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SEXUAL ETHICS POLICY AND PROCEDURE DOCUMENT NEW YORK ANNUAL CONFERENCE – 2005 Revisions

Note: *This policy shall not infringe upon the United Methodist Constitution or the principles of fair process contained in The Book of Discipline. In the event of any conflict between this policy and the Constitution or Discipline, the provision of the Constitution or Discipline shall prevail.*

STATEMENT OF PURPOSE

The purpose of this sexual ethics policy is to provide guidelines and procedures for clergy, laity, and the congregation in the New York Annual Conference of The United Methodist Church regarding sexual harassment, sexual abuse, and sexual misconduct.

The term “*clergy*” includes all persons who are appointed or assigned by the Resident Bishop: local church pastor(s) to include local church hires such as deacons, diaconal ministers, and clergy members of other denominations, Conference staff persons including camping staff, District Superintendents and other clergypersons in Extension Ministries in the New York Annual Conference. In addition, these policies and procedures shall apply to all clergy on leave of any type, those honorably or administratively located, as well as, those in the retired relationship.

The term “*laity*” refers to non-ordained staff members of the local churches, employees of an agency of the Annual Conference, lay persons serving as staff members at Conference camps, as well as, to lay members of congregations.

The term “congregations” includes not only local church constituencies but also the individuals served by camps,

agencies, and organizations sponsored by or amenable to the New York Annual Conference.

The Book of Discipline states the issue of sexuality in a very positive way: *“We recognize that sexuality is God’s good gift to all person. We believe persons may be fully human only when that gift is acknowledged and affirmed by themselves, the church, and society. We call all person to the disciplined, responsible fulfillment of themselves, others, and society in the stewardship of this gift.”* (2004 Discipline, p. 100)

However, there is widespread recognition that this gift has been abused. Charges of misconduct, harassment, and abuse in matters of sexual contact have increased and are troublesome to all person concerned. But the United Methodist position is clear: sexual misconduct with the body of Christ will not be tolerated. When the victims of sexual misconduct are children, we affirm the Discipline’s call for *“strict enforcement of global laws prohibiting the sexual exploitation or use of children by adults”* (2004 Discipline, pp. 100-101)

Allegations of sexual misconduct are serious charges, and there is no “church” exemption from state and federal laws against this misconduct. The purpose of this sexual ethics policy is:

1. To define sexual misconduct, i.e. gender harassment, sexual harassment, sexual abuse, and role-inappropriate sexualized relationships.
2. To communicate guidelines and clear procedures for all persons concerned in matters of sexual misconduct.
3. To provide education regarding the ways in which persons in leadership may offend others by sexual misconduct.

4. To act as a deterrent against inappropriate behavior in matters of sexual conduct.

THEOLOGICAL STATEMENT

All persons are created by God and made in the image and likeness of God. God affirms the worth and dignity of all – men, women, and children – and longs for us to respect and care sensitively for each other in our relationships. Our bodies and our sexuality are good gifts from God. Sexual activity, when it is responsible and faithful, will always be consensual and mutual and entered into freely. In contrast, sexual misconduct, harassment, and/or abuse devalue persons and are destructive to our well-being, our relationships, and the integrity of the body of Christ.

The Church is created to be one body with each member holding a significant presence and purpose. When any part of the body is injured, physically, emotionally, or spiritually, the well-being of the whole body is violated and all suffer deprivation and degradation, but most especially the abused and the abuser. Working with persons in a situation in which sexual misconduct exists tests our commitment to justice and healing as a Christian community.

For the abused, God came in Christ to proclaim life's wholeness and to empower the powerless as they name the oppressors and claim the healing that comes when the church seeks to achieve justice.

For the abusers, God came in Christ to hold persons accountable as they confess their abusive behavior and woundedness, make restitution, and through repentance and forgiveness embrace the transformation made possible through covenantal reconciliation.

“Forgiveness and restoration to positions of trust for persons who have violated that trust should not be quickly or lightly given. At the same time the goal should always be to restore even the most serious offender to fellowship with God and communion with the Church, even when forgiveness and reconciliation cannot be extended to include restoration to public office.” (Fortune, Marie, Is Nothing Sacred?, p. 136) As Christ’s body, the church through God’s grace is entrusted with the ministry of naming the woundedness and abuse, vindicating the oppressed, and reconciling the community. (Matthew 18:15-18, II Corinthians 5:18-20)

It is clear from the scriptures that equality of power and mutuality are an important aspect of God’s design for the human community. “There is neither Jew nor Greek, slave nor free, male nor female, for you are all one in Christ Jesus.” (Galatians 3:28) No person, male or female is to hold power over another, yet in the brokenness of humankind greater value has often been given to men than to women, and adults than to children.

In the past, sexual misconduct has often been ignored or denied. Such behavior can no longer be condoned or ignored. The church is called to repentance for its neglect and sin. All are to experience justice and mercy, regardless of status or power. This is a blessed vision for the church as it covenants to journey with God, who is just and merciful and who makes all things new.

DEFINING OUR TERMS

SEXUAL MISCONDUCT is the overarching term for a variety of unacceptable behaviors between clergy or laity (i.e. non-ordained staff members of local churches, employees of any agency of the annual conference, lay persons serving as staff members at Conference camps, and lay members of congregations) and those for whom they have professional, pastoral, or supervisory responsibility (this includes parishioners, clients, staff, associates, or ministerial candidates). Sexual misconduct includes gender harassment, sexual harassment, role-inappropriate sexualized relationships, and sexual abuse. The misconduct may, in addition, be a criminal act or a violation of moral standards. (2004 Discipline, paragraph 2702.1 and .3)

GENDER HARASSMENT exists when the work environment is charged with sexist bias. Gender harassment may include but is not limited to the belittling or discrediting of people on the basis of gender through humor, remarks, or other activities which create an intimidating, hostile, or offensive climate. This environment is also viewed as sexual discrimination.

SEXUAL HARASSMENT includes but is not limited to any attempt to coerce an unwilling person into a sexual relationship, or to subject a person to unwanted sexual attention, or to punish a person for refusal to comply. Harassment may involve a wide range of behaviors, from verbal innuendo and subtle suggestion to overt demands and physical abuse. (see Appendix A)

ROLE-INAPPROPRIATE SEXUALIZED RELATIONSHIPS

include but are not limited to inappropriate and/or unwelcome kissing, hugging, fondling, heavy petting, or sexual intercourse. (Role-inappropriate sexualized relationships imply an imbalance of power between the parties. This is not intended as a category for determining the moral and ethical value of equal-power relationships.)

SEXUAL ABUSE is sexual contact defined as any touching of the sexual or intimate parts of a person not married to the actor by the victim, as well as the touching of the victim by the actor, whether directly or through the clothing, without the free consent of both parties. It is recognized that the following are considered by statute as not capable of giving consent under any circumstances: People who are (1) below the age of 17; (2) mentally disabled, meaning that the person suffers from a mental disease or defect which renders him or her incapable of appraising the nature of his or her conduct; (3) mentally incapacitated (meaning that the person is rendered temporarily incapable of appraising or controlling her or her conduct owing to the influence of a narcotic or intoxicating substance administered without his or her consent, or any other act committed upon the person without consent); (4) physically helpless (meaning a person that is unconscious or for any other reason physically unable to communicate unwillingness to act). Lack of consent results from (1) forcible compulsion (including threats, physical force, or coercion of any nature); (2) incapacity to consent; (3) any situation in which the victim does not expressly or by implication acquiesce to the actor's conduct.

Sexual abuse is any of, but not limited to, the following: rape, sexual assault, incest, indecent exposure, statutory rape, involuntary or voluntary sexual intercourse with a child; sexual activity or intercourse promulgated as an aide to pastoral counseling, psychotherapy, or career progression; intentional, progressive predatorial behavior leading to sexual involvement'

promoting prostitution, pornography with children, indecent assault, and aggravated indecent assault.

In considering and defining sexual misconduct, the following points should be understood:

Dual Relationships: A dual relationship is defined as having two contrasting qualities of relationship with the same person at the same time (e.g., a psychology professor functioning as therapist for his student, a physician treating her/his spouse, a district superintendent serving as pastor to clergy on his/her district while having power to influence the appointment of that clergy person). Dual relationships exist; they cannot be completely avoided. However, when one part of a dual relationship is affectional in nature, there is potential for misconduct and abuse.

A Mutually Consenting Relationship presumes equality between parties to the relationship. In particular, it presumes an equality of power. When an individual is functioning in a caregiving, supervisory, or leadership role in the church, it is his/her obligation to contribute in a responsible manner to the well-being of the recipient of that care, supervision, or leadership. True equality in this relationship is difficult. Because the caregiver, supervisor, or leader is providing a service to the individual involved, that person is in a position of power. As a consequence, the recipient of the service may be vulnerable, believing that this service is unselfish and solely directed to his/her well-being and growth. These factors make meaningful consent improbable.

SEXUAL ETHICS AND THE CLERGY

The pastoral office is a position of great trust, power, and responsibility. The abuse of this power and trust by clergy who engage in sexual misconduct is an especially serious violation of the call to ministry, causing both psychological and spiritual damage to the abused individual. The pastoral office has been violated, community life threatened, and the ministry of the church compromised.

Clergy sexual misconduct, whenever and in whatever form it occurs, breaks the sacred trust and responsibility inherent in ordination. It harms both individuals and the covenant community we call the church. This betrayal of the trust and responsibility is an abuse of power, whether it occurs, through sexual harassment or unwelcome sexual contact. The clergy person involved violates the free choice and ignores the vulnerability of the parishioner, client, staff person, colleague, or student. Whether the misconduct is initiated by the clergy person or by the other individual, the moral responsibility lies with the clergy person who must be held accountable for his/her behavior.

Clergy sexual misconduct is a violation of role. The pastoral role presupposes certain role expectations, which never include sexual contact or sexualized behavior as part of a pastoral, professional relationship.

Clergy sexual misconduct is a misuse of authority, knowledge, and power. The role of pastor/counselor carries with it authority and power, and the attendant responsibility to use this power unselfishly to benefit the people who call upon the

pastor-counselor for service. It is always the pastor's/counselor's responsibility to maintain the professional boundaries of the pastoral relationship. The pastor is always responsible for keeping the relationship free from sex or sexual innuendo since the difference in role makes meaningful consent difficult.

Clergy sexual misconduct includes any of the behaviors identified above as "Sexual Misconduct" occurring between clergy and those for whom they have professional, pastoral, or supervisory responsibility. This includes parishioners, clients, staff, associates, or ministerial candidates.

When a clergyperson enters into an affectional or sexual relationship with a parishioner, client, church staff person, or student, his/her profession role is compromised and violated. Sexual harassment and sexual contact or behavior by clergy with a minor or an adult is never appropriate. Given the dynamics of dual relationships and the requirement of mutual consent, any **Dating Relationship** between a clergyperson and a parishioner, client, church staff persons, colleague, or student must be considered with the utmost responsibility on the part of the clergyperson. Any sexualized behavior by the clergyperson irrevocably alters the relationship between these two individuals and renders an objective, professional relationship difficult.

Any decision to initiate a dating relationship in these circumstances requires very great care. Both parties must be conscious of the inevitable changes it will cause, aware of the non-clergyperson's potential vulnerability, and sensitive to hurt that may result. Both parties must be clear in and between themselves and with their community about the changed nature of their relationship.

SEXUAL ETHICS AND THE LAITY

The 2004 United Methodist Discipline affirms in Part III, “the ministry of all Christians”; All are called together to ‘serve and witness in deeds and words that heal and free’ (paragraph 126).” This United Methodist affirmation echoes Paul’s description of the Church as the body of Christ where all members share the work of ministry in order to build up the body of Christ. Laity as well as clergy bear responsibility for their conduct in their ministries, especially when they are called to special tasks such as teacher, counselors, or employees of a local church or any church sponsored agency or program.

Therefore, the standards of conduct described above shall apply to non-ordained persons who function as staff members of local churches. Further, the standards of conduct are commended for the instruction of lay persons/members of local congregations.

SEXUAL ETHICS AND THE CONGREGATION

Within the body of Christ, each member is affected by the faith, care, and witness of all other members. When one member suffers, all suffer together with him or her; when one member is honored, all rejoice together (1 Corinthians 12:26). Therefore, when an individual in leadership in the church engages in sexual misconduct, it is not only the recipient of that behavior but the entire body of Christ that is affected.

The mutual responsibility for truth-telling and justice making and the ethic of accountability is shared by the congregation as well

as the person(s) bringing the concern and the person(s) accused of misconduct.

The Bishop and Cabinet will see that appropriate care and counsel is provided to the congregation when sexual misconduct is alleged. Further, the Superintendents are mindful that congregations previously served by a clergy member who is accused are also parts of the total body which may be affected.

ASSUMPTIONS NECESSARY FOR A FUNCTIONAL PROCESS

1. Persons bringing a concern are taken seriously, received in a respectful and caring manner and encouraged to have a support person with him/her throughout the process. These persons will not be subject to any kind of retaliation as a result of the report. Anyone with knowledge of the alleged wrongs is expected to come forward, and persons who give false information and/or reports will be disciplined to the extent that they are answerable to the annual conference.
2. Care is taken to deal fairly and promptly with those involved, including when appropriate the person bringing the concern, the accused, the families of both, and the congregation or institution.
3. Confidentiality of the person(s) bringing a concern of sexual misconduct will be strictly maintained both before and after an accusation has been substantiated. Confidentiality of the accused will be maintained prior to the substantiation of an accusation but information about the incident and the accused may be released to appropriate persons or agencies if the accusation is substantiated in order to protect the potential victims.
4. As appropriate, the Bishop or Superintendent may utilize the services of the Sexual Ethics Response Team.
5. All proceedings clarifying allegations are impartial.

6. In the case of a clergyperson, when sufficient cause has been determined, the local church or agency is informed by the Superintendent (in consultation with the Response Team).
7. In cases of Clergy Sexual Misconduct, after substantiating evidence has been obtained by the District Superintendent, a clergyperson may be suspended for the time period allowed by The Discipline (paragraph 362.1c).
8. When the Executive Committee of the Board of Ordained Ministry is asked by the Cabinet to consider suspension of a clergyperson according to paragraph 362.1c, the Executive Committee may request the Cabinet and Response Team to provide reports of their findings. The proviso is that such reporting should not breach any matters of appropriate confidentiality.
9. All parties (person bringing a concern, accused, and congregation or institution) will be kept informed of the sequence of events throughout the process. This information will be shared by the District Superintendent on whose district the alleged offense occurred.
10. The Bishop or District Superintendent may, in consultation with the Response Team, make available a trained resource person/agency that can assist the congregation or agency in whatever ways necessary to bring about healing.
11. When appropriate, a list of qualified therapists may be provided to the person bringing a concern. While this does not imply financial responsibility on the part of the Annual Conference, the Cabinet may offer financial support for this purpose.

12. The Cabinet may provide for training and education for successor pastors and churches following instances of clergy sexual misconduct.
13. If a trial process is instituted “the presumption of innocence shall be maintained until the conclusion of the trial process.” (The Discipline, paragraph 2701)
14. The disciplinary action deemed appropriate is understood within the context of Christian theology that calls persons to accountability and confession and provides the potential for personal redemption and healing. Those ministering to an offending person must remind the offender and be reminded themselves of the cost of God’s forgiveness in Christ and the depths of God’s grace.
15. If it is determined that the allegations are not substantiated, the investigation ceases. A record of the process including the finding of the Response Team is filed in the Bishop’s Office. If a person so chooses, an appropriate statement may be issued exonerating him/her.
16. While confession and/or acknowledgement of responsibility for misconduct is regarded as an important first step in the possible restoration of an offending clergy person to effective ministry, the nature of clergy authority, combined with the intimate access of the clergy person to vulnerable people, requires a high level of maturity and emotional health. Therefore, full restoration to pastoral ministry requires the judgment of the Board of Ordained Ministry.
17. The Bishop may direct an offending clergy person to make restitution, in part or in full, to cover therapeutic expenses incurred by the victim.

18. An offending clergyperson has the responsibility of responding to the person bringing a concern and to the congregation. Repentance and restitution are due to both of these parties, and the fulfillment of that duty to the person bringing a concern does not substitute for a response to the congregation.
19. This policy is meant to encompass not only situations in the local church, but also those at District and Conference levels, as well as church agencies and institutions.
20. By direction of the General Conference each local church will develop a policy statement. Training regarding procedures will be offered by the Annual Conference.

PROCEDURE

A. Anyone who desires to discuss a concern regarding sexual misconduct may contact their clergyperson, another UMC clergyperson, a District Superintendent, the Bishop, and/or a member of the Sexual Ethics Response Team.

B. If you are accused of sexual misconduct, contact your clergyperson, another UMC clergyperson, a District Superintendent, the Bishop, and/or a member of the Sexual Ethics Response Team.

C. In the case of alleged clergy sexual misconduct, the process continues as outlined in paragraph 362 and 2701 in The Book of Discipline 2004.

D. In the case of alleged sexual misconduct on the part of laity, the process continues as outlined in paragraph 2701 in The Book of Discipline 2004.

GENDER OR SEXUAL HARASSMENT

I. If you are harassed:

A. Exercise your right and responsibility to say no. Make it clear to the person that the behavior is unwelcome. Say no. Say it firmly, without smiling, without apologizing.

B. If you feel unsafe or unable to confront the person alone, consider taking another person with you for support.

C. Keep a journal which documents all incidents of harassment, including dates, times, and descriptions of the incidents. Record the names of any witnesses to the harassment. Keep copies of all written materials you complete in reference to the harassment. If you receive any written letters, cards, or memos of a suggestive nature from the harasser, keep them. Note the date received and how received (mailed to your home, left on your desk, etc.) Keep all materials in a secure place, preferably at home.

D. Contact the individual in writing: be specific about the act(s) which you consider to be harassment. Date your letter and send a copy to the person, to a witness if appropriate, and keep a copy.

E. Contact your clergy person, another UMC clergy person, a District Superintendent, the Bishop, a member of the Sexual Ethics Response Team, or a person trained to function as a member of the Sexual Ethics Response Team.

II. If you are accused of Gender or Sexual Harassment:

A. Request the name or source of the complaint. Contact your clergy person, another UMC clergy person, a District Superintendent, the Bishop, and/or a person trained to function as a member of the Sexual Ethics Response Team and request a meeting with the person to resolve the issue. Take a member of the Response Team with you. Document the agreement and actions taken to resolve the situation.

B. If the issue is not resolved, document the meeting and contact the District Superintendent.

III. If Gender or Sexual Harassment is reported to you:

A. Listen objectively, take it seriously.

B. Help the person follow the steps outlined above.

C. Remember, if you are a pastor or in a supervisory position in the local church or a Conference agency, and an employee is being harassed, you are legally required to take immediate corrective action (29 code of Federal Regulations, 1604.11, paragraph “d”).

ROLE-INAPPROPRIATE SEXUAL RELATIONSHIPS

Role-inappropriate sexual relationships often first manifest in conflict in the local congregation, especially where the individual and the alleged partner are both single, and the liaison is known by many but not acknowledged by the parties involved. Where either or both are married, the issue is compounded, and the person bringing the concern may be a spouse or family member, or a parishioner.

If role-inappropriate sexual relationships are reported to you:

A. Listen objectively; take it seriously.

B. Help the person follow the appropriate steps outlined above.

(Please see GENDER OR SEXUAL HARASSMENT, Section I, A-E)

SEXUAL ABUSE

I. CHILD ABUSE (under 18 years of age)

A. There is **NO** discretion. It **MUST** be reported. In New York State call the Child Abuse Registry, 1-800-342-3720; in Connecticut, the Child Abuse and Neglect Hotline, 1-800-842-2288; or check the blue pages of your telephone directory under “Children’s Services” for a 7 day/week, 24 hour emergency

number when the alleged abuser is a pastor, parent, babysitter, a day care/nursery school provider, or anyone in a caretaking capacity.

B. **DO NOT** confront or discuss with the alleged abuser without first reporting the incident and getting professional guidance.

C. Contact the appropriate church authority; i.e. Pastor, District Superintendent, or Bishop.

D. Call the Sexual Ethics Response Team if you have any questions.

2. ADULT SEXUAL ABUSE-PROCEDURES FOR THE ABUSED OR FOR THE WITNESS OF ABUSE

TAKE THE FOLLOWING STEPS:

A. Contact your Pastor or supervisor, a District Superintendent, Bishop, or Bishop.

B. Contact the Sexual Ethics Response Team or a support person.

C. Keep all evidence and written documentation (see GENDER OR SEXUAL HARASSMENT 1.C).

D. When appropriate, report to the police.

SEXUAL ETHICS RESPONSE TEAM

1. PURPOSE

A. The purpose of the Sexual Ethics Response Team is: to be a first response to persons having concerns regarding clergy sexual misconduct; to provide a trained resource for the Bishop and Cabinet; to provide a support person for a person bringing a concern; and to provide a support person for clergy who are accused of misconduct. The Response Team is not a mediation team, nor an investigative body.

2. MEMBERSHIP

A. The Sexual Ethics Response Team shall be appointed by the Bishop in consultation with the Cabinet and the Convener of the Response Team.

B. The Sexual Ethics Response Team will consist of persons who have been adequately trained under a program designed by the current Sexual Ethics Response Team, and approved by the Bishop and Cabinet. Vacancies shall be filled as soon as possible to ensure an adequate number of trained team members available to meet the needs of the Annual Conference. Members shall serve a four-year term. Background checks will be required for all team members. Additional persons may be chose to ensure ethnic and gender inclusiveness, appropriate to each situation. Translators may be brought in if needed.

C. Each working group will typically include:

- Two trained members of the Sexual Ethics Response Team.
- An additional person chosen to ensure ethnic and gender inclusiveness, appropriate to each situation.
- A translator may also be selected.

4. IMPLEMENTATION

A. The Annual Conference shall include a line item in the Annual Conference budget for the members of the Response Team to be trained and for background checks.

B. The Sexual Ethics Response Team shall be accountable to the Bishop and the Cabinet.

C. This policy and the membership of the Sexual Ethics Response Team and their contact information shall be distributed for posting in local churches, the Conference Office, and church-related agencies and institutions. It shall also be posted on the web site of the Annual Conference. SPR Chairs, members of the Annual Conference, and clergy shall receive copies of the policy document.

BOUNDARIES & SEXUAL ETHICS COMMITTEE

1. PURPOSE

A. The purpose of the Boundaries and Sexual Ethics Committee is: to develop trained leaders who will provide training in the areas of boundaries, dual relationships, and ministerial sexual ethics to clergy and laity in the Annual Conference and to ensure that training is offered at least once each year.

B. The goal of the Boundaries and Sexual Ethics Committee, over a period of time, is to offer training to persons serving appointments in the Annual Conference, to Conference Staff Members, to Lay Persons serving on the Board of Ordained Ministry, to candidates for Diaconal and Elder's Orders, to those receiving Local Pastor's Licenses, and to other clergy, lay members, and lay persons deemed appropriate by the Bishop and the Cabinet. (For example: training for PPRC or SPR committee chairs/members could be offered in each district or at the Conference Center during the year.)

2. MEMBERSHIP

A. The Boundaries and Sexual Ethics Committee is appointed by the Bishop in consultation with the Cabinet and the Boundaries and Sexual Ethics Committee. Care will be given to assure that the Committee reflects the gender, cultural and racial diversity of the Annual Conference.

B. Selection of the Boundaries and Sexual Ethics Committee members will be an on-going process and vacancies are to be filled as soon as possible to ensure an adequate number of Committee members are available to meet the training needs of the Annual Conference.

C. Task Force members will serve for a four-year, renewable, term.

D. The Task Force chairperson will serve for a two-year, renewable, term.

3. **IMPLEMENTATION**

A. The Annual Conference shall include a line item in the budget for training on an ongoing basis, with one to two persons trained per year. Additionally, background checks will be secured for Committee members. Committee members will receive training in workshops such as are provided by the FaithTrust Institute.

B. Members of the Committee are to be accountable to the Bishop and the Cabinet and will plan and schedule training events after consultation and discussion regarding time, place, funding, as well as primary focus/need.

C. A minimum of two members of the Task Force will serve as presenters at each training event. Care will be given to assure that gender, cultural and racial diversity are represented in the teams. These persons are to have been trained and are to be familiar with the materials used in Annual Conference training.

APPENDIX A

To help you understand what sexual harassment is, we provide the following:

VERBAL

- referring to and adult as girl, hunk, doll, babe, or honey
- whistling at someone; making cat calls
- making sexual comments or innuendos about a person's body
- turning work discussions into sexual topics
- telling sexual jokes or stories
- asking about sexual fantasies, preferences, or history
- making sexual comments about a person's clothing, anatomy, or looks
- repeatedly asking out a person who is not interested
- making kissing sounds, howling, and smacking lips
- telling lies or spreading rumors about a person's personal sex life

NON VERBAL

- looking a person up and down
- staring at someone
- blocking a person's path
- following the person
- giving personal gifts
- displaying sexually suggestive visuals
- making facial expressions, such as winking, throwing kisses, or licking lips
- making sexual gestures with hands or through body

- movement

PHYSICAL

- unwanted kissing or hugging
- giving a massage around the neck or shoulders
- touching the person's clothing, hair, or body
- hanging around a person
- touching or rubbing oneself sexually around another person
- standing close or brushing up against a person

It is the right of the recipient of a behavior to define its appropriateness or inappropriateness.

When a person, who has been the recipient of unwanted behavior, requests of the giver of that behavior that it be stopped and that request is not honored, the behavior will be viewed as greater than harassment, i.e. role-inappropriate sexualized behavior or sexual abuse.