

INDEX

SEXUAL ETHICS POLICY & PROCEDURE

Statement of Purpose.....	2
Theological Statement.....	4
Cultural Nuance.....	7
Definitions:	8
<i>Consenting Relationship, Mutual</i>	
<i>Dual Relationships</i>	8
<i>Gender Harassment</i>	6
<i>Role Inappropriate Sexualized Relationships</i> ...	7
<i>Sexual Abuse</i>	7
<i>Sexual Harassment</i>	6
<i>Sexual Misconduct</i>	6
Sexual Ethics & Clergy.....	9
Sexual Ethics & Laity.....	11
Sexual Ethics & The Congregation.....	11
Responses to Sexual Misconduct.....	13
Procedures	
<i>Gender or Sexual Harassment</i>	17
<i>Role Inappropriate Sexual Relationships</i>	19
<i>Sexual Abuse (Children)</i>	19
<i>Sexual Abuse (Adults)</i>	20
 BOUNDARIES & SEXUAL ETHICS COMMITTEE...	 23
 APPENDIX	 25

SEXUAL ETHICS AND PROFESSIONAL BOUNDARIES POLICY AND PROCEDURE DOCUMENT

NEW YORK ANNUAL CONFERENCE
2022 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 and professional boundaries 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 first part of our training addresses Sexual ethics. This refers to the clear moral and ethical standards of right and wrong behavior that every person must adhere to in honoring and respecting human sexuality.

The second part of our training involves maintaining professional boundaries. These are the legal, ethical, and organizational structures that serve to protect everyone in the workplace from physical and emotional harm and help to ensure a safe working environment.

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 members of congregations, 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 persons. We believe persons may be fully human only when that gift is acknowledged and affirmed by themselves, the church, and society. We call all persons to the disciplined, responsible fulfillment of themselves, others, and society in the stewardship of this gift.*” (2016 Discipline, ¶ 112)

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*” (2016 Discipline, ¶ 112)

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 everyone 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.

CULTURAL NUANCES

The mission of The United Methodist Church is to make disciples of Jesus Christ for the transformation of the world. We set the groundwork for this by creating safe spaces where everyone is accepted and can participate in the common goal of transforming the world into a more just and equitable place through Christ.

It is understood that within our churches there are many different cultures with different values and customs. We acknowledge that there is not one cultural norm. Some people, may feel that the guidance that we give in this handbook for sexual and personal boundaries overreach into accepted norms for a culture. It should be remembered that relationships should always follow a pattern of what is comfortable and safe for the individuals, and to which both parties have consented.

Example: A person might not feel comfortable or safe receiving a hug from an elder in their church, yet not feel secure enough within their cultural context to protest the action.

It is the responsibility of the leaders of the church to define and create a safe, comfortable, consenting environment where all people feel that their relationships reflect the love and respect that Christians should present to each other. Some people might state, "We have always shown our affection in this manner." We ask you to consider that Christ asks us to change and make ourselves new so that we can create relationships that foster accountability, excellence, and an ability to engage in open, honest, and respectful conversations. It is our hope that our behavior reflects the respect that Christ has for all of us and will bring us unity of purpose, joy that enlivens our spirit, and a peace that surpasses all understanding.

DEFINING OUR TERMS

Revised: January 5, 2022

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. (2016 Discipline, ¶¶ 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 parties¹. 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 them incapable of appraising the nature of their conduct; (3) mentally incapacitated (meaning that the person is rendered temporarily incapable of appraising or controlling their conduct owing to the influence of a narcotic or intoxicating substance administered without their 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,

¹ This is how the BOD defines it according to the Ethics page: Sexual Abuse is a form of sexual misconduct and occurs when a person within a ministerial role of leadership (lay or clergy, 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, coworker, or volunteer. The Book of Discipline, 2016, ¶161.

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 their student, a physician treating their spouse, a District Superintendent serving as pastor to clergy in their district while having power to influence the appointment of that clergyperson). 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 their 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 clergyperson 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 clergyperson or by the other individual, the moral responsibility lies with the clergyperson who must be held accountable for their 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, their 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, parishioner’s spouse (former or current), member of a parishioner’s family, 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 2016 United Methodist Discipline affirms in Part II, “the ministry of all Christians”; All are called together to ‘serve and witness in deeds and words that heal and free’ (§ 128).” 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.

DoNoMoreHarm.org and UM Sexual Ethics (umsexualethics.org) are both excellent, comprehensive sources of information dedicated to raising awareness, preventing sexual abuse, promoting healthy boundaries, bringing about justice and healing. It includes several materials in English, Spanish and Portuguese that go into great detail for laity, clergy, church leaders, and anyone interested in finding resources on how to respond to and prevent sexual misconduct in The United Methodist Church.

The UM Sexual Ethics flyer attached in the appendix is strongly recommended as a resource that should be made available in print and online to every NYAC congregation. As of this writing, it is available at

<http://umsexualethics.org/wp-content/uploads/2019/02/GCSRW-Sexual-Ethics-Flyer-032018-CROPS.pdf>

RESPONSES TO SEXUAL MISCONDUCT

I. What To Do If You Experience Sexual Harassment:

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.

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

C. Keep a journal that 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 it was received (mailed to your home, left on your desk, etc.) Keep all materials in a secure place, preferably at home.

D. Contact your pastor, your lay leader, your SPRC chair, another UMC clergy person, a District Superintendent, or the Bishop. Be specific about the act(s) which you consider to be harassment. Date your letter and send a copy to one of the persons in the previous sentence and keep a copy.

Informal Resolution Guidelines

1. In all cases, the pastor and/or the District Superintendent (DS) should take pastoral steps to resolve any sexual misconduct issue(s).

a. The purpose of these pastoral steps is to express care for the person who has been harmed by sexual misconduct and to determine if the issue(s) raised is/are valid or is the result of a miscommunication/misunderstanding.

b. Ask the accused to make a written statement to the pastor and/or District Superintendent addressing the issues raised. The written response may include explanation of the behavior resulting in

a misperception of intent or an apology and a promise not to repeat the behavior.

c. If the pastor and/or DS find the response satisfactory then the issue(s) will be considered as resolved.

d. If the response of the accused is not satisfactory or the accused refuses to respond, then the concern will move to the formal complaint process (see below).

2. Again, there may be situations and forms of abuse and harassment so egregious that the expectations of an “informal resolution” are inappropriate. These guidelines are not meant to prevent the alleged victim from pursuing civil and criminal processes to address the abuse and/or harassment. In fact, alleged victims are encouraged to seek support and counsel regarding the full extent of protection and the pursuit of justice afforded through civil and criminal authorities

Formal Church Complaint Process

A formal church complaint process is available when sexual misconduct issues cannot be resolved through the informal process outlined above. This complaint process is considered a last resort for resolving sexual misconduct issues that can't be resolved by other means. The formal complaint process is not a legal process, but aims at achieving a “just resolution” that brings healing and restoration (insofar as is possible) to the person(s) who has/have been harmed by sexual misconduct. (Note that *The Book of Discipline* complaint process is not a substitute for actions that might be brought in a civil or criminal court). A complaint is a written allegation of misconduct and involves a “complainant” (the person bringing the complaint) and a “respondent” (the person who is the object of the complaint). There is a somewhat different process depending on whether the respondent is a clergyperson or a layperson.

If the Respondent is a Clergyperson

Complaints filed against clergypersons will be processed according to the *United Methodist Book of Discipline (2016)*. A formal complaint is a written allegation based on the chargeable offences listed in ¶ 2702.1. Complaints against clergypersons are filed with the Presiding Bishop of an Annual Conference. The Bishop will follow the “Administrative Fair Process” outlined in ¶ 361 and the “Complaint Process” outlined in ¶ 362. At any point in this process a “just resolution process” may be engaged (¶ 361.c). A “just resolution” is a written document to which both the complainant and respondent agree to and sign. Any person reporting clergy sexual misconduct will be heard with empathy and respect. If a just resolution is not achieved, further steps in the complaint process are described in ¶¶2701- 2719.

If the Respondent is a Layperson

Complaints filed against laypersons will be processed according to the *United Methodist Book of Discipline (2016)*. A formal complaint against a layperson is a written allegation based on the chargeable offences listed in ¶ 2702.3. Complaints against laypersons are filed with the pastor in charge of the complainant’s local church. The pastor will consult with the district superintendent and the district lay leader. If these three persons decide the complaint is a “judicial complaint” they will appoint a “committee on investigation” to investigate the complaint (¶ 2703.3). If the committee on investigation finds the basis of the complaint is valid, they will refer the complaint to the “counsel for the church” who will prepare the judicial complaint and supporting material for the committee on investigation (¶ 2704.4). The respondent has the right to submit a written response to the committee on investigation. At any point in this process a “just resolution process” may be engaged (¶ 361.c). Any person reporting clergy sexual misconduct will be heard with empathy and respect. If a just resolution is not achieved, further steps in the complaint process are described in ¶¶2701-2719.

If you are accused of Gender or Sexual Harassment:

A. Request the name or source of the complaint. Contact your clergyperson, another UMC clergyperson, a District Superintendent, or the Bishop. 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.

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, Lay Leader, SPRC chair, 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, Lay Leader, SPRC chair, a District Superintendent, Bishop, or Bishop.

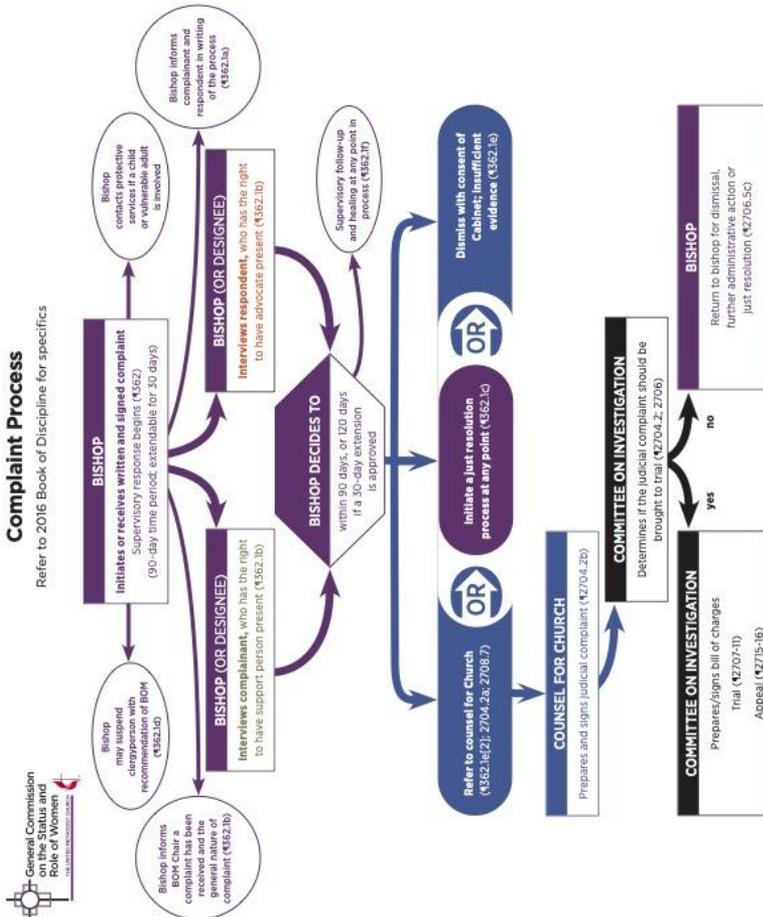
B. Contact the Sexual Ethics Response Team or a support person.

C. Keep all evidence and written documentation (see

GENDER OR SEXUAL HARASSMENT 1.C).

3. When appropriate, report to the police.

Below is the complaint process for clergy only.



ADDITIONAL PROFESSIONAL BOUNDARIES

Revised: January 5, 2022

1. **ALCOHOL AND DRUGS**

A. Alcohol or illegal drugs are not to be used, possessed, or distributed by church personnel while they are acting in a ministerial capacity. This prohibition includes the misuse of legal drugs.

B. Church functions may not include alcohol. Alcohol should not be referenced in any way that implies to children or youth that growing up necessarily implies alcohol consumption. Thus, references to “kiddie cocktails,” and “Shirley Temples” are to be avoided.

2. **INAPPROPRIATE USE OF COMPUTERS & ELECTRONIC COMMUNICATION DEVICES**

A. Computers, electronic communication devices, and internet access must be used in ways which support and enhance the ministries of the New York Annual Conference and its congregations. Because we cannot control the content of the information found on other computers and devices accessed via the Internet, it is crucial that we use our internet connections and our computers and devices in ways that are responsible, efficient, ethical, legal, and in support of our shared mission and ministry.

B. The use of computers and electronic communication devices is a significant benefit to the life of the congregations of the New York Annual Conference. With these benefits come important responsibilities. This policy seeks to ensure that the use of computers, devices, and Internet access on the properties of the New York Annual Conference and its congregations, shall be in support of our mission and ministry and reflective of our shared values.

C. This policy applies to all on-site users (lay or ordained, paid

or volunteer) of computers, devices and the internet at NYAC congregations and the Annual Conference Offices, regardless of the owner of the computer or the holder of the Internet Service Provider (ISP) account. Thus, the volunteer who is in a church classroom using their own laptop computer and ISP account must comply with this policy. Similarly, a congregation staff member, using an office computer to access the internet via the church's ISP account, must comply with this policy.

D. This policy governs off-site use of computers and devices owned by the Annual Conference and its congregations, as well as off-site access to ISP accounts held by the Annual Conference and its congregations.

E. All users shall comply with the following general standards when using computers, devices and the internet:

- behave responsibly when using computers, devices and the Internet;
- comply with all applicable laws, rules and regulations, and with all other (non-computer-specific) policies of the Annual Conference and the applicable congregation;
- respect the rights and property of others, including copyrights and other intellectual property rights.

F. The following are examples of INAPPROPRIATE uses of computers, devices, and the internet under this policy:

- intentionally accessing, viewing, storing, or displaying any site or material that is pornographic, racist, sexist, homophobic, or otherwise offensive, including verbal descriptions, audio files, photography, drawings or paintings, and cartoons;
- soliciting sex or purchasing pornographic materials;
- creating, transmitting or reproducing language inappropriate to the Christian context, including language which is: profane, abusive, defamatory, degrading, harassing, threatening, or which breaches obligations of confidentiality;
- committing forgery, blackmail, identity theft, libel, selling or purchasing illegal substances, or gaining unauthorized

access to other computer or electronic systems for any purpose (a.k.a. “hacking”);

- copying or distributing material obtained from the internet if doing so violates a copyright or other intellectual property right;
- copying, deleting or modifying another’s files or data without permission;
- intentionally accessing, distributing, copying, deleting or modifying another’s e-mail without permission;
- intentionally damaging computer and electronic equipment, files, data, or networks;
- intentionally accessing or transmitting computer viruses or other harmful files, or otherwise intentionally damaging computer and electronic equipment, files, data, or networks;
- conducting personal for-profit business activities.

APPENDIX A

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

VERBAL

- referring to an 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
- doxxing (publish private or identifying information about an individual on the internet)
- swatting (making false reports police violence intending to bring police violence to an individual's residence in response)

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/misconduct.

APPENDIX B:

SEXUAL ETHICS RESPONSE TEAM

This information is offered to outline the structure used by several Annual Conferences to handle complaints of sexual misconduct and previously used in the New York Annual Conference. It is offered in part to memorialize it as the previous policy, and as a suggested alternate method of addressing complaints of sexual misconduct.

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 chosen to ensure ethnic inclusiveness, gender inclusiveness, language, and cultural parity 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.
- Team should always include people of diverse ethnicities, genders and sexual orientations, as well as consideration given to representation from the various languages spoken within our conference. Team should also consist of at least one third lay members, including the conference lay leader.

3. 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.)

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.

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, racial and age 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.

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 as determined by the Annual Conference.

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, and age 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.