

**General Commission on Ministry
Policy and Procedures for Responding to
Clergy Misconduct of
Persons Whose Standing is Lodged with the
General Commission on Ministry**

I. Introduction

The General Commission on Ministry of the Christian Church (Disciples of Christ) in the United States and Canada establishes this policy and defines the following procedures so that the Commission can appropriately respond when clergy whose Standing is certified by the General Commission on Ministry (GCOM) are charged with misconduct.

GCOM strives to promote and maintain a ministry environment in which people are treated with dignity, decency, and respect. The environment of the church should be characterized by mutual trust and the absence of intimidation, oppression, and exploitation. GCOM will not tolerate unlawful discrimination or harassment of any kind by clergy whose standing is lodged with GCOM, through enforcement of this policy. By promoting education for staff & ministry affiliates of the Christian Church (Disciples of Christ), GCOM will seek to prevent, correct, and discipline behavior that violates this policy.

This policy applies to all areas of ministry practice. This policy may apply to discrimination (including harassment) that occurs between clergy, laity, and ministry affiliates of the Christian Church (Disciples of Christ) that takes place outside the workplace or ministry context (including, but not limited to, online conduct or conduct utilizing the internet or other electronic media).

II. Definitions

- A. Minister: An Ordained or Commissioned minister of the Christian Church (Disciples of Christ) with Standing certified by the General Commission on Ministry.
- B. General Commission on Ministry: The commission appointed by the General Minister and President of the Christian Church (Disciples of Christ) that certifies Standing of all those not certified by Regional Committees on Ministry (namely, General ministry employees, missionaries, military chaplains, ecumenical ministers, and regional ministers as indicated in "Theological Foundations and Policies and Criteria for the Ordering of Ministry, section II, F, 1, e, line 964.)

- 44 C. Ministerial Standing: Affirmation that an ordained or commissioned minister is
45 currently engaged in the practice of ministry, whether on an occasional, part-time,
46 or full-time basis, with continuous accountability maintained with a calling body.
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- 48 D. Employer: The organization, related institution, General or Regional ministry that
49 calls a minister to carry out a particular ministry
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- 51 E. Investigative File: That body of material used by the General Commission on
52 Ministry to determine the merits of the case. Such file is secured with the Office
53 of General Minister and President for a minimum of fifty years.
54
- 55 F. Advisor: Person to help the complainant understand the process.
56
- 57 G. Clergy Misconduct – Any violation of the *Ministerial Code of Ethics of the Christian*
58 *Church (Disciples of Christ)*
59
- 60 H. Appropriate Dating Relationship: A loving, caring, respectful relationship
61 between two consenting adults where professional boundaries and power issues
62 are clearly understood and maintained. Because of the subtlety of power abuse
63 issues in clergy relationships, it is problematic for clergy to engage persons
64 within their ministry setting or professional relationships in a dating relationship.
65 After an acknowledged dating relationship has begun, it is problematic for the
66 non-clergy person to join the church, congregation or ministry setting in which
67 the minister serves. Therefore, care must be taken to recognize potential power
68 dynamics and role conflicts that may impact the health of the relationship and
69 the ministry as a whole. Acknowledged Dating Relationship: A loving, caring,
70 respectful relationship between two consenting adults when the clergy person
71 immediately informs their pastor, supervisor or moderator of their board of the
72 beginning of a dating relationship.
73
- 74 I. Clergy Sexual Misconduct: A range of behaviors defined as sexual harassment;
75 sexual misconduct; adultery and promiscuity; and child sexual abuse between a
76 minister and their parishioners, clients, and those the minister supervises or
77 serves in a professional capacity within or outside the church or ministry setting.
78 Such behavior crosses appropriate professional boundaries and is an abuse of
79 the trust placed in and the responsibilities and privileges of the ministerial role.
80 Such misconduct violates pastoral ethics. In all instances, the minister is
81 responsible for maintaining professional boundaries, regardless of the behavior
82 of other persons.
83
- 84 i. Sexual Harassment:
85 a form of unlawful employment discrimination under Title VII of the Civil Rights
86 Act of 1964 and is prohibited under GCOM's anti-harassment policy. According
87 to the Equal Employment Opportunity Commission (EEOC), sexual harassment is
88 defined as "unwelcome sexual advances, requests for sexual favors, and other

verbal or physical conduct of a sexual nature...when...submission to or rejection of such conduct is used as the basis for employment decisions, or such conduct has the purpose or effect of creating an intimidating, hostile or offensive work environment.” **Examples: inappropriate sexual comments, remarks about someone’s body, explicitly emails and phone calls, sexually inappropriate images or videos, suggestive letters or notes or inappropriate gestures.**

Generally defined to include sexual advances, requests for sexual favors, and/or other verbal, written, electronic, or physical conduct of a sexual nature when:

- Submission to such is made either explicitly or implicitly a term of an individual’s employment (in this case, paid or volunteer) or his or her continued status in an institution.
- Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individuals.
- Such conduct has the purpose or effect of interfering with work performance by creating an intimidating, hostile, or offensive work environment based on the declared judgment of the affected individual.
- Such conditions create an intimidating, hostile, or offensive environment for another individual regardless of the specific setting or circumstances or the relationship between the two individuals most directly involved.

ii. Sexual Misconduct includes any of the following:

- Sexual contact with a minor.¹
- Sexual harassment.
- Rape or sexual contact by force, threat, or intimidation.
- Sexual malfeasance, which is defined as a breach of trust resulting from sexual contact (contact with genitalia, buttocks or breasts) within a ministerial or professional relationship.
- Unwelcome or offensive behaviors, including winks, leers, suggestive comments, crude language, pinching or tickling someone, or inappropriate hugs and kisses.

iii. Child Sexual Abuse includes, but is not limited to, any sexualized contact or interaction between a minor and an adult. The behavior may or may not involve touching. Sexual behavior between a minor and an adult is always considered forced.

J. Other forms of harassment and discrimination:

¹ Minor is defined by law in the state or province where the alleged misconduct occurred

- **Non-verbal harassment** includes distribution, display or discussion of any written or graphic material that ridicules, denigrates, insults, belittles or shows hostility, aversion or disrespect toward an individual or group because of race, color, national origin, age, religion, disability status, gender, sexual orientation, gender identity, genetic information or marital status. **Examples: pinching, patting, rubbing, purposefully brushing up against another person, sharing demeaning pictures, cartoons, jokes; demeaning gestures, unwanted hugs, hitting, pushing, groping and other touching.**
- **Cyber Bullying** – the use of electronic communication to bully another individual, typically by sending communication of an intimidating or threatening nature.
- **Verbal harassment** includes comments that are offensive or unwelcome regarding a person’s race, color, national origin, age, religion, disability status, gender, sexual orientation, gender identity, genetic information, marital status or political beliefs. **Examples: whistling, slurs, derogatory or threatening comments, racist slang or phrases, wearing clothing that could be offensive to an ethnic group, jokes, innuendos, name-calling and insults.**
- **Discrimination** – it is a violation of GCOM’s policy to discriminate in the provision of employment opportunities, benefits or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person’s race, color, national origin, age, religion, disability status, gender, sexual orientation, gender identity, genetic information, marital status or political beliefs.

III. General Policies

A. Clergy misconduct as defined above will not be tolerated by the General Commission on Ministry. GCOM encourages reporting of all perceived incidents of discrimination, harassment or retaliation, regardless of the offender’s identity or position. Individuals who believe that they have been the victim of such conduct by ministers whose standing is with GCOM should communicate their concerns to the current chair of GCOM and/or the General Minister and President. See the complaint procedure described below. In addition, GCOM encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that their behavior is unwelcome and to request that it be discontinued. Often this action alone will resolve the problem. GCOM recognizes, however, that an individual may prefer to pursue the matter through complaint procedures. If the complaint is against the General Minister and President, the complaint should be addressed to the current Moderator of the Christian Church (Disciples of Christ).

B. It is the responsibility of the General Commission on Ministry to have specific

procedures for receiving, investigating, and adjudicating misconduct charges of ministers with Standing through the General Commission on Ministry. It is within the purview of the General Commission on Ministry to adjudicate matters related to ministerial Standing; it is within the purview of the employer to exercise employment supervisory responsibilities.

C. All parties (minister, endorser/General ministry head) shall notify the General Commission on Ministry (including the Region where Standing is held in the case of a Regional Minister) of any circumstance or situation that may result in a challenge to a person's Standing.

D. All negotiated settlements, formal decisions, and actions by the General Commission on Ministry are final. They will be reported to the Division of Homeland Ministries, Inc., hereafter referred to as Disciples Home Missions, and may be available to congregations, Regions and General ministries upon request and signed appropriate release form.

E. In emergency situations of alleged misconduct, ministerial standing may be temporarily suspended by the General Commission on Ministry. An emergency situation would include, but not be limited to, accusations involving a minor, when there is threat of immediate harm, or when a major crime has been alleged or committed.

IV. Care for Victims

A. The victim(s) of the alleged misconduct shall be offered professional pastoral care and counseling as necessary and as negotiated and authorized by the Chair of the General Commission on Ministry.

B. The Chair of the General Commission on Ministry will negotiate professional pastoral care and counseling to the ministry site, as necessary.

V. Procedures

A. Structure of the General Commission Process:

i. The General Commission on Ministry shall appoint and prepare a Standing Response Team of various identities. These are to be appointed to four-year staggered terms. The Response Team shall be composed of at least twelve persons including both men and women. Ideally, the members of the Response Team shall come from the Regions of Indiana, West Virginia, and Mid-America (locales of General Ministry offices) and designated representatives of General ministries. The chairperson of General Commission on Ministry or designee shall be an ex-officio member of the team and kept regularly informed of the team's work but will not chair the team. The General Minister and President will

217 appoint the Chair of the Response Team. Members of GCOM will not be appointed
218 to the Response Team.
219

220 ii. As necessary, the General Commission on Ministry will cooperate with
221 Regions following *Guidelines for Inter-Regional Cooperation on Matters*
222 *of Fitness for Ministry* attached as an appendix to this policy.
223

224 iii. The investigation of a complaint is the sole responsibility of the Response Team,
225 and it is the team's purpose to attempt to determine an objective record of the
226 facts in the case. A written record will be kept of all proceedings, interviews, and
227 conversations, as well as a log of phone calls and meetings.
228

229 iv. The investigation may, but not necessarily, be undertaken in cooperation with
230 the region in the case of an allegation filed against an Executive Regional
231 Minister. In all cases, authority for the investigation remains with the General
232 Commission on Ministry.
233

234 B. Receipt of Complaint:

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236 i. Any person may submit a signed, written complaint charging misconduct by a
237 minister. The initial complaint must be specific as to the alleged behavior. There
238 may be instances when an oral complaint is all that is received. In such cases, the
239 receiving party must produce the complaint in writing.
240

241 ii. The complaint must be submitted to the General Minister and President or the
242 chair of the General Commission on Ministry.
243

244 iii. In the case of sexual misconduct, upon receipt of the complaint, if the victim is a
245 minor, the Chair of the General Commission on Ministry or the General Minister
246 and President is mandated to immediately report to the appropriate secular
247 authorities (i.e. Child Protective Services, local law enforcement, etc.).
248

249 iv. If appropriate, the Chair of the General Commission on Ministry or General
250 Minister and President will report illegal activities to the proper secular
251 authorities.
252

253 v. Should the complainant decide not to pursue the formal complaint process,
254 the General Commission on Ministry may continue its investigation and action
255 if it has discovered sufficient information to suggest misconduct has occurred.
256 In that case, additional interviews may be required and shall be conducted by
257 members of the Response Team.
258

259 C. Investigation of Complaint:

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261 i. Upon receipt of a complaint, the Chair of the Response Team will assign two of its

members, a man and a woman, to meet with the complainant (and victim if the complainant is not the victim) and proceed within 30 days to begin a timely investigation. In the case of a minor, the investigation will proceed immediately. In addition to gathering information about the complaint, the purpose of this meeting is to let the complainant (and the victim if the complainant is not the victim) know that the complaint is being taken seriously. Information about the process to be followed will be shared with the complainant (and the victim if the complainant is not the victim) at this meeting.

- ii. The Chair of the Response Team, in consultation with the complainant (and the victim if the complainant is not the victim), will appoint an advisor from the Response Team whose task will be to help the complainant (and the victim if the complainant is not the victim) understand the process.
- iii. When the two members of the team meet with the complainant (and the victim if the complainant is not the victim), they will obtain a written record of the complaint signed by the complainant. Other persons may also be interviewed if it is deemed necessary to the investigation. The two members of the Response Team will meet with the minister to share the details of the complaint, explain the process, and receive a written response to the allegations. The Response Team will demonstrate sensitivity to the complainant (and the victim if the complainant is not the victim) and minister in selecting a meeting place.

The two members of the team who meet with the complainant (and the victim if the complainant is not the victim) and minister will prepare a written statement for the Response Team. The Response Team will determine whether there is sufficient cause to continue the investigation. The Response Team will report their recommendation to the General Minister and President and the Chair of the General Commission on Ministry. Based on the recommendation, the General Minister and the Chair of the General Commission on Ministry may determine there is insufficient cause to continue the investigation. In that case, the complainant (and the victim if the complainant is not the victim) and the minister will be informed of this decision by the General Minister and the Chair of the General Commission on Ministry. If the General Minister and the Chair of the General Commission on Ministry are divided in their judgement as to whether there is sufficient cause to continue the investigation, the investigation will be continued. In the case that an investigation is continued, the Chair of the General Commission on Ministry will inform the full Commission that an investigation is underway but need not include details of the investigation.

- v. If it is decided to continue the investigation, the Chair of the Response Team will notify the appropriate leadership of the employing or calling body that this matter is under investigation.
- vi. Emergency Suspension of Ministerial Standing. In the event of an unusually grave or emergency situation, the General Commission on Ministry may temporarily suspend ministerial Standing. Acting on behalf of the General Commission, the Chair of the

General Commission on Ministry or the General Minister and President may temporarily suspend Standing. If a Regional Minister's Standing is removed as an emergency suspension of ministerial Standing, this suspension would automatically suspend the Regional Minister's Standing in the Region in which they serve. The Chair of GCOM has the responsibility to be certain that both the General Minister and President and the Chair of the Regional Commission/Committee on Ministry of the Region, where the Regional Minister serves, has been contacted. This emergency suspension is intended to interrupt the ministry and ministerial search and call process while severe allegations are being explored. During this period of emergency suspension, the investigation and decision-making process continue. Full written notice of this decision for emergency suspension shall be given to the minister against whom allegations have been made and to Disciples Home Missions, the ministry site being served, and any other bodies which have relied on the Christian Church (Disciples of Christ) Standing for endorsement, approval, or recognition.

- vii. In the event that the accused minister resigns or retires but does not voluntarily forfeits Standing before the investigation process is complete, the investigation will continue until a determination is reached.² The final determination will become a part of the minister's permanent file and be communicated to the appropriate parties. If the minister voluntarily forfeits Standing before the completion of the investigation, the investigation will cease and be noted in their permanent file. If at any time the minister seeks reinstatement, the investigation will resume.

D. Pre-Hearing Process

- i. The Chair of the Response Team and the Chair of GCOM will meet to determine proposed remedies in the event the minister admits culpability in ii.
- ii. The Chair of the Response Team and the two members of the Response Team will meet with the minister. If the minister admits culpability for the substance of the charge in the complaint, an agreement may be reached at this stage.
- iii. Such an agreement will include one or more of the following: (1) resignation of his or her position;² (2) treatment by a therapist specializing in pastoral sexual/ethical misconduct; (3) supervised probation; (4) removal of Standing with cause; (5) reimbursement of all costs associated with counseling or therapy of the victim; (6) restitution
- iv. The agreement will be forwarded to the Chair of the General Commission on Ministry. If the General Commission on Ministry approves, the agreement will be reported in writing to the Disciples Home Missions, and the appropriate executive if previously notified.

² Resignation of a position by a commissioned minister automatically results in loss of Standing

- 350 v. If the minister does not admit culpability or if negotiation fails to reach a
351 mutually satisfactory resolution, then the General Commission on Ministry
352 will proceed to conduct a formal hearing.

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354 E. Formal Hearing:

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356 i. A formal hearing may be required by the General Commission on
357 Ministry or requested by the minister against whom the complaint has
358 been filed.
- 359
360 ii. The Hearing Board shall be comprised of five members of the General
361 Commission on Ministry appointed by the GCOM chair.
- 362
363 iii. The hearing will seek to be fair to all concerned, but it is not held to strict legal
364 procedures. The General Commission on Ministry will establish particular rules
365 for the hearing. The Hearing Board will demonstrate sensitivity in selecting the
366 hearing meeting place.
- 367
368 iv. Since this is an ecclesial and not a legal proceeding, neither the minister who is
369 charged nor the complainant (nor the victim if the complainant is not the
370 victim) may be represented by legal counsel. Attorneys and officers of the
371 secular court have no role within an ecclesial proceeding. However, both the
372 minister and the complainant (and the victim if the complainant is not the
373 victim) may select an advocate to provide support, care and procedural
374 guidance, but may not speak on behalf of the complainant or the accused.
- 375
376 v. At least thirty (30) days prior to the formal hearing, a written statement of
377 charges will be provided to the minister and written notice given to all parties
378 of the time and place of the hearing.
- 379
380 vi. At the hearing, the Response Team Chair or designee is responsible for
381 presenting the case against the minister. The minister may request others to
382 appear before the Formal Hearing Board if relevance is determined by the
383 Board. Once the hearing is requested, all materials and requests for witnesses
384 must be submitted to the Chair of the Formal Hearing Board within two
385 weeks. Only the Formal Hearing Board may ask questions of those who
386 appear before the Board
- 387
388 vii. In a situation where the complainant is also a victim of the alleged misconduct, the
389 minister who is charged has a right to have access to the complainant's testimony.
- 390
391 viii. The Hearing Board will make a recommendation to General Commission on
392 Ministry.
- 393
394 ix. The General Commission on Ministry will make a decision regarding the charges and
395 recommend actions. Among the possible actions the General Commission may take

are:

- Dismissal of all charges against the minister.
 - Requiring the minister to 1) pay for, receive treatment by a therapist specializing in pastoral sexual/ethical misconduct, and sign a release to allow the therapist to report to General Commission on Ministry; 2) confess wrongdoing and seek forgiveness from the victim and all those affected by the misconduct; 3) if appropriate, make restitution
 - Requiring the minister to pay for counseling for the victim.
 - Removal of the minister's Standing with possibility of reinstatement (see section VII)
 - Permanent removal of Standing.
- x. All decisions and rationale of the General Commission will be recorded in the minister's investigative file. This file will be secured in the Office of the General Minister and President for a minimum of fifty years. The General Minister and President of the Christian Church (Disciples of Christ), the Disciples Home Missions, the appropriate employer, and all regional ministers will be notified in writing of the action taken.
- xi. All decisions and rationale of the General Commission on Ministry will be reported in writing to the complainant (and the victim if the complainant is not the victim.)
- xii. If Standing is not removed but the charges are not dismissed, and other action is taken, this action must be disclosed in all future Search and Call Profiles of the minister.
- xiii. If the allegations prove false, all records will be sealed, only to be opened for civil or criminal proceedings. The General Commission on Ministry will negotiate professional pastoral care and counseling for the minister.

VI. Right of Appeal

- A. All decisions with respect to Standing may be appealed to the General Commission on Ministry within a year from the date on which decisions are final.
- B. The acceptable grounds for appeal are:
- The appellant believes that he or she did not receive a fair hearing
 - The appellant believes the General Commission on Ministry violated its own written ministerial policies and procedures.
 - The appellant believes the General Commission on Ministry violated the *Theological Foundations and Policies and Criteria for the Ordering of Ministry of the Christian Church (Disciples of Christ)*.

439 **VII. Restoration of Standing**

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441 A. Persons whose Standing has been removed with possibility of reinstatement may
442 apply in writing to the General Commission on Ministry after a period of no less
443 than thirty-six months, requesting restoration of Standing. The General Commission
444 on Ministry will consider the request at its next regularly scheduled meeting.

445
446 i. The applicant will provide all available necessary documents and
447 information pertaining to the Standing request.

448
449 ii. The General Commission on Ministry will gather further information from the
450 files of the process that resulted in removal of Standing about the
451 circumstances that resulted in the removal of Standing and the basis for the
452 decision for removal of Standing. When possible, a member of the General
453 Commission on Ministry involved in the original decision will be consulted.

454
455 iii. The complainant (and the victim if the complainant is not the victim) must be
456 notified in writing that they may make a written statement to the Commission
457 about the applicant's request for reinstatement of Standing.

458
459 B. The General Commission on Ministry will determine if restitution, rehabilitation, and
460 preparation for return to ministry have occurred in the intervening time since the
461 loss of Standing.

462
463 i. The General Commission on Ministry may require documentation of
464 professional assessment.

465 ii. The General Commission on Ministry may require the minister to
466 demonstrate strategies for long-term treatment, monitoring of behavior,
467 and supervision.

468
469 C. If Standing is restored, this will be communicated to the Office of Search and Call.
470 Records of any disciplinary action and restoration, if applicable, remain in the minister's
471 investigative file and, upon written request to the General Commission on Ministry, may
472 be available to future employers.

473
474 D. Any minister whose Standing has been restored after removal must disclose that
475 Standing was removed for cause and restored in all Search and Call disclosure forms
476 from that time forward. Failure to disclose will be cause for termination of Standing
477 *[Theological Foundations and Policies and Criteria for the Ordering of Ministry of the*
478 *Christian Church (Disciples of Christ), F. 4. d.]*

479
480 **VIII. The General Commission on Ministry shall review these policies and procedures**
481 **annually.**

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483 **Adopted, August 2002; amended, August 2005, August 2007, August 2010, August 2011,**

484 **and August 2012; reviewed, August 2013; amended, August 2014, August 2015, August**
485 **2016, and August 2017, January 2019, January 2021, amended January 2023**
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491 **ADDENDUM**

492 **Guidelines for Inter-Regional Cooperation**

493 **On Matters of Fitness for Ministry**

494
495 In the Christian Church (Disciples of Christ) the authority to grant and remove ministerial
496 standing rests with the Region or General Commission on Ministry that certifies the minister's
497 standing. While other Regions and ecclesiastical bodies may have interest and influence, the
498 final authority to remove standing rests solely with the body where standing is certified.

499
500 However, at times, more than one Region of the Christian Church (Disciples of Christ), United
501 Church of Christ Association, or other ecclesiastical body of another denomination may have an
502 interest in or concern about the ministerial standing of a particular person. It is recommended
503 that when more than one Region or ecclesiastical body is involved, the Region certifying the
504 standing invite the other Region or ecclesiastical body to cooperate in appropriate ways. Such
505 cooperation is often sought when a student in one Region is attending seminary located within
506 a different Region. The authorizing Region may request the Region where the seminary is
507 located to include the person in Regional events, offer support, and take under courtesy care.

508
509 Cooperation is essential when a minister whose fitness is questioned currently has ministerial
510 standing in a Region other than the Region where the misconduct or situation in question
511 occurred. The Region certifying the ministerial standing may ask the Region where the situation
512 in question occurred to gather information on its behalf and/or provide pastoral support for the
513 person raising the question of fitness. Only the Region certifying ministerial standing can make
514 decisions regarding the minister whose fitness is in question. This Region is also responsible for
515 providing pastoral care of the accused. Similar types of cooperation also may occur between a
516 Christian Church (Disciples of Christ) Region and a United Church of Christ Association when a
517 situation involves a person with ordained ministerial partner standing.

518
519 In all cases where Regions work together, all need to be aware of the policies operating in each.
520 Before initiating a review of standing, it is helpful if the Regions reach an agreement on the way
521 to proceed and clarify roles and procedures to be followed.