

**Suggested Guidelines for *Ethics Violations and Sexual Misconduct*
Complaints filed against Local Church Lay Leadership and Volunteers**
(February 4, 2006)

Premise: The whole church receives the call of God to embody and carry forth Christ's ministry in the world. For the sake of the mission of Christ Jesus and the most effective witness to the Gospel, and in consideration of their influence as representatives of Christ, ministers and Lay leadership and volunteers should be willing to dedicate themselves to the highest ideals of the Christian life. Furthermore, they are called to exercise responsible self-control in their service, and to be persons in whom the community can place trust and confidence. Violation of the ministerial or leadership relationship by unethical behavior is a sin against God and an offense to the church.

The work of Lay volunteers is seen as an extension of the ministry of the whole church. They are, in essence, true "church builders." They bring the strengths of the local congregation, devoting personal time and often money, engaging in church and mission activities.

It is the responsibility of the local congregational ruling body to have specific definitions of unethical behavior, including sexual misconduct and procedures for receiving, investigating and adjudicating ethical misconduct charges of volunteers serving at church-sponsored events and ministries.

Following is a suggested guideline, patterned after the Regional Policy and Procedure for ethics violations and sexual misconduct by a Regional volunteer at a Regionally-sponsored event. Local church ruling bodies are responsible for the behavior of their volunteers at all local church, or intercongregational groups or events that are not an official region-sponsored event, or for any volunteer that is representing the church at an event, and that person is not a designated Regional volunteer.

Definitions

Volunteer: "Volunteers" include directors, officers, trustees, and individuals performing services for a church-sponsored event or operating body, such as the Church Board or a church Committee, as long as their compensation is limited to reimbursement of reasonable expenses, and they do not receive anything else of value in excess of \$500.00 per year.

Ministerial Relationship: A "ministerial relationship" exists between a person providing a ministry and the recipients of the ministry. Since we truly believe in

the “Priesthood of all Believers” a ministerial relationship is not limited to ordained and licensed clergy, but to all persons who serve in a leadership capacity. Church volunteers, including camp directors and counselors, adult youth sponsors, teachers, presenters and others formally placed into leadership by church staff for church events and programs enter into a ministerial relationship with those whom they serve.

Church Event, Program or Activity: Any event in which the church staff or authorized volunteers have sole or majority planning and the church has financial responsibility. The congregational ruling body has authority over who serves as a volunteer at these events, and all volunteer guidelines and policies apply.

Ethics Violation: All local church volunteers enter into a covenantal agreement of high standards of moral and ethical behavior, including but not limited to, expectations agreed to on a Volunteer Code of Ethics Covenant or the Ethical Guidelines for Congregations document. Any behavior in contradiction to this agreement, either directly or indirectly, overtly or covertly, may be considered a violation.

Sexualized Behavior: “Sexualized Behavior” encompasses a broad spectrum, or continuum, of behavior which may include, for example, speech, correspondence, gestures and humor, as well as physical contact. Many behaviors which might be acceptable in other social contexts are inappropriate to any ministerial relationship. Likewise, behaviors which may be innocent in themselves (such as hugging) may be sexualized by intensity, duration, and so forth.

Sexual Misconduct: Types of sexual misconduct may include—but are not limited to:

1. A sexual relationship between a church volunteer and a person with whom he/she is in a ministerial relationship.
2. Rape, or touching by force, threat, or intimidation.
3. Any other type of sexual conduct which is injurious to the physical or emotional health of another.
4. Sexual harassment which includes but may not be limited to: making unsolicited advances, suggestive correspondence or emails, requesting sexual favors, inducing a person into a sexual relationship, giving unwanted sexual attention to a person (or ANY sexual attention to a minor), punishing a refusal to comply with sexual demands, or engaging in sexual behavior with minors. This may involve a wide range of behavior from verbal innuendo, subtle suggestions and inappropriate sexual jokes and remarks to overt demands and physical abuse.

Other Unethical Behaviors: May include—but are not limited to:

1. Violation of confidentiality except as required by law.
2. Unauthorized use of church funds.
3. Abuse of alcohol or drugs.
4. Flagrant, repeated, or serious violations of the Volunteer Code of Ethics or Ethical Guidelines for Congregational Conduct.
5. Failure to be truthful in information provided to the congregational ruling body.

Principles of Procedure

1. All claims of Volunteer ethical misconduct will be taken seriously by the congregational ruling body. When received in a signed, written format, such claims will be responded to as quickly as possible by the appropriate officer and committee chair. It is recognized that in some cases the complainant may not be the victim of the alleged misconduct. However, it is the right of anyone affected by the conduct and who may therefore be a secondary victim, including parents, congregational or Regional church officials, to bring forth a complaint.
2. Ordinary Initial Process in Sexual Misconduct or Other Flagrant Ethical Violations:
 - a. Upon the receipt of such a signed, written complaint by the congregational ruling body, the Chair of the relevant committee in conjunction with the appropriate church staff and/or officer will make an initial review of the allegation.
 - b. That initial review shall include appointment by the Chair and Officer of a 2-3 person response team (one of whom to be designated as the leader) to meet with the complainant. No member of the Response team shall be a member of the relevant committee or from the church staff.
 - c. The Response Team will meet with the complainant in a timely fashion and to offer support and to hear further the nature of the complaint and to be a resource concerning the process. The Response Team will not attempt to evaluate the merits of the complaint.

- d. The confidential written results of such an interview will be forwarded as quickly as possible by the response team leader to the Chair and Officer.
 - e. If the Officer and Chair (or designee) determines that the complaint warrants action, they will advise the accused of the complaint, giving him/her a copy of the complaint and a copy of the Regional Volunteer Code of Ethics. The accused will be given the opportunity to meet with the same Response Team and will be invited to submit a written, signed response which can be shared with the complainant. The accused will be instructed to have no direct contact with the complainant during this process. The accused and complainant may also be offered the appointment of a support person.
 - f. Throughout this process, concern and care for the welfare of the complainant and the accused will be exhibited, and steps will be taken to protect the community involved and other potential victims, as possible within the scope of the congregational ruling body's authority and in keeping with confidentiality. Where such reporting is required by law, suspected violations of the law will be reported to civil authorities. The innocence of the accused in regard to the allegations will be presumed until unethical conduct is admitted or sustained.
 - g. By mutual agreement of complainant, accused, Chair and Officer, the above process (a through e) may be modified by mutual agreement if and where appropriate to the nature of the complaint.
 - h. At the conclusion of the initial review, if the Chair (or designee) and Officer can resolve the complaint with satisfaction to all parties involved, then the matter will be considered closed and a report of the process and its disposition will be retained by the church Officer for the protection of all parties
 - i. Upon counsel with the Officer and church staff, if deemed appropriate and necessary, the Chair will seek appropriate ways to inform those affected by the complaint and decision, recognizing the complexity and sensitivity of the issues involved.
3. Further Process: If, after the initial review is completed, the complaint cannot be resolved to the satisfaction of all parties, either a relevant standing committee or one appointed by the Chair and Officer shall provide further inquiry as follows:

The accused and complainant will be invited to appear before the appropriate committee, although not necessarily at the same time. The Chair may also invite the Regional Minister(s)/staff to attend and participate in the inquiry. The Chair will also seek to have any further written information that he/she deems helpful to the Committee. Any written information to be reviewed by the Committee — except that which is deemed confidential by its writer, including reports from the initial response team — will be made available to the accused. It is understood that the inquiry is not a legal proceeding. While the accused and complainant may bring support person(s) to the inquiry (with the permission of the Chair or Officer) legal counsel shall not participate in the inquiry or meetings.

4. During or at the conclusion of such an inquiry, if the Committee sustains the complaint, it may take a variety of actions including one or more of the following:
 - a. Continuing with further inquiry.
 - b. Reprimanding the accused and taking action, such as:
 - 1) Suspending eligibility for serving as a church volunteer for a stated period. The eligibility may be reviewed and re-evaluated by the Committee at the end of that time.
 - 2) Restricting the volunteer eligibility and involvement of the accused in church-sponsored events.
 - 3) Revoking eligibility for all current and future services as a church volunteer or officer, with no intention of entertaining any re-application.
 - c. Recommending counseling (may be required to reinstate eligibility).
 - d. Other appropriate sanctions.
 - e. Informing selected parties, such as local pastors, congregations or relevant Regional bodies (and ecumenical judicatories, if applicable) of actions taken.
 - f. Making necessary reports for legal and/or insurance reasons.
5. In the event that a church volunteer accused of ethical misconduct resigns his/her voluntary position or refuses to make him/herself available to the Committee at any stage of the processes outlined in this section, the Committee may take any action it deems appropriate in the absence of the accused's participation.

Requirements for Local Church Volunteers

1. All local church volunteers who will be working in any capacity with children or youth agree to a background screening and, if required, fingerprinting. Volunteers will honestly provide all information required for such a screening and legitimate references where required.
2. All local church volunteers agree to complete appropriate and relevant training requirements for their position. Obtaining this information is the responsibility of the volunteer.
3. All local church volunteers must be made aware of the Ethical Guidelines for Congregational Conduct document. It is highly recommended that a Volunteer Covenant appropriate to their service be written and signed.
4. In the event that a complaint is brought against a local church lay leader while that person was serving on behalf of the Region, procedures of complaints against a Regional Volunteer will take precedence. Activities or behaviors extending to the local church beyond the regionally sponsored event are the responsibility of the local congregation.