

*SAMPLE
CHURCH POLICY AND PROCEDURE
GUIDE
FOR
SEXUAL MISCONDUCT*

Note: This is a sample document only. It is presented as a rough guide only and should be reviewed by your legal advisor prior to adoption.

Policy and Procedures Addressing Sexual Misconduct

____{ Church Name }_____ opposes any form of sexual misconduct by pastors, lay staff, employees and volunteers. This policy applies equally to pastors, lay staff, employees and volunteers.

Unless otherwise specified, the words “pastor” and “pastoral” include all rostered persons including pastors and associates in ministry.

A. Defining Sexual Misconduct

1. Sexual misconduct of a pastor involving a parishioner, client or employee with whom the pastor has a professional, pastoral relationship is unethical and unprofessional behavior.
2. Sexual contact between professional lay staff or congregation volunteers and a parishioner, client or employee with whom the lay staff or volunteer has a working, leading, or teaching relationship is unethical.
3. Sexual harassment includes, but is not limited to: unwelcome and unsolicited sexual advances, request for sexual favors, discriminatory tormenting based upon gender and other undesired verbal, visual, or physical conduct of a sexual nature. In particular, sexual harassment occurs if there is:
 - a) Submission to any kind of sexual harassment as an explicit or implicit term or condition of employment;
 - b) Submission, to or rejection of, sexually harassing behavior if used as a basis for employment or other personnel decisions affecting the recipient of the behavior;
 - c) Purpose or effect of unreasonably interfering with the recipient’s work performance;
 - d) Verbal harassment or abuse;
 - e) Pressure for sexual activity;
 - f) Derogatory or dehumanizing remarks about women/men;
 - g) Remarks to a person with sexual or demeaning implications;
 - h) Touching of a sexual nature;
 - i) Suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning one’s job, volunteer position or reputation, etc.;
 - j) The dissemination of material (such as cartoons, articles, pictures, etc.) which have sexual content.

B. Reporting Sexual Misconduct

1. The first step in stopping sexual harassment is to directly inform the person involved that his/her conduct is unwelcome, a violation of church policy, and that it must stop immediately.
2. Anyone may report allegations of sexual misconduct to the senior pastor, personnel committee, the congregation council, or a person of responsibility in the congregation or denominational synod.
3. Allegations of sexual misconduct against pastoral staff will be reported to the denominational or synod presiding head.
4. Allegations of sexual exploitation against pastoral staff will be reported in compliance with any existing denominational or synod requirements.
5. Allegations of sexual misconduct against lay staff and volunteers will be reported to the congregational senior pastor and/or congregation council chairperson. Allegations against associates in ministry should be reported to the denominational or synod presiding head.
6. Allegations of sexual abuse with minor children and vulnerable adults must be reported to the senior pastor and local legal authorities.
7. Pastors hearing confessions about sexual misconduct involving legal adults will maintain confidentiality.
8. Alleged victims of sexual misconduct are assured of legal confidentiality of any allegations they make.
9. Allegations of sexual misconduct must be made in writing as to date, time and circumstances.

C. Investigating Sexual Misconduct

1. Congregation officers, council members, pastoral and lay staff, and volunteers will cooperate with denominational or synodical investigation of allegation of pastoral misconduct.
2. Allegations of sexual misconduct against lay staff, employees, and volunteers and volunteers of congregation will be investigated, handled with discretion and confidentiality and adjudicated by the personnel committee or an ad hoc committee appointed by the church council in order to rectify, heal and promote dignity. The committee of women and men shall consist of a pastor and one council member and two members at large from the congregation. The committee shall report its findings and recommendation to the personnel committee and if necessary to the church council.
3. Victims of alleged sexual misconduct have the right to confront the accused.
4. Victims may have the support of a trained advocate through the process.
5. The accused has the right to know the nature and substance of the allegations.
6. The alleged victim and the accused will be apprized of the investigation and its outcome.

D. Youth Activities

1. There will be chaperones of both genders at any church sponsored youth activity, when young people of both genders are participating in the activity. Men will not chaperone girl's activities without a woman present and women will not chaperone boy's activities without a man present.

E. Responding to Sexual Misconduct

1. Pastoral staff found guilty of sexual misconduct will be dealt with in accordance with denominational or synodical guidelines.
2. Lay staff and volunteers found guilty of sexual exploitation will be removed from their duties in the congregation.
3. False allegations and/or information will be subject to disciplinary action by the church council.
4. The congregation will extend Christian love and support to the victims and their families.
5. The congregation will extend Christian love and support to those accused and/or found guilty of sexual misconduct.

F. Oversight and Education

1. The church council is responsible for the education of congregation members about sexual misconduct and the existence of these policies.
2. The church council shall review these policies annually with pastors, officers and council members, lay staff, other employees, committed chairs and volunteers.
3. The church council and personnel committee are responsible to ensure that these policies are followed.
4. The staff will be educated through annual meetings in regard to this policy and acknowledge policy by signature.