

Policy Statement on Misconduct of a Sexual Nature

Instruction for Distribution: This policy will be distributed each year by the Conference Treasurer and Director of Administrative Services to all Conference Personnel and Personnel Committees. Further, it will be distributed each year by each Superintendent to:

1. the PPR/SPR chairs on their Districts with the request that the policy be shared with their congregations and personnel, and
2. all clergy related to the Charge Conferences of their Districts and all those assigned by the Bishop or Cabinet.

Purpose: The California-Nevada Annual Conference of The United Methodist Church bears affirmative responsibility to create an environment of hospitality for all persons, male or female, which is free of misconduct of a sexual nature and encourages respect, equality and kinship in Christ. We support equity among all persons without regard to ethnicity, situation, or gender. The California-Nevada Annual Conference stands in opposition to the sin of misconduct of a sexual nature in the Church and society at large. The California-Nevada Annual Conference commits itself to fair and expedient investigation of any charge of misconduct of a sexual nature within the church and to take action deemed appropriate and in compliance with The 2000 Book of Discipline.

Theology: The 2000 Book of Discipline states, ¶161. “(G) Human Sexuality-We recognize that sexuality if God’s good gift to all persons. We believe persons may be fully human only when that gift is acknowledged and affirmed by themselves, the church, and society. We call all persons to the disciplined, responsible fulfillment of themselves, others, and society in the stewardship of this gift. We also recognize our limited understanding of this complex gift and encourage the medical, theological, and social science disciplines to combine in a determined effort to understand human sexuality more completely. We call the Church to take the leadership role in bringing together these disciplines to address this most complex issue. Further, within the context of our understanding of this gift of God, we recognize that God challenges us to find responsible, committed, and loving forms of expression.

Although all persons are sexual beings whether or not they are married, sexual relations are only clearly affirmed in the marriage bond. Sex may become exploitative within as well as outside marriage. We reject all sexual expressions that damage or destroy the humanity God has given us as birthright, and we affirm only that sexual expression that enhances that same humanity. We believe that sexual relations where one or both partners are exploitative, abusive, or promiscuous are beyond the parameters of acceptable Christian behavior and are ultimately destructive to individuals, families, and the social order.

We have been called into covenant with God and one another through the grace of Jesus Christ. This covenant, which we share in together in Christ’s body, the Church, is intended by God to be a means of reconciliation, justice, faith, hope, and love. Misconduct of a sexual nature disrupts the sacred covenant of God with us and is unacceptable in the community where Christ’s ministry of grace is proclaimed and experienced. Misconduct of a sexual nature within the faith community is a devastating betrayal of sacred trust. Therefore, all Christians are called to identify and prevent misconduct of a sexual nature whenever, however, and wherever it is encountered.”

The California-Nevada Annual Conference of The United Methodist Church affirms *The 2000 Book of Resolutions*, “Sexual Abuse Within the Ministerial Relationship and Sexual Harassment within the Church,” which states that sexual abuse within the ministerial relationship and sexual harassment within the church are incompatible with the biblical teachings of hospitality, justice and healing. All human beings, both male and female, are created in the image of God, and thus have been made equal in Christ. As the promise of Galatians 3:26-29 states, “all are one in Christ.” We support equity among all person without regard to ethnicity, situation, or gender.

Definitions: The term “clergy” is used in this policy to include all ordained, licensed, consecrated, appointed or assigned persons serving in the California-Nevada Annual Conference, including those

ministers appointed to extension ministries, those who are on leaves, those who have honorably located, and those who are retired.

This understanding is equally applicable in the context of ministries in which there are no “parishioners,” but there is a community which acknowledges the authority of the clergy person as a spiritual leader (appointments to extension ministries, honorable location, ministers on leaves, retired) or other ministries in which the clergy person serves a community much wider than the membership of the appointed congregations.

Misconduct of a sexual nature within the ministerial relationship is an abuse of the power of the clergy role. Such misconduct may include sexual abuse, sexual assault, sexual exploitation, and sexual harassment. Clergy misconduct of a sexual nature also includes some relationships between so-called consenting adults when they occur in the context of a clergy person’s professional role.

Misconduct of a sexual nature within the ministerial relationship occurs when a person within a ministerial role of leadership engages in inappropriate sexual contact, or inappropriate sexualized behavior with a congregant, client, employee, student, staff member, co-worker, colleague or volunteer. Misconduct of a sexual nature within the ministerial relationship involves a betrayal of sacred trust, a violation of the ministerial role and exploitation of those who are vulnerable. Any such misconduct of a sexual nature is a violation by the clergy person who then bears the responsibility for his/her behavior.

(Adapted from *The 2000 Book of Resolutions*, page 136)

“We define sexual harassment as any unwanted sexual comment, advance or demand, either verbal or physical, that is reasonably perceived by the recipient as demeaning, intimidating, or coercive. Sexual harassment must be understood as an exploitation of a power relationship rather than as an exclusively sexual issue. 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.” (*The 2000 Book of Discipline*, ¶161.I)

Practical Application: The church is called to recognize, prevent, and stop misconduct of a sexual nature. As a part of the covenant community of faith, all clergy and laity bear sacred responsibility to address misconduct of a sexual nature as they become aware of such behavior. While we recognize that clergy are uniquely accountable to the California-Nevada Annual Conference for their actions in this regard, it is our hope is that persons serving in other leadership roles (educators, counselors, youth leaders, or other positions of leadership) will bear and uphold the same sacred responsibility. Furthermore, it is our belief that laity and clergy alike bear responsibility for confronting one another with knowledge of misconduct of a sexual nature and harassment.

When the covenant has been broken by instances of misconduct of a sexual nature, there is pain and disruption in the community. In those moments, the church is called to bring about healing, reconciliation and restoration of all parties. This may include encouragement and support of an aggrieved person, care for one committing the offense, and initiation of complaint procedures (see ¶359, *The 2000 Book of Discipline Re: Complaint Procedures*). Every complaint shall be taken seriously.

When incidents of misconduct of a sexual nature are alleged or proven, the greatest possible care shall be taken to assure that the least possible additional harm is done to all persons involved. When misconduct of a sexual nature occurs, there are many victims: the persons involved, the spouses and families, congregations, and the larger community surrounding them.

If any provision of this policy is in conflict with the current *Book of Discipline*, *The Discipline* shall prevail. Such conflict shall not be grounds for invalidating this policy.

To explore options, persons involved in or aware of possible misconduct may call the Conference Confidential Hotline for Sexual Harassment and Misconduct of a Sexual Nature. The phone number (916-374-1569) shall be published yearly in the Conference *Journal*.

- Adopted by California-Nevada Annual Conference June 2002