

REGIONAL POLICY ON CLERGY SEXUAL CONDUCT
 PREPARED BY THE COMMITTEE ON THE ORDER OF MINISTRY
 THE CHRISTIAN CHURCH IN KANSAS (DISCIPLES OF CHRIST)
 Adopted: October 17, 1992 by Regional Assembly

SCOPE OF THE DOCUMENT:

We are concerned:

- A. To reduce sexual misconduct and the conspiracy of silence around it;
- B. To provide safeguards for those who are victims of sexual abuse;
- C. To furnish practical direction to the work of the regional Committee on Standing;
- D. To facilitate justice fairness, healing and to ascertain innocence as well as blame.

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I. **THEOLOGICAL/BIBLICAL UNDERSTANDINGS** (See Biblical References, page IV - 21)

Who we are and what we do is based on our understanding of God known in the prophets and priests of the Old Testament, proclaimed by Jesus Christ and the apostles in the New Testament, and manifested by the Holy Spirit who informs and sustains the Church today. It is this God who calls us to share the good news of the gospel with love and integrity. This polity is based on the following understandings:

- A. To understand sexuality from a Christian perspective is to understand it in light of three sources; biblical teaching, church history and tradition, and human experience.
- B. Our human sexuality is a gift from God who created all things. Therefore sexual accountability exists. It should be affirmed and treated with both care and stewardship.
- C. God entered into a covenant relationship with the people of Israel. A significant aspect of the covenant was the Ten Commandments. That covenant was based on God's act of liberation and the people's response through obedience to ethical regulations on which the community's life was to be based.
- D. To live in covenant relationship with God is to know shalom which is health, wholeness, well-being, unity and peace.
- E. A broken covenant (disobedience and separation from God) brings the consequences of sin: oppression, injustice, pain and death.
- F. God has particular concern for the poor, the oppressed, the abused and the harassed.
- G. Because of God's concern with justice and compassion, God always stands with and on behalf of the victims of oppression.
- H. While human sexuality is a gift from God, the church recognized the sinful use of human sexuality. Our desires for sexual fulfillment and pleasure can become the occasion for self-deception, manipulation, the abuse of others, and the distortion of God's will. Such sin contributes to the brokenness of the community, the alienation of individuals, and to human despair.
- I. The rupture of relationships by sexual misconduct is a sin. It injures and harms the wounded in ways which may require extended care before healing occurs.
- J. The rupture of relationships through sexual misconduct betrays Christ and the pastoral office in abusing the power and authority of ministry by changing it from healing and redemption to exploitation and gratification
- K. The rupture of pastoral relationships through sexual misconduct rends the community in which the pastor serves and impacts the whole body of Christ in ways that are scarring and detrimental for long periods of time.
- L. From God's prophets come the call to repentance and the promise of forgiveness.

- M. Forgiveness and redemption are offered to all people through the death and resurrection of Jesus of Nazareth.
- N. The Holy Spirit is God's gift to the church today to enable faithful adherence to the desires of God as we live out our lives as sexual creatures on this earth.
- O. today the church finds itself in the midst of theological diversity. Some are arguing for values in light of how they understand God has spoken. Others encourage the church to make modifications in faithful obedience to God.
- P. We live with the dilemma of not diluting our ethical faith response and not becoming "rigid and fixed" in only one ethical faith response.
- Q. But sin is not the final word. God has redeemed humanity and is forever redeeming us. Our sexual behavior, while affected by the realities of sin, is never without the hope of God's forgiveness and grace. The church, as the body of Christ, is part of this reality of grace.
- R. Human sexuality is a vital part of the Christian life. It is rooted and grounded in the themes of creation, covenant, justice, faithfulness, mutuality and family. It holds the potential for great joy and contributes to human creativity. Like all other parts of being human, sexuality can be best expressed when we take the time to listen for God's call in our lives.
- S. We find in Scripture a vision of beloved community, the hallmarks of which are protection for the vulnerable, hope for the oppressed and loving respect among all of God's people, weak and strong. It is a community in which ultimately mourning, crying and pain will be no more. The Scripture calls all within the church to exhibit love that is genuine, to hate what is evil, to hold fast to what is good, to do acts of mercy, and to extend the kind of hospitality that assures safety and mutual respect.

II. DEFINITIONS (Listed Alphabetically)

A. Accuser

An accuser is the person who brings any written complaint or allegation of sexual misconduct to the attention of the Regional Minister and/or Chair of the Ministry Commission.

B. Advocate

1. A person of the accused or accuser's choice who may accompany him or her in the meeting with the Committee on Standing. The advocate's role may be:
 - a. To be an interpreter of the process outlined in this policy;
 - b. To assist the individual in articulating his or her feelings, thoughts and perceptions of the situation;
 - c. To provide spiritual nurture; and
 - d. To be a personal friend and supporter.
2. The advocate is not to be viewed as either legal counsel or as a witness for the defense or prosecution of the parties appearing before the committee. [The proceedings of the Committee on Standing are not those of a civil court, but a responsible body of the church

concerned for the welfare of the persons involved, the credibility of the church and its gospel, and the standing of its clergy.]

C. Clergy

The term clergy in this document refers to all ministers, ordained or licensed who have standing in the Christian Church in Kansas (Disciples of Christ). These persons may include pastors of local congregations, pastoral counselors, institutional chaplains, youth ministers, ministers of Christian education, regional staff persons, ordained/licensed persons with standing serving in secular roles.

D. Committee On Standing

1. The Committee on Standing is a functioning committee within the Ministry Commission of the Christian Church in Kansas (Disciples of Christ).
2. The tasks of the Committee on Standing are:
 - a. To determine the clergy who have standing with the Christian Church in Kansas (Disciples of Christ) and what is necessary to maintain it;
 - b. To review clergy standing each year and submit the updated list to the general manifestation of the Church for its inclusion in the most current edition of the Yearbook and Directory of the Christian Church (Disciples of Christ).
 - c. To offer care and counsel to clergy who are seeking to transfer ordination credentials into the Disciples of Christ from another denomination;
 - d. To address ethical concerns related to standing and enforce the region's policies in that regard.
3. The Committee on Standing is assigned the responsibility to address any charge brought to the region on clergy sexual misconduct issued against clergy with standing in the Christian Church in Kansas.
4. The Committee on Standing consists of the Regional Minister; the chairperson of the Ministry Commission; the chairpersons for the Committee on the Order of Ministry, the Committee on the Support and Upgrading of Ministry, and the Committee on Licensed Ministry; and several members-at-large.

E. Exonerate

Exoneration is the clearing of accusation through a public statement made by the regional minister if the accused so chooses.

F. Permanent File

1. There is a permanent file on each clergy who has, or has had, standing with the Christian Church (Disciples of Christ). This file is kept by the Center for Leadership and Ministry of the Christian Church in its general offices in Indianapolis, Indiana. It is available to the regional ministers. Each Regional Minister uses discretion in deciding what materials from this file are made available to search committees and other responsible bodies.

2. The findings, actions and recommendations of the Committee on Standing for reprimand, censure and removal of standing will be entered into the permanent file.

G. Procedural File

The procedural file is a separate file that is the property of the Committee on Standing and it includes the initial accusation, the response of the accused, a written log of the proceedings, all documentation that is collected in the course of the process, and a list of the actions of the committee and the agreements with the involved parties. It is the responsibility of the regional minister to maintain the file. The file will be kept by the region. The regional minister will determine who has access to it.

H. Sexual Harassment

Sexual harassment is any attempt to coerce an unwilling person into a sexual relationship, or to subject a person to unwanted sexual attention, or to punish a person who refuses to comply. Sexual harassment may involve a wide range of behaviors from verbal innuendo and subtle suggestions to overt demands and physical abuse. Sexual harassment is not exclusively a sexual issue, but must be understood as an exploitation of a power relationship.

I. Sexual Misconduct (Includes one or more of the following):

1. Sexual misconduct includes but is not limited to:
 - a. overt or covert sexual advances or contact
 - b. mental abuse (which may include risqué jokes, innuendoes, unacceptable visual contact, personal put-downs, insults, ingratiating or over-solicitous behavior, seductions)
 - c. physical abuse (which may include fondling, unwelcome hugs and kisses, and genital contact.)

There are subtle as well as overt versions of sexual misconduct. Mutual seduction resulting in mutual victimization is also considered misconduct.

2. Sexual misconduct includes any intentional touching or fondling (either directly or through the clothing) of such areas of the body as the sex organs, anus or breast of the victim or the accused for the purpose of sexual gratification or arousal of the victim or the accused.
3. Sexual misconduct also includes any case in which a minor is subjected to sexual impropriety, sexual assault or molestation; sexual exploitation or prostitution.
4. Clergy sexual misconduct may occur both within and outside the marriage relationship.
5. Sexual misconduct is any activity in which the clergy person violates the free choice of abuses the vulnerability of any other person.
6. Sexual misconduct also includes sexual harassment.

J. Standing

1. As defined in the Region's Policy on Criteria and Order of Ministry: standing affirms that the ordained or licensed clergy is presently engaged in the practice of ministry (whether on an occasional, part-time, or full-time basis), is a member of a Disciple congregation, and maintains continuous accountability with a congregation, organization, related institution, or a regional or general unit of the Christian Church (Disciples of Christ),
2. Ministers with standing at the time of retirement are continued in standing.
3. Such clergy are listed in the most current Yearbook and Directory of the Christian Church (Disciples of Christ) and may call upon the church for services and support such as relocation assistance, ecclesiastical endorsement, scholarship aid, and have voting privileges in the regional and general assemblies of the Christian Church (Disciples of Christ).
4. Responsibility for the certification of the standing of clergy in Kansas is lodged with the Committee on Standing of the Ministry Commission.
5. There is a distinction made by the Christian Church (Disciples of Christ) with regard to standing and ordination. The conferring of ministerial standing is the annual act by which the Disciples of Christ identifies those clergy, ordained or licensed, whose credentials are recognized in any given year. Ordination is conferred for life, but standing is reviewed annually with established criteria and procedures.
6. Sexual misconduct by clergy can result in the removal of standing, and with it the removal of the attending rights and privileges mentioned in item No. 3 of this definition.

K. Supervisor

A supervisor is the individual assigned by the Committee on Standing to clergy against whom charges of sexual misconduct have been substantiated. The Supervisor meets with the clergy periodically during the period of time (usually a year) between meetings with the committee. During this interval the supervisor monitors the clergy as the requirements established by the Committee on Standing are addressed. The supervisor reports periodically to the Regional Minister on the progress of the clergy. This enhances the probability of accountability and follow-through.

III. PRESUPPOSITIONS AND ASSUMPTIONS

- A. Persons accused of sexual misconduct are to be considered innocent until the accusation has been substantiated by a preponderance of evidence.
- B. All parties will be treated with respect and dignity. The charges will be taken seriously. The identity of the accuser and or victim should be protected unless it is essential for them to face the other party.
- C. This policy applies to clergy with standing in the Christian Church in Kansas (Disciples of Christ). These are the limits of the Committee on Standing's authority. Congregations assume their own responsibility for those who are not endorsed by the region with licensing or ordination. Still, the region will seek to be supportive of the injured church.

- D. Sexual misconduct is more widespread than commonly believed. The goal of this policy is to reduce sexual misconduct and to outline the appropriate response of the Christian Church in Kansas if and when an accusation is made.
- E. There is a general lack of awareness among church members of existing grievance procedures within the Christian Church (Disciples of Christ).
- F. The Committee on Standing is charged with the exercise of this policy and will make decisions in a timely manner.
- G. It is the aim of the Committee on Standing to act with fairness, justice and discretion.
- H. The objective is to create an environment that will reduce and eventually abolish the “conspiracy of silence”. (Because accusers are ostracized when there is a forced recognition of a problem many of them have chosen to remain silent.)
- I. This policy is not designed for legal proceedings. Legal recourse is the jurisdiction of the courts. The Committee on Standing will deal with matters in terms of the life of the church.
- J. This document is written and meant to be interpreted with care, compassion, and justice-concern for all parties involved. It is not intended to be legalistic or punitive.

IV. ETHICAL CONSIDERATIONS FOR CLERGY

To be clergy is to be entrusted with a sacred responsibility. It is also, by virtue of the trust persons place in the office and the persons of the clergy, a position of significant authority and power. Clergy are expected to be in charge of their behavior in relationship to parishioners and are viewed as the responsible party by the courts (civil and criminal).

It is unthinkable that any person would violate that trust and power for the sake of personal gratification, and yet the experience of the church is that it does happen. Such trust and power is misused in many ways. This policy deals with the specific abuses of power by clergy who engage in overt or covert sexual advances with colleagues and/or those for whose spiritual welfare they are responsible. [**p.135]

Any improper conduct or unwanted sexual advance is damaging. The harm is increased many times when the contact comes from a person to whom the victim has every right to look for guidance, protection and care. When persons are injured by the actions of the church’s servants and representatives, the church and its message are both compromised. [pp. 135-136]

For the Christian Church in Kansas regional responsibility is lodged with the Committee on Standing, a functioning body within the Region’s Ministry Commission. The Design for the Christian Church (Disciples of Christ) charges regions with the certification of the standing of ministers (IV.C.2). These policies are intended to name the boundaries and to help the church deal sensitively and responsibly with violations in regard to standing. All charges of sexual misconduct brought to the Committee on Standing are to be dealt with in the light of God’s word and with a view to the well-being of persons, the integrity of the Church and its pastoral office, and the credibility of the gospel. [**p.136]

Congregations are free to call whomever they choose. This policy and procedure is not available to congregations who select clergy who are not endorsed with standing. Clergy of the region who are without standing are not a recognized ministers of the Christian Church (Disciples of Christ) and are outside the jurisdiction of the Committee on Standing.

Ethical views that underlie this document:

- A. All clergy must recognize that they are leaders of the church. Their personal sexual actions can and do reflect upon the values and standards of the church.
- B. A clergy's calling to leadership gives a sacred power, trust and status that is not to be abused in any way.
- C. Clergy are not above the law and must exemplify strict standards of discipline and responsible moral behavior.
- D. It is not the clergy person who is different; it is the Christian vocation which demands a high standard. A specific code of conduct is required for those in positions of trust.
- E. This policy is to inform the Disciple clergy in Kansas of the regional expectations and to request their acknowledgment of and commitment to those expectations.
- F. While the church is called to offer forgiveness to all persons, it is not called to overlook acts of misconduct by any person. Justice calls for corrective action.
- G. The call to "a manner of life that demonstrates the Christian gospel" can never be construed to include permission for clergy to sexually harass or engage in sexual relationships with those they serve.
- H. It is important that clergy work diligently to discipline the expression of their sexual needs. The immense power of human sexuality makes it highly amenable to obsessive behavior. Because of its relationship to intimacy the satisfaction of sexual needs is easily confused with love. This gives way to rationalizing exploitative, self-serving, sexual behavior as loving acts.
- I. We celebrate and affirm our sexuality as a gift from God. The roots of sexual harassment and abuse lie not in sexuality but in the abuse of power. Care must be taken that power is not used to violate, harass or intimidate. Although offenders may believe their behavior is innocent or unintended, harassment is defined by the perception of the victim.
- J. Clergy operate in both the ecclesiastical and civil realms. Therefore, it is important that they know both the requirements of the church and the requirements of the state. With regard to sexual misconduct there are points at which clergy can be in violation of the civil law. Clergy should know the current laws in Kansas about sexuality. This is a field in transition. The current legal climate puts people in authority under more scrutiny.
- K. Persons are vulnerable in pastoral care and counseling relationships. Therefore, careful consideration needs to accompany all counseling. Attention should be given to the following by every clergy:

1. Asking whose needs are being met;
 2. Being sensitive to the use of language and touching;
 3. Weighing when and where it is appropriate or inappropriate to be together;
 4. Being aware of situations that are “construable” (perception is as important as reality);
 5. Insisting on having a “contracted” agenda on which the clergy and the client are working (an agreed upon time frame and subject matter);
 6. Recognizing when long-term counseling and therapy is needed by trained and credentialed counselors;
 7. Valuing the certification of those who are trained and equipped to handle counseling situations that are beyond the clergy’s expertise;
 8. Seeking preparation and education for helping those individuals under the clergy’s care ... (this includes pursuing continued care and supervision in dealing with the risks that are introduced by dependency and transference);
 9. Considering the role of covenant in exercising such a sacred trust and responsibility.
- L. There may be difficulties when single clergy date those who are directly served by their ministry. It is recommended that single clergy carefully weigh the following factors:
1. There are unequal levels of power in relationships between the clergy and the laity they serve because of the authority inherent in ordination, ecclesiastical standing and pastoral position.
 2. If the relationship dissipates, one or both of the two may need to leave the congregation.
 3. The relationship always takes the chance of being misconstrued and made the subject of gossip. It is naïve to believe that there is never idle talk and slanderous rumor that are associated with dating members of the congregation.
 4. The relationship may bring about jealousy, competition and division with the congregation.
- M. Clergy often live between two desires: One the one hand, wanting to be considered “special and sacred” by virtue of pastoral authority, education and ordination; on the other hand, wanting to be considered “ordinary and commonplace” among the laity of the parish - desiring to be just one-of-the-folk in acceptance and approachability. This dilemma has ethical ramifications. Clergy must always be “in touch” with their inner motivations lest they use sex to prove either their “specialness” or their “commonness”.
- N. Each person has the need to recognize that others may have a different perspective/understanding/viewpoint on various matters of human sexuality. Young people and children often have a different understanding of adult words and actions. Male-female and age differences are to be understood and appreciated.

- O. We live in a litigious society. Clergy must be aware and realistic about their vulnerability to lawsuits over sexual misconduct.
- P. The Christian Church (Disciples of Christ) places a high value on the responsible autonomy of clergy. This autonomy needs to be balanced with an ethic that is corporate, communal and covenantal.

V. THE PROCEDURES TO BE FOLLOWED

A. In Receiving A Complaint Or Allegation

1. To begin the process any complaint or accusation of sexual misconduct shall be brought to the attention of the Regional Minister and/or the Chair of the Committee on Standing in writing.
2. though the accusations may initially be shared verbally, the complainant(s) shall be brought to the attention of the Regional Minister and/or the Chair of the Committee on Standing in writing.
3. The accusation may be brought by anyone.
4. The Regional Minister will notify the accused of the accusation. A copy of the accusation will be sent by registered mail, return receipt requested, and marked confidential.
5. The Regional Minister or a representative of that office will outline for the accused and the accuser the procedures to be followed for processing the case.
6. The region will seek to extend appropriate pastoral care to all parties.
7. Throughout the entire process a written log shall be kept of the Committee's work on each case. This will be a part of the procedural file.
8. The complainant(s) must give signed permission to allow the written report and her/his name to be used by the Committee on Standing in discussion with the accused clergy and in the proceedings.
9. The complainant(s) must give signed permission to allow the written report and her/his name to be used by the Committee on Standing in discussion with the accused clergy and in the proceedings.
10. The Committee on Standing is charged with thoroughly investigating the accusations, recognizing that current research indicates that more often than not there is more than one victim.
11. The clergy's response to the complaint will be requested. When received either verbally or in written form the response will be made available to the accuser for comment. The process of the committee is not dependent upon a response from the accused.
12. An appropriate person may be chosen by the accused and/or the victim(s) to be an advocate.

13. The region assumes no responsibility for the costs of the accused, accuser or advocate of their witness throughout the process.
14. The region will extend appropriate pastoral care in the situation. At any point in the process the Regional Minister may suggest to the congregation of the accused that pastoral duties be temporarily suspended with pay and without prejudice. The Regional Minister may choose to offer the congregation interim alternatives for pastoral care.
15. It is not uncommon to be contacted by the media for a statement. A key role of the region is to stand for the integrity of the church and its ministry. Practically this may mean:
 - a. Designate one individual as the spokesperson to the media for the region.
 - b. Assure those who are asking questions that accusations are taken seriously, will be investigated promptly, and decisions will be made about appropriate future actions.
 - c. Indicate that innocence is assumed until guilt is proven by a preponderance of evidence, and that if charges prove to be unsubstantiated, deliberate work will be done to exonerate the accused.
 - d. Assure the wider community that the church is committed to ministries of integrity and will work to uphold such.
 - e. Engage in no discussion of the details with the media. While the process is ongoing, any response to the media should be "We will not discuss a member of the clergy who is under the review process." Once the Standing Committee has issued a ruling, the spokesperson should simply state that a review was conducted but the decision of the Committee is a confidential matter. The spokesperson can also confirm whether or not the clergy person has standing with the Disciples.

B. In Reviewing Standing

1. An INFORMAL REVIEW is convened by the Committee on Standing for the purpose of hearing the complaint(s), reviewing the initial written documents, assessing preliminary evidence and interviewing any complainants willing to come before the committee.
2. This meeting will occur as soon as it is possible to convene the majority of the Committee on Standing, but no longer than 90 days after the complaint has been received.
3. Should the complainant(s) decide not to pursue the issue in a FORMAL REVIEW, the Committee on Standing may continue its investigation and action if it has discovered sufficient information to suggest misconduct has occurred.
4. The Committee on Standing may confer with appropriate professionals on a consultant basis as the situation warrants. None of them, however, shall participate in the committee's final decision or have a vote.
5. If it is determined that there is sufficient cause to proceed, the accused person will be

presented with a formal written complaint from the complainant. A negotiated date and place is set for the FORMAL REVIEW to which the accused person is invited.

6. The accused and the accuser shall be notified of the decision of the Committee on Standing whether or not to proceed. That notification will be sent registered mail, return receipt requested and marked confidential.
7. This FORMAL REVIEW will be held as soon as possible but within 90 days after the accused received the written report of the complainant.
8. In a FORMAL REVIEW the Committee on Standing will investigate the accusation(s) through information and documentation from the complainant, the accused, and other credible sources as appear appropriate.
9. Using its best judgment the Committee shall decide upon an appropriate recommendation which shall be given to the accused and accuser in writing.

C. In Choosing Appropriate Actions And Recommendations

1. If the accusations are not substantiated:

The investigation will cease and every effort will be made to exonerate the clergy. A record of the review and its conclusions will be provided for the clergy and may be included in their permanent file. A public statement of exoneration by the Regional Minister may be made if the clergy so chooses. The Committee will also respond with care and concern to the complainant(s). [**p. 139]

2. If the accusations are substantiated:

The Committee on Standing may respond with

a. An Educative Advisory

The situation is not necessarily misconduct but shows poor professional judgment. Clear guidance needs to be given to accomplish the necessary corrective. [**p.139]

b. An Educative Warning

The situation is unquestionably inappropriate and unwise behavior, but is not clearly misconduct. This clear warning calls for an immediate cessation of the behavior. [**p. 140]

c. A Reprimand

The situation involves misconduct but has resulted in relatively minor consequences. The action is recorded and placed in the clergy's permanent file. [**p. 140]

d. Censure.

The clergy has clearly participated in misconduct which was persistent and resulted in (or could have resulted in) serious harm to others. The action shall be recorded and placed in the clergy's permanent file, but will not result in removal of standing. Rehabilitation is required and restitution may be recommended. [****p. 140**]

e. Removal Of Standing

1. The clergy has exhibited misconduct which has resulted in harm to others and to the ministry. Protection if others from further harm and the protection of the integrity of the ministry are paramount. [****p.140**]
2. The action is recorded and placed in the clergy's permanent file. Standing is removed in the region and the Center for Leadership and Ministry is notified in the Division of Homeland Ministries.
3. The removal of standing shall continue until there is clear evidence that the clergy has met the expectations determined by the Committee on Standing. At that time the clergy may petition the Committee on Standing for restoration of standing.
4. Standing will not be restored should the clergy refuse a treatment program or should the malfeasance be such that it has caused an irreconcilable situation.

D. In Making An Appeal If Clergy Sexual Misconduct Has Been Substantiated

Should the accuser be dissatisfied with the actions or recommendations of the Committee on Standing each has the right of appeal to the Regional executive Committee, and the Regional Board of the Christian Church in Kansas (Disciples of Christ).

Should the accused be dissatisfied with the actions or recommendations of the Committee on Standing each has the right of appeal to the Regional Executive Committee, the Regional Board of the Christian Church in Kansas (Disciples of Christ), and ultimately to the Administrative Committee of the General Board. [G.A. Resolution 7149;IV.E.]

E. In Notifying Parties If Clergy Sexual Misconduct Has Been Substantiated

1. Responses To The Victim(s)

- a. The Regional Minister shall respond with sensitivity and care.
- b. The advocate will be encouraged to continue in a nurturing and supporting role.
- c. A list of qualified therapists may be provided to the victim(s) to be utilized at their choice and at their own expense.
- d. The Committee on Standing may encourage the offending clergy to offer financial assistance with medical and/or counseling costs.

- e. The goal is healing.
- f. The church is to act in a pastoral and caring manner with the victims and their families.
- g. Where there are multiple victims identified, an opportunity may be provided for these persons to meet together for mutual support and sharing.
- h. The accuser is reminded of the depth of God's grace and the cost of God's forgiveness in Christ. Encouraging faith is an important part of the church's ministry to the victim.
- i. Give frequent reassurance that the victim(s) will not be abandoned in the midst of their pain and powerlessness.
- j. The persons involved should avoid making interpretations of what the experience means to the victim.
- k. the victim's right to be in control of the recovery process should be respected.

2. Responses To The Accused Clergy

- a. Our response to the clergy and their family members should be understood as a pastoral and caring act of the regional church.
- b. The intent is vocational and personal redemption and healing through a fair and just process.
- c. The advocate will be encouraged to continue in a nurturing and supporting role.
- d. the accused is reminded of the depth of God's grace and the cost of God's forgiveness in Christ.
- e. It is important to distinguish between confession and absolution, on the one hand, and restoration to pastoral ministry, on the other. [****p.141**]
- f. Occasions of confession and absolution should be practiced with care and not in haste.
- g. Full restoration to pastoral ministry requires the mature judgment of the region through the Committee on Standing.
- h. A requirement of therapeutic evaluation and/or treatment may be utilized in combination with any of the responses mentioned above. (This requirement should be clearly communicated and monitored as appropriate over time.)
- i. The supervisor will monitor the requirements established by the Committee on Standing and make written reports quarterly to the Regional Minister.

- j. As an act of fairness, justice and repentance the clergy may be encouraged to make financial restitution to the victim(s) for their medical and/or therapy expenses and financial restitution to the region for its expenses in convening the Committee on Standing, handling the investigation, and working with the congregation for its rehabilitation. This may be a prerequisite for maintaining or reinstating standing.
- k. The Committee on Standing and/or Regional Minister may limit the ministerial functions of the offending clergy for a period of time by not including them in the relocation system, removing their regional and general voting privileges and by excluding them from regional offices and positions of leadership.
- l. Where therapy is indicated the offending clergy may choose from a list of possible counselors presented by the Committee on Standing or one agreed upon by the Regional Minister.
- m. Reinstatement of the clergy may be dependent upon the joint conclusions of the therapist and the Committee on Standing.
- n. If standing is removed the Center for Leadership and Ministry in the General Office will be notified of the action so that the clergy person will not be allowed circulation in the relocation process.
- o. Once removed from the practice of ministry the matter of restoration is not merely an issue of absolution or forgiveness. The clergy is forgiven, but the question of qualification for the office of minister must be assessed by the Committee on Standing. [****p. 142]**

3. Responses To The Congregation

- a. The Regional Minister shall respond with sensitivity and care.
- b. Where appropriate the Regional Minister or a representative of that office will meet with a congregation to report the results of the process with special attention to the disciplinary action taken and its implications. (The report, in written form, will cover the particulars of the charges, action taken by the Committee on Standing. It will not list the names of the accusers.)
- c. Where there are multiple victims identified, an opportunity may be provided for these persons to meet together for mutual support and sharing.
- d. This should be understood as a pastoral and caring act of the regional church toward the congregation.
- e. The goal is healing.

- f. The regional church will give frequent reassurances that the congregation will not be abandoned in the midst of their pain and powerlessness.
- g. The regional church will respect the congregation's right to be in control of their recovery process.
- h. If requested by the congregation, regional leadership will be provided them to assist in addressing their concerns so as to bring healing to their brokenness. This will place no financial obligation upon the region.

4. Responses To The Regional Staff

Case by case the regional minister, at his/her discretion and on a need-to-know basis, will share the allegations of the accuser and the process and recommendations of the Committee on Standing with the regional staff of the Christian Church in Kansas.

5. Responses To Necessary Civil Entities

The Committee on Standing will report, as appropriate and in consultation with an attorney retained on behalf of the Christian Church in Kansas (Disciples of Christ), any violations of the law to law enforcement authorities and in response to Court orders.

If a minor is involved, the appropriate agency will be notified of any suspected child abuse, pursuant to K.S.A. 38-1522 or any other governing statute relating to child abuse reporting. Extreme care will be exercised to prevent disclosure of the minor's name. The documents generated in the review process will simply use initials of the minor to protect against inadvertent disclosure.

F. In Following Up In Clergy Sexual Misconduct Has Been Substantiated

1. With Parties During The In-Care Period

- a. A list of qualified therapists will be provided to involve persons to be utilized at their choice and at their own expense.
- b. Unless warranted, the Committee on Standing would not see the accused for a period of one year. In the interim a supervisor of the committee's choosing would monitor the progress of the clergy and make periodic written reports to the office of the Regional Minister.
- c. If financial restitution has been suggested, the supervisor will give attention to the clergy's progress in keeping good faith with this requirement.
- d. The one year review process can be repeated as often as the Committee on Standing deems it necessary.

2. With Appropriate Forgiveness & Restitution

- a. The church in dealing pastorally with offenses and offenders must not only adhere to accepted legal standards of justice and due process, it must also be guided by the law and gospel of God and by the Spirit of God who alone knows how and when to apply both law and gospel in exercising the church's authority to bind and loose, to forgive or not to forgive sins. [**p.136]
- b. Forgiveness and restoration to positions of trust for persons who have violated that trust should not be quickly or lightly given. "Do not be hasty in the laying on of hands, nor participate in another person's sins; keep yourself pure," (I Timothy 5:22). [**p.136]
- c. The goal should always be to restore even the most serious offended to fellowship with God and communion with the church, even when forgiveness and reconciliation cannot be extended to include restoration to pastoral office. "Brothers and sisters, if anyone is overtaken in any trespass, you who are spiritual should restore that one in a spirit of gentleness. Look to yourself, lest you too be tempted." (Galatians 6:1). None of us is safe from temptation. [**p. 136]
- d. Forgiveness becomes possible when a perpetrator of injustice admits the injustice, repents and accepts disciplinary action that offers some satisfaction to the victim(s) and some assurance that such behavior will not occur again. Forgiveness that short cuts any of these steps is inappropriate for the Christian community and is a further betrayal of the victim(s).
- e. The quarterly reports of the supervisor concerning the progress of the accused in meeting the requirements established by the Committee on Standing will be made a part of the case log. These notes can indicate and verify good faith on the part of the accused toward seeking restitution.
- f. In situations where the minister's standing is removed the offending clergy may petition the Committee on Standing for restoration of standing upon fulfillment of the requirements of restitution, the completion of rehabilitative treatment, and/or demonstration of competence.
- g. Should standing be reinstated by the Committee on Standing this action will be added to the minister's Permanent File.
- h. The Committee on Standing is interested in the person and the redemption of his or her ministry. The process for reinstatement is a responsible and orderly means of reaffirming the individual's re-qualification for ministry.
- i. The restitution of a minister's standing indicates that the Committee on Standing sees this person as fit to do ministry and recommends his or her circulation in the relocation process.

G. Disposition Of Documentation

All materials which relate to the accusation brought before the committee are to be returned to the Regional Minister. At the conclusion of the committee members' term all their materials will be turned in to the Regional Minister.

VI. EDUCATIVE AND PREVENTATIVE STRATEGIES

A. For The Clergy

1. Clergy are encouraged to utilize the workshops and seminars offered in denominational and ecumenical settings on such issues as: counseling, substance abuse, family and marital concerns, developmental stages, conflict management and self-care in ministry. [****pp. 150-151]**
2. Support groups for clergy with their peers which are regular and intentional in their focus on dealing with personal issues. These may be sponsored denominationally or ecumenically or may be self-constituted by a group of concerned clergy who trust each other and work well together.
3. The use of pastoral mentoring programs and/or spiritual directors so that clergy can benefit from the experience and maturity of capable Christian mentors.
4. One helpful strategy is individual consultation or clinical supervision with competent trained professionals. This can aid clergy in reducing the factors which place him/her in risky situations, and help clergy learn ways to reduce stress in situations of pastoral intimacy. Lists of such professionals are available through the American Association of Pastoral Counselors. This strategy can also be utilized in small group consultations. [****p. 151]**
5. Learn when to refer counseling cases. Appropriate referral is good pastoral care for the self and for the client. Know the limits of your own ability, time, and strength. [****p. 152]**
6. Utilize and trust personal, family and marital counseling for yourself.
7. Build trusting relationships with persons who can be listeners to your confession and who can be incarnational expressions of forgiveness to you. Make the expression of confession and the receiving of forgiveness a significant part of your spiritual discipline.
8. Become acquainted with the counseling and educational services which are available to you in the area where you live.
9. Clergy are encouraged to take time off regularly and systematically in order to prevent the stress and burnout that can contribute to sexual misconduct.
10. Clergy are also encouraged to avoid professional isolation, and when appropriate to reach out and ask for help.
11. Clergy are encouraged to sign and display in their office the "Ethical Affirmations For My Ministry" which refers to this policy.
12. Read from among the significant writers and writings in this discipline.

13. All Disciple clergy in Kansas receive from the Regional Minister an “Annual Standing Review” form which asks clergy to sign the following statement: “I have read and understand the following ministry policies of the region: The Policy on Criteria and Order of Ministry, The Ethical Affirmations for My Ministry, and The Regional Policy on Clergy Sexual Conduct; further, I understand that these are the operational documents for the region’s Committee on Standing.”

B. For The Congregation

1. Congregations are encouraged to use this policy as a model for designing a local policy on sexual conduct that details the procedures for filing a complaint. We recommend that the local church include the following in its by-laws, policies and procedures:
 - a. That clergy serving this body may continue their professional practice only so long as they maintain ministerial standing in this region.
 - b. Provisions for a pastoral relations committee.
 - c. A congregational policy relating to alleged violations of professional ethics.
2. Congregations can consider budgeting to help undergird the pastor in utilizing several of the above options, thereby becoming a partner with their clergy in enhancing her/his ministry to them.
3. Congregations are encouraged to provide educational opportunities for studying above sexual harassment, sexual abuse, child abuse, inclusive language, masculine and feminine images of God, positive images of the human body, human sexuality and the roles of men and women in today’s society. [Negative images of women and men, sexuality and the human body contribute to exploiting sexuality and sexual abuse.]
4. Clergy and their congregations are encouraged to address human sexuality from the pulpit and in the classroom from a Christian biblical perspective.
5. Congregations are encouraged to know their legal options and the legal implications of their actions in handling cases of sexual misconduct.

C. For The Region

1. The Regional Staff of the Christian Church in Kansas will present this policy along with “The Ethical Affirmations for My Ministry” to each congregation. The standing of clergy depends upon a willingness to acknowledge these ethical standards.
2. The Regional Staff of the Christian Church in Kansas will present this policy along with “The Ethical Affirmations for My Ministry” and the “Ethical Guidelines for Congregations” to each new minister who comes into the Kansas Region so that they will be informed that their standing depends on their willingness to acknowledge these ethical standards.

3. The Committee on the Order of Ministry and the Committee on Licensed Ministry of the Kansas Region will be asked to regularly apprise their constituency of this document.
4. Regional leadership responsible for the relocation process and congregational leadership responsible for the search process will ask the following questions of references:
 - a. To your knowledge, have any allegations ever been filed for sexual abuse or sexual harassment against this candidate? (If so, go to b. In not, go to c.)
 - b. What was the outcome of the filing of the allegations?
 - c. To your knowledge, have there ever been any proven charges against this candidate? (If so, to do d.)
 - d. What were they, and what was done about them?
5. Regional leadership will share this policy with search committees indicating that clergy standing is dependent upon acknowledgment of it.

D. For The Seminary

1. Address at the seminary level issues of clergy sexual misconduct.
2. Seminaries of the Christian Church (Disciples of Christ) will be informed about this document and encouraged to introduce their students to it as part of their seminary education.

BIBLICAL REFERENCES RELATING TO SECTION ONE

The following Scriptures relate to section one of this document, "Theological/Biblical Understandings". What follows are a few of the primary texts that might be examined. While they are suggestive of important verses for your consideration, the list is not meant to be exhaustive. A. in this list corresponds to A. in that list, etc.

- A. Acts 18:24-28; Romans 15:4; I Corinthians 10:1-13, 11:2, 15:1-3; Galatians 3:23-29; II Thessalonians 2:15, 3:6; II Timothy 3:14-17.
- B. Genesis 1, 2; Psalm 105; Song of Solomon 8:6-7; I Corinthians 4:1-2, 9:24-26; I Timothy 4:1-5; Titus 1:15; James 1:17.
- C. Exodus 20:1-2, 24:3; Deuteronomy 5, 6; Psalm 119; Matthew 11:28-30, 22:34-40; I John 5:3.
- D. Psalm 85; Jeremiah 31:31-34; Zechariah 8:11-17; Matthew 13:44-45; Luke 7:36-50; John 10:10; I Thessalonians 5:23; Hebrews 13:20-21; James 3:13-18.
- E. Deuteronomy 31:16-22; Judges 2, 21:25; Psalm 78; Jeremiah 2:20-28; Hebrews 9.
- F. Exodus 3:7-9; Amos 8:4-6; Matthew 25:31-46; Luke 4:18-21; James 2:1-7, 14-17.
- G. Exodus 2:23-25; Amos 5:21-24; Matthew 18:6-7, 10-14.
- H. Matthew 5:27-30; Romans 1:18-32, 13:12-14, 16:17-19; I Corinthians 3:18-20; Ephesians 5:3-13; I Thessalonians 4:1-8; Hebrews 13:4; I Peter 4:1-5.
- I. II Samuel 11:2-12:24; Romans 14:13-19; I Corinthians 6:12-20; Galatians 6:1-10.
- J. Romans 2:17-23; 6:15-23; II Corinthians 5:18-20, 6:3-10; I Timothy 4:6-16.
- K. Proverbs 6:32-33; Jeremiah 7:8-15, 23:9-17; I Corinthians 5:12; II Corinthians 2:4-11.
- L. Isaiah 1:10-20; Jeremiah 18:1-11; Ezekiel 18:30-32; Micah 6:8; Acts 3:17-26.
- M. Acts 2:37-42, 10:34-43, 26:12-18; Colossians 1:13-14, 2:13-15; I John 1:5-2:2, 12.
- N. John 14:25-26; Romans 8:26-27; Ephesians 3:14-19, 6:10-18; II Timothy 1:13-14
- O. Isaiah 43:15-19; Romans 8:1-17, 10:5-13, 14:1-23; II Corinthians 5; Philippians 4:8-9; James 1:5-8, 3:13-18.
- P. I Corinthians 8; II Corinthians 3:4-18; Galatians 5:13-25; James 2:8-13; I Peter 2:16.
- Q. John 8:3-11; Romans 3:23-26, 5:1-21; Ephesians 1:3-10; Titus 2:11-3:8; James 2:8-13.
- R. Matthew 19:4-6; I Corinthians 7, 11:11; Ephesians 5:21-33.
- S. Revelation 21:4; Romans 12; I Corinthians 13; II Peter 1:3-11; Jude 20-23.

CREDITS

Resources Read and Used in Writing This Document:

“The Sexuality and Ordination Study of the College of Professional Christian Ministers of The Christian Church in Illinois-Wisconsin”*

“Appendix: Sexual Misconduct by Clergy Within Pastoral Relationships” from In Nothing Sacred? by Marie Fortune*

“Sexual Contact by Pastors and Pastoral Counselors in Professional Relationships”*

Central Rocky Mountain Region’s “Guidelines for the Review of Ethical Misconduct by Ordained or Licensed Church Professionals”*

“Sexual Harassment and Abuse” The Presbyterian “Policy Regarding Sexual Misconduct by Those Involved in Ministry”*

“Sex and Violence in the Family and Church” by Loren Broadus

“Soul Stealing: Power Relations in Pastoral Sexual Abuse” by Pamela Cooper White from The Christian Century

“If This Isn’t Love, It Could be a Fix” by John Bradshaw September 1990 Lear’s

“It’s More Than a Scandal” by G. Lloyd Rediger from the January issue of Church Management - The Clergy Journal

“Dealing With Attraction in Working Relationships” by Celia Allison Hahn in the September/October 1990 issue of Action Information (Alban Institute)

“Five Ways Your Parish Can Work to Become a Safe Place” by the ELCA Commission for Woman

Growth Associates Clergy Tele-lecture by Bob Carlson on “The Sexual Confusion Rules the Parish” (An undocumented Newspaper Article)

“Journal of a Broken Ministry” from the Fall Quarter 1986 issue of Leadership [An Evangelical Perspective]

“Preserving Professional Boundaries: Individual Personal and Professional Health” prepared by the Center for the Prevention of Sexual and Domestic Violence

“Personal Report for the executive: in the May 1, 1989 report of the National Institute of Business Management

Study and reflection documents presented to the 1991 General Synod of the United Church of Christ

***Those annotated above were relied on heavily and in some cases quoted from broadly in the preparation of this policy.**

The copyrighted source frequently quoted is the appendix to Is Nothing Sacred? by Marie Fortune. Those quotations are “used with the permission of the Center for the Prevention of Sexual and Domestic Violence.**” Extended citations are noted with a double asterisk [**] followed by the page number from the Fortune text.

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