

## Policy

### Sexual Ethics Policy for Church Professionals of the Kansas West Conference of the United Methodist Church

#### Statement of Policy

Church Professionals of the Kansas West Conference shall not engage in sexual abuse, sexual harassment or sexual misconduct.

#### Theological Foundation

All persons are created by God. God intends all persons to have worth and dignity in their relationships. We are one connected body, and when one part of the body is injured physically, emotionally or spiritually, the entire body is rendered less than God intended. Misconduct of a sexual nature of any kind violates a person's wholeness and is an unjust use of status and power and a sinful behavior against God and one another.

The Scripture witnesses to a God who brings about justice, mercy and grace. The Church is called to express God's love in concrete actions of compassion and healing for all God's people.

#### Definitions

1. **1. Sexual Abuse:** Sexual abuse means unwanted physical conduct of a sexual nature, sexual contact or sexualized behavior and may include, by example, touching, fondling, other physical contact and sexual relations.
2. **Sexual Harassment:** Sexual harassment is any unwanted sexual 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. Sexual harassment includes, but is not limited to, the creation of a hostile or abusive working environment resulting from discrimination on the basis of gender.
3. **Sexual Misconduct:** Sexual misconduct means a chargeable offense within the meaning of Paragraph 2702 of the *Book of Discipline*.
4. **Church Professional:** A Church Professional shall include Full, Associate and Probationary ministerial members of the Annual Conference, ordained deacons and elders, diaconal ministers and local pastors, in both the effective and retired relationships, and other persons serving the Conference or any local church under appointment of the Bishop or under the supervision of the District Superintendent, including persons keeping their membership in another annual conference or in another denomination and persons holding orders issued by these annual conferences while on Honorable or Administrative Location.

#### Implementation

Church Professionals, employees, and local churches of the Annual Conference shall be provided a copy of this policy and shall receive training information to assist in the understanding and implementation of this policy.

#### Making a Complaint

Persons who have knowledge of possible violations of this policy by a Church Professional may report the same to any Church Professional, any District Superintendent, or the Bishop. Upon any complaint, the Conference will take action in accordance with the provisions of the current *Book of Discipline* of The United Methodist Church.

### Sexual Ethics Policy for Lay Employees and Volunteers of the Kansas West Conference of the United Methodist Church

#### Statement of Policy

Lay Employees and Volunteers of the Kansas West Conference shall not engage in sexual abuse or sexual harassment.

#### Theological Foundation

All persons are created by God. God intends all persons to have worth and dignity in their relationships. We are one connected body, and when one part of the body is injured physically, emotionally or

spiritually, the entire body is rendered less than God intended. Misconduct of a sexual nature of any kind violates a person's wholeness and is an unjust use of status and power and a sinful behavior against God and one another.

The Scripture witnesses to a God who brings about justice, mercy and grace. The Church is called to express God's love in concrete actions of compassion and healing for all God's people.

#### Definitions

1. **Sexual Abuse:** Sexual abuse means unwanted physical conduct of a sexual nature, sexual contact or sexualized behavior and may include, by example, touching, fondling, other physical contact and sexual relations.
2. **Sexual Harassment:** Sexual harassment is any unwanted sexual 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. Sexual harassment includes, but is not limited to, the creation of a hostile or abusive working environment resulting from discrimination on the basis of gender.
3. **Sexual Misconduct:** Sexual misconduct means a chargeable offense within the meaning of Paragraph 2702 of the *Book of Discipline*.

#### Implementation

Lay Employees and Volunteers of the Annual Conference shall be provided a copy of this policy and shall receive training information to assist in the understanding and implementation of this policy.

#### Making a Complaint

Persons who have knowledge of a possible violation of this policy by a Lay Employee or Volunteer may report the same to a clergy person, any District Superintendent or the Bishop. Upon any complaint, the Conference will investigate, consider any response, and take action to seek justice.

## **Kansas West Annual Conference Policy for the Protection of Children, Youth and Developmentally Disabled Adult Dependent Persons**

*As modified by Kansas West Focus Team to meet Sexual Ethics policy*

*February 2009*

#### PREFACE

*"...Jesus called the children to him and said, 'Let the children come to me, and do not stop them; for it is to such as these that the kingdom of God belongs. I tell you solemnly, anyone who does not welcome the kingdom of God like a child will never enter it.'" Luke 18: 16-17*

The innocence of children is what best enables them to seek out God with fearless enthusiasm. That innocence is also what leaves them most vulnerable to abuse. The Kansas West Annual Conference of The United Methodist Church recognizes that any abuse – physical, sexual or emotional – against any person is destructive to his/her development and well-being and most especially to a child, a youth or a developmentally disabled adult dependent person. Abuse of any kind violates a person's wholeness and is an unjust use of status and power, and a sinful behavior against God and one another. Therefore, The Kansas West Annual Conference of the United Methodist Church is determined to minimize the risk of abuse to participants in activities of the Kansas West Annual Conference and of its districts. Further we are called to be ministers of healing and wholeness in the midst of the brokenness that is caused by abuse. To that end we covenant to act justly in the interest of those who have been affected by abuse.

#### STATEMENT OF POLICY

No staff person involved in any event sponsored by the Kansas West Annual Conference of the United Methodist Church or any of its districts shall engage in physical abuse, sexual abuse or sexual harassment of any child, youth, or developmentally disabled dependent person. For purposes of this policy, any person under the age of 18 shall be considered a child or youth. Furthermore, each local church is encouraged to adopt a similar policy for local personnel and events.

#### **PURPOSE**

Our purpose for establishing this Policy for the Protection of Children, Youth and Developmentally Disabled Adult Dependent Persons is to demonstrate our absolute and unwavering commitment to the physical, sexual and emotional safety of all our children, youth, and developmentally disabled adults, as well as to their spiritual growth. This policy is not intended to supplant or replace the Sexual Ethics Policy for the Church Professionals of the Kansas West Annual Conference of the United Methodist Church or the Sexual Ethics Policy for the Lay Employees and Volunteers of the Kansas West Annual Conference of the United Methodist Church, which remain in full force and effect.

1. **PHYSICAL ABUSE** – Physical abuse is any deliberate act or omission of an act that inflicts bodily harm to a person. Physical abuse may result from punishment that is overly punitive or inappropriate to the individual’s age or condition.
2. **SEXUAL ABUSE** – Sexual abuse means physical conduct of a sexual nature, sexual contact, or sexualized behavior, and includes, for example: touching, fondling, sexual intercourse and other exploitation or use of another person for purposes of sexual desires.
3. **SEXUAL HARASSMENT** – Sexual harassment is any sexual 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. Sexual harassment includes, but is not limited to, the creation of a hostile or abusive working environment resulting from discrimination on the basis of gender.
4. **SEXUAL MISCONDUCT** – Sexual misconduct means a chargeable offense within the meaning of the *Book of Discipline*.
5. **STAFF PERSON** – Staff person means all persons, volunteer or paid, lay or clergy, (including all church professionals, as defined below), who have any direct or indirect contact with children and/or youth and/or developmentally disabled adult dependent persons who are participating in any activities or events sponsored by the Kansas West Annual Conference of the United Methodist Church and its districts.
6. **CHURCH PROFESSIONAL** – Church Professional means Full, Associate and Probationary ministerial members of the Annual Conference, ordained deacons and elders, diaconal ministers and local pastors, in both the effective and retired relationships, and other persons serving the Conference or any local church under appointment of the Bishop or under the supervision of the District Superintendent, including persons keeping their membership in another annual conference or in another denomination and persons holding orders issued by these annual conferences while on Honorable or Administrative Location.

#### **IMPLEMENTATION**

All staff persons shall be provided a copy of this policy and shall receive training to assist them in the understanding and implementation of this policy, including boundary awareness training, before they are authorized to work with youth, children, or developmentally disabled dependent persons at Conference or District events. The Kansas West Annual Conference will take reasonable steps to screen all prospective staff persons by utilizing background checks with the Kansas Bureau of Investigation, the Kansas Department of Social and Rehabilitation Services, and/or other appropriate law enforcement agencies, and by conducting periodic updated background checks not less than once every five years.

#### **REPORTING**

When an incident of abuse occurs, the protection of children, youth, and adults with developmental disabilities must be paramount. Except when necessary to protect confessional confidences imparted to a church professional, any person having a reasonable basis to suspect that a developmentally disabled person or a child or youth under age 18 has been abused shall promptly report it to the staff person in charge of the event (“event director”) and to the Kansas Department of Social and Rehabilitation Services, at **1-800-922-5330**. The event director shall take reasonable steps to protect abused persons and others from further harm, which may include removing the person accused from the site of the event, and/or suspending such person from working with children, youth, or persons with developmental disabilities, pending further investigation.

### **MAKING A COMPLAINT**

Persons who have knowledge of a possible violation of this policy by any staff persons, volunteer or paid, lay or clergy may report the same to any church professional, any District Superintendent or the Bishop. Upon any complaint against a church professional, the Conference will take action in accordance with the provisions of the current *Book of Discipline* of the United Methodist Church. Upon any complaint against a lay person, the Conference will investigate, consider any response and take action to seek justice.

### **CONCLUSION**

In all of our ministries with children, youth and developmentally disabled adult dependent persons, the Kansas West Conference of the United Methodist Church is committed to demonstrating the love of Jesus Christ so that all children, youth and developmentally disabled adult dependent persons will be "surrounded by steadfast love, ...established in the faith, and confirmed and strengthened in the way that leads to life eternal" (from "Congregational Pledge 2," "Baptismal Covenant II," in The United Methodist Hymnal, page 44).

## **Sexual Ethics Policy for Professing Members of the Kansas West Annual Conference:**

### **Regarding harassment of clergy appointed to the local church**

*October 2009*

#### **Statement of Policy**

A Professing Member of the Kansas WEST Conference of the United Methodist Church shall not engage in harassment, including but not limited to sexual harassment (paragraph 2702.3) of clergy.

#### **Theological Foundation**

All persons are created by God. God intends all persons to have worth and dignity in their relationships. We are one connected body, and when one part of the body is injured physically, emotionally or spiritually, the entire body is rendered less than God intended. Misconduct of a sexual nature of any kind violates a person's wholeness and is an unjust use of status and power and a sinful behavior against God and one another. The Scripture witnesses to a God who brings about justice, mercy and grace. The Church is called to express God's love in concrete actions of compassion and healing for all God's people.

#### **Definition**

1. **Sexual Harassment:** Sexual harassment is any unwanted sexual advance or demand, verbal or physical, including e-mail, texting, and social networking sites that are 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. Sexual harassment of clergy includes, but is not limited to, the creation of a hostile or abusive environment which undermines the ministry of the clergy person serving within the appointment. (2008 Book of Discipline, paragraph 2702.3)
2. **Power:** While clergy are generally considered to be in positions of power there are situations in which professing members of a church have the power to create a hostile or abusive environment which undermines the ministry of the clergy person serving within the appointment to the local church.
3. **Sexual Abuse:** Sexual abuse means unwanted physical conduct of a sexual nature, sexual contact or sexualized behavior and may include, by example, touching, fondling, other physical contact and sexual relations.
4. **Sexual Misconduct:** Sexual misconduct means a chargeable offense within the meaning of The Book of Discipline.

#### **Making a Complaint**

Clergy and other persons who have knowledge of a possible violation of this policy by a Professing Member may report the same to the chairperson of Staff/Pastor Parish Relations Committee and District Superintendent. Upon receipt of any complaint, the church will investigate, consider any response, and take action to seek a just resolution.

## **Procedures for Reporting, Investigating, and Resolving Violations of this Policy**

The clergy person who feels they have been the recipient of sexual harassment is encouraged to use the following procedures. If the offending behavior and complaint is sexual abuse or sexual misconduct then the immediate procedure is a formal complaint as outlined in the Book of Discipline paragraph 2703.4. Because sexual harassment is subjective and often varies according to people with differing levels of sensitivity it is important to resolve complaints confidentially and, if possible, informally.

### **Initial Resolution Process**

1. A clergy person needs to know his/her level of tolerance and what behavior is unacceptable.
2. A clergy person should respond immediately and clearly to the harasser that such behavior is unwelcome and uncomfortable
3. If the behavior continues:
  - a. Avoid being alone with the harasser
  - b. Keep accurate records of the harassing behavior
  - c. Contact the Chair of the Staff Parish Relations Committee
  - d. Notify the District Superintendent to begin the informal process for complaint resolution
4. The District Superintendent will contact the Kansas WEST Conference Consultant who will meet with the chair of SPRC to guide the informal process and offer advisors to both the accused and the complainant.

### **Informal Resolution Process**

1. After meeting with the Conference Consultant the chair of SPRC (or a person designated) and two other members of the SPRC will form the intervention team and will meet separately with the clergy person and with the accused. The purpose of the meeting is to:
  - a. Determine if the complaint is valid or a miscommunication and a misunderstanding.
  - b. Ask the accused to make an appropriate written statement to the clergy person. The written response may include explanation of the behavior resulting in a misperception of intent, an apology, and a promise not to repeat the behavior.
2. If the clergy person finds the response satisfactory then the complaint will be considered as resolved and the District Superintendent will be notified of the result.
3. If the response of the accused is not satisfactory or the accused refuses to respond, then the complaint will move to the formal process and the District Superintendent and Staff Parish Relations Committee will be notified that a formal process of complaint has been initiated. At any point during the informal process the clergy person, the accused or the SPRC committee may request in writing to the District Superintendent a formal resolution process.

### **Formal Resolution Process**

1. If the District Superintendent determines that the process outlined above has been followed and the complaint is not resolved, then the District Superintendent will appoint a committee on investigation according to paragraph 2703.4 in the 2008 Book of Discipline.
2. The final decision of the committee will be communicated in writing to the clergy person, the accused and the Staff Parish Committee.

## Local Church Policy for the Protection of Children, Youth, and Adults with Developmental Disabilities

\_\_\_\_\_ United Methodist Church  
As adopted by the \_\_\_\_\_,  
(date) \_\_\_\_\_

### Introduction

“Let the children come to me and do not stop them: for it is to such as these that the kingdom of heaven belongs” (Matthew 19:14). Scripture and our United Methodist tradition inform us in our belief that God values all of human life - perhaps children most of all.

The *Social Principles* of the United Methodist Church states, “...children must be protected from economic, physical and sexual exploitation and abuse.” (§ 162.C, *2008 Book of Discipline*) *The Book of Resolutions* encourages all conferences to become involved in the prevention of the physical and sexual abuse of children (#65 *2008 Book of Resolutions*, p. 201) *The 2008 Book of Discipline* names child abuse, sexual abuse, sexual misconduct, and sexual harassment as chargeable offenses for clergy and lay members (§ 2702, *2008 Book of Discipline*).

### Our Commitment

Therefore, it shall be the policy and covenant of the \_\_\_\_\_ United Methodist Church to do everything in our power to prevent physical, emotional or sexual abuse against children, youth, and adults with developmental disabilities involved in any ministry sponsored by our local church. Further, we are called to minister to those persons who are experiencing abuse and to those who have been victims of abuse in the past. To that end we covenant to be aware of our legal responsibilities and to comply with those responsibilities and go beyond those responsibilities when necessary to act justly in the best interest of those who have been abused or those who are most vulnerable to abuse.

The \_\_\_\_\_ United Methodist Church will participate in orientations and training seminars for clergy and others in a role of leadership with children, youth, and developmentally disabled dependent adults. The Kansas West Annual Conference, on behalf of this congregation, through the Safe Gatherings program will help to screen clergy and others in a role of leadership children, youth, and developmentally disabled dependent adults and will report instances of abuse as stated in Reporting Section.

The guidelines of the Safe Gatherings program and the procedures set forth will a status of certification for persons within the \_\_\_\_\_ United Methodist Church. Persons thus certified are entrusted with the title “Certified Worker with Children, Youth, and Adults with Developmental Disabilities.” Certified workers with children, youth and adults with developmental disabilities shall be given the opportunity to renew certification in a manner determined by the Sexual Ethics Committee of the Kansas West Annual Conference.

### Scope

This policy and its provisions shall apply to all persons working with children, youth, and developmentally disabled dependent adults, including volunteers.

Effective September 1, 2012, no youth under the age of 16 will be certified by the Kansas West Annual Conference.

### Definitions

The policies and procedures herein draw upon the definitions contained in the *Sexual Ethics Policy for Lay Employees and Volunteers* found in the Kansas West Annual Conference Journal, *updated October 2009*.

1. **Physical Abuse** - Any act of omission or an act that endangers a person’s physical or mental health. This definition includes any non-accidental physical injury caused by a caretaker. Physical abuse may result from punishment that is overly punitive or inappropriate to the individual’s age or condition. In addition, physical abuse may result from purposeful acts that pose serious danger to the physical health of a child, youth, or adult with developmental disabilities.

2. Sexual Abuse: Sexual abuse means unwanted physical conduct of a sexual nature, sexual contact or sexualized behavior and may include, by example, touching, fondling, other physical contact and sexual relations.
3. Sexual Harassment: Sexual harassment is "any unwanted sexual advance or demand, 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" (2008 Book of Discipline, paragraph 161). Sexual harassment includes, but is not limited to, the creation of a hostile or abusive working environment resulting from discrimination on the basis of gender.
4. Sexual Misconduct: Sexual misconduct means a chargeable offense within the meaning of ¶12702 of the *Book of Discipline*.
5. Persons in a ministerial role of leadership with children, youth, and adults with developmental disabilities: Shall include all paid and unpaid staff, whether lay or clergy who have a direct or indirect contact with same who participate in any activities or events sponsored by the \_\_\_\_\_ United Methodist Church.
6. The Certification Authority for this church shall be the Certification Authority for the Kansas West Annual Conference.

#### **Screening and Training for Volunteers or Staff**

Careful screening is one way to prevent the abuse of children, youth, and developmentally disabled dependent adults. Screening calls for a careful gathering and review of information in search of persons who can provide safe and caring supervision in a safe environment.

1. Prior to employment or acceptance as a volunteer or paid staff person, the event coordinator or administrator in charge of an event or program shall direct each prospective worker to complete the Safe Gatherings program. By registering for Safe Gatherings, the applicant will give the Certification Authority of the Kansas West Annual Conference permission to contact references and perform the necessary investigation to complete the review of the application.
2. Upon receipt of the application, the Certification Authority shall facilitate a screening check with the Kansas Bureau of Investigation or other appropriate agencies. Effective September 1, 2012, all persons applying for Certification or Recertification must register for online training through Safe Gatherings and pay a fee of \$30 toward the cost of background checks.
3. The Safe Gatherings program will facilitate reference requests from all applicants, who must have one clergy and one lay person as references. The clergy reference must be a District Superintendent if the applicant is a professional minister.
4. The Safe Gatherings Coordinator of the Kansas West Annual Conference will receive the completed reports, and review them. If any of the completed forms or reports raises questions about the fitness of the applicant, the Certification Authority should disapprove the application and notify the applicant. The \_\_\_\_\_ United Methodist Church reserves the right to turn away any persons for volunteer or paid service.
5. If the applicant, clergy or lay, volunteer or paid, is found to have been involved in any activity in which the applicant abused or exploited children, youth, or adults with developmental disabilities, the applicant will not be hired/approved. Any conviction of a crime against children, youth or adults with developmental disabilities shall disqualify any applicant.
6. Results of screenings shall be kept confidential within the limits of the law.
7. The Kansas West Annual Conference of the United Methodist Church has developed an online training program for all clergy and others in a role of leadership who work with children, youth, and adults with developmental disabilities. It is the responsibility of this local church to arrange for its applicants to take the Safe Gatherings online training. No person shall, after \_\_\_\_\_ (date), have primary responsibility for working with children, youth, or adults with developmental disabilities until they have completed this training program, except for persons already holding valid certification. Those currently certified in Boundary Awareness are

deemed compliant until the date their current certification expires. They must then take the Safe Gatherings course to be in compliance. Persons without certification may assist certified workers.

#### **Supervision**

Whenever possible, a team approach to ministry to children, youth, and developmentally disabled dependent adults is most appropriate. Ordinarily there will be two workers present during each event. Workers are to be encouraged to warn each other when questionable behavior is displayed.

At the completion of the event or program, the administrator or supervisor in charge shall file a report with a count of persons in attendance and a comment that there were/were not any reportable incidents. This document will be retained on file in the church office.

#### **Reporting of Incidents**

When an incident of suspected physical abuse or sexual abuse occurs, the protection of children, youth, and adults with developmental disabilities must be paramount. Any person having a reasonable basis to suspect that a developmentally disabled person or a child or youth under age 16 has been abused shall promptly report it to the person in charge of the event ("event director"), to the pastor, and to the Kansas Department of Children and Families at 1-800-922-5330.

The event director shall take reasonable steps to protect abused persons and others from further harm, which may include removing the person accused from the site of the event, and/or suspending such person from working with children, youth, or persons with developmental disabilities, pending further investigation.

#### **Implementation**

Management of all provisions of this Policy is the sole responsibility of the \_\_\_\_\_ United Methodist Church. In carrying out the duties and responsibilities of this policy, the \_\_\_\_\_ United Methodist Church may utilize and rely on certain policies, procedures, and/or training courses recommended or endorsed by the Kansas West Annual Conference of The United Methodist Church. The \_\_\_\_\_ United Methodist Church, in relying upon any such assistance, acknowledges that the Conference provides the assistance for informational purposes only and does not assume any responsibility for the actions of the \_\_\_\_\_ United Methodist Church with respect to the implementation and/or enforcement of this policy.

*Approved by KWC, May, 2012*

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