

# Sexual Exploitation, Ministerial Conduct, and Youth Protection Policy



*First United Church – Bloomington, Indiana  
Adopted August 2, 2007*

## **Statement of Christian Conviction**

First United Church of Bloomington, Indiana is committed to creating and maintaining a community in which members, friends, visitors, staff, and volunteers can worship and work together in an atmosphere free of all forms of discrimination, harassment, exploitation, or intimidation. Specifically, all persons associated with First United Church should be aware that the church is strongly opposed to sexual exploitation and harassment. Such behavior is in violation of church policy and will not be tolerated. It is the intention and responsibility of the church to take whatever action may be needed to prevent and correct behavior which is contrary to this policy.

The Church Council is responsible for making this policy available to all members, friends, visitors, staff, and volunteers of First United Church.

## **Definitions**

**Minister:** a person engaged by the church to carry out its ministry. Ministers include elected or appointed leaders, volunteers, employees, and authorized ministers. Ministers are responsible for knowing the possible impact of their words and actions while ministering to members and friends of First United Church. It is the policy of First United Church to encourage its leaders, employees, volunteers, and authorized ministers to nurture safety within ministerial relationships by being attentive to self-care and education. It is imperative that those engaged in the ministry of this church maintain their own psychological, emotional, and spiritual health and that they have adequate preparation and education for ministry.

**Ministerial relationship:** the relationship between one who carries out the ministry of the church and the one being served in that ministry.

**Sexual harassment:** repeated or coercive sexual advances toward another person contrary to his/her wishes. It includes behavior directed at another person's sexuality or sexual orientation with the intent of intimidating, humiliating, or embarrassing the other person, or subjecting the person to public discrimination. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition or circumstance of instruction, employment, or participation in any church activity;
- Submission to, or rejection of, such conduct by an individual is used as a basis for evaluation in making personnel or church-related decisions affecting an individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's performance or participation in church activities or creating an intimidating, hostile, or offensive work or church environment.

Prohibited sexual harassment includes unsolicited and unwelcome contact that has sexual overtones, particularly:

- Written contact, such as sexually suggesting or obscene letters, notes, or invitations.
- Verbal contact, such as sexually suggestive or obscene comments, threats, slurs, epithets, jokes about gender-specific traits or sexual orientation, sexual propositions.
- Physical contact, such as intentional touching, pinching, brushing against another's body, impeding or blocking movement, assault, coercing sexual intercourse; and
- Visual contact, such as leering or staring at another's body, gesturing, displaying sexually suggestive objects or images.

Sexual harassment also includes continuing to express sexual interest after being informed directly that the interest is unwelcome – and using sexual behavior to control, influence, or affect the career, salary, work learning, or worship environment of another. It is impermissible to suggest, threaten, or imply that failure to accept a request for a date or sexual intimacy will affect a person's job prospects, church leadership, or comfortable participation in the life of the church.

### **Requirements for Ministry**

All persons who are engaged in the education of the children and/or youth of First United Church will:

- a. Have been members or friends of First United Church for at least six months before beginning ministry with children/youth. An exception may be granted if the Board of Christian Education completes a complete background check by calling at least two personal/employment references, a criminal background check, and a reference from a previous religious or non-profit organization.
- b. Complete and submit an Employee/Volunteer Application and Disclosure Form to the Board of Christian Education.
- c. Become familiar with and agree to abide by this policy.
- d. Submit to a background check as requested by the Board of Christian Education. This may include, but is not limited to, calling personal/employment references, completing a criminal background check, calling previous religious or non-profit organizations. This check will be completed for all new ministers<sup>1</sup>. Continuing ministers shall be checked at least every three years.
- e. Receive training for the ministry which they will undertake. This may be formal or informal. The minister shall have the ability to ask questions about safety and shall have access to ongoing training as desired.
- f. Agree to meet with a member of the ministerial staff, Board of Christian Education, and/or appropriate hiring board for an interview, if requested.

### **Notes on Criminal Background Checks:**

The Board of Christian Education will notify the chair of the personnel committee and one of the members of the ministerial staff of First United Church when a criminal background check needs to be completed for an applicant. These two people will complete the criminal background check. They will make a recommendation to the Board of Christian Education about the person's

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<sup>1</sup> Note: see definition of minister on page one.

suitability for ministry. In the event that the applicant has a criminal history, every effort will be made to respect the confidentiality of the applicant while still providing the necessary information to the Board of Christian Education and ministerial staff to make decisions about the applicant's suitability for ministry. Anyone with a history of sexual offenses or child abuse will be automatically disqualified from placement as an employee or volunteer.

### **Child and Youth Protection**

First United Church is committed to creating and maintaining an environment in which young people and adults may experience as well as learn about the grace and love of God in Jesus Christ. To further the goal of having all who participate in the programs of First United Church experience God's love the following policies and guidelines have been adopted:

- a. **Screening**: all volunteers and staff who minister to children/youth will meet the requirements listed in this policy.
- b. **"Rule of Three"**: whenever children/youth are present, at least three people should be present. Ideally, two ministers<sup>2</sup> will be present whenever children/youth are present. If this is not possible, at least two children/youth should be present with one minister. If a situation arises where one minister and one child/youth are present, every attempt should be made to find another minister or move to a publicly visible area. When a minister and minor are present in the office an additional adult must be present in the office suite.
- c. **Restroom use**: Normally, a minister who accompanies a child to the restroom will remain outside the bathroom while the child is inside. If a young child needs assistance with undressing, cleanup, dressing, or diaper changing two ministers must be present. If no second minister can be found, the door to the bathroom or changing area door must remain open.
- d. **Parental/Guardian Consent**: ministers should request that the parent/guardian of any child/youth participating in church activities provide their contact information before leaving their child(ren). Additionally, ministers organizing any activities which involve leaving the church property should work with the Board of Christian Education to develop and use a consent form, signed by the parent/guardian of each child. The "rule of three" should be followed when transporting children/youth to and from events.

### **Reporting, Investigation, and Communication of Concerns**

#### **A. General Guidelines:**

- a. All allegations will be taken seriously.
- b. Any person bringing a complaint or assisting in investigating such a complaint will not be adversely affected in terms and conditions of employment, church membership or affiliation, or otherwise discriminated against or discharged for his/her participation in the complaint.
- c. In determining what constitutes sexual harassment or misconduct, consideration shall be given to the alleged incident(s) as a whole and to the totality of the circumstances, including the context in which the alleged incident(s) occurred.

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<sup>2</sup> **Note**: see definition of minister on page one.

- B. Response Team: A standing response team with four members, two female and two male, will be established by the Church Council of First United Church, Bloomington, Indiana. The members of this response team shall not be staff or immediate family members of staff of First United Church. This response team will receive training in dealing with issues of sexual harassment and misconduct. The response team will be familiar with the terms of this policy, which outlines the established procedures of First United Church for dealing with complaint(s) of alleged sexual harassment or misconduct against any employee(s) or volunteer(s) in leadership position(s) in First United Church.
- C. Initial Reporting: Awareness of alleged sexual harassment or misconduct may occur in several ways:
- a. The complainant(s) may informally describe the incident(s) to another individual(s) in the congregation. Individual(s) learning of such complaints should immediately inform the Church Council president and ministerial staff.
  - b. The complainant(s) may report the incident(s) to a person in a leadership position in the congregation. The church leader should immediately inform the Church Council president and the ministerial staff.
  - c. The complainant(s) may report the incident(s) to the Church Council president. The president should immediately inform the ministerial staff.
  - d. The complainant(s) may report the incident(s) to a staff member. The staff member should immediately inform the Church Council president and the ministerial staff.
- D. Initial Responses: Care will always be taken to respect the privacy of the complainant(s) and alleged violator(s) during the review of the complaint. In all scenarios, reported incidents should be shared with both the Church Council president and the ministerial staff. These two parties are responsible for ensuring that the reported incident is shared as noted below:
- a. All reported incident(s) should be shared with the Church Council, regional offices of the American Baptist Church, regional offices of the United Church of Christ, and the church's insurance company.
  - b. Additionally, if the accused holds ordained ministerial standing or has been commissioned or licensed by an association of the American Baptist Church or United Church of Christ, the appropriate denominational body shall be informed of the allegation. First United Church will cooperate fully in any procedures of the denomination related to the person's ministerial authorization while retaining the right and responsibility to employ or designate leadership within First United Church as it best determines.
  - c. If the complaint includes allegations of possible child abuse, the response team shall notify appropriate government authorities, including Child Protective Services. First United Church will cooperate fully in any investigation. A review of the incident will continue to determine the continuance of the individual(s) in leadership positions in First United Church.

Both the complainant and accused will be treated with dignity and offered pastoral support. If the accused is a volunteer, s/he will be temporarily relieved of his/her duties

until a resolution is reached. If the accused is a paid staff member, a decision will be made about which duties s/he should continue and whether or not his/her income should be reduced or suspended until a resolution is reached.

- E. Resolution: The complainant(s) may choose to resolve the matter in several ways:
- a. Informal resolution may be brokered by the Church Council president and ministerial staff. If a resolution is reached informally, both the Church Council and the standing response team must be informed of the results.
  - b. If an informal resolution of the complaints(s) does not seem appropriate, possible, or does not succeed, either the complainant(s) or the Church Council may request that the response team formally review the complaint(s).

F. Formal Review:

If there is potential conflict of interest for any member of the response team due to the accused or complainant being family members of the response team member, the response team member should excuse him/herself from the formal review. In this scenario, the response team may conduct the formal review with only three persons.

The response team shall gather statements or other information from the complainant, the individual(s) involved in the alleged incident(s), and others who may have pertinent information. The response team shall make a written report to the Church Council. The report should include a summary of the proceedings and a recommendation for action.

The recommendation may include:

- a. Finding that sexual harassment or misconduct has occurred and that the appropriate body of the church is called upon to take action accordingly. These actions may include, but are not limited to, one or more of the following:
  - i. Formal reprimand with defined expectations for changed behavior, including possible public notification;
  - ii. Recommending or requiring a program of education and/or counseling;
  - iii. Probation, with the terms of the probation clearly defined;
  - iv. Dismissal from employment or volunteer leadership position, and, in extreme cases, affiliation with, or membership in, the church.
- b. Finding that no sexual exploitation or harassment occurred.

Upon receiving the report from the response team, the Church Council must take action within two weeks. A final report including the initial written report of the response team, along with the action taken by the Church Council shall be maintained by the Church Council and given to the ministerial staff and appropriate offices of the American Baptist Church and United Church of Christ.

After a resolution is reached, care should be taken to ensure that both the complainant and accused receive the support and care they need. The Church Council president is responsible for working with the ministerial staff and/or response team or other appropriate bodies to reach out to those involved and provide ongoing support.