

FUMC Staff and Minister Training

Confidentiality, Mandatory Reporting, Sexual Harassment



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Confidentiality

- When a member of the church seeks counsel from a clergy-person, staff member or volunteer, who can promise confidentiality?
- What topics can be kept confidential?
- What topics are not allowed to be kept confidential?

Limits to Confidentiality

- Life threatening harm to self or others
- child abuse/neglect
- harm to elderly or those who aren't able to care for themselves, such as intellectually disabled

Limits to Confidentiality

- Should the expectation of confidential communication be promised if the promise should not be kept for the sake of someone's safety?
- Once a volunteer, staff member, or clergy communicates that all or part of conversation with an individual, be it child, student, youth, adult, or elder is confidential, what happens when others need to be brought into the seriousness of the matter?
- E.g., you learn from a man whose wife recently died from cancer, that he has been struggling with thoughts of taking his own life, and you are worried that he might do so. What happens to the trust of the relationship if you have promised him to keep his communication confidential on the front end and now feel that you need to bring additional help to the counsel?

Clearly Communicate Limits to Confidentiality

- Don't promise confidentiality if can't uphold. Only certain professionals are able to offer confidential communication: attorneys, medical providers, licensed therapists, some clergy. Those professionals have limits to the confidentiality they can offer
- Professionals provide CLEAR explanation of the types of communication that cannot be kept confidential.
 - In the event that life threatening harm to self or others is discussed, additional help in the form of authorities (police, hospitalization, family members, potential victim of harm if not the person) may be needed, even despite the client's preferences
 - Anytime the client's confidentiality must be violated, they client must be informed and they should understand the steps as required by law
 - Clergy not held to Tarasoff "duty to warn / protect." Good guideline nevertheless

Mandatory Reporting: See Something...Say Something

- The following slides will define the "something(s)" that require response: clear communication to defined authorities

In order of high risk to low(er) risk management what MUST you report by law, and what SHOULD you report locally to your pastor or minister in charge

MUSTS:


- Abuse
- Sexual Abuse
- Sexual Exploitation
- Neglect
- imminent harm to self or others

Should's:


- behavior that appears to mimic grooming:
- one on one meetings without another adult present - bending the rules just this time
- secretive communication between volunteer and child that does not include a parent or guardian
- "you can tell me, I won't tell your parents"

Abuse Defined

“Abuse” means harm or threatened harm or failure to protect from harm or threatened harm to the health, safety, or welfare of a child by a person responsible for the child’s health, safety or welfare, including but not limited to non-accidental physical or mental injury, sexual abuse, or sexual exploitation. Provided, however, that nothing contained in this act shall prohibit any parent from using ordinary force as a means of discipline including, but not limited to, spanking, switching, or paddling.



Oklahoma State law (10 O.S. § 7103 *et seq.*) requires every person, private citizen or professional, who has reason to believe that a child under the age of 18 is being abused and/or neglected, or is in danger of being abused, to promptly report the suspicion to the statewide hotline (1-800-522-3511).



Failure to report suspected abuse is a crime – legally and morally. No person, regardless of his or her relationship with the child or family, is exempt from reporting suspected abuse. A person reporting in good faith; however, is immune from both civil and criminal prosecution.

Sexual Harassment

- Sources:
 - Safe Sanctuaries
 - UMC General Commission on the Status and Role of Women

Definitions

- unwanted sexual comment, advance or demand, either verbal or physical, that is reasonably perceived by the recipient as demeaning, intimidating, or coercive.
- an abuse of power over another, a violation of healthy boundaries between co-workers, specifically gender-directed behaviors

Examples

- unwanted sexual jokes, repeated advances, touching, displays or comments that insult, degrade or sexually exploit women, men, elders, children or youth

Prevalence of Sexual Harassment

1990

- 50% of clergy, 20% of laity, almost 50% of students, 37% of church staff

had an experience of sexual harassment in the (Methodist) church

2007

- more than 3/4 of clergywomen, 1/2 of laywomen had experienced sexual harassment in the church
- church officials more likely to trivialized complaints and be of little help
- friends and relatives seen as most helpful, but of lower power status and ability to change the culture

Effects of Sexual Harassment

can manifest in, but not necessarily indicative of...

- damage to self-esteem, lowered productivity and ability to earn wages
- illness, absenteeism, poor performance, loss of promotion and opportunity
- Spiritual damage and damage to trust in the Church

Reporting of Sexual Harassment

Allegations against laity

- should be reported to senior pastor in charge and if perpetrator is an employee, to the Staff-Parish Relations Committee of the local congregation

Allegations against clergy

- reported to the District Superintendent or bishop

Allegations against youth

- United Methodist Sexual Ethics suggests to contact: Michael Ratliff, General Board of Discipleship, Toll Free Number: 1-877-899-2780, ext. 7079; E-mail: mratliff@gbod.org.
- Sexual misconduct or contact *towards* a youth is a crime and is likely reportable to the child abuse hotline

Policy

_____ UNITED METHODIST CHURCH
BASIC POLICY STATEMENT
ON SEXUAL AND GENDER HARASSMENT
AND MISCONDUCT OF A SEXUAL NATURE

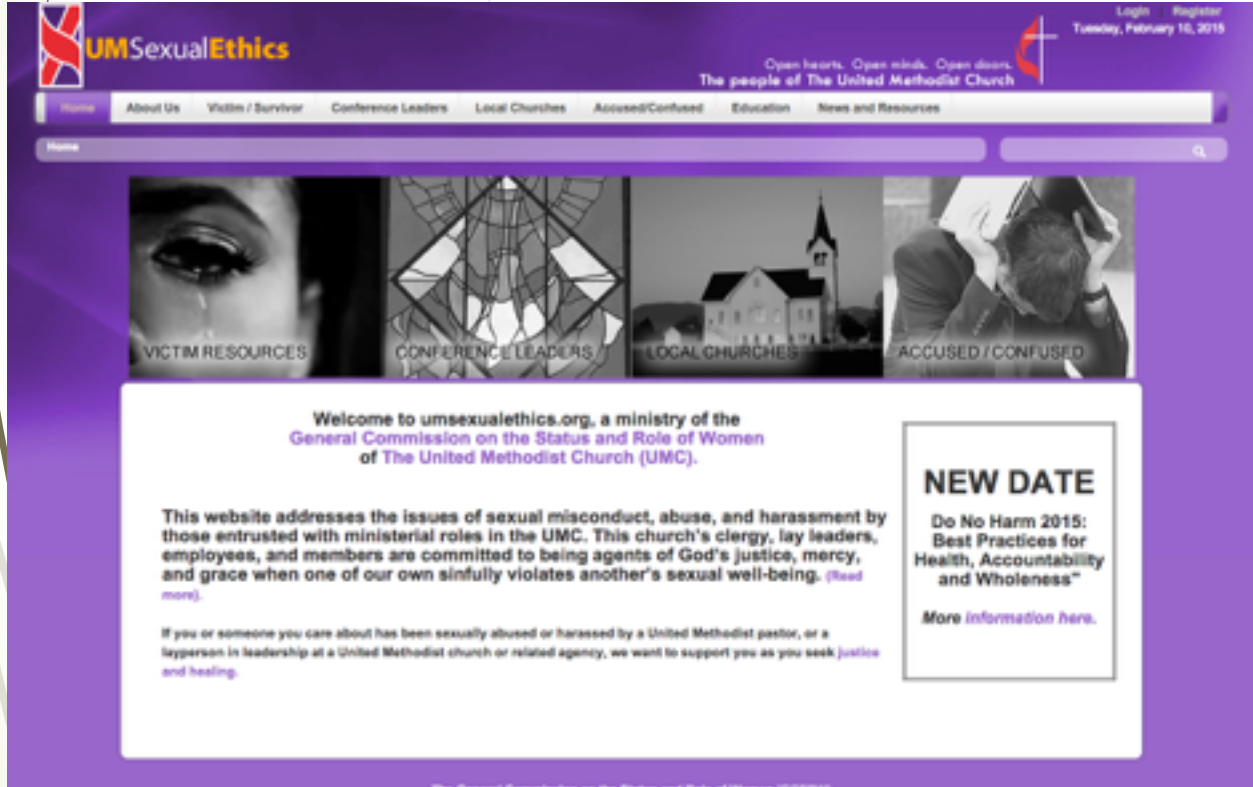
The _____ United Methodist Church affirms *The 2008 Book of Resolutions*, “2044. Sexual Misconduct Within Ministerial Relationships” and “2045. Eradication of Sexual Harassment in the United Methodist Church and Society”. We affirm that sexual abuse within the ministerial relationship and sexual harassment within the church is incompatible with the Biblical teachings of hospitality, justice and healing. In accordance with *The 2008 Book of Discipline*, ¶161.F, “We affirm that all persons are individuals of sacred worth, created in the image of God.” As the promise of Galatians 3:26-29 states, all are one in Christ. We support equity among all persons without regard to ethnicity, situation, or gender.

“**Sexual misconduct** is a betrayal of sacred trust. It is a continuum of unwanted sexual or gender-directed behaviors by either a lay or clergy person within a ministerial relationship (paid or unpaid). It can include child abuse, adult sexual abuse, harassment, rape or sexual assault, sexualized verbal comments or visuals, unwelcome touching and advances, use of sexualized materials including pornography, stalking, sexual abuse of youth or those without capacity to consent, or misuse of the pastoral or ministerial position using sexualized conduct to take advantage of the vulnerability of another. It includes criminal behaviors in some nations, states, and communities.

Sexual harassment is a form of sexual misconduct and is defined in ¶ 161.I in the Social Principles. To clarify further, it is unwanted sexual or gender-directed behavior within a pastoral, employment, ministerial (including volunteers), mentor, or colleague relationship that is so severe or pervasive that it alters the conditions of employment or volunteer work or unreasonably interferes with the employee or volunteer’s performance by creating a hostile environment that can include unwanted sexual jokes, repeated advances, touching, displays, or comments that insult, degrade, or sexually exploit women, men, elders, children, or youth.

- Every congregation is required to have a Sexual Harassment policy
- in 2007 only 34% of small congregations had a policy and 86% of large congregation churches
- Example policy: http://www.okumc.org/files/tables/content/40918/fields/files/d00fddf93d3944cfa41d13ba16c97219/church_sexual_ethics_policy.pdf

Beyond Policy



The screenshot shows the homepage of the website umsexualethics.org. The header features the logo and navigation menu. The main content area includes a welcome message, a description of the website's purpose, and a 'NEW DATE' announcement for 'Do No Harm 2015: Best Practices for Health, Accountability and Wholeness'.

UM Sexual Ethics
Open hearts. Open minds. Open doors.
The people of The United Methodist Church

Home About Us Victim / Survivor Conference Leaders Local Churches Accused/Confused Education News and Resources

Home

VICTIM RESOURCES CONFERENCE LEADERS LOCAL CHURCHES ACCUSED / CONFUSED

Welcome to umsexualethics.org, a ministry of the General Commission on the Status and Role of Women of The United Methodist Church (UMC).

This website addresses the issues of sexual misconduct, abuse, and harassment by those entrusted with ministerial roles in the UMC. This church's clergy, lay leaders, employees, and members are committed to being agents of God's justice, mercy, and grace when one of our own sinfully violates another's sexual well-being. [\(Read more\)](#).

If you or someone you care about has been sexually abused or harassed by a United Methodist pastor, or a layperson in leadership at a United Methodist church or related agency, we want to support you as you seek [justice and healing](#).

NEW DATE
Do No Harm 2015: Best Practices for Health, Accountability and Wholeness™
[More information here.](#)

The General Commission on the Status and Role of Women (GCSRW)

- Build a culture of awareness and let it be known that FUMC takes any sexual harassment allegations seriously
- Make known the avenues of reporting available to laity
- Even when large churches create a policy and a means for reporting incidents, laity often remain unaware that there is a policy and that anything can be done if they are victim to sexual harassment
- Resource: <http://umsexualethics.org/>