

GUIDELINES FOR PROTECTIVE PROCEDURES ON MISCONDUCT OF A SEXUAL NATURE

**SUBMITTED BY:
Conference Ministry Team Task Force
on Misconduct of a Sexual Nature**

Disclaimer: These Guidelines are provided by this Task Force to assist church organizations with general information about procedures of investigation in regard to complaints of sexual misconduct. These guidelines are not intended to and do not establish a standard of care regarding how to investigate a claim of sexual misconduct. This Task Force is not engaged in legal accounting, or other professional services. Church organizations should always seek the assistance of competent legal counsel as they address complaints of sexual misconduct.

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* For purposes of this document, the term “child” is defined as any person under the age of 18.

LOUISIANA ANNUAL CONFERENCE POLICY STATEMENT ON MISCONDUCT OF A SEXUAL NATURE

The Louisiana Annual Conference of the United Methodist denomination 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 as incompatible with biblical teachings of hospitality, justice and healing. In accordance with the *2000 Book of Discipline, par. 161F*, 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 persons without regard to ethnicity, situation or gender.

Sexual abuse within the ministerial relationship occurs when a person within a ministerial role of leadership (pastor, educator, counselor, youth leader or other position of leadership) engages in sexual contact or sexualized behavior with a congregant, client, employee, student, staff member, co-worker or volunteer.

Sexual harassment is any unwanted sexual advance or demand, either verbal or physical, that is reasonably perceived by the recipient as demeaning, intimidating, or coercive. 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 (*Book of Discipline, par. 1611*). It also includes intimidating or coercive behavior that threatens or results in a tangible employment action.

Gender harassment is behavior that is harassing in nature against a woman because she is a woman or against a man because he is a man.

Sexual abuse within the ministerial relationship involves a betrayal of sacred trust, a violation of the ministerial role and exploitation of those who are vulnerable. Similarly, sexual and gender harassment must be understood as an exploitation of a power relationship rather than as an exclusively sexual or gender issue.

Sexual and gender harassment, sexual abuse and misconduct of a sexual nature within the life of the Church interferes with its moral mission. The Louisiana Annual Conference prohibits and will not tolerate these behaviors, which are sinful, demeaning, abusive and wrong, and commits itself to fair and expedient investigation of any complaint of sexual and gender harassment, sexual abuse or misconduct of a sexual nature within the church and to take action deemed appropriate and in compliance with the *Book of Discipline*. Further, the Louisiana Annual Conference bears affirmative responsibility to create an environment of hospitality for all persons, male or female, which is free of these sins and encourages respect, equality and kinship in Christ.

Some instances of sexual harassment can be resolved informally by conversation between the parties or facilitated mediation. In all other instances, this conduct must be reported immediately to the supervisor or pastor. If the conduct involves a clergy person, it also should be reported to the clergy person's district superintendent or the presiding bishop.

The Louisiana Annual Conference will not retaliate against any person who brings forward a complaint. All staff, leaders and volunteers are expected to immediately report any knowledge of

harassment, abuse or misconduct to any one of the persons listed above. Prompt and appropriate investigation and corrective action will be taken, including discipline. Persons who make false accusations will be disciplined.

While the Louisiana Annual Conference cannot guarantee absolute confidentiality, it will make every reasonable effort to maintain confidentiality by disclosing information about the complaint only on a “need to know” basis and as necessary to promote God’s call for justice, reconciliation and healing.

Anyone who has any questions about this policy or the issues addressed is encouraged to air those questions or concerns to the presiding bishop.

Protection Policy and Procedures For Sexual Misconduct Involving Clergy, Adult Laity, Youth, and Children

PURPOSE

The Louisiana Annual Conference of the United Methodist Church adopted a Policy Statement on Misconduct of a Sexual Nature during its 2001 Session. The following procedures were developed in response to that statement to be used as guidelines within the conference structure, including the local church.

***GENERAL PROCEDURES FOR CONDUCTING SEXUAL MISCONDUCT INVESTIGATIONS**

- A. Interviewing the Complainant
 - a. Explain how the investigation will be conducted. The purpose of the interview is to obtain the facts, clarify the issues and establish a mutual understanding of the problem in order to reach a fair solution.
 - b. Discuss confidentiality. Inform the complainant that the complaint and investigation will be handled confidentially; however, it will be discussed with the accused and, on a “need-to-know” basis with witnesses and others.
 - c. Notify the complainant that you will be taking notes during the interview.
- B. Interviewing Witnesses
 - a. In most cases, the witnesses, if any, should be interviewed before the accused, to ensure that you have as much information as possible before his/her interview.
 - b. Explain that a complaint of sexual harassment has been received and that it is being investigated.
 - c. Discuss confidentiality. Inform the witness that the investigation will be handled confidentially; however, it will be discussed with others on a “need-to-know” basis.
 - d. Advise the witness that you will be taking notes during the interview.
- C. Interviewing the Accused
 - a. Inform the accused of the allegations made against him/her and that an investigation is being conducted.
 - b. Explain how the investigation will be conducted. The purpose of the interview is to obtain the facts, clarify the issues and establish a mutual understanding of the problem in order to reach a fair solution.
 - c. Discuss confidentiality. Inform the accused that the complaint and investigation will be handled confidentially; however, it will be discussed on a “need-to-know” basis with witnesses and others.
 - d. Notify the accused that you will be taking notes during the interview.

* See Appendix A: General Council on Finance and Administration’s “Sexual Harassment Investigation Checklist for a Church Organization (Lay Staff)” for more details. These general guidelines may be helpful to Bishops and their Cabinet in investigating complaints against clergy, but they must follow the requirements of the Book of Discipline first and foremost.

***PROCEDURES FOR RESPONDING TO AN ALLEGATION OF SEXUAL MISCONDUCT INVOLVING CLERGY**

- A. Assumptions underlying procedures
 - a. Allegations will be taken as worthy of full investigation.
 - b. Presumption of innocence shall be maintained until completion of the process. After that, the conclusion reached in the process will apply.
 - c. The protection of those involved, including the alleged victim or victims, the accused and the accused's family, and their congregation or institution shall be sought until all facts have been carefully considered and appropriate actions determined.
- B. Investigation when sexual misconduct is alleged.
 - a. Anytime the alleged victim is a child, it is required by law to inform the appropriate authorities immediately.
 - b. The allegation shall be brought to a District Superintendent or the Bishop by the alleged victim or by someone who had knowledge and is willing to pursue a resolution.
 - c. Both the alleged victim and the accused may bring to any meeting or hearing a person to accompany them and shall have the right to advocacy. (§454.1c)
 - d. A District Superintendent shall promptly share the grievance with the Bishop.
 - e. The Bishop or designated representative shall:
 - i. Explain to the alleged victim in the presence of another person chosen by the Bishop the process and the procedures to be followed in response to the grievance. One of these persons shall be the same sex as the alleged victim.
 - ii. Request and assist the alleged victim to provide a written grievance stating the allegations and the related facts.
 - iii. Request permission from the alleged victim to use a written grievance in discussion with accused.
 - iv. Meet with accused clergy (§454.1a) and share the allegations made:
 - 1) Share with him/her the formal written grievance where permission has been given to use it.
 - 2) Explain the process to be followed (§454) and its purpose, emphasizing the presumption of innocence and the right to fair process. (§2622)
 - 3) Request an oral or written response from the accused after informing the accused that he/she may respond to the allegations at a later date, if desired, after consultation with an advisor.
 - 4) Make available a summary of the accused's response to the alleged victim for comment.
 - 5) Seek to substantiate the allegation and ascertain sufficient reason for pursuing or not pursuing the allegations further.
- C. Determination of Sufficient Cause – When the Bishop and supervising District Superintendent determine there is a sufficient cause for a complaint of sexual misconduct, the Bishop or the designated representative shall ask the alleged victim(s) if they wish to participate in or will allow their written grievance to be shared in the Joint Review Process (§454.1c). One of three courses of action shall then be taken:

* To maintain the integrity of this document, the paragraph numbers refer to the 1992 Book of Discipline. For comparable paragraphs in the 2000 Book of Discipline, see ¶1611, ¶359, and ¶2701-¶2719. One nomenclature change in the 2000 Book of Discipline must be noted. The term "Joint Review Committee" has been changed to the Committee on Investigation.

- a. If a complaint is to be filed with the cooperation of the alleged victim(s), a written signed complaint shall be filed by the District Superintendent or Bishop, with the Chair of the Board of Ordained Ministry (§454.1b);
 - b. If there is substantial evidence, but no written grievance from an alleged victim to be used, the Superintendent or Bishop may file a complaint with the Chair of the Board of Ordained Ministry (§454.1b);
 - c. If the alleged victim, District Superintendent and Bishop choose not to pursue the grievance or complaint procedure, a note to that effect and any written grievance shall be placed in the clergy person's permanent record by the Bishop in the Bishop's office that potentially serious offenses have been alleged, but were neither conclusively substantiated nor disproved. Any written statement by the accused may also be placed in the file. Any clergy has access to his/her file.
- D. After a complaint is formally filed – When a complaint is formally forwarded to the Chair of the Board of Ordained Ministry (§454.1), the following steps will occur expeditiously. The Chair of the Board of Ordained Ministry calls the Joint Review Committee into session and refers the complaint thereto:
- a. In order to protect the right of the accused and to protect the alleged victim(s) and congregation from possible harm, the accused may be placed on Leave of Absence (§448.1).
 - b. The clergy person is encouraged to use fair process accorded by the Joint Review Committee. However, throughout the process, the clergy person may withdraw from membership in the Annual Conference under (§453.4 & §2628.2). If withdrawal takes place before formal charges are filed, the credential will be inscribed by the Bishop “withdrawn under complaint of sexual misconduct” and deposited with the Secretary of the Annual Conference. After formal charges have been filed, the credentials will be inscribed “withdrawn under charges of sexual misconduct”. This withdrawal is reported to the Board of Ordained Ministry for confirmation by the clergy Session of the Annual Conference at its next session.
- E. The Judicial Process of the United Methodist Church
- a. Joint Review Process – The Joint Review Committee is charged with the responsibility of seeking a resolution of complaint brought against clergy. Its duties and procedures are outlined in (§454.1c). The Joint Review Committee is not a trial procedure, but a hearing. Those against whom charges are brought and the aggrieved are urged to use the avenue of resolution.
 - b. The Right of Trial – Those against whom allegations or complaints are brought are innocent until proven guilty and may choose a trial when charged with offences. The trial procedure is outlined in (§454.1d and §2622-2627).
- F. Records – When credentials have been surrendered, the Clergy Session of the Annual Conference shall receive a report (§454.11). Full information of sexual misconduct and subsequent actions taken shall be kept in the clergy person's permanent record in the Bishop's office.

See Appendix B: “Theological Reflection and Covenant of Clergy, Louisiana Conference, United Methodist Church Regarding Sexual Ethics, Misconduct and Harassment” taken from the 1994 Louisiana Annual Conference Journal.

PROCEDURES FOR RESPONDING TO AN ALLEGATION OF SEXUAL MISCONDUCT/ABUSE INVOLVING LAY STAFF/VOLUNTEERS

- A. Assumptions underlying procedures
 - a. Allegations will be taken as worthy of full investigation.
 - b. Presumption of innocence shall be maintained until completion of the process. After that, the conclusion reached in the process will apply.
 - c. The protection of those involved, including the alleged victim or victims, the accused and the accused's family, and their congregation or institution shall be sought until all facts have been carefully considered and appropriate actions determined.
- B. Investigation when sexual misconduct is alleged
 - a. Anytime the alleged victim is a child, it is required by law to inform the appropriate authorities immediately.
 - b. The allegation shall be brought to the pastor or his/her designee by the alleged victim or by someone who had knowledge and is willing to pursue a resolution.
 - c. Both the alleged victim and the accused may bring to any meeting or hearing a person to accompany them and shall have the right to advocacy.
 - d. The pastor shall promptly share the grievance with the District Superintendent.
 - e. The pastor or designated representative shall:
 - i. Explain to the alleged victim in the presence of another person chosen by the pastor the process and the procedures to be followed in response to the grievance. One of these persons shall be the same sex as the alleged victim.
 - ii. Request and assist the alleged victim to provide a written grievance stating the allegations and the related facts.
 - iii. Request permission from the alleged victim to use a written grievance in discussion with accused.
 - iv. Meet with accused and share the allegations made.
 - 1. Share with him/her the formal written grievance where permission has been given to use it.
 - 2. Explain the process to be followed and its purpose, emphasizing the presumption of innocence and the right to fair process.
 - 3. Request an oral or written response from the accused after informing the accused that he/she may respond to the allegations at a later date, if desired, after consultation with an advisor.
 - 4. Make available a summary of the accused's response to the alleged victim for comment.
 - 5. Seek to substantiate the allegation and ascertain sufficient reason for pursuing or not pursuing the allegations further.
- C. Determination of sufficient cause – When the pastor and supervising District Superintendent determine there is a sufficient cause for a complaint of sexual misconduct, the pastor or the designated representative shall inform the complainant and the accused of the conclusion. If the accused is a lay staff member, the following actions, either alone or in combination, may be considered:
 - a. Apology to the complainant.
 - b. Oral reprimand.
 - c. Written warning.
 - d. Counseling.
 - e. Transfer or reassignment.

- f. Demotion.
 - g. Adjustment of salary or bonus.
 - h. Suspension.
 - i. Discharge.
- D. If the conclusion is that no violation occurred or there is insufficient evidence to make a conclusion, the complainant and the accused each should be notified.
- a. The complainant should be advised that the evidence will be preserved and that another investigation will be conducted if further information is provided.
 - b. The complainant should be encouraged to report any future incidents.
 - c. Both parties should be reminded that such conduct is not tolerated, that each complaint is investigated, and, if sexual harassment is found, appropriate measures will be taken to alleviate the situation.
 - d. Each party should be reminded of the prohibition against retaliation.
- E. In the weeks following the investigation, follow-up with the complainant to ascertain whether he/she has experienced any retaliation or further inappropriate behavior from the accused.
- F. In the event discipline was imposed against the accused, follow-up to ensure that the remedial measures imposed have been carried out appropriately.

PROCEDURES FOR RESPONDING TO AN ALLEGATION OF SEXUAL MISCONDUCT OR ABUSE INVOLVING A CHILD

- A. Take the allegation or incident very seriously, respecting the victim's privacy, as well as providing sympathetic concern for the victim and his/her family.
- B. Notify the proper law enforcement or child protective services agency immediately. If this is a case of known abuse, protect any evidence. Be prepared to cooperate fully with the investigation conducted by law enforcement officials or child protective services.
- C. Notify the parents of the victim, provide emergency care (if necessary) for the victim and provide for the safety of the victim until the parents arrive. The care and safety of the victim must be the church's primary concern. Be prepared to follow up with pastoral care for the victim and the victim's family.
- D. Listen to and record what you are being told. If the allegation is being made by the victim, do not try to elicit more information than is being offered.
- E. The accused must immediately be removed from further involvement with children or youth until the allegations are fully investigated and resolved. Do not confront the accused abuser with anger and hostility. The accused should be treated with dignity, acknowledging that he or she is a person of sacred worth, but also acknowledging that the accused must stop the abusive behavior, prayerfully repent, and turn in a new direction. Be prepared to provide pastoral care for the accused abuser.
- F. Notify the annual conference authorities (district superintendent or bishop), the church's insurance agency, and the church's attorney. Conference authorities must be kept aware of the congregation's actions throughout the process.
- G. Keep a written record of the steps taken by the church in response to the allegation. This information must be kept confidential and limited to only those who must know.
- H. Call upon your designated spokesperson to make any necessary statements or responses to the news media. The designated spokesperson should have a prepared, written statement. This person may be the pastor, another staff member, the church's attorney, or a lay member of the church. This person should answer questions honestly without adding extra or unnecessary information. The designated spokesperson should be given permission to answer questions by saying, "I don't know at this time." None but the spokesperson should be authorized to speak to the media on behalf of the congregation.
- I. Prepare a brief and honest statement that can be made to the congregation without giving unnecessary details, placing blame, interfering with the victim's privacy, or violating any confidentiality concerns. The statement should briefly explain the incident and the initial action taken by the church. The statement should not include the identification of the child victim or that of the accused. The statement should include the actions taken to assure the safety of all the children and assure the congregation of its continuing ability to provide ministry to children and youth. The statement should dispel rumors and innuendo and assure everyone that everything possible has been done to provide for the safety of the victim and to enable the safe continuation of the church's ministry. The statement should be made in a carefully planned Congregation Meeting.

**CHECKLIST OF
“TO DO’S”
FOR REDUCING THE RISK OF CHILD ABUSE IN THE CHURCH**

By Mary Logan, GCFA General Counsel

Fall 2000

And Jesus said, “Let the little children come to me, and do not stop them;
For it is to such as these that the kingdom of heaven belongs.”
Matthew 19:14

Churches and church organizations often ask “what should we be doing” to reduce the risk of child abuse in the Church. Many resources are available to assist churches in this important ministry. One of the best is Safe Sanctuaries, by Joy Thornburg Melton, available through Discipleship Resources (1-800-685-4370, or www.discipleshipresources.org, order #DR220). Also important is the policy statement, “Reducing the Risk of Child Sexual Abuse in the Church,” in the *1996 Book of Resolutions*, at page 384 and page 180 of the *2000 Book of Resolutions*.

This checklist provides a quick and handy reference guide for the most important practical steps that need to be taken in this ongoing process. It is not a substitute for reading Safe Sanctuaries or taking the time to develop a comprehensive plan for protecting children and youth.

- ✓ **Implement an organizational policy for the protection of children and youth.**
At a minimum, the policy should include a brief theological statement, definition of child abuse, a strong statement that child abuse will not be tolerated, a commitment to investigate any and all allegations of abuse, and a place for alleged incidents of abuse to be reported. Also, be sure to check conference policies and procedures.
- ✓ **Implement a process for recruiting, screening and “hiring” workers (paid staff and volunteers) who will work with children and youth.**
A thorough screening process for staff and volunteers can deter persons who engage in predatory behavior from applying for a position, identify such persons and help show the church’s commitment to protecting children and youth. Again, check conference policies and procedures. Know your state laws on background checks and screening procedures.
- ✓ **Implement the “two adult” rule.**
Having no fewer than two unrelated adults present at all times during any church sponsored activity/event involving children or youth reduces the risk of child abuse occurring during that activity/event. When it is a mixed gender group, include at least one male and one female adult.
- ✓ **Always check prior employment and references.**
The screening process should include an application with information on previous employers, references and church affiliation. Make sure each source is contacted and information on each contact is in the staff/volunteer “personnel” files. Give serious consideration to background checks.
- ✓ **Regular, periodic training and education for all staff and volunteers.**
All workers should be required to attend regular, periodic training on the church’s policy(s), procedures and expectations for working with children and youth (e.g., handwashing, two adult rule, five year older rule, sign in and sign out sheets, what to do if an accident occurs, reporting an

alleged incident of child abuse, information on state child abuse laws, first aid training, and the like).

✓ **Implement the “five years older” rule.**

All workers, including volunteers, should be at least five years older than the children with whom they are working. And, workers under age 18, if utilized at all, should be required to work with and report to an unrelated adult.

✓ **Make the physical setting safe and conduct periodic safety inspections.**

For example, all classroom doors should have windows or a half door; if an office has no window in the door, the door should remain open during counseling sessions or private meetings; the bathrooms should not be isolated or far removed from classroom/play areas; consider using hall monitors; sign in/out procedures can be helpful, especially for younger children (age 10 or younger); and other aspects of safety should be considered as well to minimize the risk of serious injury when accidents occur.

✓ **Communicate regularly with parents.**

Provide advance notice and full information/disclosure about events and activities, with written permission forms and information on who will be supervising and working with the children and youth; give information to families about the church’s policy and procedures for preventing child abuse; encourage parents to communicate with someone in authority about any concerns, fears or worries about their children and/or a volunteer or staff person; know the church’s families; be prepared for how to handle sensitive and confidential matters with families and concerned church members.

✓ **Maintain adequate liability insurance coverage.**

The coverage must apply to all of the different activities of the church, at and away from church premises, and the church should work with a knowledgeable insurance agent who knows the needs of a church; remember, too, that the least expensive insurance may have significant gaps in coverage. The church should understand what coverage they have for sexual misconduct.

✓ **Be prepared for the worst at all times.**

“This is our church; it won’t happen here” is a naïve viewpoint that can create an environment and opportunities for accidents and abuse to happen – while prevention steps are crucial, also be prepared for the worst, and never make assumptions about what might or might not happen in a church; this also means being prepared with a plan for responding immediately to allegations of abuse, including state reporting obligations.

✓ **Always remember that this is a Church!**

Church is a sanctuary, and churches make a commitment to protect children each and every time a child is baptized; churches should be role models in the community for the time and attention given to the care of children and youth.

Additional Reading and Resource Material: [Child Abuse Prevention Primer for Your Organization](#) and [Staff Screening Tool Kit](#), by John Patterson, with Charles Tremper and Pam Rypkema, Nonprofit Risk Management Center, 202-785-3891; [Selecting & Screening Church Workers](#), by James F. Cobble, Jr. and Richard R. Hammar, Christian Ministry Resources, 1-800-222-1840

GCFA is not engaged in legal, accounting, or other professional service. If legal advice or other expert assistance is needed, the services of a competent professional advisor should be sought. This checklist is not intended to and does not establish a standard of care for churches or church organizations. Every church and church organization makes its own decisions and determines what is best for it, and this checklist is intended only to provide information that may be helpful.

RESOURCES

See *2000 Book of Discipline*, ¶ 161I (page 101)

2000 Book of Resolutions, Resolutions 30 and 31 (pp. 135-148) Resolution 59 (pp. 180-182)

1994 Louisiana Annual Conference Journal, Addendum No. 1 (pp. 85-88)

Policy Statement of the Louisiana Conference Adopted 2001

Local Church Policy Statement on Sexual/Gender Harassment and Misconduct of a Sexual Nature. The General Council on Finance and Administration, Evanston, Illinois: Spring 2001.

Logan, Mary. *Checklist "To Do's" for Reducing the Risk of Child Abuse in the Church.* Evanston, Illinois: The General Council on Finance and Administration, Fall 2000.

Melton, Joy Thornburg. *Safe Sanctuaries: Reducing the Risk of Child Abuse in the Church.* Tennessee: Discipleship Resources, 1998.

Sexual Harassment Investigation Checklist for Church Organizations (Lay Staff). The General Council on Finance and Administration, Evanston, Illinois.

* APPENDIX A

* Appendix A is reproduced verbatim from the GCFA document, “Sexual Harassment Investigation Checklist for Church Organizations (Lay Staff).”

SEXUAL HARASSMENT INVESTIGATION CHECKLIST FOR CHURCH ORGANIZATIONS (LAY STAFF)*

Points to Remember

- Take the complaint seriously
- Remain neutral
- Prepare questions in advance of the interviews
- Keep thorough notes of each interview and each step of the process
- Where possible, have a second management-level person present in all interviews
- Follow through with the investigation in the most efficient manner possible
- Maintain confidentiality

Interviewing the Complainant

- Explain how the investigation will be conducted - that the purpose of the interview is to obtain the facts, clarify the issues and establish a mutual understanding of the problem in order to reach a fair resolution.

Note: The complainant is not entitled to have legal counsel present during this interview. If he/she requests counsel, explain that this is not a legal proceeding but, rather, is an internal Church/Agency investigation and, therefore, legal counsel is not included.

- Discuss confidentiality. Inform the complainant that the complaint and investigation will be handled confidentially; however, it will be discussed with the accused and, on a "need-to-know" basis with witnesses and others (who may be specified) within the church/agency who will be involved in assessing the complaint and determining the appropriate disciplinary response, if any.

Note: You cannot promise the complainant that the complaint will not go any further than your office. You cannot promise the complainant that his/her identity or that of the witnesses will not be revealed.

- Notify the complainant that you will be taking notes during the interview.

Note: Make sure your notes are dated and that they specify the time (including total elapsed time) and place of the interview, as well as identifying all persons present.

* This checklist is intended to assist church organizations in investigating complaints of sexual harassment involving lay employees. Complaints involving clergy should be reported to the bishop or district superintendent immediately. Bishops and their cabinets may find this checklist helpful for the investigation of complaints against clergy, but they always must follow the requirement of the Book of Discipline first and foremost.

- Review the church/agency's policy against sexual harassment, stressing that such conduct is not tolerated, that each complaint is investigated and, if sexual harassment is found, appropriate measures will be taken to alleviate the situation. That the complainant for following the policy and reporting the incident.
- Reassure the complainant that he/she will not suffer any retaliation as the result of making the complaint. If necessary, explain what constitutes retaliation and instruct him/her to report any incidents of retaliation that might ensue.
- Ask the complainant to explain, in as much detail as possible, the conduct he/she is complaining of. Allow him/her to opportunity to tell the story without too many questions or attempts to direct the conversation, then go back and fill in any missing details. Make sure you have the following:
 - date, time and place
 - details of the complained of conduct (including exact words used, where relevant)
 - the identity of all persons involved in the conduct
 - the identity of any witness to the conduct
 - the complainant's response to the conduct – specifically, determine whether the complainant asked the accused to stop the conduct and, if so, his/her response
- Ascertain whether the complainant is aware of any other employees who have been subjected to the same conduct by the accused.
- Ask the complainant what effect the alleged harassment had on him/her (e.g., lost work time, emotional or physical distress, diminished ability to work, etc.) without suggesting what such effects might be.
- Where appropriate, ask the complainant if a relationship exists or ever existed with the accused and if there was ever any occasion when such conduct was welcomed by the complainant from the accused or any other employee.
- Determine whether the complainant has discussed the conduct with other employees or other people. Instruct him/her not to talk about the complaint or the investigation with anyone other than his/her immediate family, legal advisor, or other counselor/advisor from this point forward.
- Obtain any original documents (notes, diary, etc.) or evidence. Give the complainant a copy and promise to return the originals after the matter is fully resolved. If the complainant is reluctant to surrender the originals, have a copy made for the church/agency's file.

Note: "Fully resolved" means after any charge or lawsuit resulting from the incident has been finalized, whether through adjudication, settlement, or other means. Since a lawsuit must be preceded by a charge and a charge must be filed within a specified time period after the incident, the matter usually is fully resolved if no charge has been filed within the applicable time period. Because filing times vary (both from state to state and when comparing state to federal),

and because there can be delays in processing before the church/agency receives notice of a pending charge, it is advisable to wait at least 12-14 months after the incident to see whether a charge is filed before considering the matter fully resolved and returning materials to the complainant.

- Ask the complainant what type of remedy he/she is seeking. Explain that the church/agency is not bound by his/her desires, but will keep that remedy in mind as it determines the appropriate response, in the event the complaint is supported.
- Based on the nature of the complaint, if the complainant and accused work together (either in close proximity or in subordinate/supervisor relationship) determine whether the complainant can continue to work in his/her present position. Where possible, the complainant and accused should be kept apart during the investigation. Possible options:
 - Transferring the complainant to a different position (but only if he/she requests it and it involves a lateral move)
 - Transferring the accused (again, only if he/she requests it and it does not constitute more favorable position)
 - If transfer is not possible, granting the complainant paid leave until the investigation is completed
- Ask the complainant to review your notes and to sign them to verify their accuracy. He/she should be permitted to suggest changes or additions. Or, in the alternative, ask the complainant to provide a written summary of his/her complaint, including a list of witnesses.
- Invite the complainant to contact you if he/she remembers any further information which may be helpful. Explain that you may be contacting him/her again in order to review information uncovered during the rest of your investigation and that you certainly will be in contact to advise him/her of the final determination on this complaint.
- Consult with legal counsel at some early point in the process and on an ongoing basis throughout the process.

Following Up the Complainant's Interview

- Review the complainant and the accused's personnel files to determine whether any other complaints were previously reported, either by the same employee or by others. Also, check to see if any negative disciplinary action has recently been imposed on either, including poor performance reviews, job demotions, etc.
- If any church/agency staff will be used to transcribe notes, have access to the file or otherwise be privy to the details of the investigation, make sure they understand their obligation to maintain absolute confidentiality.

Interviewing Witness

- In most cases, the witness, if any, should be interviewed before the accused, to ensure that you have as much information as possible before his/her interview. Move as swiftly as possible; the longer the investigation takes at this point, the greater the chance that the accused will learn of it before hearing from you.
- Explain that a complaint of sexual harassment has been received and that, per the church/agency's policy, it is being investigated. Advise the witness that he/she has been identified as someone who may have information relevant to the complaint and the purpose of the interview is to obtain his/her knowledge of the incident(s) in question.
- Discuss confidentiality. Inform the witness that the investigation will be handled confidentially; however, it will be discussed with others on a "need-to-know" basis.

Note: Remember that you cannot promise the witness that his/her identity will not be revealed.

- Advise the witness that you will be taking notes during the interview. Make sure your notes specify the date, time and place of the interview as well as the identity of all persons present.
- Reassure the witness that he/she will not suffer any retaliation as the result of participating in this investigation. If necessary, explain what constitutes retaliation and instruct him/her to report any incidents of retaliation that might ensue.
- In questioning the witness, begin with the general and move to the specific.

For example, if the issue has to do with Supervisor A telling dirty jokes and using sexually suggestive language, start with questions about the general workplace environment, move to questions about inappropriate joking and language, next move to questions about Supervisor A's joking and language and, finally, ask whether the witness heard Supervisor A tell a dirty joke or use suggestive language with the complainant.

- Encourage the witness to provide any other useful information related to the complainant, the accused or the alleged conduct.
- Instruct the witness not to reveal the fact of the investigation or any of the details discussed during the interview with anyone.
- Ask the witness to review your notes and to sign them to verify their accuracy. He/she should be permitted to suggest changes or additions. Or, in the alternative, ask the witness to provide a written summary of his/her observations or knowledge. In the event the witness has no knowledge concerning the complaint, a statement to that effect should be prepared and signed.

- Invite the witness to call or contact you if he/she recalls anything further that might assist in the investigation.

Interviewing the Accused

- Inform the accused of the allegations made against him/her and that an investigation is being conducted.
 - It is not always necessary to identify the complainant – if the conduct in question is generalized “bad behavior” it does not matter who complained.
 - It is not always necessary to characterize the complaint as “sexual harassment,” especially if the church/agency’s policy is broad and covers other inappropriate behavior.
 - As with the complainant, the accused does not have a right to have legal counsel present during this interview.
- Review the church/agency’s policy against sexual harassment, stressing that such conduct is not tolerated, that each complaint is investigated and, if sexual harassment is found, appropriate measures will be taken to alleviate the situation.
- Inform the accused that discipline will result in the event the complaint is deemed to be supported. If the conduct described by the complainant is serious enough to warrant discharge, this possibility should be mentioned.
- Explain how the investigation will be conducted – that the purpose of the interview is to obtain the facts, clarify the issues and establish a mutual understanding of the problem in order to reach a fair resolution.
- Discuss confidentiality. Inform the accused that the complaint and investigation will be handled confidentially; however, it will be discussed on a “need-to-know” basis with witnesses and others (who may be specified) within the church/agency who will be involved in assessing the complaint and determining the appropriate disciplinary response, if any.
- Notify the accused that you will be taking notes during the interview. Record the date, time and place of the interview and the identity of all persons present.
- Direct the accused not to take any retaliatory action against the complainant, the witness, or anyone else involved in the complaint or investigation, advising him/her that such action will result in discipline up to and including immediate discharge. The accused should be instructed to avoid all non-church/agency-related contact with the complainant during the course of the investigation.
- Question the accused in the same way as you did the witnesses – moving from the general to the specific. As with the complainant, make sure you obtain all the facts related to the complaint.

- ❑ If the accused admits the conduct but asserts that it was not “unwelcome,” ask him/her for all facts that support this assertion.
- ❑ Question the accused about the nature of his/her relationship with the complainant – whether a relationship exists or ever existed with the complainant, the nature of his/her workplace interactions with the complainant (if he/she normally uses sexual language, innuendo, jokes, gesture, etc.), if the accused is a supervisor, whether the complainant has recently been subjected to any criticism or disciplinary action.
- ❑ Ask the accused to identify any witnesses who might corroborate his/her response to the complaint.
- ❑ Remind the accused of the need for confidentiality and instruct him/her not to talk about the complaint or the investigation with anyone other than his/her immediate family and/or legal advisor.
- ❑ Ask the accused to review your notes and to sign them to verify their accuracy. He/she should be permitted to suggest changes or additions. Or, in the alternative, ask the accused to provide a written summary of his/her response.
- ❑ Invite the accused to contact you if he/she remembers any further information that may be helpful. Explain that you may be contacting him/her again in order to review information uncovered during the rest of your investigation and that you certainly will be in contact to advise him/her of the final determination on this complaint.

Follow-up and Determination

- ❑ Review all notes, statements and evidence. Determine whether any further interviews are required (e.g., new witnesses identified by the accused, a follow-up interview of the complainant or any of the witnesses to confront him/her with information provided by the accused).
- ❑ Analyze each person’s story and assess its credibility – Is it logical? Does it contain inconsistencies? Is it supported or contradicted by the testimony of witnesses? Does the complainant or the accused have any motivation for lying? If there were no witnesses, could the incident have occurred at the time, place and in the manner described without having been observed?
- ❑ Determine whether a violation of the policy of the church/agency’s policy occurred.
- ❑ If you conclude that no violation occurred or there is insufficient evidence to make a conclusion, the complainant and the accused each should be notified. The complainant should be advised that the evidence will be preserved and that the church/agency will investigate again if he/she provides further information. The complainant also should be encouraged to report any future incidents. The church/agency’s policy should be reviewed and both parties reminded that such conduct is not tolerated, that each complaint is investigated and, if sexual harassment is found, appropriate measures will be taken to alleviate the situation. Each party also should be reminded of the prohibition against retaliation.

- If you conclude that a violation occurred, the complainant and accused each should be informed of that conclusion; however, the complainant does not need to know the disciplinary action that will be imposed, only that disciplinary action will follow and that the remedy will not necessarily be the one he/she suggested.
- Make sure that the discipline imposed is appropriate for the offense – according to the courts, it must be “reasonably calculated to end the harassment.” The following actions, either alone, or in combination, may be considered with respect to the accused:
 - Apology to the complainant
 - Oral reprimand
 - Written warning
 - Counseling
 - Transfer or reassignment
 - Demotion
 - Adjustment of salary or bonus
 - Suspension (but keep in mind that exempt employees cannot be placed on unpaid suspension for other than a full work week without compromising their exempt status)
 - Discharge
- In the weeks following the investigation, follow-up with the complainant to ascertain whether he/she has experienced any retaliation or further inappropriate behavior from the accused.
- In the event discipline was imposed against the accused, follow-up to ensure that the remedial measures imposed have been carried out appropriately (e.g., ensure that he/she has attended the counseling session, made the necessary apology, etc.).

NOTE: This checklist assumes that there is a written policy in place in an organization addressing sexual harassment in the workplace. Recent U.S. Supreme Court decisions have underscored the importance of having such policies (up to date), ensuring that all staff are aware of such policies, and reinforcing the organization’s support for enforcement.

DISCLAIMER: This checklist is provided by the legal department of the General Council on Finance and Administration (GCFA) to assist church organizations with general information about investigating complaints of sexual harassment. This checklist also is not intended to and does not establish a standard of care regarding how to investigate a claim of sexual harassment. GCFA is not engaged in legal, accounting, or other professional service. Church organizations should always seek the assistance of competent legal counsel as they address complaints of sexual harassment.

THANK YOU: The GCFA legal department greatly appreciates the input, expertise and work of Carol Browne, a partner in the Chicago law firm of Vedder, Price, Kaufman & Kammholz, in preparing this checklist.

* APPENDIX B

* Appendix B is reproduced verbatim from the 1994 Louisiana Annual Conference Journal.

ADDENDUM NUMBER 1 IN 1994 LOUISIANA ANNUAL CONFERENCE JOURNAL

The following document, "Theological Reflection" is a covenant of the clergy of the Louisiana Annual Conference in the form of a theological reflection regarding sexual ethics, misconduct and harassment. The Board of Ordained Ministry presented the procedural statement to the Executive Session of the Annual Conference on June 6, 1994, at which time it was adopted.

Theological Reflection

We are a people of covenant. The Hebrew scriptures give witness to a creator God, holy and righteous, who desires to live in community with humanity. God makes covenant, inviting human beings to live in relationship with the covenant God and forming a covenant community. While God made covenant with Abraham, it is in the wilderness at Sinai that the community is given form and shape with the Ten Commandments. This covenant is not by coercion, but by invitation. God sets before the covenant community life and death. In other words there are ways in which we choose to order our life together which brings life and wholeness, and ways which bring about de-humanization.

In the Christian scriptures, Jesus the Christ is the fulfillment of covenant, giving us the symbols of covenant with baptism, and bread and wine. At Pentecost, recalling the event of Sinai and law giving, the Holy Spirit creates a community of understanding and harmony among a people who speak different languages. The Church becomes the Body of Christ, living in covenant with God through Christ and in covenant with each other. The relationship to God and to the community cannot be separated from each other.

United Methodists have historically expressed this covenant in a variety of ways in our Church order. For our purposes, we are perhaps more than any other Christian communion mindful of our covenant as clergy in that we have joined in connection. It is appropriate that we continue in various ways through our life together to affirm that covenant of connection and most especially in response to issues which threaten the very nature of the covenant we share.

In our day, issues about sexuality, power, authority, and sexual harassment have been brought to our attention in ways never before experienced. In attempting to avoid legalisms, we suggest that the best way for these issues to be addressed is by being reminded of our covenant with God, with the whole covenant community and the United Methodist connection for clergy. The witness of scripture is clear in the Ten Commandments, the Sacrament of Baptism, the Sacrament of the Lord's Supper, the Rite of Ordination (take thou authority) and the coming of the Holy Spirit at Pentecost. The issue of sexuality must be dealt with in the context of that covenant community, sacramental and communal, in an atmosphere of mutual respect and trust and in the best sense of the word "agape."

Covenant of Clergy Louisiana Conference, United Methodist Church Regarding Sexual Ethics, Misconduct and Harassment

Common Ground

In the Annual Conference, clergy are bound together by a freely entered, mutually binding covenant with one another. As persons called of God to be clergy persons of Word, Sacrament, and Order, we are aware of our responsibility to the people entrusted to our charge. We acknowledge that it is our responsibility to maintain the integrity of interpersonal relationships with our parishioners and each other and to avoid sexual misconduct.

Clergy sexual misconduct is sexual conduct or activity in which the clergy person violates the free choice or abuses the vulnerability of any person, including a minor or adult parishioner, client, church staff person, or colleague. Clergy sexual misconduct may range from overt use of physical force or intimidation to covert and subtle harassment. In addition to inappropriate physical acts, in certain circumstances, the inappropriate use of sexually suggestive language or humor might constitute clergy sexual misconduct.

Sexual harassment is any unwanted sexual advance or demand, either verbal or physical, which is 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 also includes the creation of a hostile or abusive working environment resulting from discrimination on the basis of gender.

Covenant

1. We renew our covenant to follow the teachings of the Holy Bible and the Book of Discipline, and to seek holiness of life and heart.
2. We covenant to hold in sacred trust information, confessions and personal stories told in confidence.
3. We covenant to speak the truth in love to one another and to all persons believing that it is the truth which sets us free.
4. We covenant together to respect the concerns and needs of alleged victims.
5. We covenant together to assume a person innocent until proven guilty.
6. We covenant to hold each other accountable in love:
 - a. When we learn of the sexual misconduct of another clergy, we will discuss the misconduct with him/her.
 - b. When misconduct has occurred, we covenant together to provide access to means of a redemptive and healing process.

Procedures

A. ASSUMPTIONS UNDERLYING PROCEDURES

1. Allegations will be taken as worthy of full investigation.
2. Presumption of innocence shall be maintained until completion of the process. After that, the conclusion reached in the process will apply.
3. The protection of those involved, including the alleged victim or victims, the accused and the accused's family, and their congregation or institution shall be sought until all facts have been carefully considered and appropriate actions determined.

B. INVESTIGATION WHEN SEXUAL MISCONDUCT IS ALLEGED

When sexual misconduct is alleged, the following procedures shall be followed:

1. The allegation shall be brought to a district superintendent, or the bishop by the alleged victim, or by someone who has knowledge and is willing to pursue a resolution.

2. Both the alleged victim and the accused may bring to any meeting or hearing a person to accompany them and shall have the right to advocacy. (§454.1c)
3. A District Superintendent shall promptly share the grievance with the bishop.
4. The Bishop or designated representative shall:
 - a. explain to the alleged victim in the presence of another person chosen by the bishop the process and the procedures to be followed in response to the grievance. One of these persons shall be the same sex as the alleged victim
 - b. request and assist the alleged victim to provide a written grievance stating the allegations and the related facts.
 - c. request permission from the alleged victim to use a written grievance in discussion with the accused.
 - d. meet with accused clergy (§454.1a) and share the allegations made:
 - 1) share with him/her the formal written grievance where permission has been given to use it.
 - 2) explain the process to be followed (§454) and its purpose, emphasizing the presumption of innocence and the right to fair process. (§2622)
 - 3) request an oral or written response from the accused after informing the accused that he or she may respond to the allegations at a later date, if desired, after consultation with an adviser.
 - 4) make available a summary of the accused's response to the alleged victim for comment.
 - 5) seek to substantiate the allegation and ascertain sufficient reason for pursuing or not pursuing the allegations further.

C. DETERMINATION OF SUFFICIENT CAUSE

When the bishop and supervising district superintendent determine there is sufficient cause for a complaint of sexual misconduct, the bishop or the designated representative shall ask the alleged victim(s) if they wish to participate in or will allow their written grievance to be shared in the Joint Review Process (§454.1c). One of three courses of action shall then be taken:

1. If a complaint is to be filed with the cooperation of the alleged victim(s), a written signed complaint shall be filed by the district superintendent or bishop, with the Chair of the Board of Ordained Ministry (§454.1b);
2. If there is substantial evidence, but no written grievance from an alleged victim to be used, the superintendent or bishop may file a complaint with the Chair of the Board of Ordained Ministry (§454.1b);
3. If the alleged victim, district superintendent and bishop choose not to pursue the grievance or complaint procedure, a note without prejudice and any written grievance shall be placed in the clergy person's permanent record by the bishop in the Bishop's office that potentially serious offenses have been alleged, but were neither conclusively substantiated nor disproved. Any written statement by the accused may also be placed in the file. Any clergy person has access to his/her file.

D. AFTER A COMPLAINT IS FORMALLY FILED

When a complaint is formally forwarded to the Chair of the Board of Ordained Ministry (§454.1), the following steps will occur expeditiously:

The Chair of the Board of Ordained Ministry calls the Joint Review Committee into session and refers the complaint thereto:

- In order to protect the rights of the accused and to protect the alleged victim(s) and congregation from possible harm, the accused may be placed on Leave of Absence (§448.1).
- The clergy person is encouraged to use fair process accorded by the Joint Review Committee. However, throughout the process, the clergy person may withdraw from membership in the Annual conference under (§453.4 & §2628.2). If withdrawal takes place before formal charges are filed, the credential will be inscribed by the Bishop “withdrawn under complaint of sexual misconduct” and deposited with the Secretary of the Annual Conference. After formal charges have been filed, the credentials will be inscribed “withdrawn under charges of sexual misconduct.” This withdrawal is reported to the Board of Ordained Ministry for confirmation by the Clergy Session of the Annual Conference at its next session.

E. THE JUDICIAL PROCESS OF THE UNITED METHODIST CHURCH

1. Joint Review Process

The Joint Review Committee is charged with the responsibility of seeking a resolution of complaint brought against clergy. Its duties and procedures are outlined in (§454.1c). The Joint Review Committee is not a trial procedure, but a hearing. Those against whom charges are brought and the aggrieved are urged to use this avenue of resolution.

2. The Right of Trial

Those against whom allegation or complaints are brought are innocent until proven guilty and may choose a trial when charged with offenses. The trial procedure is outlined in (§454.1d and §2622-2627).

F. RECORDS

When credentials have been surrendered, the Clergy Session of the Annual Conference shall receive a report (§454.11). Full information of sexual misconduct and subsequent actions taken shall be kept in the clergy person’s permanent record in the Bishop’s office.

* APPENDIX C

* Appendix C is reproduced verbatim from the book, Safe Sanctuaries.

*Membership Form for the Local Church Task Force for the
Prevention of Child Abuse in the Church

Pastor

Name: _____
Address: _____
Phone: _____

Member of Staff-Parish Committee

Name: _____
Address: _____
Phone: _____

Member of Board of Trustees

Name: _____
Address: _____
Phone: _____

Lay Leader

Name: _____
Address: _____
Phone: _____

Minister of Youth/Director of Youth Ministries

Name: _____
Address: _____
Phone: _____

Minister of Children/Director of Children's Ministries

Name: _____
Address: _____
Phone: _____

Director of Any Weekday Program for Children

Name: _____
Address: _____
Phone: _____

Representative from Each Group Working with Children or Youth

(The number of members listed here will depend on the number of groups active in your congregation.)

Name: _____
Address: _____
Phone: _____

Name: _____
Address: _____
Phone: _____

Name: _____
Address: _____
Phone: _____

*For purposes of this document the term "child" is defined as any person under the age of 18.

CHILD ABUSE PREVENTION POLICY

Introduction

The General Conference of The United Methodist Church, in April 1996, adopted a resolution aimed at reducing the risk of child sexual abuse in the church. The adopted resolution includes the following statement:

Jesus said, "Whoever welcomes [a] child...welcomes me." (Matthew 18:5). Children are our present and our future, our hope, our teachers, our inspiration. They are full participants in the life of the church and in the realm of God.

Jesus also said, "If any of you put a stumbling block before one of these little ones..., it would be better for you if a great millstone were fastened around your neck and you were drowned in the depth of the sea." (Matthew 18:6). Our Christian faith calls us to offer both hospitality and protection to the little ones, the children. The Social Principles of The United Methodist Church state that "...children must be protected from economic, physical and sexual exploitation, and abuse."

Tragically, churches have not always been safe places for children. Child sexual abuse, exploitation and ritual abuse (ritual abuse refers to abusive acts committed as part of ceremonies or rites; ritual abusers are often related to cults, or pretend to be) occur in churches, both large and small, urban and rural. The problem cuts across all economic, cultural and racial lines. It is real, and it appears to be increasing. Most annual conferences can cite specific incidents of child sexual abuse and exploitation in their churches. Virtually every congregation has among its members adult survivors of early sexual trauma.

Such incidents are devastating to all who are involved: the child, the family, the local church and its leaders. Increasingly, churches are torn apart by the legal, emotional, and monetary consequences of litigation following allegation of abuse.

God calls us to make our churches safe places, protecting children and other vulnerable persons from sexual and ritual abuse. God call us to create communities of faith where children and adults grow safe and strong. (From *The Book of Resolution of The United Methodist Church – 1996*. Copyright © 1996 by The United Methodist Publishing House. Used by permission. [pp.384-386])

Thus, in covenant with all United Methodist congregations, we adopt this policy for the prevention of child abuse in our church.

Purpose

Our congregation's purpose for establishing the Child Abuse Prevention Policy and accompanying procedures is to demonstrate our absolute and unwavering commitment to the physical safety and spiritual growth of all of our children and youth.

Statement of Covenant

Therefore, as a Christian community of faith and a United Methodist congregation, we pledge to conduct the ministry of the gospel in ways that assure the safety and spiritual growth of all of our children and youth as well as all of the workers with children and youth. We will follow reasonable safety measures in the selection and recruitment of worker; we will implement prudent operational procedures in all programs and events; we will educate all of our workers with children and youth regarding the use of all appropriate policies and methods (including first aid and methods of discipline); we will have a clearly defined procedure for reporting a suspected incident of abuse that conforms to the requirements of state law; and we will be prepared to respond to media inquiries if an incident occurs.

Conclusion

In all of our ministries with children and youth, this congregation is committed to demonstrating the love of Jesus Christ so that each child will be "...surrounded by steadfast love, ...established in the faith, and confirmed and strengthened in the way that leads to life eternal" (Baptismal Covenant II," *United Methodist Hymnal*, p. 44).

Previous Work Experience: Please list your previous employers from the past five years. Include the job title, a description of position duties and responsibilities, the name of the company/employer, the address of company/employer, the name of your immediate supervisor, and the dates you were employed in each position.

Previous Volunteer Experience: Please list any relevant volunteer positions you have held and list the duties you performed in each position, the name of your supervisor, the address and phone number of the organization, and the dates of your volunteer service.

Have you ever been convicted of or pled guilty to a crime, either a misdemeanor or a felony (including but not limited to drug-related charges, child abuse, other crimes of violence, theft, or motor vehicle violations)? No Yes

If yes, please explain:

References: Please list three individuals who are not related to you by blood or marriage as references. Please list people who have known you for at least three years.

1. Name: _____
Address: _____
Daytime Phone: _____
Evening Phone: _____
Length of time you have known reference: _____
Relationship to reference: _____

2. Name: _____
Address: _____
Daytime Phone: _____
Evening Phone: _____
Length of time you have known reference: _____
Relationship to reference: _____

3. Name: _____
Address: _____
Daytime Phone: _____
Evening Phone: _____
Length of time you have known reference: _____
Relationship to reference: _____

Waiver and Consent:

I, _____, hereby certify that the information I have provided on this application for employment is true and correct. I authorize this church to verify the information I have provided on this application by contacting the references and employers I have listed, by conducting a criminal records check, or by other means, including contacting others whom I have not listed. I authorize the references and employers listed in this application to give you whatever information they may have regarding my character and fitness for the job for which I have applied. Furthermore, I waive any rights I may have to confidentiality.

In the event that my application is accepted and I become employed by _____ Church, I agree to abide by and be bound by the policies of _____ Church and to refrain from inappropriate conduct in the performance of my duties on behalf of _____ Church.

I have read this waiver and the entire application, and I am fully aware of its contents. I sign this consent freely and under no duress or coercion.

Signature of Applicant Date

Witness Date

**This is a sample form. Please tailor your congregation's form to comply with the reporting requirements of the laws of your state and your congregation's policies.*

AUTHORIZATION AND REQUEST FOR CRIMINAL RECORDS CHECK

I, _____, hereby authorize _____ Church to request the _____ police/sheriff's department to release information regarding any record of charges or convictions contained in its files, or in any criminal file maintained on me, whether said file is a local, state, or national file, and including but not limited to accusations and convictions for crimes committed against minors, to the fullest extent permitted by state and federal law. I do release said police/sheriff's department from all liability that may result from any such disclosure made in response to this request.

Signature of Applicant Date

Print applicant's full name: _____

Print all other names that have been used by applicant (if any):

Date of birth: _____ Place of birth: _____

Social Security number (if required by sheriff's dept.) _____

Driver's license number: _____ State issuing license: _____

License expiration date: _____

Request sent to: _____

Name: _____

Address: _____

Phone: _____

**This is a sample form. Your local police department or sheriff's department may have its own request form and prefer that you use it.*

VOLUNTEER APPLICATION

Name: _____

Address: _____

Daytime phone: _____ Evening phone: _____

Occupation: _____

Employer: _____

Current job responsibilities and schedule: _____

Previous work experience: _____

Previous volunteer experience: _____

Special interests, hobbies, and skills: _____

How many hours per week are you available to volunteer? _____

_____ Days _____ Evenings _____ Weekends

Can you make a one-year commitment to this volunteer role? _____

Do you have your own transportation? _____

Do you have a valid driver's license? _____

Do you have liability insurance? (list policy limits and name of carrier) _____

Why would you like to volunteer as a worker with children and/or youth?

What qualities do you have that would help you work with children and/or youth?

How were you parented as a child? _____

How do you discipline your own children? _____

FORM FOR REFERENCE CHECK

Applicant name: _____

Reference name: _____

Reference address: _____

Reference phone: _____

1. What is your relationship to the applicant?
2. How long have you known the applicant?
3. How well do you know the applicant?
4. How would you describe the applicant?
5. How would you describe the applicant's ability to relate to children and/or youth?
6. How would you describe the applicant's ability to relate to adults?
7. How would you describe the applicant's leadership abilities?
8. How would you feel about having the applicant as a volunteer worker with your child and/or youth?
9. Do you know of any characteristics that would negatively affect the applicant's ability to work with children and/or youth? If so, please describe.
10. Do you have any knowledge that the applicant has ever been convicted of a crime? If so, please describe.
11. Please list any other comments you would like to make:

Reference inquiry completed by: _____

Signature

Date

**This is a sample form. Please tailor it to the specific needs of your local congregation.*

PARTICIPATION COVENANT STATEMENT

The congregation of _____ Church is committed to providing a safe and secure environment for all children, youth, and volunteers who participate in ministries and activities sponsored by the church. The following policy statements reflect our congregation's commitment to preserving this church as a holy place of safety and protection for all who would enter and as a place in which all people can experience the love of God through relationships with others.

1. No adult who has been convicted of child abuse (either sexual abuse, physical abuse, or emotional abuse) should volunteer to work with children or youth in any church-sponsored activity.
2. Adult survivors of child abuse need the love and support of our congregation. Any adult survivor who desires to volunteer in some capacity to work with children or youth is encouraged to discuss his/her willingness with one of our church's ministers before accepting an assignment.
3. All adult volunteers involved with children or youth of our church must have been members of the congregation for at least six months before beginning a volunteer assignment.
4. Adult volunteers with children and youth shall observe the "Two-adult Rule" at all times so that no adult is ever alone with children or youth.
5. Adult volunteers with children and youth shall attend regular training and educational events provided by the church to keep volunteers informed of church policies and state laws regarding child abuse.
6. Adult volunteers shall immediately report to their supervisor any behavior that seems abusive or inappropriate.

Please answer each of the following questions:

1. As a volunteer in this congregation, do you agree to observe and abide by all church policies regarding working in ministries with children and youth? Yes No
2. As a volunteer in this congregation, do you agree to observe the "Two-Adult Rule" at all times? Yes No
3. As a volunteer in this congregation, do you agree to abide by the six-month rule before beginning a volunteer assignment? Yes No
4. As a volunteer in this congregation, do you agree to participate in training and education events provided by the church related to your volunteer assignment? Yes No
5. As a volunteer in this congregation, do you agree to promptly report abusive or inappropriate behavior to your supervisor? Yes No
- a. As a volunteer in this congregation, do you agree to discuss with a minister of this congregation your experience, if any, as a survivor of child abuse? Yes No
(Answering yes to this question does not automatically disqualify you from volunteering with children or youth.)
- b. As a volunteer in this congregation, do you agree to inform a minister of this congregation if you have ever been convicted of child abuse? Yes No

I have read this Participation Covenant, and I agree to observe and abide by the policies set forth above.

Signature of Applicant

Date

Print full name

**This is a sample form. Please tailor it to fit your congregation's specific needs.*

REPORT OF SUSPECTED INCIDENT OF CHILD ABUSE

1. Name of worker (*paid or volunteer*) observing or receiving disclosure of child abuse: _____

2. Victim's name: _____

Victim's age/date of birth: _____

3. Date/place of initial conversation with/report from victim: _____

4. Victim's statement (give your detailed summary here): _____

5. Name of person accused of abuse: _____

Relationship of accused to victim (paid staff, volunteer, family member, other): _____

6. Reported to pastor: _____

Date/time: _____

Summary: _____

7. Call to victim's parent/guardian: _____

Date/time: _____

Spoke with: _____

Summary: _____

8. Call to local children and family service agency: _____

Date/time: _____

Spoke with: _____

Summary: _____

9. Call to local law enforcement agency: _____

Date/time: _____

Spoke with: _____

Summary: _____

10. Other contacts: _____

Name: _____

Date/time: _____

Summary: _____

Signature

Date

**This is a sample form. Please tailor your congregation's form to comply with the reporting requirements of the laws of your state and your congregation's policies.*

Note: It is imperative that the person filling out this report be familiar with the state law reporting requirements before taking any action or completing this report.

ACCIDENT REPORT FORM

(Please print all information)

Date of accident: _____ Time of accident: _____

Name of child/youth injured: _____ Age: _____

Address of child/youth: _____

Location of accident: _____

Parent or guardian: _____

Name of person(s) who witnessed the accident: _____

Name: _____ Phone: _____

Name: _____ Phone: _____

Name: _____ Phone: _____

Describe accident:

**This is a sample form. Please tailor it to fit your congregation's specific needs.*

LOCAL CHURCH SELF-EVALUATION FORM

Use the following list to help your congregation assess its policy needs for the prevention of child abuse in your church. Read each statement, and mark the appropriate response in the column to the right. By completing this form, you will be able to see at a glance the areas needing attention.

Statement	Yes	No	Unsure
1. We screen and check references for all paid employees, including clergy, who have significant contact with children or youth.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. We screen all volunteer workers for any position involving work with children or youth.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. We train at least annually all volunteer or paid workers with children or youth in how to carry out our policies to prevent child abuse.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. We train at least annually all volunteer or paid workers with children or youth in how to carry out our policies to prevent child abuse.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Our workers are informed of state law requirements regarding child abuse and their responsibility for reporting incidents.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. We have a clear reporting procedure for a suspected incident of child abuse that follows the requirements of our state law.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. We have insurance coverage available in case a child abuse complaint occurs.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. We have a clearly defined building usage strategy as a component of our child abuse prevention plan.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. We have a clearly defined response plan to be implemented in case an allegation of child abuse is made against someone in our church.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. We offer at least annual educational opportunities to parents of children and youth about how to recognize and how to reduce risks of child abuse.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. We take our policies to prevent child abuse seriously, and we are committed to their enforcement for the safety and security of all of our children.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

APPENDIX D

Report of the Sexual Misconduct Response Team Task Force

Supporting Our Covenant

On-going Process
Of
Justice & Recovery

Integrating

**PREVENTION
INTERVENTION
TRANSFORMATION**

Response Team Process

In the event of an accusation of sexual misconduct within a church, an investigation will be conducted by the Investigating Committee according to the procedures outlined in the Sexual Misconduct Document. The Response Team does not investigate allegations of sexual misconduct. The purpose of the Response Team is to provide support to the complainant, accused, accused's family, congregation, and the pastor. The Response Team will provide these services regardless of whether the accused is a clergy member or layperson.

Upon receipt of a verbal complaint of misconduct within a church, the District Superintendent is to be notified immediately. A verbal complaint may be received by any of the following: the pastor, another layperson who is knowledgeable about the situation, or the chair of the Pastor Parish Relations Committee. Upon receiving notice of the verbal complaint, the District Superintendent is to contact the Bishop for approval to call the Response Team. The District Superintendent must contact the Response Team within 90 minutes of receiving the initial complaint.

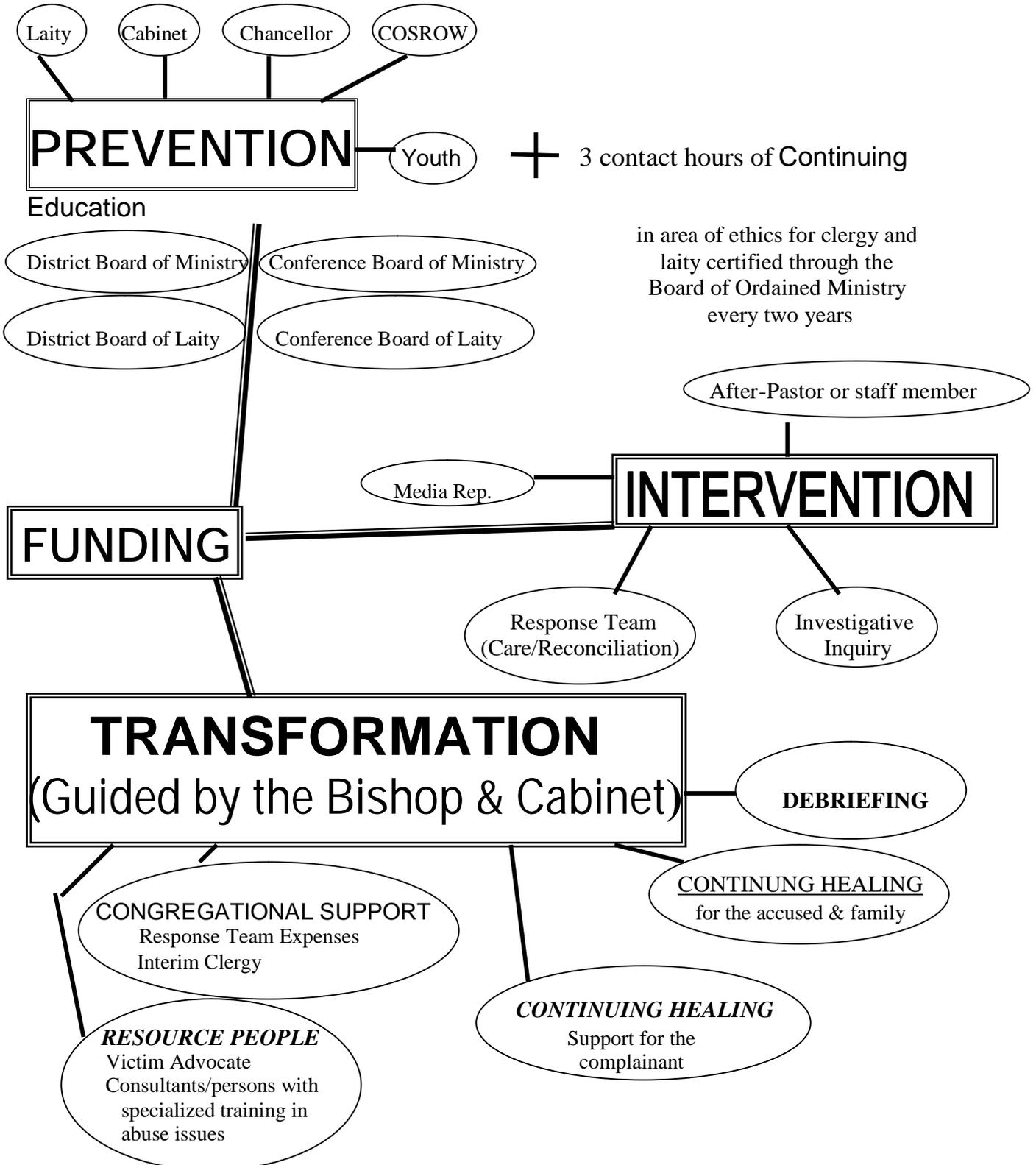
After the Response Team is mobilized, the members of the Team will provide on-site services to the complainant, accused, accused's family, congregation, and the pastor as necessary. When a formal complaint is filed, the Response Team will meet with members of the Pastor Parish Relations Committee and the District Superintendent within 48 hours of the complaint.

A congregational debriefing with the Response Team and the District Superintendent will be held the first Sunday after the Pastor Parish Relations Committee meets with the Response Team and District Superintendent. A date is then set for the Response Team members to return within four weeks.

If necessary, an interim pastor is assigned to the church. A debriefing is to be held with members of the Response Team, Cabinet members, and the after-pastor or staff as necessary.

OVERVIEW OF CONCERNS

Justice & Recovery



Proposed Response Team Process

