a congregation experiences a trauma. Response Team ministry provides a way for judicatory leaders to enable effective assessment, intervention, training and resourcing of congregations experiencing events affecting congregational health by enlisting a group of persons who training, expertise, and resources in specific areas of ministry. A Response Team is implemented to support and facilitate the healing of all parties. The Response Team is not called to any judicial or Disciplinary processes for legal resolution of a situation.

VIII. Training and Other Requirements

- A. Per the *Book of Resolutions*, all United Methodist clergy are required to receive up-to-date ethics training regularly (§2044, *2016 Book of Resolutions*). The Baltimore-Washington Conference requires all appointed ministerial professionals to complete official/approved training on professional boundaries and sexual ethics every appointive year, covering topics which may include identifying sexual misconduct, techniques for maintaining appropriate boundaries, and ways to keep one's self and congregation safe. At least one training during the quadrennium must be completed in an interactive model either in-person or via an interactive platform such as Zoom. The others may be completed through a self-led online course. A current list of possible trainings will be maintained and available at www.bwcumc.org/resources/safe-sanctuaries. All transfers and candidates for ministry are required to complete these trainings prior to commissioning, appointment, or assignment, whichever comes first. Compliance with these trainings is a condition of employment or ministerial appointment.
- B. In order to ensure equitable access to trainings for all ministry leaders, funding for training may be made available through the Ministerial Education Funds (MEF) up to \$100 per year.
- C. The well-being of ministry leaders is of utmost importance. To care wholistically for leaders in a manner that seeks to be supportive and restorative, a ministry leader shall complete a background check every five (5) years that includes a federal criminal background check. Any concerns arising from a background report are to be sent to the Episcopal Office to determine a course of action. In addition, it is understood that any programs or activities within any ministry site that engage with vulnerable populations shall comply with all state and local standards for criminal background checks.
- D. Reporting of completed trainings will be required on an annual basis through church conference forms.

This policy will be readily available for all those in ministerial positions in the Baltimore Washington Conference at www.bwcumc.org.