

## XI. Sexual Ethics

### a) POLICY STATEMENT ON SEXUAL ETHICS FOR PROFESSIONAL MINISTRY FOR THE NORTHWEST REGIONAL CHRISTIAN CHURCH (DISCIPLES OF CHRIST)

"... but set the believers an example in speech and conduct, in love, in faith, in purity. Pay close attention to yourself and to your teaching; continue in these things, for in doing this you will save both yourself and your hearers."

(1 Timothy 4:12-16, NRSV)

The nature of the ministry is such that the professional is in a unique and special relationship with those who she/he serves. Professional clergy people are in a position of power over congregational members or others who seek counsel, leadership, support or service. Any time professional clergy use the influence of the power entrusted to them to coerce or engage in suggestive behavior or sexual activity with those they have been called on to serve, they involve themselves in irresponsible and unethical acts which take advantage of vulnerable persons. Sexual exploitation or misconduct may take any variety of forms and is almost always secretive. These actions in the professional-client relationship damage the bonds of the covenant that tie Christians together as a community of faith.

It is for these reasons that the Northwest Regional Christian Church, Disciples of Christ adopted a policy on sexual ethics at the Regional Assembly in May, 1987. The policy reads as follows:

"Because the professional clergy person has the responsibility to exercise the power inherent in his/her position only in the authentic service of the constituent/client, and not to use the prerogatives of the position in any exploitation of the constituent/client, it shall be the policy of the Northwest Regional Christian Church (Disciples of Christ) that sexual exploitation/misconduct in the professional-client relationship between clergy and the constituent/client is condemned and calls for intervention by the Regional Minister."

### **- Implementation Procedures for the Northwest Region**

#### b) SEXUAL ETHICS POLICY

The Northwest Regional Christian Church (Disciples of Christ) shall deal with any complaint alleging sexual misconduct or exploitation in the following manner:

The task of the assessment of the complaints or allegations shall be carried out by the Regional Minister or a person(s) designated by the Regional Minister and approved by the Chairperson of the Commission on the Ministry. Frequently, allegations of improper conduct will arrive in the form of verbal, second hand reports or requests for assistance from individuals with elected responsibility in a particular congregation. Occasionally, complaints will be received directly from involved parties. Because of the sensitivity of such charges, it shall be the responsibility of the Regional Minister, or designee, to use the following guidelines in the investigation and resolution of all such complaints, allegations or requests for assistance.

- a. The Regional Minister should inform the professional clergy person/counselor, against whom the allegations are made, of the reported misconduct or exploitation and allow the individual an opportunity to provide an explanation of his/her behavior in question.
- b. The Regional Minister shall ensure the privacy of the individuals involved in the activity is protected until he/she believes there is reasonable evidence of misconduct. At that time he/she will

use his/her discretion but is free to disclose evidence and details to appropriate parties involved in the resolution of the misconduct.

- c. If the victim(s) of sexual misconduct or exploitation have no viable resources available for counseling or therapy, the Regional Minister will suggest possible resources for the victims to gain access to counseling and/or treatment. Because each professional is individually responsible for their actions the Northwest Regional Christian Church (Disciples of Christ) will not necessarily assume financial responsibility for counseling assistance in such cases.
- d. If the Regional Minister believes there is reasonable evidence that sexual misconduct or exploitation has occurred, the Regional Minister shall counsel with the professional individual involved to provide pastoral care, seek resolution or treatment and follow appropriate legal procedures.
- e. The Regional Minister shall execute appropriate follow-up actions as necessary and document the incident to the extent he/she determines appropriate in the professional's file.
- f. If it is determined that the professional's standing in the Northwest Regional Christian Church (Disciples of Christ) should be affected, the Regional Minister will discuss the case with the Chairperson of the Commission on the Ministry. If the chair agrees, consideration and action on the individual's standing will be placed on the agenda for the next commission meeting and the individual notified of the pending consideration.
- g. If the Regional Minister believes there is no reasonable evidence of sexual misconduct or exploitation and further corroborative is not secured, investigation of the allegation will be suspended and no record of the complaint placed in the individual's file.
- h. If it is clear there is no reasonable grounds for the complaint, the professional involved may request a statement from the Regional Minister, or designee, exonerating him/her of any misconduct or exploitation. In some cases the professional clergy person/counselor may become a victim of false allegations. Individuals in this situation are to be cared for as victims. The Regional Minister will suggest possible resources for counseling or treatment to assist in recovery. The Northwest Regional Christian Church (Disciples of Christ) will provide a reasonable level of financial assistance to such individuals to gain access to appropriate counseling or treatment.

Policy Statement of Sexual Ethics adopted by the Commission on the Ministry-January 1992

#### c) PROCESS FOR ALLEGED PASTORAL MISCONDUCT

HISTORY: The Northwest Regional Christian Church (Disciples of Christ) adopted a policy statement addressing Sexual Ethics for Professional Ministry (revised, 1992), published in the Policies and Criteria for the Order of Ministry in the Christian Church (Disciples of Christ).

CURRENT SITUATION: In January, 1997, the Region's Commission on the Ministry appointed a Working Group to [a] examine the continuing relevance of the policy statement, and [b] develop a more specific process for implementing the policy as circumstances may demand.

FINDINGS: The Working Group concluded that the policy continues to be relevant but feels that its implementations needs to involve more persons than the Regional Minister. It is the recommendation of the Working Group that the Regional Minister be fully-involved in the process, but not to the degree that it may prevent him/her from exercising the pastoral duties of the office.

The Working Group is concerned that a process be in place prior to the arrival of a new Regional Minister, and that it be constructed in such a way as to take advantage of the multiple gifts of lay and clergy persons throughout the Region.

Following is the process recommended to the Commission by its Pastoral Misconduct Working Group.

### ASSUMPTIONS

1. From time-to-time, it is to be expected that pastoral misconduct will be alleged in the Region.
2. Any alleged pastoral misconduct deserves to be treated with great seriousness.
3. The Northwest Region has been fortunate in experiencing fewer incidents of this nature than many Regions (two incidents over the past seventeen years). There is no need for constructing an overly- complicated implementation process disproportionate to the caseload anticipated.
4. The implementation process should involve people beyond the Regional Minister. Unless these people bring professional expertise to the task, they should undergo training.
5. Each member of the Region's Commission on the Ministry should undergo training, hopefully during the Commission's September, 1997, meeting.

### KEY OBJECTIVES

The objectives of an intervention process in all alleged pastoral misconduct cases should include, but not limited to, the following:

- a. That the highest aim of this process shall result in the spiritual reconciliation of all parties;
- b. That the civil and personal rights of each party shall be honored and respected, and that due process will prevail; and
- c. That the process designed and implemented by the Region's Commission on the Ministry shall be considered helpful by each party (vs. further complicating the problem), and not create a situation in which the Region becomes vulnerable to criticism.

### HOW THE PROCESS WORKS

1. All complaints are to be submitted in writing to the Regional Minister. No action will be taken by the Commission on the Ministry without a written complaint. The written complaint should contain the following information:
  - a. Description of the event or experience during which the alleged inappropriate or unethical behavior has taken place.
  - b. Explanation of how the Complainant or other people were affected by the behavior.
  - c. Identification of the elements of the Region's Sexual Ethics Policy which have been violated.
  - d. Statement of what action is requested or suggested to be taken by the Commission on the Ministry, or by some other church body or church officer.
2. In the case of allegations of improper professional conduct which are rumored, it is the responsibility of the Regional Minister to pursue them and, if finding them to actually exist, to encourage the complainant to file a written complaint.
3. Upon receipt of a written complaint, the Regional Minister shall:
  - a. Acknowledge receipt of the complaint, determine the bounds of confidentiality, outline the process which will be followed by the Commission on the Ministry, and offer his/her pastoral support.
  - b. Inform the chairperson of the Commission on the Ministry of receipt of the complaint and encourage him/her to appoint Response Teams to investigate the allegations.
  - c. Inform the pastor against whom the complaint has been registered, providing him/her with a summary of the complaint and encouraging him/her to prepare a written response, outline

the process which will be followed by the Commission on the Ministry, and offer his/her pastoral support.

4. The chairperson of the Commission on the Ministry shall appoint two Response Teams within 72 hours of receiving the complaint, Team A to meet with the Complainant and Team B to meet with the pastor charged. Each Response Team shall be composed of two persons, male and female, one of whom shall be a layperson and the other a clergy person.
5. Response Team A meets with the complainant.
  - a. The purpose of the meeting is to outline the process which will be followed and to provide opportunity to tell his/her story. The complainant may have a support person present. It is essential that the Team take the complainant seriously, to express the concern of the wider Christian community, and to offer pastoral and/or professional counsel, if desired.
  - b. Response Team A shall also:
    1. Appoint a recorder who will maintain an accurate record of the complainant's statement;
    2. Determine if the Complainant is aware of other persons who believe they have experienced similar unethical conduct by the pastor in question;
    3. Determine what restrictions, if any, the complainant places upon the sharing of this information and clarify how and to whom the complainant wishes to have this matter made known.
    4. Clarify the extent and limits of confidentiality in these procedures, being sure the complainant understands that confidentiality, while desirable, cannot be fully assured.
    5. Ascertain the extent to which the complainant is willing to participate in the investigation and proceedings.
  - c. Response Team A prepares a written report of its findings.
    1. A copy of the report is shared with the Region's attorney.
    2. With the attorney's approval, the report is shared with the pastor who is invited to comment upon its accuracy in writing.
    3. The report is also shared with Response Team B, the Chair of the Commission on the Ministry and the Regional Minister.
6. Response Team B meets with the pastor against whom the allegations have been brought.
  - a. The purpose of the meeting is to outline the process which will be followed and to provide the pastor opportunity to tell his/her story. The pastor may have a support person present. It is essential that the Team take the pastor seriously, to express the concern of the wider Christian community, and to offer pastoral and/or professional counsel, if desired.
  - b. Response Team A shall also:
    1. Appoint a recorder who will maintain an accurate record of the plaintiff's statement;
    2. Discourage the pastor from initiating contact with the complainant at this time, nor to disclose the name of the complainant to others; that, to do so, will be considered a breach of professional ethics and can become the basis for an additional complaint.
    3. Draw a distinction between the church's jurisdiction in terms of ministerial authorization from civil and criminal jurisdictions.
    4. Clarify the extent and limits of confidentiality in these procedures, being sure the pastor understands that confidentiality, while desirable, cannot be fully assured.

5. Reserve the right to meet with and share the complaint with appropriate representatives of the minister's church or calling body.
- c. Response Team B prepares a written report of its findings.
  1. A copy of the report is shared with the Region's attorney.
  2. With the attorney's approval, the report is shared with the pastor who is invited to comment upon it in writing.
  3. The report is also shared with Response Team A, the Chair of the Commission on the Ministry and the Regional Minister.
7. Response Teams A & B meet with the Chair of the Commission on the Ministry, the Regional Minister, the Region's attorney and any other specialist deemed important to the process by the Regional Minister. The purpose of this meeting is to determine [a] the veracity of the allegations, and [b] the next steps to be pursued.

Next steps can include, but not be limited to the following:

- a. Substantiation of the charges
- b. Meeting with the leadership of the pastor's congregation
- c. Enrolling either or both parties in a program of therapy
- d. Recommending disciplinary action to the Commission on the Ministry
- e. Finding the allegations to be without merit
- f. other.
8. A meeting is called involving the two parties where these findings are reported. Each party may bring a support person. The primary objective of this meeting shall be the reconciliation (if possible) of the two parties. Any further recommended actions will be shared with the two parties at this time.
9. Next steps, if any, will be implemented following that meeting.

Adopted by the Commission on the Ministry Northwest Regional Christian Church (Disciples of Christ)  
September 26, 1997