



# Sexual & Professional Misconduct Policy for Ministerial Leadership

## South Carolina Conference of The United Methodist Church

### I. Purpose

Those in ministerial leadership are in a position of power and authority, which is a sacred trust to maintain an environment in which it is safe for people to live and grow in God's love. However, people in ministerial leadership sometimes violate the trust given them. Sexual and professional misconduct within ministerial relationships inhibits the full and joyful participation of all in the community of God, hinders the mission of Jesus Christ, and is a betrayal of sacred trust. Servants in ministerial leadership have the responsibility to avoid actions and words that hurt others as well as to protect the vulnerable against actions or words that cause harm. It is both the ethical and legal responsibility of the Annual Conference to establish procedures for making and responding to complaints in matters of sexual and professional misconduct.

The South Carolina Conference will not condone or tolerate instances of sexual or professional misconduct. We also will not condone or tolerate instances of sexual misconduct on the part of laity, including church members and visitors. We are committed to making every reasonable effort to prevent any such incidents, to a fair and just process for victims, to authentic accountability for abusers, and to healing for all persons involved. The purpose of this policy is to provide a framework for the prevention of sexual or professional misconduct and to establish guidelines for reporting and responding to incidences of sexual or professional misconduct, should they occur. (Book of Resolutions 2016 ¶2044; Book of Discipline 2016 ¶605.9) This policy also addresses sexual misconduct on the part of laypersons. A local church may approve, at a charge conference or a church council meeting, a policy statement to address sexual harassment in the church. [A sample policy statement may be found on the South Carolina Conference website.](#)

Nothing herein is intended to change the procedures, processes or rights set out in [The Book of Discipline 2016](#) relating to the complaints against clergy or laity. Should any provision of this policy conflict with any provision of The Book of Discipline, The Book of Discipline shall prevail.

### II. Theological Foundation

We affirm that all persons are created in the image of God and, therefore, possess sacred value, which must be respected in all relationships. We are one connected body, and when one part of the body is injured physically, emotionally or spiritually, the whole body suffers. [Galatians 3:26](#) (CEB) encourages us with these words: "You are all God's children..." United Methodists support equity among all persons without regard to ethnicity, situation (age, physical, mental or emotional ability, economic status, etc.), gender or gender identity. We seek to create environments of hospitality for all persons that are free from misconduct. We encourage respect, equality, and kinship with Jesus Christ.

Sexual and professional misconduct are abuses of power and authority and are not only acts against individual persons, but also acts against fellow ministerial leaders, members of the local congregation, the church at large, and God. (Book of Resolutions 2016, ¶2044) The foundational theological principle of The United Methodist Church is connectionalism. (Book of Discipline 2016, [Episcopal Greetings](#)) "Our connectional system performs at least three essential tasks: embracing God's mission for the church as making disciples for Jesus Christ; organizing our whole Church to enable local congregations, the primary arena for mission, faithfully and fruitfully to make disciples for Jesus Christ; and ensuring that all components in the connection carry out their appropriate responsibilities in ways that enable the whole United Methodist Church to be faithful in its mission." (Book of Discipline 2016, [701.2](#))

A key element of the connectionalism of The United Methodist Church is the itinerant system of ordained clergy, and the authority and discernment of the presiding bishops and their cabinets to screen, select, and appoint ordained clergy to different ministries and local churches on an annual basis in the Wesleyan tradition. This includes disciplining them. (Book of Discipline 2016 [¶338](#), [¶342](#), and [¶425](#); and Book of Discipline, [A Brief History of the United Methodist Church](#))

### III. Definitions

These definitions are intended to be illustrative and instructive, not exclusive:

A) **“Sexual misconduct”** within ministerial relationships is a betrayal of sacred trust. It is unwanted sexual- or gender-directed behaviors by either a layperson or clergyperson within a ministerial relationship. It includes, but is not limited to, child sexual abuse, adult sexual abuse, harassment, rape and sexual assault, sexualized verbal comments and visuals, unwelcome touching and advances, use of sexualized materials including pornography, stalking, sexual abuse of youth and those without capacity to consent, and misuse of the pastoral and ministerial position using sexualized conduct to take advantage of the vulnerability of another. (Book of Resolutions 2016, [¶2044](#)) Additionally, “the use of pornography in church programs, on church premises or with church property by persons in ministerial roles (lay and clergy) is a form of sexual misconduct.” (Book of Resolutions 2016, [¶2081](#))

B) **“Sexual harassment”** includes, but is not limited to, any unwanted sexual comment, advance, and demand, either verbal or physical, that is reasonably perceived by the recipient as demeaning, intimidating, or coercive. It includes innuendo, written or verbal. Sexual harassment may include physical contact such as touching or hugs. Sexual harassment must be understood as an exploitation of a power relationship rather than as an exclusively sexual issue. Sexual harassment can include, but is not limited to, the creation of a hostile or abusive working environment resulting from gender-based discrimination. (Book of Discipline 2016, [¶161](#)) It may involve repeated incidents of conduct that occur over time. Conversely, sexual harassment may consist of a single, overt act depending upon the circumstance. Sexual harassment “can create a hostile, offensive environment that can include unwanted sexual jokes, repeated advances, touching, displays, or comments that insult, degrade, or sexually exploit women, men, elders, children or youth.” (Book of Resolutions 2016, [¶2045](#))

C) **“Professional misconduct”** includes, but is not limited to: abuse of pastoral authority, breach of clergy confidentiality, mismanagement or misappropriation of church property or money, dishonesty, plagiarism, improper dual relationships, and giving or receiving excessive or inappropriate gifts. Such misconduct includes violations of The Book of Discipline 2016, [¶2702.1](#).

D) **“Complaint”** is a written, signed, and dated report alleging sexual or professional misconduct. It may be written in response to alleged sexual misconduct on the part of clergy, staff or a layperson.

E) **“Complainant”** is a person who submits a written, signed, and dated complaint that alleges an incident of sexual or professional misconduct.

F) **“Respondent”** is a person against whom a complaint is made.

G) **“Just resolution”** is an outcome that “focuses on repairing any harm to people and communities, achieving real accountability by making things right in so far as possible, and bringing healing to all the parties.” (Book of Discipline 2016, [¶362](#))

## **IV. Procedures for Reporting and Responding to Complaints of Misconduct**

A) Persons who desire to discuss a concern regarding sexual or professional misconduct involving clergy or laypersons may contact their pastor, another United Methodist clergyperson, or the district superintendent for their district.

B) Clergy or laypersons may contact a confidential hotline, staffed by the UMC Commission on the Status and Role of Women, by calling [800-523-8290](tel:800-523-8290).

C) These processes (IV.A & IV.B) are first steps toward making a formal complaint. For a complaint to be formally acted upon, it must be written, signed, and dated by the complainant. A Report of Sexual or Professional Misconduct Form is used for reporting concerns of clergy misconduct. The form can be obtained by contacting any South Carolina Conference district superintendent.

D) When an allegation of misconduct is subject to mandatory reporting requirements by state law (as in the case of a minor or an adult incapable of self-reporting), it shall be reported to the district superintendent, the bishop, and to the appropriate law enforcement authorities and other agencies.

E) The provisions of The Book of Discipline 2016, [¶361](#), [¶362](#), [¶2702 through ¶2714](#), and any other relevant paragraphs of The Book of Discipline 2016 shall determine the procedure for responding to the complaint and the rights of the parties involved.

F) Legitimate complaints are appropriate and will be taken seriously. Retaliation against anyone who reports an act of ministerial misconduct in good faith will not be tolerated and will be handled through appropriate discipline. Individuals who make false, frivolous, or malicious complaints will be held accountable.

G) Upon receiving a written, signed, and dated complaint, immediate action will be taken in accordance with the provisions of The Book of Discipline 2016 for just resolution, real accountability, and healing for all parties.

H) The bishop and any district superintendent may receive or initiate complaints about the performance or character of a ministerial leader, clergy or laity. Confidentiality will be preserved, and information will be shared on a need-to-know basis. However, a certain degree of transparency is essential for the process of just resolution, real accountability, and healing for all parties.

I) When multiple complaints are submitted involving the same respondent and the same conduct, the bishop may consolidate the multiple complaints into one complaint for disposition pursuant to The Book of Discipline 2016.

## **V. Clergy Requirement for Participation in Sexual Ethics Training**

A) All active or retired clergy members of the South Carolina Conference who are under appointment shall participate in sexual ethics training each quadrennium.

B) Numbers of units required each quadrennium are to be determined by the Board of Ordained Ministry and the Cabinet in consultation.

C) The Board and Cabinet will establish the deadline by which these requirements must be completed.

## VI. Cyberspace Misconduct

Sexual and professional boundaries can be violated in cyberspace – a broad, constantly changing domain that includes the internet, social media, and other interconnected digital technology. Messages or posts that contain threatening, obscene, offensive, vulgar, profane, pornographic, racist, sexist, hurtful, tactless, demeaning, bullying, libelous, defamatory, sexually explicit or suggestive, sexual innuendo, etc. – even when no hurt or harm is intended – are inappropriate and could be considered sexual misconduct. Anyone who participates in this form of misconduct is subject to discipline. Care should be taken regarding websites visited, social media platforms used, and messages that are posted online. Nothing herein shall be intended to curtail or punish political discourse, religious discourse, or discussion of social issues. In addition, clergy should exercise reasonable, professional judgment in who they “friend,” “follow,” or message on social media platforms like Facebook, Twitter, Instagram, and Snapchat. For example, it is not appropriate for adults to message unrelated minors in their congregation or community without parents being part of the message chain. ([See the South Carolina Conference Safe Sanctuaries Internet and Social Media Policy.](#))

## VII. Dating Between Clergy and Parishioners

The Judicial Council of The United Methodist Church has ruled that dating and romantic or sexual relationships between clergy and their parishioners “are never appropriate because of imbalance of power.” ([Judicial Council Decision No. 1228](#)). Therefore, dating between clergy and their parishioners cannot be considered a situation of two consenting adults entering into a relationship. It is an act of misconduct for a clergyperson to enter into a dating relationship with a parishioner. For the sake of maintaining healthy boundaries and preventing a betrayal of sacred trust, clergypersons who have a genuine desire to date a parishioner must contact their district superintendent, and in consultation with the district superintendent, determine a reasonable course of action for discontinuing the pastor/parishioner relationship before beginning a dating relationship.

## VIII. Sexual and Professional Misconduct Response Teams

A) The purposes and functions of response teams are to provide:

- 1) Objective support, compassion, direction, just resolution, and healing for the complainant, the accused, their families, the congregation, and any others affected by allegations or incidents of sexual or professional misconduct.
- 2) A safe, non-threatening environment in which a complainant can reveal allegations of sexual or professional misconduct and receive support, compassion, direction, just resolution, and healing.

B) Response team composition:

- 1) The response team is led by a coordinator and is comprised of approximately 12 members with an inclusive focus with regard to gender, ethnicity, age, geography, and lay/clergy balance, who may have experience in areas such as counseling and social work, and are objectively supportive and compassionate.
- 2) Team members will receive specialized training focused on responding to incidents of sexual and professional misconduct with objectivity and compassion.
- 3) When an incident of sexual or professional misconduct takes place, the coordinator will deploy team members based on the particular needs of the situation with explicit permission from the complainant(s) and in consultation with the bishop and the district superintendent.