



— Charismatic Episcopal Church —
Diocese of the Mid-Atlantic

**Policy Statement on Sexual Harassment and Sexual
Misconduct
For Lay Employees, Volunteers & Teachers**

This policy statement is adapted from the policy received from the U.S. House of Bishops and commended to the CEC Provinces/Dioceses in the U.S.

The Charismatic Episcopal Church and the Mid-Atlantic Diocese are committed to the highest biblical moral standards. All CEC members, guests, employees, and volunteers have the right to pursue their activities free from all forms of discrimination and conduct which can be considered harassing, coercive, or disruptive, including sexual harassment and sexual misconduct.

The Charismatic Episcopal Church holds that the Canon Law of the Church, both international and national, supersedes all Civil Law. The Church does not function as an extension or arm of the state, and though the Church submits to the authority of civil government where it does not conflict with God's Holy Law, it must always adhere to Canon Law. The Mid-Atlantic Diocese and its member churches will adhere to all federal and state laws prohibiting sexual harassment and sexual misconduct.

This statement establishes the policy of the Charismatic Episcopal Church and the Mid-Atlantic Diocese on sexual harassment and sexual misconduct and the CEC's expectations for appropriate and moral behavior by its clergy: archbishops, bishops, priests, and deacons. It is the responsibility and duty of any member, guest, employee, or volunteer, who believes he or she has been harassed, to report such behavior so that it can be investigated, and appropriate action taken. Persons in charge of programs or activities sponsored by the Mid-Atlantic Diocese, or any of its churches, have a responsibility and duty to report immediately to the bishop any complaint of sexual harassment or sexual misconduct, which is brought to their attention.

The Mid-Atlantic Diocese and its churches shall use any means necessary to maintain an environment for members, guests, employees, and volunteers that is free from sexual harassment, intimidation, or misconduct. The CEC recognizes sexual harassment and sexual misconduct as immoral and contrary to the Gospel and God's Holy Law. These activities undermine morale and interfere with the work of God's people in His Church and will not be tolerated. Guidelines and procedures for reporting and investigating any misconduct are outlined in the following instructions.

Sexual harassment includes all unwelcome sexual advances and other unwanted touching requests for sexual favors, sexually motivated physical conduct, and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's involvement in an activity or employment; or

Submission to or rejection of such conduct by an individual is used as the basis for affecting involvement in an activity or employment of such conduct by an individual or Such conduct is intended to or does create an intimidating, hostile, or offensive environment.

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Sexual misconduct includes, but is not limited to, the following-

- Sexual abuse or sexual molestation of any person including any sexual involvement or sexual contact with a person who is a minor.
- Sexual exploitation including the development of, or attempt to develop, a sexual relationship between a pastor, employee, guest, volunteer, or a person with whom he has a pastoral relationship, whether or not there is apparent consent from the individual.
- Submission to such conduct, as set forth above, being made, either implicitly or explicitly, as a condition of an individual's pastoral care or counseling.
- Such conduct, as set forth above, which has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile, exploitative, or offensive working environment.
- Submission to such conduct, as set forth above, being made, either explicitly or implicitly, as a condition of employment.
- Submission to, or rejection of, such conduct, as set forth above, by an individual being used as a basis for employment decisions affecting the individual.
- Coercing or attempting to coerce a person into a sexual and/or dating relationship.
- Conduct between a child and adult in which the child is being used for sexual stimulation the adult or third person. For the purpose of this policy a person is considered to be a child until the age of 18.
- Conduct of a sexual nature between a married person and a person not his or her spouse.
- Any homosexual activity.
- Any sexual activity prohibited by federal law or state law of the states within the Diocese.

The following are examples of actions that may be considered sexual misconduct or harassment:

- Using inappropriate, sexually intimate comments not consistent with professional conduct in pastoral care, counseling, or work relationships. - Engaging in inappropriate, sexually intimate activity not consistent with professional conduct in pastoral care, counseling, or work relationships.
- Touching, bumping, gesturing, patting, or demanding sexual favors and promises pertaining to employment.
- Displaying or encouraging use of sexual materials for sexual stimulation.
- Using obscene or sexually suggestive language.
- Threatening to deny or limit employment or volunteer opportunities if sexual advances are rejected.

Based on government statistics, women are most often the victims of sexual misconduct and harassment; however, men and children can also be victims. Sexual misconduct and harassment is not dependent upon the sex of either the offender or the victim.

The church is deeply concerned for the welfare of the persons who have been victimized by sexual misconduct, and for safeguarding the church's members and staff from abuse. The effectiveness of determining the truth and protecting the innocent, as well as dealing appropriately with those who victimize others, are also concerns. The church's ministry is one of healing for all parties involved.

The Charismatic Episcopal Church and the Mid-Atlantic Diocese believes the only appropriate and moral sexual behavior is that which is between a man and a woman within the context of marriage. Any bishop, priest, or deacon who forms a sexual relationship outside of the context of a sacramental marriage involves himself in sexual immorality and is subject to discipline.

Persons who believe they have been harassed, have witnessed harassment, or have had incidents of harassment reported to them should properly report these matters to the appropriate church authority, i.e. either the rector/vicar of the congregation or the bishop of the diocese, in a timely manner. If the accused is a member of the episcopate, then the report is made to the archbishop at the next higher level.

The rector/vicar of the congregation is responsible for immediately apprising the bishop of the situation.

The bishop will inform the Bishop's Council of the allegations, and together they will determine if the incident warrants further investigation. If further investigation is warranted, the bishop will appoint an investigator, to conduct the investigation and to seek the facts.

The bishop, through the office of the archdeacon or other person appointed by the bishop, hereinafter entitled the "bishop's emissary", will inform the victim, the person making the complaint, and the alleged abuser of the policy of the Mid-Atlantic Diocese regarding sexual harassment, abuse, or misconduct. He will also assist the victim and the alleged abuser in finding resources for counseling and spiritual guidance, and will, if necessary, with the approval of the bishop, make immediate contact with civil authorities when required. Immediate involvement of the civil authorities is required if such abuse or misconduct involves a child under the age of 18.

The bishop's emissary and the investigator should not advocate for any party involved, act as legal counsel for any party, replace the function of the bishop or the Bishop's Council, determine guilt or innocence of the accused, or enforce a special remedy or disciplinary action.

If the complainant decides not to file a written statement of alleged offense, the bishop and his Bishop's Council must determine whether there is sufficient cause to take action. The complainant shall be advised not

to speak further of the alleged offenses except in the course of professional and/or pastoral counseling or with legal authorities.

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It is the bishop's expectation that the accused will remain silent so as not to further disrupt the peace and unity of the church. The matter should not be discussed with members of the local congregation, the officers of the congregation, or with other priests (unless directed by the bishop for the purpose of counsel and spiritual guidance) until such time as disciplinary action is concluded.

The bishop's emissary and the investigator shall report to the supervising bishop and his Bishop's Council as expeditiously as possible. The supervising bishop and the Bishop's Council shall insure that the accused is given sufficient time to prepare and make a reasoned defense.

The supervising bishop shall arrange for attorneys who are competent in the field to consult on actual or potential cases of sexual misconduct, harassment, or abuse.

If the allegations are not sustained by the bishop and his Bishop's Council, a report will be made of the investigation and the findings. The report will be maintained within the provincial, or diocesan office, as appropriate.

If there is probable cause to believe an offense was committed, the supervising bishop and his Bishop's Council shall proceed to file ecclesial charges and take necessary disciplinary actions.

If there is probable cause to believe that the accused has committed an act of sexual harassment or misconduct, he shall be granted a temporary leave of absence or removal from his ministry for counseling and spiritual guidance, and shall be inhibited from functioning as a bishop, priest, or deacon. Return to ministry or position, and removal of the inhibition, will be dependent upon consultation between the counselor, spiritual director, the Bishop's Council, and the bishop. The bishop has the sole responsibility for making the final determination.

It is the responsibility of the supervising bishop, with the advice of his Bishop's Council, to determine if, and when, the individual is once again competent to engage in any ministry. The supervising bishop, under Catholic discipline and practice, has the authority to deny any ordained person the right to return to ministry or the right to transfer to another ministry or jurisdiction. The supervising bishop reserves the right to impose a sentence of deposition from the ministry.

Appeals may be made to the next immediate level of authority within the Church in accordance with Canon 6.1V of the Canon Law of the Charismatic Episcopal Church.

When parish leaders are involved in violations of professional ethics and biblical morality, the congregation is also a victim. Particular thought and concern should be given to the pastoral care of the congregation.

If a member of pastoral staff or teaching staff is the subject of complaints or formal charges, the bishop and the Bishop's Council must determine how and to what extent the matter is known among other clergy, employees, and the members of the congregation. If the matter is known, the bishop, after consultation with the Bishop's Council and the local Rector's Council, the investigator, the bishop's emissary, and other selected priests or bishops, shall determine what action, if any, should be taken.

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It is important that nothing be done that would prejudice the integrity of the Christian Church, or prejudice the integrity of the investigative, disciplinary, or judicial process of the Church, or adversely affect the legitimate interest of any complainant, witness, or accused.

The sacredness of the sacrament of confession shall under no circumstances be violated. If sexual harassment or sexual misconduct is confessed under the vow of the sacrament, it is the responsibility of the priest to encourage the penitent to report such inappropriate or immoral behavior to the bishop of the Diocese. If the confessor is a bishop, he shall encourage the penitent to report the behavior to the next higher Episcopal level. Under no circumstances shall the bishop or priest confessor inform or take part in the investigative, judicial or disciplinary process, nor shall he be required to provide any information toward such a process. If a bishop or priest breaks the vow of the confession, he shall be brought for immediate disciplinary action, removal of his faculties, and excommunication.

May our God who calls us to true love for persons, which is holiness, grant us the grace to live out a life of sexual and moral purity.

Initials

I _____ certify by my signature that I have received a copy of the
-Charismatic Episcopal Church's Policy statement on Sexual Harassment and Sexual Misconduct
as published by the Mid Atlantic Diocese and that I will adhere to this policy.

(Signature of bishop/priest deacon/ordained) Date

The Right Reverend Robert Northwood

ICCEC Diocese of the Mid Atlantic

