

**KANSAS EAST
ANNUAL CONFERENCE
POLICY STATEMENTS:
2002**

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**SEXUAL ETHICS POLICY FOR CHURCH PROFESSIONALS
OF THE KANSAS EAST CONFERENCE
OF THE UNITED METHODIST CHURCH**

as approved by the Kansas East Annual Conference, June 2000

Statement of Policy

Church Professionals of the Kansas East Conference shall not engage in sexual abuse, sexual harassment or sexual misconduct.

Theological Foundation

All persons are created by God. God intends all persons to have worth and dignity in their relationships. We are one connected body, and when one part of the body is injured physically, emotionally or spiritually, the entire body is rendered less than God intended. Misconduct of a sexual nature of any kind violates a person's wholeness and is an unjust use of status and power and a sinful behavior against God and one another.

The Scripture witnesses to a God who brings about justice, mercy and grace. The Church is called to express God's love in concrete actions of compassion and healing for all God's people.

Definitions

1. **Sexual Abuse**: Sexual abuse means unwanted physical conduct of a sexual nature, sexual contact or sexualized behavior and may include, by example, touching, fondling, other physical contact and sexual relations.

2. **Sexual Harassment**: Sexual harassment is any unwanted sexual advance or demand, either verbal or physical, that is reasonably perceived by the recipient as demeaning, intimidating or coercive. Sexual harassment must be understood as an exploitation of a power relationship rather than as an exclusively sexual issue. Sexual harassment includes, but is not limited to, the creation of a hostile or abusive working environment resulting from discrimination on the basis of gender.

3. **Sexual Misconduct**: Sexual misconduct means a chargeable offense within the meaning of Paragraph 2624 of the *Book of Discipline*.

4. **Church Professional**: A Church Professional shall include Full, Associate and Probationary ministerial members of the Annual Conference, ordained deacons and elders, diaconal ministers and local pastors, in both the effective and retired relationships, and other persons serving the Conference or any local church under appointment of the Bishop or under the supervision of the District Superintendent, including persons keeping their membership in another annual conference or in another denomination and persons holding orders issued by these annual conferences while on Honorable or Administrative Location.

Implementation

Church Professionals, employees, and local churches of the Annual Conference shall be provided a copy of this policy and shall receive training information to assist in the understanding and implementation of this policy.

Making a Complaint

Persons who have knowledge of possible violations of this policy by a Church Professional may report the same to any Church Professional, any District Superintendent, or the Bishop. Upon any complaint, the Conference will take action in accordance with the provisions of the current *Book of Discipline* of The United Methodist Church.

**SEXUAL ETHICS POLICY FOR LAY EMPLOYEES AND VOLUNTEERS
OF THE KANSAS EAST CONFERENCE
OF THE UNITED METHODIST CHURCH**
As approved by the Kansas East Annual Conference, June 2000

Statement of Policy

Lay Employees and Volunteers of the Kansas East Conference shall not engage in sexual abuse or sexual harassment.

Theological Foundation

All persons are created by God. God intends all persons to have worth and dignity in their relationships. We are one connected body, and when one part of the body is injured physically, emotionally or spiritually, the entire body is rendered less than God intended. Misconduct of a sexual nature of any kind violates a person's wholeness and is an unjust use of status and power and a sinful behavior against God and one another.

The Scripture witnesses to a God who brings about justice, mercy and grace. The Church is called to express God's love in concrete actions of compassion and healing for all God's people.

Definitions

1. Sexual Abuse: Sexual abuse means unwanted physical conduct of a sexual nature, sexual contact or sexualized behavior and may include, by example, touching, fondling, other physical contact and sexual relations.

2. Sexual Harassment: Sexual harassment is any unwanted sexual advance or demand, either verbal or physical, that is reasonably perceived by the recipient as demeaning, intimidating or coercive. Sexual harassment must be understood as an exploitation of a power relationship rather than as an exclusively sexual issue. Sexual harassment includes, but is not limited to, the creation of a hostile or abusive working environment resulting from discrimination on the basis of gender.

Implementation

Lay Employees and Volunteers of the Annual Conference shall be provided a copy of this policy and shall receive training information to assist in the understanding and implementation of this policy.

Making a Complaint

Persons who have knowledge of a possible violation of this policy by a Lay Employee or Volunteer may report the same to a clergy person, any District Superintendent or the Bishop. Upon any complaint, the Conference will investigate, consider any response, and take action to seek justice.

CONFERENCE CERTIFICATION AND REPORTING PROCEDURES
For the protection of Children, Youth and Adults with Developmental Disabilities
Kansas East Annual Conference, The United Methodist Church

As amended by the Kansas East Annual Conference, June 2002

INTRODUCTION

“Let the children come to me and do not stop them: for it is to such as these that the kingdom of heaven belongs.” (Matthew 19:14) Scripture and our United Methodist tradition inform us in our belief that God values all of human life - perhaps children most of all.

The *Social Principles* of the United Methodist Church states, “...children must be protected from economic, physical and sexual exploitation and abuse.” (§ 162.C, *2000 Book of Discipline*) *The Book of Resolutions* encourages all conferences to become involved in the prevention of the physical and sexual abuse of children (#59 *2000 Book of Resolutions*, p. 180-2) *The 2000 Book of Discipline* names child abuse, sexual abuse, sexual misconduct, and sexual harassment as chargeable offenses for clergy and lay members (§ 2702, *2000 Book of Discipline*).

Therefore, it shall be the policy and covenant of the Kansas East Annual Conference of the United Methodist Church to do everything in our power to prevent physical, emotional or sexual abuse against children, youth and adults with developmental disabilities involved in any ministry sponsored by the Annual Conference. Further, we are called to minister to those persons who are experiencing abuse and to those who have been victims of abuse in the past. To that end we covenant to be aware of our legal responsibilities and to comply with those responsibilities and go beyond those responsibilities when necessary to act justly in the best interest of those who have been abused or those who are most vulnerable to abuse.

The Kansas East Annual Conference will implement orientations and training seminars for persons in a ministerial role of leadership with children, youth and adults with developmental disabilities. The Kansas East Annual Conference will screen persons in a ministerial role of leadership with children, youth and adults with developmental disabilities and will report instances of abuse.

The guidelines of these policies and procedures create a status of certification with the Kansas East Annual Conference. Persons thus certified are entrusted with the title “Certified Worker with Children, Youth and Adults with Developmental Disabilities” and shall be listed by district in the Annual Conference *Journal* as part of the “Roll of Certified Persons.” Certified workers with children, youth and adults with developmental disabilities shall be given the opportunity to renew certification in a manner determined by the Conference Committee for the Implementation of the Kansas East Annual Conference Policy on the Protection of Children, Youth and Adults with Developmental Disabilities.

SCOPE

This policy and its provisions shall apply to all paid and unpaid staff, whether lay or clergy who have any direct or indirect contact with children and/or youth and/or adults with developmental disabilities who participate in any activities or events sponsored by the Kansas East Annual Conference and/or its Districts. Further, each local church is required to adopt a similar policy for local personnel and events.

DEFINITIONS

Physical Abuse - Any act of omission or an act that endangers a person’s physical or mental health. This definition includes any non-accidental physical injury caused by a caretaker. Physical abuse may result from punishment that is overly punitive or inappropriate to the individual’s age or condition. In addition, physical abuse may result from purposeful acts that pose serious danger to the physical health of a child, youth or adult with developmental disabilities.

Sexual Abuse - Child/youth/adult with developmental disabilities sexual abuse is the sexual exploitation or use of same for satisfaction of sexual drives. It includes but is not limited to: (1) incest, (2) rape, (3) prostitution, (4) any sexual intercourse, or deviant sexual conduct with, or fondling of an individual enrolled as a child, or youth, or adult with developmental disabilities in conference or district sponsored activities.

“Persons in a ministerial role of leadership with children, youth and adults with developmental disabilities” - shall include all paid and unpaid staff, whether lay or clergy who have a direct or indirect contact with same who participate in any activities or events sponsored by the Kansas East Annual

Conference of the United Methodist Church or its districts. The policies and procedures herein draw upon the definitions contained in the *Sexual Ethics Policy for Church Professionals* and the *Sexual Ethics Policy for Lay Employees and Volunteers*.

Conference Certification Authority - will consist of three persons: a member of the Cabinet, the Director of Connectional Ministries, and the Conference Personnel Committee Chair.

SCREENING FOR VOLUNTEERS OR STAFF

Careful screening is one way to prevent the abuse of children, youth and adults with developmental disabilities. Screening calls for a careful gathering and review of information in search of persons who can provide safe and caring supervision in a safe environment.

1. Prior to employment or acceptance as a volunteer or paid staff person, the event coordinator or administrator in charge of an event or program shall direct each prospective worker to complete the application/consent form. By signing the form, the applicant will give the Conference Certification Authority permission to contact references and perform the necessary investigation to complete the review of the application.
2. The Conference Certification Authority shall facilitate a screening check with the Kansas Bureau of Investigation or other appropriate agencies.
3. The Conference Certification Authority shall request references from pastors of lay applicants, or District Superintendents if the applicant is a professional minister.
4. The Conference Certification Authority shall receive the completed forms and reports, and review them. If any of the reports raise questions about the fitness of the applicant, the Conference Certification Authority should disapprove the application and notify the applicant. Kansas East Annual Conference reserves the right to turn away any persons for volunteer or paid service.
5. If the applicant (either volunteer or paid) is found to have been involved in any activity in which the applicant abused or exploited children, youth and adults with developmental disabilities, the applicant will not be hired/approved. Any conviction of a crime against children, youth or adults with developmental disabilities shall disqualify any applicant.
6. Results of screens shall be kept confidential.

TRAINING

The Kansas East Annual Conference of the United Methodist Church and its Districts shall develop and implement training procedures for all persons in a ministerial role of leadership who work with children, youth and adults with developmental disabilities at conference and district activities and events. No person shall, after June 1, 1995, have any direct or indirect contact with children, youth or adults with developmental disabilities until they have completed this training program.

SUPERVISION

Whenever possible, a team approach to ministry to children, youth and adults with developmental disabilities is most appropriate. If the necessity for one-on-one interactions between adults and children, youth and adults with developmental disabilities arises, the interaction should occur in an unenclosed area and with the knowledge of another adult. Workers are to be encouraged to warn each other when questionable behavior is displayed.

At the completion of the event or program, the administrator or supervisor in charge shall file a report with a count of persons in attendance and a comment that there were/were not any reportable incidents. This document will be retained on file in the Kansas East Annual Conference Office.

REPORTING OF INCIDENTS

When the necessity of reporting occurs, the protection of children, youth and adults with developmental disabilities must be paramount. Pastors are not required by Kansas's law to report reasonable suspicion of child abuse, (See Exhibit A. K.S.A. 38-1522a) but they must under the provisions of this policy, except as specifically limited by paragraphs 331, 326(c)(5) and 332.5 of *The Book of Discipline* of The United Methodist Church and K.S.A. 60-429, and they may in other situations in which abuse is encountered. The confidentiality of the minister/parishioner relationship is a very serious consideration, but it is intended to support individuals in getting help for a problem, and to prevent further harm to self and others. It is not intended to protect abusers from being held accountable for their actions or to keep them

from getting the help they need (*Clergy Misconduct: Sexual Abuse in the Ministerial Relationship*, Center for the Prevention of Sexual and Domestic Violence). The conference shall adopt the following guidelines:

1. When an employee or volunteer of a conference or district sponsored program or event suspects that abuse is taking or has taken place, he or she may report the abuse to the appropriate law enforcement agency on her or his own initiative. If she or he does not report individually, then the employee or volunteer shall contact the Administrator or Event Coordinator immediately. The person suspected of abuse (respondent) shall, for the safety and well-being of the youth, children or developmentally disabled adults involved, be removed from further contact with the youth, children or developmentally disabled adults until appropriate investigation has taken place. The matter shall not be discussed with anyone else. If the employee or volunteer decides to report the matter to the authorities, she or he shall then immediately tell the Administrator or Event Coordinator of his or her actions. If the Administrator or Event Coordinator is the respondent, then the report shall be made to that person's conference supervisor."
2. Following the report of an incident, the Administrator or supervisor in charge shall document the report then speak with the alleged victim, being careful to use open-ended questions
3. If the Administrator or Event Coordinator suspects that abuse occurred, he or she shall:
 - a. Suspend the respondent from any position allowing contact with children, youth and adults with developmental disabilities
 - b. Report the incident to the State Department of Social Rehabilitation Services
 - c. Report to the parent(s) and/or guardian(s).
4. All such conversations shall be documented. The documentation shall include the following:
 - a. The name of the employee or volunteer observing or receiving the disclosure of abuse, including the date, time and place and any action taken by this person.
 - b. The alleged victim's name, age, and date of birth.
 - c. Any statement made by the alleged victim.
 - d. Name of the respondent, the date, time and place of any conversation with the respondent and any statement made by the respondent.
 - e. Any action taken, i.e. suspension of the respondent.
 - f. Date and time of call to alleged victim's parent(s) or guardian(s) and the content of that conversation
 - g. Date and time of call to Social and Rehabilitation Services, name of worker spoken to, content of that conversation and case number assigned.
 - h. Date and time of call to law enforcement agency, name of officer spoken to and content of that conversation.
 - i. Date and time of any other contacts made regarding this incident.
6. Confirmed reports of proven incidents of abuse shall be retained in a confidential conference file for future screening purposes.

MEDIA RESPONSE

The Bishop shall be informed of all investigations or allegations of abuse. If investigations or allegations of abuse should come to the attention of the media, a response shall come from a spokesperson designated by the Bishop.

MINISTRY OF SUPPORTIVE CARE

It shall be the goal of the Kansas East Annual Conference and its Districts to provide supportive care to both the victim and the accused and to restore such persons to wholeness. Supportive care can include the procedures of the criminal justice system, provisions of the current *Book of Discipline*, appropriate counseling referrals and continued pastoral visitation.

IMPLEMENTATION

Management of all provisions of this Policy is the responsibility of the Kansas East Annual Conference Council on Ministries.

LOCAL CHURCH IMPLEMENTATION
as mandated by the
Kansas East Annual Conference, The United Methodist Church
As approved by the Kansas East Annual Conference, June 2001

WHEREAS, in 1995 the Annual Conference of the Kansas East Conference of the United Methodist Church approved and adopted a policy for the protection of children and youth ("policy") involved in ministries of the Annual Conference; and

WHEREAS, each local church ("the Local Church") in the Annual Conference was encouraged at that time to adopt a similar policy applicable to the personnel, activities and events of the Local Church; and

WHEREAS, all local churches in the Annual Conference have not, as of this date, adopted and implemented such a policy; and

WHEREAS, incidents of child abuse have occurred in the Local Church since the Annual Conference's action and encouragement to local churches to adopt such a policy; and

WHEREAS, the failure of each Local Church in the Annual Conference to adopt such a policy continues to place children, youth and adults with developmental disabilities in the local church, Local Churches, the lay member of the Local Church, and the Annual Conference at risk; and

WHEREAS, it is the responsibility of every Local Church to protect the well-being of children, youth and adults with developmental disabilities and personnel who work with them in ministries of the Local Church;

THEREFORE, be it resolved that the Kansas East Conference of the United Methodist Church hereby mandates that each Local Church of the Annual Conference adopt a policy for the protection of children, youth and adults with developmental disabilities no later than January 1, 2002, and such policy shall be implemented in each local church by the 2002 session of annual conference; and

Be it further resolved that local church policies shall incorporate at least the following components:

1. Apply to all paid staff and volunteers who work with children, youth and/or adults with developmental disabilities.
2. Emphasize a team approach to ministry
3. Require a screening process for all workers
4. Address both physical and sexual abuse
5. Require all workers to be trained by a Conference-certified trainer
6. Specify a procedure for the reporting of incidents; and

Be it further resolved that the Kansas East Conference of the United Methodist Church shall make available to each Local Church sample policies and crisis management materials, on-going training seminars, and forms and procedures for screening for persons in a role of leadership with children, youth and adults with developmental disabilities.

***Kansas Statute Dealing with
Abuse or Neglect of Children***

KSA 38.1522. Reporting of certain abuse or neglect of children; persons reporting; reports, made to whom; penalties for failure to report or interference with making of a report.

(a) When any of the following persons has reason to suspect that a child has been injured as a result of physical, mental or emotional abuse or neglect or sexual abuse, the person shall report the matter promptly as provided in subsection (c) or (e): Persons licensed to practice the healing arts or dentistry; persons licensed to practice optometry; persons engaged in postgraduate training programs approved by the state board of healing arts; licensed psychologists; licensed masters level psychologists; licensed clinical psychotherapists; licensed professional or practical nurses examining, attending or treating a child under the age of 18; teachers, school administrators or other employees of a school which the child is attending; chief administrative officers of medical care facilities; licensed marriage and family therapists; licensed clinical marriage and family therapists; licensed professional counselors; licensed clinical professional counselors; registered alcohol and drug abuse counselors; persons licensed by the secretary of health and environment to provide child care services or the employees of persons so licensed at the place where the child care services are being provided to the child; licensed social workers; firefighters; emergency medical services personnel; mediators appointed under K.S.A. 23-602 and amendments thereto; juvenile intake and assessment workers; and law enforcement officers. The report may be made orally and shall be followed by a written report if requested . . . (na) Every written report shall contain, if known, the names and addresses of the child and child's parents or other persons responsible for the child's care, the child's age, the nature and extent of the child's injury (including any evidence of previous injuries) and any other information that the maker of the report believes might be helpful in establishing the cause of the injuries and the identity of the persons responsible for the injuries.

(b) Any other person who has reason to suspect that a child has been injured as a result of physical, mental or emotional abuse or neglect or sexual abuse may report the matter as provided in subsection (c) or (e).

(c) Except as provided by subsection (e), reports made pursuant to this section shall be made to the state department of social and rehabilitation services. When the department is not open for business, the reports shall be made to the appropriate law enforcement agency. On the next day that the state department of social and rehabilitation services is open for business, the law enforcement agency shall report to the department any report received and any investigation initiated pursuant to subsection (a) of K.S.A. 38-1524 and amendments thereto. The reports may be made orally or, on request of the department, in writing.

(d) Any person who is required by this section to report an injury to a child and who knows of the death of a child shall notify immediately the coroner as provided by K.S.A. 22a-242, and amendments thereto.

(e) (na)

(f) Willful and knowing failure to make a report required by this section is a class B misdemeanor.

(g) Preventing or interfering with, with the intent to prevent, the making of a report required by this section is a class B misdemeanor.