

Classis Cascades: POLICY ON SEXUAL ETHICS

(Adopted: March 15 – 16, 1996)

[RE: *Minutes of Spring 1996 Stated Session, First Reformed Church, Lynden, & Fourth Corner Community Church, Bellingham, WA*]

I. PURPOSE

- A. It is the desire of the Classis Cascades that each person has the opportunity to realize his or her potential, as made in the image of God. Therefore, we strongly support a Christ centered sexual ethic and recognize our responsibility to maintain a working environment free from unethical sexual behavior for both staff and volunteers.
- B. We conclude that the only acceptable behaviors are encapsulated in St. Paul's model, *For this is the will of God, your sanctification: that you abstain from fornication; that each one of you know how to control your own body in holiness and honor, not with lustful passion, like the gentiles who do not know God; that no one wrong or exploit a brother or sister in this matter.*" I Thessalonians 4:3-6a, NRSV
- C. The policy will cover all people engaged in Classis activities including, but not limited to: Classis Executive, staff, Executive Committee, delegates, contract staff, and volunteers, hereafter, referred to as Classis representatives.
- D. This policy shall endeavor to ensure due process, fairness, dignity, privacy, confidentiality and respect to all complainants, respondents, and all others.

II. DEFINITIONS

- A. **Sexual misconduct** is sexual activity in which Classis representatives engage in sexual behavior with another Classis representative, parishioner, or client -- other than their spouse. Sexual misconduct (adultery, fornication, etc.) may not be a violation of state law, but is conduct unbecoming of a Classis representative.
- B. **Sexual harassment** is any unwelcome verbal or physical sexual advance or conduct which violates personal boundaries. It may include verbal abuse, joking or innuendo, unwelcome physical contact, demanding sexual favors with implied or overt threats of physical assault.
- C. **Sexual abuse** is criminal sexual conduct and the resulting emotional, physical, mental and/or spiritual harm inflicted on the victim.
- D. **Sexual exploitation** is inappropriate sexual conversation or suggestions of sexual involvement by a Classis representative and/or any unwelcome sexual or romantic contact between a Classis representative and another Classis representative, parishioner or client.

III. PROCEDURES

- A. **Informal Procedure.** In accordance with the guidelines our Lord set forth in Matthew 18, we, the Classis Cascades, recommend this procedure as the first step toward resolution of the complaint. Some sexual harassment results through ignorance of appropriate behavior. The first option is always to confront the accused directly. In some cases, this may be the only action necessary to eradicate the behavior.
- B. A person who believes that he or she has been subjected to sexual harassment (the complainant) may first discuss the situation informally with a member of the Classis Executive Committee. The complainant may have a support person present during the informal procedure or during the formal procedure.
- C. **Formal Procedure.** (Any person who believes that he or she has been subjected to sexual harassment should report the alleged charge to any member of the Classis Executive Committee. For the Formal Procedure to continue, the complainant must sign a written statement setting forth the facts of the alleged charge of sexual harassment, and submit it to the Classis Executive Committee. The written complaint shall include: the date, time and location of the incident; the name{ s} of the person{ s} involved and of any witnesses(es) to the incident; and an account of any efforts made to discourage the harassing behavior.
- D. **Non-retaliation.** No person may retaliate against another for making a sexual harassment complaint. Any such retaliation should be reported immediately to the Classis Executive Committee.
- E. Within 20 working days following the receipt of the complaint, the individual charged with sexual harassment will be provided with a copy of the statement.
- F. The Executive Committee shall appoint a special subcommittee to investigate. To avoid gender bias, the subcommittee will consist of two men and two women chosen for their skills in dealing with this sensitive area. This team shall investigate and provide a solution or explanation to the grievant within 20 working days. In the event that the solution or explanation from the team is not acceptable to the grievant, then the grievant should make the final appeal to Classis Cascades. The grievant has 20 working days after receiving the response to submit a written appeal to the President or Stated Clerk of Classis Cascades. Should all of this still prove to be unsatisfactory, then the appropriate appellate procedures in the *Book of Church Order* in regards to regional and general synods are appropriate and could be followed.
- G. Also, the Classis will seek to be the encourager of renewal and restoration for the victimizer, through the process of discipline and its aftermath.

IV. DISCIPLINE

- A. In ascending order of severity the following are the sanctions deemed legitimate (where applicable) for a Classis representative found to have harassed another individual:
1. Verbal warning
 2. Verbal reprimand

3. Written reprimand
 4. Loss of prospective benefits for a stated period {e.g. suspension of "regular" increase in salary}.
 5. Reduction in salary for a stated period.
 6. Enforced leave of absence without pay for a stated period up to a year {without other prejudice}
 7. Dismissal
- B. The standard of proof to sustain a charge of sexual harassment shall be that of a preponderance of the evidence.
- C. Perpetrators of sexual harassment may be liable as individuals for civil or criminal penalties as well.
- D. Confirmed or proven involvement of ordained clergy in sexual harassment, will result in corrective disciplinary action as outlined in the *Book of Church Order*.
- E. The policy of the Classis should be to engage legal counsel immediately upon learning of any complaint dealing with sexual harassment.

V. INVESTIGATIVE GUIDELINES

- A. All investigations of sexual harassment complaints must be thorough and confidential.
- B. As part of the investigation, interview all persons who may have knowledge of the facts on which the sexual harassment complaint is based, including the alleged harassing person. Advise all people concerned that they will not be retaliated against for telling the truth.
- C. Carefully document the investigation, keeping in mind that other ecclesiastical, state, federal, and other authorities, as well as other individuals may see these documents in any subsequent administrative or civil action.
- D. After the conclusion of the investigation, meet separately with the complainant, the respondent, and if appropriate, any other person:
1. To explain the nature and scope of the investigation.
 2. To communicate the findings regarding the sexual harassment complaint.
 3. To counsel the complaining party and the respondent.
- E. After the investigation is concluded, prepare a memorandum summarizing the results of the investigation, the determination of the validity of the complaint, and the course of action taken by the Classis in response to the complaint. Remember that this memorandum may be seen by others at a later date.