

Unitarian Universalist Fellowship of Clemson

UUFC Policy on Sexual Misconduct and Sexual or Physical Abuse or Harassment

Approved 8-26-18, updated 2-28-21

Unitarian Universalist Principles and Sexual Ethics

From *Creating Safe Congregations* (UUA, 1997)

- The inherent worth and dignity of every person.

Every person's sexuality is sacred and is worthy of respect, and therefore, is not to be isolated.

- Justice, equity and compassion in human relations.

We treat others as we would want to be treated; therefore, sexual exploitation and interpersonal violence is wrong.

- Acceptance of one another and encouragement to spiritual growth in our congregation.

Accepting each other, as we are, means doing no harm and fostering well-being in one's self and others.

- A free and responsible search for truth and meaning.

In our relationships to others, our freedom of sexuality is as important as the responsibility for it.

- The right to conscience and the use of the democratic process within our congregations and in society at large.

As a community and as an institution, we are responsible for creating a secure and safe environment.

- The goal of a world community with peace, liberty and justice for all.

We have the opportunity to create the kind of environment that lends itself to peace, liberty and justice in human sexuality and we can become a model for the rest of society.

- Respect for the interdependent web of all existence of which we are a part.

When we respect each person's sexual integrity we honor the wholeness of life and we respect the web of all existence.

Unitarian Universalist Fellowship of Clemson

Definitions

The terms used in this document will have the following meanings:

Abuse includes non-accidental conduct that involves bodily injury or impairment; offensive physical or sexual contact, including physical or sexual abuse; physical or sexual harassment; physical or sexual molestation; or physical or sexual exploitation.

Physical Abuse includes offensive contact or activity that causes bodily harm.

Sexual Abuse means any sexual touching of a child or any activity that causes a person to engage in any sexual act or conduct without the person's consent, or in the circumstances where that person is unable to refrain from consenting due to age or mental capacity or unusual vulnerability derived from the person's mental health or from the existence of a relationship of significant dependency or trust.

Physical Harassment or Molestation or Exploitation means activity that places a person in fear of bodily injury by such acts as threatening or tormenting behavior, compelling a person by force or threat of force to engage in conduct from which the person has a right to abstain, knowingly restricting the movements of another person without that person's consent, communicating to a person a threat to commit an act against the person or another person or entity where the natural consequence of the threat is to place the person in fear or cause that person to engage in conduct which that person would otherwise not engage, or similar repeated offensive physical or verbal conduct.

Sexual Molestation and Sexual Exploitation means activity that places another person in a situation where that person feels compelled to engage in sexual conduct to which that person would not voluntarily consent, or in circumstances where that person is unable to refrain from consenting due to age or mental capacity or unusual vulnerability derived from the person's mental health or from the existence of a relationship of significant dependency or trust.

Sexual Harassment means making sexual advances or requests for sexual favors to another person, or other verbal or physical conduct of a sexual nature, where the other person by words or conduct has indicated that such words or conduct are not desired, or when a reasonable person would expect that such words or conduct would not be desirable.

Vulnerable Adult refers to someone who is unable to manage their own resources, carry out the activities of daily living, or protect themselves from physical abuse, emotional abuse, active, passive or self-neglect, financial exploitation or other hazardous situations without assistance from others according to South Carolina State law.

Unitarian Universalist Fellowship of Clemson

Special Relationship between Minister and Congregants

As a faith community, we expect our minister to act in accordance with the guidelines set forth in the Unitarian Universalist Minister's Association (UUMA) Code of Professional Practice. These guidelines state that "ministers are called to nourish the health and wholeness of the communities they serve, and recognizing the nature of our profession, and as stated in our actionable Code of Conduct, ministers will not engage in sexual contact, sexualized behavior, or a sexual relationship with any person they serve as a minister." We recognize that ministers are the recipients of automatic trust. In subscribing to this code, ministers agree not to exploit the powers inherent in their roles. This code is based on best practices drawn from the wisdom of much research across many religious organizations about what behaviors uphold healthy religious communities and ministries. In the spirit not of legalism but of deepening our understanding of loving, just, healthy relationships, these guidelines point towards truths about the profession of ministry and healthy ministerial conduct. In a case of violation of this code, the Safe Congregation Response Team, in consultation with the Committee on Ministry, will contact the Metro District Executive and the Ministerial Fellowship of the UUA. They will then initiate an investigation. Meanwhile, the Safe Congregation Response Team, again in consultation with the Committee on Ministry, will work with the Board of Trustees to establish an appropriate response to reactions and concerns within the congregation and the community. The full text of the Unitarian Universalist Ministers Association Code of Conduct can be found on the UUA website at <http://www.uuma.org/?page=guidelines#Ethical%20Standards>.

Special Relationship between Professional Religious Educator and Congregants

As a faith community, we expect our Religious Educator and other professional religious education staff to act in accordance with guidelines set forth in the Liberal Religious Educators Association (LREDA) Code of Professional Practice. These guidelines state that "as a religious leader in whom trust and power have been placed, I am called to be faithful both morally and legally to my professional relationships. I must never abuse the authority of my position by manipulating others to satisfy my personal needs." Examples of this exploitation would include sexualized behavior with a child, youth or vulnerable adult; sexualized behavior with an adult who is in another committed relationship; and/or sexualized behavior with interns or youth advisors. The guidelines go on to state that a professional religious educator will not engage in any relationship that abuses the power and/or damages the trust that an individual, the congregation or the fellowship at large has placed in them. The full text of Liberal Religious Educators Association (LREDA) Code of Professional Practices can be found on the website of the Liberal Religious Educators Association, at <http://www.lreda.org/codeprofessional-practices>.

Unitarian Universalist Fellowship of Clemson

UUFC Sexual Misconduct and Abuse Response Team

Composition

The UUFC Sexual Misconduct and Abuse Response team shall be made up of the Minister, the Director of Lifespan Faith Formation, a member of the Shared Ministry Committee, and two (2) members of the Fellowship appointed by the Board of Trustees. Gender balance will be given consideration in appointments and experience in sexual abuse issues will be preferred.

In cases of conflict of interest, a team member must be excused from participation. The team's function, individually and collectively, will be to offer confidential support, advice, and counsel with concern for the safety of all parties involved.

Responsibilities

The Sexual Misconduct and Abuse Response team will generally have the following responsibilities:

1. Be well educated in relevant UUFC safety policies, advise members on issues of safety, and make safety policy recommendations to the Board.
2. Know about community resources for child abuse, treatment for sex offenders, and support groups for survivors.
3. Know about state laws regarding reporting.
4. Be a resource for people to share their concerns.
5. Evaluate applications for religious education teachers and youth group leaders that are flagged by the religious professionals in the congregation as needing more information or follow up. Facilitate annual training for religious education staff and volunteers on issues, policies, and procedures relevant to sexual/physical abuse.
6. Work with the Children and Youth Religious Exploration committee to assure that the sex abuse education sections of the *Our Whole Lives* curricula are offered at each age level.
7. Meet with sex offenders to develop a Limited Access Agreement for participation in church activities.
8. Receive allegations of possible abuse and develop a process for expedient handling of such allegations.
9. Periodically search the SC Public Sex Offender Registry for members, friends and visitors.

All activities of the response team will be conducted in a confidential fashion and may only be disclosed when necessary and appropriate as determined by the Response Team.

Unitarian Universalist Fellowship of Clemson

Preventing Sexual Misconduct, Physical Abuse and Harassment

In our congregation, preventing sexual misconduct, physical abuse and harassment is a significant goal. Prevention education, on-going training, careful hiring, and safety procedures are concrete steps toward creating a safe environment for all members and friends of the Unitarian Universalist Fellowship of Clemson.

Education and Training

Education and training are critical to the establishment of a safe congregation. Knowledge and understanding support the development of healthy relationships based on positive self-esteem and respect for others. A greater understanding of sexuality and abuse will make us better able to avoid situations that could lead to abuse. To that end, it is important to promote positive self-esteem and personal responsibility among our children, our members and friends.

Our congregation will provide programs of education through our Religious Exploration Program. Our children, youth and adults will be provided with opportunities to learn age-appropriate information about development and sexuality. They will be offered opportunities to receive clarification and understanding of the complex aspects of sexuality, with information as well on sexual abuse prevention.

In addition, all congregants will be encouraged to avail themselves of the resources included in this Safe Congregation Manual. To that end, we will promote congregational awareness about issues pertaining to sexual misconduct, abuse and harassment.

Hiring

Incidents of abuse and harassment often take place in the context to ongoing relationships. It is essential that hiring procedures protect staff, children, youth, vulnerable adults, members and friends from both injury and unfounded accusations, and to protect the Unitarian Universalist Fellowship of Clemson from ethical and legal liability.

All persons seeking paid employment at the Unitarian Universalist Fellowship of Clemson will be screened by the appropriate hiring committee in accordance with UUFC policy.

Unitarian Universalist Fellowship of Clemson

Responding to Complaints of Sexual or Physical Abuse or Harassment

There are several situations which may prompt a response regarding a complaint or concern about sexual or physical abuse, including but not limited to:

- A child, youth or adult reports possible abuse by a UUFC staff, member, friend or attendee;
 - A UUFC staff, member, friend, or attendee suspects that a child, youth, or vulnerable adult is being abused;
 - A child, youth, or vulnerable adult reports abuse by a family member or other individual;
- Or
- UUFC staff learn that a Fellowship member, friend, or attendee (child, youth or adult) is under investigation for allegedly abusing others

Child abuse is addressed directly in South Carolina state law and is governed by the Department of Social Services (DSS). When any of the situations described above involving children, youth or vulnerable adults is reported, the procedures outlined (in the section of this policy titled “Reporting Child and Vulnerable Adult Abuse to Authorities”) will be utilized.

Incidents of alleged sexual or physical abuse or harassment of adults will be referred to the Sexual Misconduct and Abuse Response Team, who will investigate and make a determination whether it is appropriate to contact law enforcement.

Reporting Child and Vulnerable Adult Abuse to Community Authorities

For the purposes of this policy, the Director of Lifespan Religious Exploration and the Minister will be considered Mandated Reporters.

It is the policy of UUFC that any person who has reasonable cause to suspect that a child or youth has been or is likely to be, abused or neglected, must report this concern to the Director of Lifespan Faith Formation (DLFF) and/or the Minister. The DLFF and/or the Minister will determine the next steps, which may include reporting the suspected abuse as appropriate according to South Carolina law. Whether a mandatory reporter makes the report to the Department of Social Services (DSS) or to law enforcement depends upon the identity of the alleged perpetrator of the abuse or neglect. When the alleged perpetrator of the abuse or neglect is the child’s parent, guardian, or a person responsible for the child’s welfare, mandated reporters must report to the county Department of Social Services or to law enforcement in the county where the child resides. When the alleged perpetrator of the abuse or neglect is not the child’s parent, guardian, or other person responsible for the child’s welfare, the law requires that a report be made to law enforcement.

It is also the policy of UUFC that any person who has reasonable cause to suspect that a vulnerable adult has been or is likely to be, abused or neglected, must report this concern to the Director of Lifespan Faith Formation (DLFF) and/or the Minister. The DLFF and/or the Minister

Unitarian Universalist Fellowship of Clemson

will determine the next steps, which may include reporting the suspected abuse to the county Department of Social Services in which the vulnerable adult resides.

Once a report is made to the appropriate authorities, the UUFC will rely on the decisions of those authorities as to the validity of the complaint. It is also the UUFC's responsibility under these guidelines to develop an appropriate plan of response to the allegations.

In all cases, the Minister will also notify the President of the Board of Trustees and the Southeastern District Executive, and seek their advice and counsel. Additionally, the Minister will notify the UUFC's insurance company.

In the event the accused abuser is the Minister, reports will be filed by, and notifications referenced above will be the responsibility of, the President of the Board of Trustees.

Safety Needs of the Congregation Regarding Reports of Abuse

Interim Safety Plan

When a report is filed by any person, or on behalf of any child, youth or vulnerable adult, and the suspected abuser is a Fellowship employee, member, friend, or attendee, the Sexual Misconduct and Abuse Response Team will develop an interim safety plan during the investigation of abuse. This plan may include, but not be limited to, implementation of a draft Limited Access Agreement.

The purpose of this plan is not only to safeguard the victim (adult or child), but also to provide protection to the accused abuser from further complaints. If either the victim or the accused abuser is a youth, the plan must be developed with input from all involved sets of parents or guardians. The plan will be clearly communicated to the accused abuser, or if a minor, to his or her parents or guardians, by the Response Team. The Minister or Director of Lifespan Faith Formation may implement similar steps while awaiting initial action of the Response Team.

Permanent Safety Plan

Upon final disposition by appropriate authorities, a permanent Limited Access Agreement will be developed by the Response Team. A disposition requiring a response would be substantiation by Child Protective Services (CPS) or a conviction by a Court of Law.

In all cases, the Response Team, the Minister, the Director of Lifespan Faith Formation or the President of the Board of Trustees may seek legal counsel before proceeding with either a draft or permanent Limited Access Agreement. *See Appendix: Limited Access Agreement*

Pastoral Needs of the Congregation Regarding Reports of Abuse

Following a report of suspected abuse, the Sexual Misconduct and Abuse Response Team will also develop a plan to address the pastoral needs of our congregation, including:

Unitarian Universalist Fellowship of Clemson

- The person/child who has allegedly been abused, sexually or otherwise:

This may include providing information about or referrals to appropriate professional, community, and UUFC or UU resources, as needed. Additionally the Response Team may assist in dealing with the Department of Social Services, the Prosecutor's Office or the Police Department.

- Other members and friends of our congregation:

Members, friends or attendees immediately affected by the incident (such as family members or partners) whose needs we can help meet, either directly or indirectly;

The Minister (or other members of the Fellowship staff) to aid in dealing with the pastoral needs of the victim or the accused person;

Other members and friends of the congregation who witnessed one or more incidents or, who having heard about them, are reminded of their own concerns; and

Other congregation members and friends who are relied on to a great degree by the person/child who has allegedly been abused (or those connected to them); and

Other congregation members and friends who are relied on to a great degree by the accused offender (or those connected to them).

- The accused person:

Support may include helping the accused person access the appropriate professional, community, and spiritual resources. While there may be feelings of ill-will toward the accused person, if that individual is a part of our community, he or she deserves our support; withdrawing it at this critical point in that person's life might have severe detrimental long-term effects on his or her behavior in the future.

Unitarian Universalist Fellowship of Clemson

It remains the mission of this Fellowship to recognize and support the inherent worth and dignity of that person even though we do not condone inappropriate behaviors, and to treat him or her with compassion.

- Other persons/children who have allegedly been victims of abuse, and who have been reluctant to come forward:

If warranted, the response plan will include a way of reaching out to these individuals in a manner that is non-threatening.

The plan established will be such that other individuals are not put at risk for further incidents.

Safety and Pastoral Needs of the Congregation Regarding Reports of Harassment

Incidents of alleged sexual or physical harassment of minors which do not warrant involvement of Child Protective Services (CPS) or law enforcement, or are not accepted for investigation by CPS, after reporting, shall be referred to the Director of Director of Lifespan Faith Formation and the Minister. They may request that the Sexual Misconduct and Abuse Response Team investigate such allegations. A plan shall be developed to address and resolve these complaints which shall make clear to the accused person that the UUFC will not tolerate harassment of any form, as well as provide information about appropriate counseling or other resources for both the person being harassed and the alleged offender. The parent(s)/guardian(s) of the minor(s) shall also be informed of this plan, and involved, as appropriate, in its development.

Incidents of alleged sexual or physical harassment of adults will be referred to the Director of Lifespan Faith Formation and the Minister. These allegations may also be referred to the Sexual Misconduct and Abuse Response Team who will then make clear to the accused person that this Fellowship will not tolerate harassment of any form, as well as provide information about appropriate counseling or other resources for both the person being harassed and the alleged offender.

The Response Team would also be available to discuss concerns regarding situations that have felt uncomfortable but may not constitute abuse or harassment as defined by this policy. The function of the Response Team would be to help individuals clarify the source of their discomfort, brainstorm effective means of resolving the problem, and share information about appropriate resources.

Guidelines Involving Sex Offenders

Situations may occur involving an individual who has been accused or convicted of sexually aggressive behavior. Those situations will be addressed as follows:

Unitarian Universalist Fellowship of Clemson

- An individual who has been convicted of or pled guilty to a charge of sexual misconduct or who has been determined to have engaged in any form of child abuse in any civil, criminal, administrative or ecclesiastical forum will not have contact with children, youth, vulnerable adults, or the parties involved.
- If an individual has been legally accused of sexual misconduct and is currently involved in a civil or criminal litigation of such a charge, that individual will not have contact with children, youth, vulnerable adults, or the parties involved until there is a final disposition of the case (resolution).
- In the event that a person has been convicted of a sexual offense and completed a term of incarceration and seeks to enter the life of the UUFC, the Sexual Misconduct and Abuse Response Team will meet to make a determination as to whether or not and the ways in which the individual may be safely involved in the life of the congregation. If it is determined that the individual can participate in congregational life, a Limited Access Plan will be implemented.

In all cases, the Response Team, the Minister, the Director of Lifespan Faith Formation or the President of the Board of Trustees may seek legal counsel before proceeding with either a draft or a permanent Limited Access Agreement.

Identification of Sex Offenders by using the South Carolina State Sex Offender Registry

At the time this policy becomes effective, the Sexual Misconduct and Abuse Response Team will check the names of members and friends of UUFC against the online sex offender registry.

Periodically, the Response Team will solicit a list of visitors, new attendees, and new members from the Congregational Secretary. These names will be checked against the online sex offender registry.

If any sex offenders are identified, the guidelines set forth above will be followed.

Unitarian Universalist Fellowship of Clemson

Limited Access Agreement

The Unitarian Universalist Fellowship of Clemson affirms the dignity and worth of all persons. We are committed to being a religious community open to those who are in need of worshipping (being among us) with us, especially in times of serious personal troubles. However, based on your background, we have concerns about your contact with children and youth in our congregation. The following guidelines are designed to reduce the risk to both you and them of an incident or accusation. We welcome you to our congregation and our membership but your participation will be limited to ensure the safety of our children and youth and to assure that you will not be subject to future accusations.

Within these guidelines, the congregation welcomes your participation in adult worship services, coffee hour, committee meetings, adult education, all adult social events, and well supervised intergenerational events. You are to avoid all contact with children on congregation property or congregation-sponsored events. This includes the following:

1. Please do not talk with children.
2. Please do not volunteer or agree to lead, chaperone or participate in events for children and youth including such things as religious exploration classes, stories or talks for worship, youth group events, activities during intergenerational events, driving or otherwise transporting children and/or youth.
3. Please remain in the presence of an adult who knows your situation at all times when children are present.
4. If a child in the congregation approaches you, either at the Fellowship or in a community place, politely and immediately excuse yourself from the situation.
5. Please avoid being in the building unsupervised when activities involving children are in session, such as nursery school or youth group.

Unitarian Universalist Fellowship of Clemson

I accept that the following people will be told of my circumstances in order for them to protect the children/young people for whom they care:

I have reviewed this covenant and agree to abide by its provisions. I understand and agree that if I violate this agreement, I will be denied access to future Fellowship functions and Fellowship property.

Signature _____ Date _____

Witness _____ Date _____

Minister _____ Date _____

Director, Lifespan Faith Formation _____ Date _____

President, Board of Trustees _____ Date _____

Unitarian Universalist Fellowship of Clemson

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