

## Chapter 24

## Ethics

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*Candidates seeking to become certified for licensed or ordained ministry shall: “d) agree for the sake of the mission of Jesus Christ in the world and the most effective witness of the gospel, and in consideration of their influence as clergy, to make a complete dedication of themselves to the highest ideals of the Christian life as set forth in ¶103-105; ¶160-166. To this end, they shall agree to exercise responsible self-control by personal habits conducive to bodily health, mental and emotional maturity, fidelity in marriage and celibacy in singleness, social responsibility, and growth in grace and the knowledge and love of God.” ¶310.2d*

*This chapter provides guidance for the BOM’s consideration of ethics in its work with candidates and clergy. The BOM’s duties include interpreting “the high ethical standards of ordained ministry set forth in the Discipline and to study matters pertaining to character.” (¶635.2s)*

This chapter covers:

- Professional ethics and the role of clergy
- Fiduciary duty and sacred trust of ministry
- Power and vulnerability in the ministerial relationship
- Sexual ethics curriculum in seminary and Course of Study
- Sample interview questions
- Misconduct of a sexual nature
- Sexuality in the lives of clergy

These issues are discussed in the context of the following BOM responsibilities:

- Role in addressing complaints against clergy
- Providing sexual ethics education and continuing formation for clergy
- Interviewing candidates about professional ethics and sexual boundaries
- Considering readmission of clergy after an allegation of sexual misconduct
- Addressing discrimination in the interview process
- Monitoring for inclusivity, diversity and discrimination in the BOM and cabinet’s work

These lists are a portion of the BOM’s responsibilities and ethical concerns. Confidentiality and conflicts of interest are among the many ethical issues not addressed. Please see additional resources listed at the end of the chapter.

## Professional Ethics and the Role of Clergy

The standards for clergy ethics in the UMC are distributed throughout *The Book of Discipline* and *The Book of Resolutions*. What is the role of the BOM in maintaining these standards among clergy? One approach to clergy ethics is to expect clergy to serve as moral examples for the laity. For example: “All clergy to be appointed shall assume a lifestyle consistent with Christian teaching as set forth in the Social Principles.” (§337.2) Another approach to clergy ethics is to view ministry as a profession.

Based on a professional ethics approach, ministers must be more than just model laypersons. Licensed and ordained ministers have obligations distinct from what is expected of laypersons. Ministers must maintain the integrity of the ministerial relationship. Ministry is a sacred trust (§364), and those serving in set-apart ministry must be able to exercise the basic obligations of this trust without harming others, much as physicians are expected to keep the Hippocratic Oath. Clergy have a fiduciary duty to act in the best interests of those whom they serve. When a potential conflict of interests exists among the clergyperson’s interests, another member, the church or any other entity to which the clergyperson owes professional loyalty, it is the responsibility of the professional (i.e. the clergyperson) to address this conflict in a way that protects and alerts all parties involved.

## Power

Clergy are given the authority to represent the church and have inherent power in relation to laity due to their role, education and training. Ministers have a choice in how they will use their power. Power is the ability to influence another person’s thoughts and actions. For many, clergy represent God – through both grace and judgment. The power of the ministerial role is a reality independent of the one who occupies the role. Clergy have the power to hear intimate spiritual concerns of others and to speak with authority on those concerns. Ministers are invited into the most vulnerable times in a person’s life, i.e., birth of a child, death of a loved one, marriage, relationship problems, job loss, etc. The BOM recommends individuals to the Annual Conference in order for the conference to grant this authority through licensing and ordination. The church’s affirmation of a candidate’s call to ministry authorizes that person to wield considerable power and influence.

Whenever any Christian in a leadership position has the ability and authority to make decisions affecting others’ lives, there may be the temptation to abuse that power. The ability to recognize, own and use power wisely is essential to fulfilling the clergy’s professional obligation. Minimally, clergy must be willing to put others’ needs before their own, maintain appropriate interpersonal boundaries between themselves and church members and responsibly use the power and authority of the ministerial office. These are primary ethical obligations. Clergy must always recognize the reality of power and vulnerability present in the ministerial relationship.

Requirements set forth in *The Book of Discipline* “regarding license, ordination or conference membership ... are minimum requirements” (§304.5). No matter how gifted, charismatic, effective or in other ways “virtuous” a candidate may be, if that person cannot be trusted not to harm congregants, he/she should not be placed in a position of ministerial leadership. Likewise, failure to uphold this basic moral duty is cause for removal from the ministry.

## Sexual Ethics Education and Continuing Formation of Clergy

In 2012, General Conference affirmed its support of a program of ministerial readiness regarding professional ethics, sexual ethics, healthy boundaries and self-care as a standard aspect of theological education. These new requirements detail expectations that have been in place since 1996. Seminaries are “to provide training on the prevention and eradication of sexual harassment, abuse and misconduct within the ministerial relationship” (BOR 2012, p. 140). Beginning with the entering class

of 2013, every student attending a University Senate-approved seminary or Course of Study school is expected to fulfill the following goals (see also the 2012 BOR, pp. 149-150):

- Understand healthy interpersonal boundaries as integral to enabling the trust necessary for ministry
- Recognize sexual ethics in ministry as an issue of appropriate use of power and avoidance of abuse rather than exclusively an issue of “sexual morality”
- Understand the importance of professional ethics, including one’s own denominational policies and expectations
- Learn the role of judicatories in prevention and response to clergy misconduct
- Become knowledgeable about human sexuality, one’s own sexual self and how to deal with sexual feelings that may arise for congregants and vice versa
- Appreciate how sexual integrity contributes to spiritual wholeness and realize that this is vital to ministerial formation and personal health
- Become familiar with scriptural and theological resources for all of the above

It is important for BOMs and dCOMs to communicate these expectations to those seeking to become candidates for licensed or ordained ministry. As the church expects candidates to achieve these goals, it must also inform candidates of them as they enter theological education. Furthermore, every candidate is expected to achieve the following while completing basic graduate theological education (BGTS) or Course of Study:

- Practice healthy life-choices and work/life balance
- Be self-aware, including sexually self-aware
- Become comfortable talking about issues of sexuality
- Develop skills to provide pastoral care and worship leadership on sexuality issues
- Be committed to sexual justice in the congregation and in society at large

By the time candidates are ready for licensing and/or provisional membership, they should be familiar with these basic concepts of professional sexual ethics for ministry. It is the BOM’s responsibility to discuss and interpret these expectations with candidates.

When interviewing candidates, the BOM expects knowledge and understanding of the following topics taught in seminary and Course of Study:

- Theology of power, privilege and abuse (including inherent power, fiduciary duty of ministry, professional ethics paradigm, conflicts of interest, healthy boundaries, predators vs. wanderers). Candidates will be able to clearly state the difference between boundary crossing and boundary violations.
- Human sexuality (including dating, intimacy, and work/life balance; pregnancy, birth control, and abortion; pornography and objectification of persons; shame and abuse; consent and vulnerability; genetic, cultural and physiological aspects of gender and sexuality)
- Sexual misconduct in ministry (including boundary violations, judicatory processes of justice-making, secrecy, inappropriate uses of social networking and communication technologies)
- Pastoral care (including working with victims of sexual violence and abuse; transference, counter-transference and sexual attraction; supervision and accountability; dual relationships; confidentiality and stewardship of information; referrals)
- Best practices of ministry (including cyber-safety, Safe Sanctuaries, healthy communications, clergy self-care, life-long sexuality education, ministering with sex offenders)

It is vital that clergy exhibit a solid understanding of, and ability to live out, healthy interpersonal boundaries and sexual ethics for ministry before receiving their first appointment. What is the candidate's plan for tending to this professional responsibility throughout ministry?

## The “Behavioral Health Guidelines”

Since ministry is a sacred trust, the church seeks to discern how candidates and clergy can be strengthened in their practice of ministry. Where negatives exist, can they be sufficiently healed and transformed with the available resources to enable a candidate to incarnate love in ministry? Where positives exist, can they be used to strengthen trust, enable safety and express grace and love in relationships without giving in to temptations and distortions?

To address these concerns, the Division of Ordained Ministry's Advisory Committee on Candidacy and Clergy Assessment (ACCCA) offers Behavioral Health Guidelines as a resource in candidate selection and clergy accountability. As the title suggests, these are general guidelines rather than hard-and-fast regulations. They relate to behavioral health issues, broadly defined, that the committee believes are critical to effectiveness in ministry and the avoidance of misconduct. It is strongly suggested they be used to provide starting points for conversation about issues such as alcohol and/or chemical abuse/dependency; physical health and mental illness; legal issues and personal finances; divorce, infidelity, family violence and pornography use; sex-related crimes and sexual misconduct.

## Misconduct of a Sexual Nature

Sexual misconduct by clergy is a type of violation of sacred trust that offers few second chances. A candidate's ability to understand and maintain healthy boundaries as a sexual person is vital to the duty to do no harm. Misconduct of a sexual nature is never simply an “affair;” rather, it is a violation of the power and authority of the professional role. According to *The Book of Resolutions*:

Sexual misconduct within ministerial relationships is a betrayal of sacred trust. It is a continuum of 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. (BOR, p. 136)

Sexual harassment must be understood as an exploitation of a power relationship rather than as an exclusively sexual issue (BOD, ¶161 Social Principles, (I) Sexual Harassment).

The key context is the ministerial relationship. Clergy must keep their professional lives as ministers and their personal, sexual lives separate. Clergy, who are unclear about this distinction or how to maintain this boundary of intimacy, put themselves, their colleagues, parishioners and the church at risk. The power of the ministerial office negates the ability of a parishioner to consent in a balanced and meaningful way to sexual intimacy with her/his pastor. The roles of lover and clergy are not compatible. Crossing this boundary can result in the sexual abuse of those who trusted a clergyperson to care for their best interests.

Sexual abuse is a form of sexual misconduct and occurs when a person within a ministerial role of leadership (lay or clergy, pastor, educator, counselor, youth leader or other position of leadership) engages in sexual contact or sexualized behavior with a congregant, client, employee, student, staff member, coworker or volunteer. (BOR, p. 136)

This definition covers anyone in church leadership and is especially critical for clergy to understand, especially when it comes to dating persons in the parish.

## Sexuality in the Lives of Clergy

Single clergy will likely date, maybe more than one person, in a search for love and companionship. The realities of clergy divorce and of people marrying later in life mean every BOM will increasingly deal with single candidates and clergy who want to date. Effective boundaries/sexual ethics training for clergy should include frank discussions about dating. Having policies and boundary training to address these issues can help maximize clergy effectiveness and professional conduct.

Based on the definition of sexual misconduct above, it would appear that a single clergyperson dating his/her own parishioner is clearly a form of sexual misconduct. Once a pastor crosses the line into a sexual relationship with a parishioner, the relationship ceases to be pastoral. Sex involves a mutual fulfillment of the needs and desires of both parties. This mutuality does not fit with the fiduciary duty inherent in the pastor-parishioner relationship, which is asymmetrical by definition.

According to *Safe Connections*, published by the Evangelical Lutheran Church in America, “Sexual relationships between pastors and parishioners fail the parishioner 99.5% of the time. Perhaps one relationship in 1,000 results in marriage, a lifelong partnership of fidelity, mutuality, joy and trust. ... [However], most sexualized relationships between pastors and parishioners are not like this.” *Safe Connections* further asserts that clergy seeking sexual relationships with parishioners often “choose these relationships precisely because of their feeling the need to dominate, to exercise power and control, to hold sway over someone. ... This may or may not be a conscious attitude, and it is rarely obvious, initially, to the parishioner.”

Yet, Annual Conferences have diverse ethical standards about clergy dating. Among older clergy, a significant percentage met their spouses in an appointment. Not all annual conference policies proscribe sexual relationships between clergy and parishioner. Some conferences explicitly prohibit such relationships, asserting zero tolerance. Other conferences allow single clergy to date their parishioners with certain safeguards in place. Most conference policies are silent on the topic of clergy dating.

The BOM should be involved in developing the conference’s sexual ethics policies and providing for the clergy’s continuing education in sexual ethics. (BOR, pp. 134-140) If a clergyperson is appointed to a church in an isolated area, with few singles around, where should that person go to meet potential partners? Developing guidelines for clergy and Pastor/Staff-Parish Relations Committees can be helpful.

## Scenarios for Discussion

Each of the following scenarios illustrates an important aspect of the BOM’s work in relation to ethics.

### SCENARIO 1: ADMINISTRATIVE FAIR PROCESS, COMPLAINTS AND THE ROLE OF THE BOM

#### *Presentation of Case*

The bishop receives a formal complaint of financial misconduct (crime, ¶2702.1c), alleging that Pastor Smith has embezzled thousands of dollars of church funds over the past five years. The bishop initiates the supervisory response process, notifies the BOM chair that a complaint has been received, and describes the general nature of the complaint. (¶362.1b) After a preliminary investigation, the bishop determines the complaint has merit. Trying to avoid the expense, embarrassment and “legalism” of a church trial, the bishop requests that Pastor Smith be placed on administrative location and refers the matter in writing to the BOM. (¶359.2)

*Issue to Consider*

What is the BOM's responsibility when a complaint is filed against a clergy person?

When a formal complaint is filed against a clergy person, the BOM's role is limited. "A complaint is a written and signed statement claiming misconduct as defined in ¶2702.1." (¶362.1) In contrast to what is depicted in Scenario 1, the bishop should not refer a complaint to the BOM, but rather, the complaint should be referred to counsel for the church. (¶362.1e2)

Administrative location might be appropriate – if the allegations against a clergy person are limited to ineffectiveness or incompetence. (¶334.4) Otherwise, the BOM does not have a role in determining a complaint's merit or outcome. The "Responsibilities and Duties of Elders and Licensed Pastors" section of *The Book of Discipline* (¶340) outlines expectations for clergy, and the BOM defines these responsibilities for appointed clergy. (¶334.4) However, ethics is different from vocational competence or effectiveness. Ethical violations are listed under the sections "Unauthorized Conduct" (¶341) and "Chargeable Offenses." (¶2702.1)

The 2012 General Conference clarified and redefined the language regarding Administrative Fair Process and Judicial Complaint. Administrative Fair Process is the process used when a recommendation for any involuntary status change is received by the BOM (Administrative Location, Discontinuance of Provisional Membership, Involuntary Leave of Absence, Involuntary Retirement or Medical Leave). Recommendations for change in status because of ineffectiveness are decided through an Administrative Fair Process Hearing.

The terminology of "complaints" now solely refers to the receipt of a complaint as defined in ¶363.1 and the resolution of these complaints is addressed through the judicial process. Adjudication of complaints does not fall under the BOM's responsibilities. Chargeable offenses, such as embezzlement or sexual harassment, are violations of trust, not simply clergy ineffectiveness.

***BOM Responsibility When a Complaint Is Received***

- "[T]he bishop shall notify the chairperson of the BOM that a complaint has been filed, of the clergy person named, of the general nature of the complaint and, when concluded, of the disposition of the complaint." (¶362.1b) This information becomes relevant when considering suspension or a status change for the clergy person during the supervisory or complaint process, or when a clergy person leaves and then later seeks readmission.
- The bishop must have recommendation of the Executive Committee of the BOM in order to suspend the respondent during the supervisory process (¶362.1d).
- "A complaint may be held in abeyance with the approval of the BOM if civil authorities are involved or their involvement is imminent on matters covered by the complaint." (¶362.1g) The BOM executive committee shall review the appropriateness of this status every 90 days. The BOM also may terminate the abeyance when appropriate, allowing the complaint process to move forward.

If a bishop or District Superintendent seeks to involve the BOM in the complaint process beyond the limits of the BOM's authority, the BOM's primary responsibility is to communicate to the bishop the limits of its responsibility and, when necessary, advise the bishop to refer the matter to counsel for the church for further action.

**SCENARIO 2: SEXUAL ETHICS TRAINING FOR MINISTERIAL LEADERS*****Presentation of Case***

Julia is being licensed as a full-time local pastor and is eager to start her first appointment, a two-point charge in a small town. She will begin Course of Study this summer. At Annual Conference, she shares her joy and asks for prayers during the Fellowship of Local Pastors and Associate Members meeting. Immediately following the meeting, another local pastor talks with her in the hallway and offers advice from his 20-plus years as a local pastor.

“You’re lucky you missed last year’s sexual ethics workshop for clergy,” Jesse says to her. “The conference makes all clergy attend once a quad. You’ll have three years before you have to waste your day in that meeting. It’s the same old videos every time.”

“But I thought they cover that at licensing school?” Julia asks.

“No,” Jesse replies. “Licensing school is too busy with the practical stuff to worry about telling you not to hug people. Besides it isn’t anything we haven’t heard before. We shouldn’t need to keep wasting our time hearing the same old thing again and again!”

### *Issue to Consider*

What responsibility does the BOM have for providing sexual ethics training for clergy?

Scenario 2 depicts a situation in which a local pastor will be licensed without adequate training in sexual ethics for ministry. The sexual ethics training provided at licensing school may not be adequate preparation in professional ethics for Julia’s new ministerial role. How can she be held responsible for maintaining appropriate professional boundaries if she will not receive training in sexual ethics until three years into her ministerial career?

While the dCOM’s must inquire about Julia’s understanding of professional ethics, sexuality and healthy boundaries in ministry prior to licensing, the BOM is responsible for providing the continuing education necessary to equip her for this responsibility. (BOR 2012, pp. 141, 162) Since 1996, the UMC has required all clergy to “have regular, up-to-date sexual ethics training to be in good standing for appointment.” (BOR 2012, p. 140)

Many clergy begin appointments unprepared to handle issues of professional power, intimacy and interpersonal boundaries, which can lead to preventable cases of sexual misconduct. It is the BOM’s responsibility to address this need in providing for the ongoing continuing education and formation of clergy. (§635.2o, p, q)

Jesse, the veteran local pastor in this scenario, voices what may be a common clergy sentiment. In the past, the required “regular and up-to-date” sexual ethics training has typically consisted of the same six-hour workshop on boundaries offered once every four years. Now that these topics are clearly required in seminary and Course of Study, Annual Conferences are able to build upon this foundation to address newly emerging issues and have in-depth conversation about the difficult ethical issues that clergy face.

## **SCENARIO 3: INTERVIEWING CANDIDATES ABOUT PROFESSIONAL ETHICS AND BOUNDARIES**

### *Presentation of Case*

The BOM is interviewing 12 candidates for provisional membership this year. During the interview process, BOM member Frank routinely asks each unmarried candidate about their dating habits, social lives, sexual behaviors and how each intends to maintain appropriate professional boundaries in ministry. Frank does not ask these questions of married candidates. Another BOM member, Sara, asks all the female candidates about how they plan to balance work and family. Sara also asks married women what they will do if conflicts arise between their appointment and their husband’s employment. In contrast, Sara asks male candidates questions about their soteriology and vision for the church.

### *Issue to Consider*

How can the BOM inquire about candidates’ work/life balance and social life while avoiding inappropriate questions or discriminatory treatment?

Scenario 3 depicts a mixture of both helpful and unethical BOM practices. Frank and Sara should be commended for asking candidates to respond to difficult questions related to professional sexual ethics and work/life balance. However, the tenor of their queries and the biases they bring to their questions should be corrected. When BOM members ask a different set of questions to candidates based on their marital status, sex, race or other factor protected from discrimination, the board shows bias to candidates and holds them to different standards of behavior.

The discriminatory way in which Sara and Frank pose questions only to certain categories of candidates is unethical. The BOM should treat candidates consistently. Sara and Frank need to be held accountable by the rest of the BOM for their discriminatory questioning. Frank should ask married and unmarried persons about their social lives and sexual boundaries. The majority of sexual misconduct cases in the UMC involve married clergy. Likewise, Sara should ask male and female candidates about work/life balance and family concerns that may impact their appointment availability. She should also ask the female candidates about their soteriology and vision for the church.

The BOM examines, interviews and reports its recommendations regarding candidates' fitness for ministry. (§635.2 h, j) Part of that examination process should include attention to professional ethics for ministry.

## Sample Interview Questions Pertaining to Clergy Ethics

- How do you understand pastoral confidentiality, and what are the mandatory reporting laws in your state?
- How do you plan to balance your need for a social life with the needs of the congregation(s) or other ministry to which you are appointed?
- When you find yourself sexually attracted to a parishioner, what safeguards do you put in place to maintain appropriate boundaries and guard the best interests of that parishioner?
- How does your online presence (through social networking, blogs, Facebook, etc.) reflect your professional role as minister?
- What actions have you taken to engage in practices/resources available for healthy living and taking care of yourself as a minister?
- Describe an incident as a seminary (or Course of Study) student when you held a classmate accountable for a violation of professional ethics (e.g., school honor code). What expectations do you have for how your ministry colleagues will hold you accountable to uphold professional ethics in ministry?
- What is your plan for handling a sexual advance by a church member?
- What are the limits of your abilities to provide counseling, and how do you communicate these limits to your church members?
- If a church member offers you a substantial gift (car, use of vacation home, large amount of money, etc.), how would you respond so as to maintain an appropriate ministerial relationship?

While specific beliefs and theological commitments may vary by person, region and culture, every candidate should be able to engage these questions thoughtfully.

### SCENARIO 4: READMISSION TO ORDAINED MINISTRY

#### *Presentation of Case*

The BOM interviews two former clergypersons who wish to return to effective relationship with the conference. (§635.2l(2))

Bill is requesting readmission as an elder in full connection. (§366) Three years ago, he withdrew his membership from the Annual Conference after a formal complaint was filed against him alleging sexual misconduct. (§360.3) He subsequently



submitted a letter admitting his guilt and offering restitution to those he harmed. Since that time, he has worked with the bishop to develop a plan for restoration, which has included two years of psychological counseling and regular sessions with a spiritual director. During his absence from ministry, he has refrained from contact with the primary victim of his abuse and from the congregation whose trust he violated. He is clearly remorseful over the sexual relationship he initiated with a parishioner in the church where he was appointed and vows never to do this again.

Linda is requesting readmission as a deacon in full connection. (§366) Five years ago, she withdrew her membership from the Annual Conference under complaint of sexual misconduct. (§360.3) The conference records indicate that the investigation was dropped when she surrendered her credentials and that the complaint was never adjudicated. Simultaneously, the complainant (person bringing the complaint) was asked to sign a nondisclosure statement that prevented discussing the matter with anyone. Since that time, Linda has lived in the same community and has set up practice as an independent spiritual consultant, serving many of the church members from her last appointment. She explains that the allegations against her were false but that she was forced to surrender her credentials by the (former) bishop. Now that there is a new bishop, she is seeking readmission.

### *Issue to Consider*

Can a person who admits to clergy sexual misconduct ever be readmitted to licensed or ordained ministry?

Bill's situation in Scenario 4 offers a textbook case of what must be done for readmission to be considered. He has admitted his guilt, repented, sought forgiveness, made restitution, established appropriate boundaries and sought professional healing. His violation was a single incident, which he vows never to repeat. The situation seems to satisfy all of the criteria listed in the Behavioral Health Guidelines. The BOM's role is to determine if Bill is fit for ordained ministry. Does he have appropriate moral character? Were he to be readmitted, can he be trusted to maintain appropriate interpersonal boundaries with his church members? The BOM must decide whether to recommend Bill for readmission. The Behavioral Health Guidelines provide accepted standards for behavior, as well as questions to begin the discussion in helping the BOM determine Bill's fitness for ministry. Examining the file about this situation and knowing the details about Bill's case will assist the BOM in making its decision.

Linda's situation is much different from Bill's. The BOM has no way of knowing the validity of the original allegation. She did not admit fault, and the person who lodged the complaint is not free to discuss the situation, according to a written agreement that brought "closure" to the allegation five years ago. Furthermore, the bishop ceased the investigation when Linda surrendered credentials. The bishop never ruled if there was any basis in fact or church law to support a charge of sexual misconduct, and Linda has continued in independent ministry. In summary, Linda says the allegation was unfounded, the complainant is contractually bound to say nothing and the conference abandoned the matter as soon as Linda withdrew her membership. The failure of the bishop to adjudicate this complaint five years ago has created difficulties for all parties – the BOM, Linda, the complainant, Linda's former congregation and the community. When deciding whether or not to readmit Linda, the BOM faces many unanswered questions about this situation. These issues will need to be resolved to the satisfaction of the BOM before a decision about readmission can be made.

## **Ethics for the BOM**

The scenarios above remind the BOM of how critical it is to document, in writing, any circumstances related to status change – whether voluntary or involuntary – in the career of a clergyperson. BOMs and dCOMs are transitory by nature, and as those who were not involved in the original situation are called upon to make decisions, a written history may be the only record of what happened in a given situation. (See Chapter 25 for an explanation of GCFA guidelines as related to Clergy Personnel and Supervisory Files.)

The BOM is ethically responsible for the way it conducts itself and its business. The BOM has positive ethical duties to demonstrate inclusiveness and address discrimination and should be attentive to gender, racial and ethnic inclusion, as well as

discriminatory practices and attitudes. Regarding its “primary responsibility for the enlistment and recruitment of ministerial leadership for our churches and other ministry settings,” the BOM is “to study and interpret the ordained, licensed, certified and assigned ministerial leadership needs and resources of the annual conference, with due regard to the inclusive nature of the church.” (§635.2a) This includes enlisting “women and men of all races and ethnic origins” and valuing “an understanding of and appreciation for persons of different racial and ethnic heritages.” (§635.2a) Attentiveness to age, ethnicity and gender, as well as cultural contexts, is crucial for maintaining an appointment process that “denies every semblance of discrimination.” (§140) The BOM also has an ethical responsibility to monitor itself and its committees for inclusivity. For example, the BOM’s Conference Relations Committee, responsible for conducting fair process hearings in any request for an involuntary status change, should be constituted to ensure “racial, ethnic and gender diversity.” (§361.2) The Commission on the Status and Role of Women and the Commission on Religion and Race can assist in these tasks.

## Resources

- “Behavioral Health Guidelines for Boards of Ministry,” General Board of Higher Education and Ministry, 2011.
- Bush, Joseph E., Jr. *Gentle Shepherding: Pastoral Ethics and Leadership*. St. Louis: Chalice, 2006.
- “Checklist for Administrative Fair Process,” General Board of Higher Education and Ministry, Division of Ordained Ministry, 2013.
- Cooper, Beth. “Sexual Harassment of United Methodist Clergywomen by Laity,” *Living the Sacred Trust: Clergy Sexual Ethics*, 2010 ed., sec. III. Nashville: General Board of Higher Education and Ministry, 2010.
- Erickson-Pearson, Jan. *Safe Connections: What Parishioners Can Do to Understand and Prevent Clergy Sexual Abuse*. Chicago: Evangelical Lutheran Church in America, 1996, rev. 2005. Pp. 33-35.
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\_\_\_\_\_. “Sexual Ethics as Integral Part of Formation for Ministerial Leadership,” *The Book of Resolutions of The United Methodist Church*. Nashville: United Methodist Publishing House, 146-152.

\_\_\_\_\_. “Sexual Misconduct within Ministerial Relationships.” *The Book of Resolutions of The United Methodist Church* 2012. Nashville: United Methodist Publishing House, 134-140.

## Websites

General Commission on the Status and Role of Women: [www.umsexualethics.org](http://www.umsexualethics.org) and [www.gcsrw.org](http://www.gcsrw.org)

General Commission on Religion and Race: [www.gcorr.org](http://www.gcorr.org).

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<sup>i</sup> For a fuller discussion, see Darryl W. Stephens, “Fiduciary Duty and Sacred Trust,” *Living the Sacred Trust: Clergy Sexual Ethics, 2010 ed., sec. II* (Nashville: General Board of Higher Education and Ministry).

<sup>ii</sup> All references to the BOR are from the 2012 *Book of Resolutions of The United Methodist Church* (Nashville: The United Methodist Publishing House).

<sup>iii</sup> Judicial Council has issued several rulings pertaining to sexual misconduct (including JCDs 736, 839, 1094 and 1228). In Decision 1228, the Judicial Council recognized “the Discipline’s position that a sexual relationship outside of heterosexual marriage is misconduct,” and in a concurring opinion, all nine members hearing the case asserted that dating, romantic or sexual relationships between clergy and their parishioners “are never appropriate because of imbalance of power.” This interpretation is consistent with the concurring opinion offered in Decision 1094, emphasizing how such a situation is an abuse of pastoral power. However, both concurring opinions go beyond the narrow questions of law considered in each decision, and annual conferences, in practice and in policy, are not consistent in recognizing the situation of a clergy person dating her or his parishioner as inherently an instance of sexual misconduct.

<sup>iv</sup> Jan Erickson-Pearson, *Safe Connections: What Parishioners Can Do to Understand and Prevent Clergy Sexual Abuse* (Chicago: Evangelical Lutheran Church in America, 1996, rev. 2005), 33-35.

<sup>v</sup> For a discussion of safeguards, see Stephens, “Fiduciary Duty and Sacred Trust,” 14-15. Also, Karen Lebacqz and Ronald G. Barton, *Sex in the Parish* (Louisville: Westminster / John Knox, 1991), 128-131, 189. For examples of conference policy statements on clergy dating, see Stephens, “Moral Exemplar or Ethical Professional?”