

**The Great Plains Annual Conference of the United Methodist Church**  
**PERSONAL CONDUCT POLICY**  
**For Clergy, Staff, Volunteers and Church Members**

**I. Introduction**

The Great Plains Annual Conference of The United Methodist Church is committed to fostering and building a culture of diversity and inclusion. "For just as the body is one and have many members, and all the members of the body, though many, are one body, so it is with Christ." (1 Corinthians, 12:12) "If one member suffers, all suffer together with it; if one member is honored, all rejoice together with it." (1 Corinthians 12:26)

As a United Methodist Church, there will be times when employment preferences based on religion are appropriate and should be a factor with respect to one's employment. Subject to this consideration and the requirements of our denomination's *Book of Discipline*, we are mindful of our social obligations with respect to fair employment practices. We strive to create and maintain a work environment in which people are treated with dignity, decency and respect. We encourage differences among our leaders, employees and local congregations as embraced in the "Social Principles" contained in *The 2012 Book of Discipline* of the United Methodist Church.

This passion for reaffirming the relationship of God among all of God's people guides our desire that every congregation be welcoming to all persons. The environment of the Church, in its many settings, should be characterized by mutual trust and the absence of intimidation, oppression and exploitation. We believe that each employee and volunteer has the right to work and serve in an environment free of harassment; therefore, the Conference has adopted this Personal Conduct Policy. Anyone violating this policy will be subject to disciplinary action, up to and including termination of employment, discontinuation of volunteer service, or termination of membership under the provisions of Paragraph 2702 of *The 2012 Book of Discipline*. While the Conference expects church and conference staff volunteers, clergy and lay, as well as members of local churches, to abide by the terms of this Personal Conduct Policy as set forth below, the Conference recognizes *The 2012 Book of Discipline* of The United Methodist Church provides the exclusive methods for bringing complaints against appointed or ordained United Methodist clergy and the sanctions that may be applied.

**II. PROHIBITED CONDUCT UNDER THIS POLICY**

It is the Conference's policy that no ordained or licensed pastor, district superintendent assignee (DSA), staff person, local church employee, church member/constituent, or volunteer may engage in any form of sexual abuse or sexual misconduct, racial or sexual harassment, or harassment based upon any other characteristic protected by law, including but not limited to, religion, disability, national origin, gender or age. Through enforcement of this policy and by education of church leaders, employees, and volunteers, the Conference will seek to prevent, correct and discipline behavior that violates this policy. All employees, church members/constituents, and volunteers, regardless of their positions, are covered by and are expected to comply with this policy and to take appropriate measures to ensure that prohibited conduct does not occur.

## **A. Sexual Harassment**

The definition of harassment is when an individual is subjected to unwelcome verbal or physical conduct or other offensive behavior, which is sexual in nature or based on gender, especially where:

- Submission to such conduct is made either explicitly or implicitly a term or condition of employment.
- Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive environment.

The Great Plains Annual Conference prohibits all forms of sexual and other unlawful harassment. The Conference will not tolerate any offensive physical, written or spoken conduct, including the use of a computer, regarding any of the following subjects:

(1) Unsolicited and unwelcome or unwanted written, verbal, physical and/or visual contact with sexual overtones. (Written examples: suggestive or obscene letters, notes and unwelcome invitations. Verbal examples: derogatory comments, slurs, jokes and epithets. Physical examples: assault, touching, impeding or blocking movement. Visual examples: leering, gestures, display of sexually suggestive objects or pictures, cartoons, posters or magazines.);

(2) Unwelcome requests or demands for sexual favors. This includes either subtle or blatant solicitations, pressures or requests for any type of favor, including unwelcome requests for dates, when it is known they are unwelcome, and whether or not they are accompanied by an implied or stated promise of preferential treatment or negative consequence concerning employment;

(3) Verbal abuse or kidding that is sexually oriented and considered unwelcome such as telling "dirty jokes" or any tasteless, sexually oriented comments, innuendo or actions that offend;

(4) Creating a work environment that is intimidating, hostile, abusive or offensive because of unwelcome or unwanted conversations, suggestions, requests, demands, physical contacts or attentions related to a prohibited form of harassment;

(5) Continuing to express sexual or romantic interest after being informed that the interest is unwelcome. (Reciprocal or mutual attraction is not considered sexual harassment);

(6) Making reprisals, threats of reprisals, or implied threats of reprisals following a negative response to efforts to establish relationship, where the reprisal relates to compensation, promotion, discipline, tenure or job assignments;

(7) Engaging in coercive sexual behavior which is used to control, influence or affect the career, salary, and/or work environment of another employee; or which may have that effect;

(8) Offering favors or employment benefits, such as promotions, favorable performance evaluations, favorable assigned duties or shifts, recommendations or reclassifications in return for sexual/romantic favors;

(9) Offering sexual favors in exchange for employment benefits, such as promotions, favorable performance evaluations, favorable assigned duties or shifts, recommendations or reclassifications; and

(10) Sending pornographic, sexually explicit, or sexually erotic material through the computer or other means.

Normal courteous, mutually respectful, pleasant, non-coercive interaction among employees, both men and women, that is acceptable to both parties, is not considered to be harassment, including sexual harassment.

### **B. Sexual Abuse and Misconduct**

The Conference prohibits all forms of sexual abuse and sexual misconduct by local church employees, volunteers and members. It is the Conference's policy that no one affiliated with United Methodist Churches may engage in any form of sexual abuse or sexual misconduct. Anyone violating this policy will be subject to disciplinary action, up to and including termination or removal from volunteer service.

**Sexual Abuse** – Sexual abuse means unwanted physical conduct of a sexual nature, sexual contact or sexualized behavior and may include, by example, touching, fondling, sexual intercourse and other exploitation or use of another person for purposes of sexual desires. Sexual abuse includes, but is not limited to rape, sexual battery, aggravated sexual battery, lewd and lascivious behavior, enticement of a child, indecent solicitation of a child, aggravated indecent solicitation of a child, or indecent liberties with a child.

**Sexual Misconduct** – Sexual misconduct means a chargeable offense within the meaning of Paragraph 2702 of *The 2012 Book of Discipline* of The United Methodist Church.

All local churches are expected to create an atmosphere free of sexual abuse and sexual misconduct. Furthermore, all staff leaders and members are expected to immediately report any knowledge of sexual abuse or sexual misconduct.

### **C. Training**

All pastors under appointment, District Superintendent Assignees (DSAs) and Certified Lay Ministers (CLMs) under assignment shall complete boundary training prior to their initial appointment or within the first six months of such appointment or assignment. Documentation of completed training shall be placed in the pastor or CLM's personnel file.

### **III. PROCEDURES FOR REPORTING VIOLATIONS OF THIS PERSONAL CONDUCT POLICY**

#### **A. WHEN THE OFFENDER IS A CLERGY PERSON, CERTIFIED LAY MINISTER, OR EMPLOYEE OF THE CHURCH**

Any ministerial or managerial employee who receives a complaint of sexual abuse, sexual harassment, or sexual misconduct, or who otherwise becomes aware of or suspects a violation of this Personal Conduct Policy should immediately report the violation to the District Superintendent. Reporting of sexual abuse or physical abuse of children, youth, or adults from vulnerable populations shall also be made as required by the Safe Gatherings Policy.

If a complaint regarding sexual abuse, sexual harassment, or sexual misconduct is made, an investigation will be conducted as promptly as possible. The investigation of the complaint involving a non-ministerial employee of a local church will be conducted by Pastor or the Staff Parish Relations Committee and will be completed within thirty (30) days from the submission of the complaint, provided there are no extenuating circumstances. If the complaint involves a ministerial employee, the matter will be referred to the appropriate supervising clergy for investigation and appropriate action under *The 2012 Book of Discipline*. If the complaint involves a lay employee of the Annual Conference, the investigation will be conducted by the Personnel Team.

If the complaint involves a violation of the Computer Usage Policy, report the alleged violation to the Chairperson of the Pastor/Staff Parish Relations Committee of the local church (or the Personnel Team Chair, in the case of an annual conference employee) immediately.

If an individual is found to have violated the Personal Conduct Policy, disciplinary action may be taken, up to and including termination of employment, removal from volunteer service, or termination of membership. All actions taken in connection with a violation of the Personal Conduct Policy will comply with any applicable law or procedure under *The 2012 Book of Discipline*.

The Conference will not retaliate against an employee who in good faith files a complaint alleging a violation of this Personal Conduct Policy, nor will the Conference retaliate against an individual for cooperating in good faith in an investigation of harassment.

Clergy misconduct is subject to the procedures contained in *The 2012 Book of Discipline*, and any complaint against clergy must follow the applicable provisions contained therein. Clergy, and those who have a grievance against clergy, whether or not the complainant or the violator is lay or clergy, are encouraged to address any concerns directly with the other person as a means of resolving the issues. If the issues are between two clergy, and the two cannot resolve the issues among themselves, the one claiming a violation is encouraged to seek the assistance of her/his Superintendent as a means of resolving the issues. If the clergy person's complaint involves her/his Superintendent, or if either is a Superintendent, the complainant is encouraged to invoke the guidance of a member of the Conference staff, another Superintendent, or the Bishop to assist in resolving the grievance prior to filing a formal complaint.

## **B. WHEN THE VICTIM IS A CLERGY PERSON**

If any clergy feels he/she has been subjected to racial, sexual, or other harassment or sexual misconduct, he or she should

(1) If the circumstances permit, state firmly and clearly to the alleged violator that this behavior is unwelcome and must stop. This action, in many cases, will resolve the issue.

(2) If the issue cannot be resolved through personal discussions with the alleged violator, the clergy must inform his/her immediate supervisor or, if the immediate supervisor is the alleged harasser, must contact the Chairperson of the Pastor/Staff Parish Relations Committee. In the case of sexual harassment, sexual abuse or sexual misconduct, if the clergy person feels uncomfortable reporting the issue using the above procedure, he or she may bring the complaint directly to the District Superintendent. Employees should report any incident of abuse or misconduct in writing, if possible.

The clergy person who feels harassed by a lay person 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 2012 Book of Discipline* paragraph 2703.4. Identifying sexual or gender harassment depends on a determination of what a reasonable person would perceive as unacceptable. It is important to resolve complaints confidentially and, if possible, informally.

### **Initial Resolution Process**

1. Clergy are responsible for establishing and maintaining clear boundaries of professional conduct.
2. Therefore, 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 (if the Chair of the SPRC is the harasser then contact the District Superintendent directly).
  - d. Notify the District Superintendent to begin the informal process for complaint resolution.
4. The District Superintendent will contact the Director of Clergy Excellence, who will meet with the chair of the SPRC (or person designated) to explain the informal and formal process and introduce two advocates.

### **Informal Resolution Process**

1. After meeting with the Director of Clergy Excellence, the chair of SPRC (or a person designated) and the two advocates 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 or 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 the 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 2012 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.