



POLICY ON CREDENTIALLED LEADERSHIP SEXUAL CONDUCT IN MINISTRY **Appropriate Relationship Boundaries in Ministry**

I. Purposes

This policy addresses the issue of sexual misconduct including, but not limited to, sexual molestation, sexual abuse/harassment, and sexual exploitation by Unity Credentialed Leadership. The policy also specifies procedures by which a Unity Credentialed Leader can ethically transition a pastoral relationship into a personal or romantic relationship.

II. Scope of Policy

For simplicity, the term “Credentialed Leader” is used to apply to all a) ordained or licensed Unity Ministers, (active and inactive), b) licensed Associate Ministers, c) Licensed Unity Teachers, d) Spiritual Leaders serving Unity churches under special dispensation from Unity Worldwide Ministries, e) Spiritual Leaders and Study Group Coordinators of churches and study groups affiliated with Unity Worldwide Ministries, f) Ministerial Education Candidates, g) Ministers in the Field Path Program.

Individual Unity ministries are strongly encouraged to formally adopt their own separate policy on sexual conduct to include lay leaders or associate ministers from other faiths, or guest presenters that are not under the sanction of Unity Worldwide Ministries. [Examples of policies which could be adopted for use in local ministries are available on the Sacred Safety page at www.unityworldwideministries.org/sacred-safety-background-checks-and-resources.]

III. Core Values in Sexual Misconduct Cases

- 1.** Unity Worldwide Ministries is called to respond compassionately and directly to every allegation of sexual misconduct by a credentialed leader. Unity Worldwide Ministries has an intention to respond to the spiritual needs of all interested parties: the alleged victim, the complainant(s), the credentialed leader against whom accusations are made, as well as the congregation and the Unity Movement as a whole. This is a very different set of priorities than is commonly found within the private sector.
- 2.** Every allegation of sexual misconduct deserves careful consideration and a prompt appropriate response.
- 3.** Fair procedures for handling complaints of sexual misconduct need to provide due process to all parties in interest.

4. A uniform procedure of peer review for resolving allegations of sexual misconduct provides a sense of justice and impartiality for all concerned.
5. The Ethics Review System [ERS] Case Review Team may consult with other persons with expertise concerning the issues and unique concerns regarding alleged incidents of sexual misconduct in order to facilitate their review.

IV. Definitions of Sexual Misconduct by Credentialed Leaders

1. The term “sexual misconduct” in the context of credentialed leadership embraces several distinct yet interrelated concepts, a) sexual molestation, b) sexual harassment, and c) sexual abuse or exploitation.
 - a. Sexual Molestation is the unwarranted sexualized touching of any person, including but not limited to, any sexual involvement or sexual contact with a person who is a minor or who is legally incompetent.
 - b. Sexual Harassment by a credentialed leader may occur within any aspect of a credentialed leader's roles and responsibilities, or in a pastoral relationship. It includes, but is not limited to, conduct such as sexually oriented humor or language; questions or comments about sexual behavior or orientation unrelated to legitimate employment qualifications; inappropriately sexualized comments about clothing or physical appearance; and/or repeated unwelcome requests for social engagements or dates. Sexual harassment may lead to a hostile work environment that compromises the integrity of the ministry.

The term “sexual harassment” also includes, but is not limited to, acts which constitute a violation of the sexual harassment as defined in the federal law of the country in which the ministry is located. For example, Title VII of the U. S. Federal Civil Rights Act of 1964 provides a detailed definition of sexual harassment as follows:

- (1) “Quid pro quo” harassment refers to sexual harassment (requests for sexual favors, sexual remarks about an individual's body or clothing, sexual stereotyping, unwelcome or offensive sexual comments, and other conduct of a sexual nature) by a supervisor or other person in authority which operates – either through submission or rejection by the victim – as the basis for any employment decision affecting the victim. Common examples of “quid pro quo” harassment are hiring, granting or denying a promotion, demotion, transfer, training, salary increase, discharge, work assignments and/or volunteer opportunities on the basis of the victim's response to unwelcome acts of sexual harassment.
- (2) “Hostile work environment” harassment is any conduct that creates a hostile work environment even though the victim has not suffered a tangible employment injury as, for example, denial of raises, promotion, or termination. To state a legal claim for “hostile work environment”

harassment, the sexual harassment must be sufficiently severe or pervasive to alter the conditions of the victim's employment and create an abusive working environment.

(3) Under federal law, "sexual harassment" also includes any reprisal or retaliation against anyone by any co-workers or supervisors because that person in good faith, reports a violation or suspected violation of sexual misconduct, whether or not the reported violation is substantiated by an investigation.

(4) Any pertinent state or common law definition of "sexual harassment" that is enacted would also apply.

c. "Sexual Exploitation" includes but is not limited to, the development of or the attempt to develop a physical or sexual relationship between a credentialed leader and an employee, congregant, or volunteer as well as any person with whom he/she has any pastoral or professional relationship, whether or not there is apparent consent from the individual.

d. Where political jurisdiction imposes a higher standard, credentialed leaders must adhere to that higher standard.

2. The term "pastoral relationship" or "ministerial capacity" means: a relationship between a credentialed leader and any person to whom such credentialed leader provides counseling, pastoral care, prayer support, spiritual direction or spiritual guidance, including that received from Sunday services and/or church related classes, workshops, retreats, weddings, funerals or any other church related activity.

3. A "romantic relationship" includes dating and/or an expressed desire for personal, physical and sexual intimacy with another person.

4. The term "minor" means anyone who has not attained eighteen [18] years of age or as defined by applicable local law.

5. The term "professional counseling" means counseling by an accredited professional in the area of psychiatry, psychology, social work, or family therapy which does not include any elements of spiritual direction or guidance.

V. Sexual Misconduct

1. Child sexual abuse and/or molestation includes physical, sexual, and psychological harm to a minor or any person who is incompetent or who has a diminished mental capacity that is at the level of a child. It includes, but is not limited to, any act against a minor or incompetent person that constitutes a crime under applicable state and federal law. Allegations of child sex abuse or molestation shall be reported to proper authorities.

2. Any unwelcome or non-reciprocal sexualized overtures or conduct either verbal, non-verbal, or physical by a credentialed leader towards a co-worker or a member of their staff or congregation constitutes sexual misconduct. It includes, but is not limited to, acts, which constitute a crime under applicable law. It may include sexually oriented humor or language, questions or comments about one's sexual behavior or preference, unwelcome or undesired physical contact, inappropriate comments about one's clothing or body, or repeated requests for dates or social engagements.

Sexual harassment includes but is not limited to: **a.** Verbal sexual innuendo, suggestive comments, insults, degrading humor and jokes about sex or gender specific traits, threats. **b.** Non-verbal suggestive or insulting sounds; leering; whistling; obscene gestures; display of objectionable posters, cartoons, pictures and/or magazines. **c.** Physical touching such as pinching; brushing the body; coerced sexual relations; assault.

3. Sexual misconduct occurs whenever a credentialed leader has any sexualized or romantic contact, interaction and/or relationship with anyone whom the credentialed leader came into contact with while serving in any ministerial capacity. When there is an imbalance of power there cannot be meaningful consent for romantic or sexual relations between a credentialed leader and anyone the credentialed leader meets while in a ministerial role. One way to define "power" is the possession of one or more bases of power which include: formal authority, charisma, wealth, race, age, position or connections, emotional influence, rewards and punishment, expertise, physical appearance, gender or sexual influences, intellectual or verbal ability, and secrecy (withholding of pertinent information). Within a ministry, the credentialed leader possesses multiple bases and therefore more power than others in the ministry.

Even if the possibility of romantic or physical involvement appears to be initiated by the congregant, it is the credentialed leader's responsibility to maintain the boundaries of the pastoral relationship. The question of the intent of the credentialed leader is not a factor: romantic or physical involvement with an adult congregant is sexual misconduct until and unless the pastoral relationship has been discontinued by following the procedures specified in Section VI. Beyond the Pastoral Relationship.

VI. Beyond the Pastoral Relationship

[**Note:** This is about helping the credentialed leader be responsible in reciprocal adult relationships, with provisions that protect the credentialed leader, church, Unity Worldwide Ministries and other individuals involved.] The rule is that no credentialed leader shall have a romantic relationship with any person with whom s/he has a pastoral relationship, or with whom s/he has had a pastoral relationship within the past 6 months. However, in circumstances in which a romantic relationship might develop, these are the procedures to follow to comply with Unity Worldwide Ministries' Sexual Conduct Policy:

1. A relationship between a credentialed leader and a person with whom the credentialed leader has a pastoral relationship at the same time carries with it the risk of coercion, misuse of power, and consequently, sexual exploitation. As such, no credentialed leader shall have a

romantic relationship with any person with whom he or she has any ongoing pastoral relationship, or with whom s/he has had a pastoral relationship within the past 6 months.

2. Whenever a credentialed leader recognizes that a romantic relationship is developing in the course of a pastoral relationship, they will immediately terminate the pastoral relationship, while ensuring that the other person has been referred to another independent source for appropriate pastoral support.

3. The credentialed leader should promptly advise the Executive Director of Unity Worldwide Ministries, and/or the Executive Director's designee of the existence of the romantic relationship and keep them apprised of any developments and be willing to openly discuss with the Executive Director or their designee, the issues and dangers inherent in this type of romantic relationship. If the credentialed leader is an Associate Minister or LUT, they shall notify their Senior Minister and/or sponsoring minister as well.

4. No credentialed leader shall pursue or encourage romantic relationship with any person with whom he or she has had a prior pastoral relationship within the past 6 months unless both parties meet for professional counseling, outside their regular areas of ministry and/or work involvement. The credentialed leader shall notify the same people as identified in the above paragraph before instituting a romantic relationship.

Before a credentialed leader pursues or encourages any sexual or romantic relationship with any person with whom they had any prior pastoral relationship they must: a) contact those identified above to review the requirements of the sexual conduct policy and to familiarize themselves with the issues and dangers inherent in pastoral congregant relationships and b) if serving at a local church must notify their board of a developing romantic relationship and c) before any sexualized contact occurs arrange a meeting with their prospective partner and an independent professional counselor who can advise them both of the inherent issues and dangers in a pastoral congregant relationship. The credentialed leader and/or their church shall pay for this counseling.

REVIEW PROCEDURES

1. **Decision to review.** The decision to initiate a review of a minister accused of sexual misconduct shall be made by the Ethics Review System [ERS] Case Manager after consultation with the Executive Director or their designee. The policies and procedures outlined here are guidelines. A decision to review may be made or not made based on all of the facts and circumstances known to the appropriate Unity Worldwide Ministries' officials.

2. **Preliminary Review.** The ERS Case Manager has the authority to conduct a preliminary review and to initiate an Ethics Review System [ERS] process.

In a preliminary review, the ERS Case Manager will determine the exact nature of the allegation and request the reviewee complete a written statement in response to the allegation.

In a preliminary review, the ERS Case Manager, after hearing from the complaining party and the party against whom the complaint is brought, and after consulting with two (2) other individuals trained in the Ethics Review System process, has the authority to propose a resolution of the complaint to the parties involved. If the parties are agreeable to the resolution, and if the ERS Case Manager concludes that the ministry leader shall be cleared, then the preliminary review will be concluded except for “notice of disposition” and “handling records and information” as required by and outlined herein. If, however, the ERS Case Manager feels that a Plan of Action or suspension of the ministry leader might be warranted, then the ERS Case Manager will initiate an Ethics Review System process.

3. **Receipt of complaint.**

- a. **Involving an adult.** Complaints of sexual misconduct involving an adult must be received from the complainant, preferable in writing. In the event that the complainant(s) chooses not to submit a written allegation, the ERS Case Manager may still decide to initiate a review if in his/her judgment an Ethics Review System process is warranted.
- b. **Involving a minor.** In addition to being reviewed according to the procedures outlined here, complaints alleging sexual contact between a minister and a child will be reported to state child protection agencies.
- c. **Time sensitive.** Any complaint of misconduct within the past five [5] years will be considered a current complaint. A complaint more than five [5] years old will be considered a lapsed complaint. Depending on the nature of a lapsed complaint, the ERS Case Manager may decide to initiate an Ethics Review System process. Complaints of sexual contact between a minister and a minor will be considered current no matter how long ago the alleged behavior occurred.

4. **No promise of confidentiality.** Unity Worldwide Ministries makes no promise of confidentiality with respect to communications of complaints or other allegations of any form of sexual misconduct. Unity Worldwide Ministries reserves the right to disclose information for the protection of others, to ensure the adequacy of the review by Unity Worldwide Ministries and the ability of Unity Worldwide Ministries to take appropriate action consistent with this policy. Nevertheless, Unity Worldwide Ministries shall intend to limit disclosure to those individuals, who have a need to know, including Unity Worldwide Ministries’ Board of Trustees, Leadership Team, and Ministry Consultants & Transition Specialists, among others, and shall proceed with due sensitivity to the protection of the legitimate privacy interests of the persons affected by the allegations.

- **Demand for confidentiality.** A complainant may demand confidentiality. In that case the person receiving the complaint should advise the complainant that in most cases the request denies Unity Worldwide Ministries the ability to take any action to discipline the accused or prevent a recurrence. The Executive Director of Unity Worldwide Ministries shall be advised of the situation.

- 5. Commencement of review.** The ERS Case Manager will begin their preliminary review as soon as possible, but not later than twenty-one [21] days after receiving the complaint, unless documented circumstances exist for delaying the commencement of the preliminary review.
- 6. Paid leave of absence without prejudice.** Within three days after determining that a complaint merits an Ethics Review System process and prior to the commencement of the Ethics Review System process, the ERS Case Manager will recommend to the church's board that the accused leader be placed on a leave of absence with pay and without prejudice of ministerial standing pending the outcome of the Ethics Review System process. This recommendation to the board for a leave of absence without prejudice occurs as a matter of policy.
- 7. Non-interference and cooperation with civil agencies.** If the alleged misconduct must be reported to any civil agency for investigation [as in the case of child abuse], the ERS Case Manager and/or ERS Case Review Team will contact the Executive Director or their designee and conduct the respective review(s) in a manner that does not interfere with a civil or criminal investigation carried out by local authorities.
- 8. Procedures for Review.** Allegations of sexual misconduct will be reviewed under the provisions of the Ethics Review System policies and procedures.
- 9. Unsubstantiated allegations.** If the ERS Case Manager finds that the allegation of sexual misconduct cannot be substantiated and does not warrant an Ethics Review System process, they will provide the written decision to the Executive Director or their designee and share such written decision as widely as the original allegation. The ERS Case Manager will also provide a written recommendation to terminate the leave of absence without prejudice specifying a date to the ministry and to the Executive Director or their designee.
- 10. Notice of disposition.** When an outcome has been determined, the ERS Case Manager will contact the complainant and inform him or her of the action taken. The complainant will also be advised that the accused may choose to appeal the decision.
- 11. Handling records and information.**
 - a. Substantiated complaints.** As outlined in the Ethics Review System [ERS].
 - b. Unsubstantiated complaints.** A report of all unsubstantiated complaints and related recommendations, along with any statement submitted by the minister about the complaint, shall be kept and maintained indefinitely in the minister's personnel file at Unity Worldwide Ministries' home office.
 - c. Disclosure of facts.** Nothing in the policy or in these procedures will be deemed to preclude disclosure of facts and circumstances surrounding any complaint or allegation to any insurer, attorneys or other individuals whose assistance is sought in connection with the preliminary review or defense of any complaint or allegation.

Please sign the Code of Ethics and Sexual Conduct Acknowledgement & Signature Form and return to Unity Worldwide Ministries.