

HORIZON TEXAS CONFERENCE SEXUAL ETHICS POLICIES AND PROCEDURES

INTRODUCTION AND PURPOSE

This policy is designed to assist all members and constituents of the Horizon Texas Conference of The United Methodist Church in identifying, preventing, responding to, and reconciling issues related to sexual misconduct, and in helping local church and ministry settings in developing and implementing local policies and human resource systems that do the same. Church officials of the annual conference are expected to adhere to this policy.

In this document you will find conference policy on:

- Clergy Sexual Ethics
- Sexual Ethics for Laity

To aid in compliance with these policies and procedures, you will find:

- Definitions of relevant terms related to sexual misconduct within the Conference
- Clarification of the standards of conduct for clergy and laity
- Procedures for reporting misconduct
- Guidelines for responding to sexual misconduct
- Information and expectations regarding confidentiality
- Healing and accountability resources available through the HTC
- Education, training requirements, and dissemination of Sexual Ethics Policy and Procedures
- Appendix of information referenced in this policy and links to digital resources to assist in your work

Foundational Principles and Purpose

The Horizon Texas Conference of The United Methodist Church (HTCUMC, HTC) believes that any form of sexual misconduct within the Church, whether committed by clergy or lay persons, is a betrayal of sacred trust (BOR 3351) and incompatible with biblical teachings of hospitality, justice, and healing and prevent us from being able to carry out the mission of the Church to make disciples of Jesus Christ for the transformation of the world. Per the 2020/2024 BOD ¶162, Other Social Issues, M, we, The Horizon Texas Conference, condemn all forms of sexual misconduct and consider them “grave violations of the established behavioral norms within the church as well as society,” and acknowledge our responsibility to:

- Create an environment free of sexual misconduct for all persons
- Investigate allegations of sexual misconduct within the Church and hold those in violation accountable (“Even unsubstantiated reports of assault or abuse must be investigated immediately.” (BOD ¶162, Other Social Issues, M)
- Take appropriate action in compliance with the Book of Discipline (BOD) and this policy in response to all misconduct

- Attend to the healing of all direct and indirect victims of the misconduct (BOD ¶363.8 a,b, ¶363.5, ¶363.6.a, ¶2701.4.c)

The Horizon Texas Conference of The United Methodist Church has a practice of creating policies and procedures to protect vulnerable individuals. These policies and procedures create minimum standards of training, screening, and supervision for volunteers and staff members. This policy aligns with these core values as it attempts to equip local congregations in the prevention of sexual misconduct and to train, screen, and provide supervision for clergy members of the annual conference.

At the Horizon Texas Conference of The United Methodist Church, we embrace our community's diversity, which spans racial, ethnic, cultural, gender, sexual orientation, and linguistic lines. As we navigate through the complexities of personal conduct and sexual ethics, we are guided by principles of equity and justice that apply uniformly to all, regardless of background. Our dedication to diversity does not imply varying standards or treatment but reinforces our collective commitment to uphold the dignity and respect of every person, aligning with our faith's teachings, the mission of The United Methodist Church, and state and federal law.

DEFINITIONS AND TERMS

Terms Regarding Sexual Misconduct

Sexualized Behavior: All human interaction has a sexual dimension. The choice to make that sexual dimension overt sexualizes the interaction, therefore sexualizing the relationship. *Sexualized behavior* includes a range of behavior: physical, verbal, nonverbal, that communicates sexual interest and/or content. Examples include but are not limited to: displaying sexually suggestive visual materials, use of pornography, sexualized jokes, making sexual comments or innuendo about one's own or another person's body; touching another person's body/hair/clothing; touching or rubbing oneself in the presence of another person; kissing; and sexual intercourse. (BOR #3351, ¶3352)

Sexualized behavior can be a form of sexual misconduct when this behavior is unwanted by the recipient or witness, is a violation of our state, federal, United Methodist Church's law, breaks the sacred trust in the ministerial role, or violates the vows taken at membership or ordination.

Abuse of Power: "The abuse of power occurs when we use power to gratify our own needs rather than to carry out God's sacred trust. It happens when we refuse to own the responsibility of guardianship that comes with the privilege of power." -Ann Smith, *Alive Now*.

Sexual Misconduct: A betrayal of sacred trust. Sexual misconduct is an umbrella term describing the sexualizing of behavior and communication: verbal, nonverbal, or physical. It is a continuum of unwanted sexual or gender-directed behaviors by either a lay or clergy person within a ministerial relationship (paid or unpaid). The term includes but is not limited to sexual abuse (child or adult), sexual harassment, sexual assault, sexual exploitation, sexual violence, pornography (adult and child), and misuse of the pastoral or ministerial position using sexualized conduct to take advantage of the vulnerability of another. (BOD ¶16, Other Social Issues, M) (BOR #335)

Sexual Misconduct Within a Pastoral (e.g. Clergy with member of a congregation) *or Professional* (e.g. counselor with client, lay employee with a church member) *Relationship-* sexual advances, requests for sexual favors, and verbal or nonverbal conduct of a sexual

nature. This does not apply to healthy relationships between spouses. Includes criminal behaviors in some nations, states, and communities. (BOR #3351)

Confidentiality vs. Secrecy: *Confidentiality* refers to the duty to protect information and share entrusted information responsibly. *Confidentiality* serves purposes such as protecting all victims (we have a legal as well as ethical responsibility to protect children) from exposure and further harm and protecting an accused person from harm that comes from the spread of information unless guilt is admitted or found. *Secrecy* refers to hiding or concealing information and would possibly put other victims in harm's way or interfere with justice.

Sexual Abuse: A form of sexual misconduct, that occurs when a person (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. It can consist of coerced or forced sexual contact and includes those unable to give informed consent. (BOD paragraph 162, Other Social Issues, M); (BOR #3351)

Sexual Harassment: A form of sexual misconduct and occurs when any unwelcome sexual advance or demand, either verbal or physical, that is reasonably perceived by the recipient as demeaning, intimidating, or coercive. It should be understood as an exploitation of a power relationship rather than as exclusively sexual. Sexual harassment includes but is not limited to the creation of a hostile or abusive working environment resulting from discrimination based on gender. (BOD ¶162, Other Social Issues, M) (BOR #335)

Sexual Assault: A form of sexual misconduct that occurs when there is a forced sexual act against one's will. (BOD ¶162, Other Social Issues, M) (BOR 3351)

Sexual Exploitation: A form of sexual misconduct and occurs when sexual activity or contact (not limited to sexual intercourse) in which a minister engaged in the work of the church takes advantage of the vulnerability of a participant by causing or allowing the participant to engage in sexual behavior with the minister. Any sexual contact with a parishioner is considered an exploitation of the professional role and the clergy's responsibility to their laity. Consent by the layperson is not a defense for sexual exploitation.

Sexual Violence: Refers to harmful behaviors that use sex or sexuality to control, intimidate or violate others. Behaviors can include but are not limited to: harassing jokes and comments, inappropriate touching, rape, stalking, incest, assault, date rape, sexual exploitation. Sexual violence is not about sex; it is about violence that misuses sex and sexuality to exert power over others. (What You Need to Know About Sexual Violence, FaithTrust Institute, Used with permission.) (BOD ¶2720 ref. 16)

Pornography: Sexually explicit material that portrays violence, abuse, coercion, domination, humiliation, or degradation for the purpose of arousal. The Book of Discipline Social Principle ¶162.H states, "We strongly oppose pornography and lament its destructive upon cultures, families, and lament its destructive impact upon cultures, families, and individuals."

Child Sexual Abuse Material: The definition used by the FBI to refer to the previously used term child pornography, defined as sexually explicit material that depicts children, and is a violation of federal law.

Terms Regarding Persons and Roles

Clergy and Pastor: Refers to all persons described in 363.1 of the 2020/2024 *Book of Discipline*, which includes “local pastors, associate members, provisional members, and full members” of the Horizon Texas Conference, “including those on leaves of all types, honorable or administrative location, or retirement.”

Laity/Lay person/Congregant: A word used to describe members (and attendees such as visitors for the purposes of protecting all) of a congregation, parish, or other ministry setting.

Lay Leader: Any non-clergy person performing ministry services for or on behalf of the conference, district, or local church. (BOR #3351)

Lay Minister/Ministry Staff: Within a church or ministry setting, any paid or unpaid volunteer or professional staff, clergy or non-clergy, full-time or part-time, who may carry a title such as but not limited to: Leader, Director, Administrator, Assistant, Coordinator, Minister, Counselor, Pastor of, etc. (BOR #3351)

Crisis Response and Care Ministry: Under the supervision of the Horizon Texas Conference for the purposes of prevention, assessment, and individual and congregational healing, this group is given responsibility by the Bishop to administer the Resource Person program, lend guidance and accountability to the Horizon Texas Conference for compliance regarding Sexual Misconduct Policies and Procedures, provide the conference education, training, and resources when needed, and train and deploy Response Teams for congregational crisis intervention services. (BOD ¶363.5, ¶363.6.a, ¶363.8.a,b, ¶2701.4.c) (BOR #3350, #3351)

United Methodist Terms Regarding the Filing of Complaints

Allegation: Initial documented report of an alleged incident of misconduct. An allegation is not a formal complaint. A just resolution is possible at this stage depending on circumstances and willingness of both parties to participate.

Complaint without formal charges: A grievance filed without formal charges

Formal complaint: A written and signed statement claiming misconduct, as set forth in 363.2 *Book of Discipline*.

Aggrieved Person or Complainant: A person who has experienced sexual misconduct by a pastor, a staff person, or lay person serving in a ministerial or leadership role.

Accused or Alleged Offender: The person against whom the allegations of misconduct have been made and are presumed innocent until admission of guilt or proven guilty.

Offender: Someone who has admitted guilt or guilt has been proven. This includes anyone who has been legally convicted of any form of sexual misconduct.

Resource Person: A trained lay volunteer person made available by the Horizon Texas Conference to assist and support aggrieved persons in bringing an allegation or complaint of sexual misconduct, as more fully described in the Horizon Texas Conference Procedure for Reporting Incidents of Clergy Sexual Misconduct. The Resource Person Program falls under the

umbrella of the Crisis Response and Care Ministry and is administered by the Response Ministry Coordinator. Advocates/support persons are referred to in the Book of Discipline ¶363.5,6.b, ¶363.8.a, ¶2701.1.c,4.c) (BOR #3350, #3351)

Book of Discipline, The (BOD): The fundamental book outlining the law, doctrine, administration, organizational work and procedures of The United Methodist Church. Every four years, the General Conference amends The Book of Discipline. Often referred to as The Discipline.

Book of Resolutions, The (BOR): The book containing all valid resolutions, adopted by the General Conference, reflecting The United Methodist Church's official stance on current social issues.

Just Resolution: *In judicial proceedings:* "A just resolution is one that focuses on repairing any harm to people and communities, achieving real accountability by making things right in so far as possible and bringing healing to all parties." (BOD 362.3, ¶362.6, ¶2701.5)

Social Principles, The: A document setting forth the basic position of The United Methodist Church on important social issues. The Social Principles document is reviewed by each General Conference and is printed in full in *The Book of Discipline*.

CLERGY SEXUAL ETHICS

Standards of Pastoral Conduct

Pastoral self-discipline requires self-awareness and takes the ordination vow or privilege of clergy licensing to the highest ideal of Christian life seriously. Personal integrity and mature professional conduct must be brought to all relationships by every pastor in the Horizon Texas Conference.

Because pastors often deal with individuals who are emotionally fragile and vulnerable, it is imperative that pastors:

1. Be responsible for their own psychological, emotional, sexual, and spiritual health
2. Have adequate preparation and education for helping individuals under their care
3. Have continued supervision in dealing with the inherent risks caused by dependency and/or transference
4. Have the information necessary to make appropriate referrals
5. Submit to a criminal history and motor vehicle record check facilitated by the annual conference every two years. Beginning 1/1/2027, the Horizon Texas Conference will fund the cost of these checks.
6. Complete and submit proof of clergy sexual ethics training required by the HTC every 4 years (*see Education and Training Requirements for clergy in this document*)
7. Separate ministry life from personal life including not dating or engaging in sexual activity with persons inside their congregation
8. Keep integrity in all relationships (2020/2024 BOD)
9. Avoid use of pornography and child sex abuse materials
10. Avoid the appearance of impropriety

Pastors are accountable for their behavior with respect to the emotional, spiritual, and physical well-being of persons who come to them for help or over whom they have any kind of authority.

Breach of the pastoral relationship through sexual misconduct is unethical and abusive, even when sexual activity is initiated by the person to whom the pastor is ministering. Because of the imbalance of power in such relationships, it must be presumed that meaningful consent to any sexual activity with the pastor cannot be given. The Horizon Texas Conference will not tolerate and is committed to the eradication of sexual misconduct by clergy. (BOD ¶162. Other Social Issues, H., M., ¶304.2, 310.2.d, ¶370.8) (BOR #3280, #350, #3351, #3353)

Reporting Clergy Sexual Misconduct

When sexual misconduct is alleged against a pastor, persons bringing allegations, whether formally or informally filing charges, will be received in a respectful and caring manner and be given a safe and confidential avenue for reporting (BOD ¶162, Other Social Issues, M.) All allegations will be considered worthy of full investigation (BOD ¶162, Other Social Issues, M.) per the Supervisory Response Process outlined in ¶363.5 The Supervisory Response Process ensures due process for both the complainant and the respondent. Care will be taken by the District Superintendent, Bishop, or Bishop's designee to deal fairly and promptly with all those involved, and to provide healing for all affected parties. This includes the aggrieved and their family, the accused and their family and persons in the congregation or other ministry setting (BOD ¶363.8.a,b). Persons who report sexual misconduct shall be free from retaliation, everyone with knowledge of alleged wrongs shall come forward, and persons who give false information or reports will be subject to administrative correction/discipline.

The following policies and procedures are established to facilitate a protocol for reporting allegations of clergy sexual misconduct and the required follow through:

1. If the sexual misconduct allegation involves a minor between the ages of 0 to 17 years old, it **must** be reported to the 24-hour Texas Child Abuse Hotline (800) 252-5400 or the local police. Per Texas State law, this report must be made within 48 hours of the information being obtained. (BOD ¶161, Other Social Issues, M)
 - Clergy, staff, or laypersons shall not investigate the validity of any information revealed or discovered regarding a possible crime against a child; it must be turned over to the appropriate authorities.
 - Each local church is responsible for enforcing the "Local Church Abuse Prevention and Protection Policy" approved by the annual conference. Minor adaptations specific to local church ministry contexts may strengthen, but not weaken the approved policy.
2. If the sexual misconduct involves a crime (ex: rape or child sexual abuse) all persons involved shall do their best to comply with police investigations. If there are questions regarding outside investigative activity, contact the District Superintendent (DS). The Crisis Response and Care Ministry (CRCM) Coordinator may be consulted for resourcing.
3. If an allegation is brought initially to a District Superintendent, the District Superintendent shall advise the Bishop that the allegation has been received.

4. An allegation may be brought by the aggrieved person or by anyone who has verifiable knowledge or reasonable indication of sexual misconduct and is willing to pursue a resolution. This may include, for example the parents of a minor, a pastor, lay person, or District Superintendent in whom the aggrieved person has confided and/or has reliable information from other sources about the misconduct. When such conduct is alleged formally or informally, the HTC (DS, Bishop, or Bishop's Designee) is under obligation to investigate, protect all parties, discover the truth, and respond with actions consistent with our highest ideals. In cases of conflict of interest, the DS, Bishop, or Bishop's designee may ask assistance from another Cabinet Member.

The aggrieved will:

- Be told of their right to file a formal complaint.
- Be given a written or digital copy of these sexual ethics policies.
- Be offered a Resource Person by the person who receives the complaint (DS, Bishop or Bishop's representative, Crisis Response and Care Ministry Coordinator, or another appropriate recipient of the allegation).
- If the aggrieved wants a Resource Person, the Bishop, designee of the Bishop, or DS, or other appropriate recipient of the allegation shall refer to the Coordinator of the Crisis Response and Care Ministry to assign a Resource Person to assist and support the aggrieved person. The Resource Person assigned shall provide full assistance to the aggrieved person throughout the process (*as stated in the Resource Person appendix section of this document.*) Aggrieved persons may also contact the CRCM Coordinator directly without need for approval.
- A person who believes they may have been the victim of clergy sexual misconduct is not required to register an allegation or complaint and does not have to identify oneself when requesting a Resource Person upon making an initial contact. However, should the aggrieved person decide to file a formal complaint, their identity must be given to the District Superintendent and the Bishop, who are required to share it with the accused when proceeding with the administrative fair process. (BOD ¶363.2)
- The person receiving the information about the alleged misconduct (District Superintendent, the Bishop or Bishop's representative, Crisis Response Ministry Coordinator and/or the Resource Person to whom the aggrieved has been referred) shall explain these procedures to the aggrieved person or other person bringing the allegation and advise them that use of the procedures is neither a prerequisite for nor an obligation to an aggrieved person's ability to file a formal complaint.

For a list of complainant rights see, "My Rights: What to Expect" on the Sexual Misconduct, Prevention, and Support conference webpage or UM Sexual Ethics webpage both listed in Appendix A, Website Resources page in this document.

5. If the person making the allegations will not file a formal complaint or chooses to stop their participation in the complaint process, and there exists an admission of guilt or evidence of sexual misconduct regarding the accused clergy person giving just cause, the Bishop, Bishop's representative, or District Superintendent will file the formal

complaint (BOD ¶363.4) to determine next steps necessary for fair administrative process, fitness for ministry, and any administrative action to be taken.

If a formal complaint of clergy misconduct is forwarded to the Bishop or a District Superintendent, ¶363 of the 2020/2024 *Book of Discipline* shall determine the Administrative Fair Process to be followed. These Procedures are not intended to limit in any way the actions the Bishop or District Superintendents may take in connection with their supervisory response to a complaint of sexual misconduct or to impose any duties on them inconsistent with the 2020/2024 Book of Discipline or relevant decisions of the Judicial Council.

6. The complainant/ aggrieved will be notified of when and how the accused will be told, and of the accused's response. Complainants shall be kept updated on each step of the investigation, the outcome, and administrative disciplinary actions. (BOD ¶363.2) The aggrieved may be kept informed and updated by their District Superintendent, Resource Person if they have one, or by a designee of the Bishop. The aggrieved has the right to choose an advocate to accompany them to meetings with voice (¶363.5.d) If the CRCM Coordinator and a Resource Person (advocate) are involved with the case, the Coordinator shall be updated as well for the continuity of planning and care.
7. The leadership of the affected local church congregation will be notified of the complaint and the resulting administrative actions or precautions being taken (ex: such as removal of a pastor during investigation or permanent removal) by the Bishop, Bishop's designee, or District Superintendent. The Bishop or District Superintendent may ask the CRCM Coordinator to assess the affected local congregation and individuals involved and recommend a plan for the care and deployment of the Response Team for the healing of the congregation. (BOD ¶363.8.a,b) *Processes for informing and caring for churches may be found in the documents: "Responding Well to Sexual Misconduct Complaints, A Handbook for District Superintendents" by the General Commission on the Status and Role of Women, and in The Response and Care Ministry Policies and Procedures, found in the digital resources page in this document.*
 - Though transparency in information sharing is important for the healing of the church, the identity of the complainant shall be protected to the highest degree possible to guard against revictimization. The specifics of the allegations of the accused shall remain confidential unless there is an admission of guilt or the investigative process is completed. (BOD ¶362.1.f)
 - Minors aged 0-17 are protected by Texas state law and should never have their names released as the victim or complainant.
8. Per BOD ¶363.8.a, a supervisory response in the form of a just resolution may begin at any point of the process. It is a continuing goal of the Horizon Texas Conference to provide an opportunity for a reconciliation through just resolution that respects and protects the rights of all parties and that acknowledges the sacred trust between clergy and the persons they serve.

9. It is the responsibility of the administrative supervisor overseeing the complaint (not the complainant's) to make contacts, set up meetings, and communicate with all parties necessary to proceed toward a just resolution and the administrative fair process. "The resolution process shall include the use of a trained, impartial, third party facilitator." (BOD ¶363.6.d) Should a just resolution not be reached, the bishop may either dismiss the complaint with the consent of the cabinet giving reasons in writing and placing a copy in the clergy person's file, or refer the matter to the counsel for the Church as a complaint for judicial proceedings. (BOD ¶363.f.1-3, ¶2701)

Please refer to The 2020/2024 Book of Discipline ¶363 for complete rules and procedures on filing a complaint and supervisory response which include: ministerial review of accused clergy, definition of complaint, information regarding primary purpose, supervision responsibilities of the bishop and DS, supervisory response process including all persons who are to be involved, rights of the complainant, the just resolution process, time limitations, documentation requirements, final disposition information, administrative review, supervisory follow up and healing processes, and rules on abeyance.

10. Per BOD ¶363.6.e.f., The following shall be entirely reviewed by the Administrative Review Committee to ensure fair process was followed:

- Administrative process leading to the action for change in conference relationship
- Any/all just resolutions

11. It is often necessary for further actions to be taken during or following the conclusion of the processes outlined in these procedures and in the 2020/2024 Book of Discipline. The Bishop and District Superintendents are encouraged to resist easy or quick solutions as they may result in inconsistency, loss of trust, resistance in accessing resources, secondary traumatization, and repetition of the offense. It is encouraged they take or require such actions as they deem necessary and appropriate in their best judgment, which may include for example:

- Further processes for healing for individuals or within the affected congregation or institution
- Further resolution of unresolved conflicts
- Support or counseling for aggrieved persons or accused clergy

*Persons who believe they have been affected by sexual misconduct by the Bishop or a District Superintendent should do one or more of the following: make a written complaint to the president and the secretary of the Council of Bishops (for complaint against a bishop,) contact the Dean of the Bishop's Cabinet, the Chair of the Episcopacy Committee, the Chair of the Superintendency Committee, or the Crisis Response and Care Ministry Coordinator for information and assistance in bringing a complaint in accordance with procedures contained in the current *Book of Discipline*.

12. Careful record keeping is essential. Incidents, dates, and data that is gathered shall be documented by the Office of The Bishop, District Superintendent, church leadership, CRCM Coordinator, Resource Persons, and other persons involved.

Formal Complaint Process diagram and chart with roles and phases available in Appendix B, Formal Complaint Flow Charts, of this document.

A step-by-step guide on reporting clergy sexual misconduct, Incident Report, and Formal Complaint Form available in Appendix C, Step-by-step Reporting Process and Forms, of this document.

An in-depth complaint process guide, Do No More Harm: A Step-by-Step Guide of the Formal Complaint Process can be found in Appendix A, Website Resources, of this document.

Responding Well to Sexual Misconduct Complaints: A Guide for District Superintendents can be found in Appendix A, Web Resources of this document.

For more information regarding clergy sexual misconduct, please see brochure in Appendix F, Sexual Misconduct Brochures, Clergy Sexual Misconduct. What You Should Know.

SEXUAL MISCONDUCT BY LAITY

Standards of Conduct for Lay Persons

This section addresses three forms of laity sexual misconduct: Lay person to lay person including non-clergy staff, lay person to clergy, and creating structured and safe local church ministry when there is a known sex offender in the congregation.

Lay persons in the ministerial context have power through leadership roles, ministering to vulnerable persons, and in interacting with or caring for staff and each other. All persons have the right to an environment free of misconduct of a sexual nature, and this includes all who participate within the life and ministries of the Horizon Texas Conference. (BOD ¶162, Other Social Issues, M., ¶2702.3) (BOR #3351)

Reporting Sexual Misconduct by Laity

1. If the sexual misconduct allegation involves a minor between the ages of 0 to 17 years old, it **must** be reported to the 24-hour Texas Child Abuse Hotline (800)252-5400 or the local police. Per Texas State law, this report must be made within 48 hours of the information being obtained.
 - It is never a clergy, staff, or layperson's job to investigate the validity of any information revealed or discovered regarding a possible crime against a child; it must be turned over to the appropriate authorities.
 - Furthermore, each local church is responsible for establishing their own policy for keeping children and other vulnerable persons safe (see Horizon Texas

Conference Child and Youth Safety Policies and Procedures.)

2. If the sexual misconduct involves a crime (ex: adult sexual assault or child sexual abuse) all persons involved shall do their best to comply with police investigations. If there are questions regarding outside investigative activity, consult with the District Superintendent and/or Coordinator of Crisis Response and Care Ministry for assistance.
3. Careful records shall be kept of all incidents and follow-up actions taken. Incidents, dates, and data that is gathered shall be documented by the pastor, staff, church leadership, DS, and other persons involved.
4. Laity/Congregant misconduct toward non-clergy staff or other lay persons shall be reported to the pastor in charge or their designee. Additionally, alleged misconduct of a serious nature (see Appendix G for definitions of serious misconduct) shall be reported to the District Superintendent. Every effort shall be made by the responsible supervisory leader to resolve the grievance in a timely, fair and just manner (BOD ¶2703.3, ¶2704.4.) The guidelines for informal resolution process in the following section (5.) may be used.
 - If a resolution is not reached, the local church should inform the District Superintendent. The District Superintendent shall take pastoral steps to resolve grievances.
 - If a resolution is not reached, a lay person may be brought up on formal charges (BOD 2702.2, ¶2702.3)The pastor in charge may suspend the charged professing member from exercising any Church office pending the conclusion of the trial process and the charged professing member is subject to the penalties deemed appropriate by the trial court including possible termination of Church and Conference membership (BOD ¶2711.3)
5. Laity/Congregant misconduct towards clergy:

If an associate pastor is the recipient of the misconduct, it should be reported to the Senior or Executive Pastor. Additionally, alleged misconduct of a serious nature (see Appendix G for definitions of serious misconduct) shall be reported to the District Superintendent. If the response is not satisfactory to the associate pastor, they should contact the District Superintendent. If a Senior Pastor is the recipient of the misconduct, the DS shall be informed. Every effort shall be made by the District Superintendent and Senior pastor to bring about a just resolution. The SPRC may be included to assist with the resolution. The resolution may involve a behavior covenant or other plan enacted to protect those who are vulnerable.

Informal Resolution Process

- In all cases, the pastor or District Superintendent should take pastoral steps to resolve any grievances.
 - i. The purpose is to determine if the grievance is valid or a miscommunication or misunderstanding exists.
 - ii. Ask the accused to make an appropriate written statement to the clergy person. The written response may include explanation of the behavior resulting in a misperception of intent, an apology and a promise not to

- repeat the behavior. A behavior covenant or other plan may be enacted at this point.
- iii. If the clergy person finds the response satisfactory then the complaint will be considered as resolved.
- iv. If the response of the accused is not satisfactory or the accused refuses to respond, then the complaint will move to the formal process.

Formal Resolution Process

- If the District Superintendent determines that the process outlined above has been followed and the complaint is not resolved, then the district superintendent and district lay leader may appoint a committee on investigation according to ¶2703.3 in the 2020/2024 Book of Discipline.
- The final decision of the committee will be communicated in writing to the clergy person and the accused. Should this not be resolved it then moves to ¶2704.4 in the 2020/2024 Book of Discipline, Formal Complaint against a professing member of the UMC.

The COSROW document, Sexual Misconduct by Congregants: What You Should Know may help with communication and decision-making and provides guidelines for establishing healthy boundaries with laity who violate sexual ethics with clergy, and can be found in Appendix F, Sexual Misconduct Brochures.

Ministry with Sex Offenders in the Local Church

A convicted and/or registered sex-offender (or a person charged and awaiting trial) who wishes to be a part of a church community should expect to have conditions placed on their participation (BOR #3356) When the church receives information regarding the presence of a person convicted (or charged and awaiting the criminal justice system's process and outcome) it is the fiduciary responsibility of the church to ensure vulnerable persons are protected.

The senior or executive pastor of a local congregation/ministry setting is responsible for ensuring the formalization of the expectations and protocol for offender participation, and may involve key church leadership (there should always be two people present – the pastor and another church leader when meeting with the known sex offender) such as but not limited to the SPRC Chair, Chair of Church Council, Children's and Youth Ministry leaders, and ministry leaders involving other vulnerable populations for the purposes of:

- Witnessing conversations, signing of a behavior covenant
- Assistance in monitoring the environment, offender compliance with the behavior covenant, and compliance of volunteers and staff regarding agreed upon safety conditions outside of the church's child and youth safety policy.

Guidance for ministry with sex offenders may be found in the Book of Resolutions #3356. The Crisis Response and Care Ministry Coordinator and the Director of Championing Children and Youth may be consulted for assistance.

Resources for accused or convicted sex-offender protocol with sample behavior covenants may be found in the HTCUMC website in the Sexual Misconduct, Prevention, and Support web page and found in Appendix A, Web Resources in this document.

CONFIDENTIALITY

All sexual misconduct allegations must be reported. Due diligence will be given to confidentiality to protect the aggrieved, the accused, and their families, and to maintain the integrity of the investigation and administrative process. Persons involved in a sexual misconduct complaint shall adhere to communication as outlined in *these ethics policies and procedures* or those deemed appropriate by the Bishop or Bishop's representative, or the District Superintendent.

The requirement of confidentiality does not suggest secrecy. A communication plan for disclosure to those persons or congregations who are disrupted by necessary administrative measures taken during the investigative process should be developed, should explain the difference between confidentiality and secrecy, and should give the reasons for any necessity for confidentiality. The Bishop, the District Superintendents, or critical persons working on the case may discuss allegations and related information with affected congregations,

Staff/Pastor-Parish Relations committees, or others to whom it is necessary to make such disclosure, in accordance with the Book of Discipline. Upon offender admission and/ or following the resolution of the administrative decision, sharing information about the process and the resolution with transparency by the Bishop, bishop's representative, and District Superintendent is a best practice to promote the rebuilding of trust, and individual and congregational healing.

Clergy As Reporters of Sexual Misconduct

Pastors who become aware of an alleged incident of sexual misconduct by another pastor are to do their utmost to encourage and support aggrieved persons and to assist in the initiation of a formal complaint and contacting the appropriate District Superintendent or Bishop, as outlined in these ethics policies and procedures. Every allegation of sexual misconduct must be taken seriously, and in no case should a pastor judge the validity of a complaint or attempt to investigate the allegation against a colleague.

THE CRISIS RESPONSE AND CARE MINISTRY

The reporting and processes surrounding clergy sexual misconduct place an unfair and unavoidable burden on the victim of such misconduct, and can cause confusion, trauma, disorder, and grief for victims, families, and the local church. Because experiencing sexual misconduct and reporting such misconduct can be difficult and frightening, the Horizon Texas Conference is dedicated to providing accountability and healing support with trained persons in assessment, advocacy, and support to assist victims of sexual misconduct and their local churches, and is committed to continuing support for the training, availability, and deployment of such support teams and advocates for congregations and individuals. (BOD ¶363.5, ¶363.6.a, ¶363.8.a,b, ¶2701.4.c, BOR # 3350,3351)

The Crisis Response and Care Ministry (CRCM) resources individuals (clergy and laity) and congregations affected by sexual misconduct, District Superintendents, and other conference

leaders for the Horizon Texas Conference. The Resource Person Program, under the umbrella of the Crisis Response and Care Ministry assists individuals in need of advocacy and one on one care, especially during a complaint process. The CRCM Coordinator administrates and facilitates both the Crisis Response and Care Team and the Resource Person program. The Coordinator provides support and guidance for sexual misconduct policies, resources and training, consulting services with District Superintendents, pastors, and church leadership, and maintains the Sexual Misconduct, Prevention, and Support webpage on the Horizon Texas Conference Website. The Coordinator works closely with the Board of Ordained Ministry (BOM) and the Commission on the Status and Role of Women (COSROW) for sexual ethics and misconduct policy work, and clergy and lay sexual ethics and misconduct training. The Coordinator position as well as participation on the Response Teams and Resource Person Program require specific criteria for qualification and membership, training, and duties, all which can be found in Appendix D, Crisis Response and Care Ministry and Resource Persons.

The CRCM Coordinator, who must have 3 years on the Response Team with practical experience, shall be appointed by the Bishop to the position to ensure the necessary working relationship between the Coordinator with District Superintendents and the cabinet, the Response Team on a case, and Resource Persons providing advocacy services. The cabinet shall assign a sitting member of the cabinet as a liaison to the CRCM Coordinator, ensuring effective information sharing and communication. Resource Persons are appointed by the Bishop quadrennially due to the sensitivity of and required responsibilities of their role.

EDUCATION WITHIN THE CONFERENCE RELATING TO SEXUAL MISCONDUCT

Training for Conference Staff/Agencies

The Bishop, District Superintendents, Conference staff, CRCM Coordinator, Response and Care Team members and Resource Persons, and the Commission on the Status and Role of Women (COSROW) shall (1) each have a copy of and thoroughly know the Policy Statement on Sexual Ethics and the procedures for reporting sexual misconduct in the Horizon Texas Conference; (2) have a copy of and understand the General Commission on the Status and Role of Women's (GCSROW) handbook, *Responding Well to Sexual Misconduct: A Handbook for District Superintendents*. The CRCM Coordinator and COSROW shall be responsible for identifying and creating training materials for local church/ministry settings and resourcing or developing resources related to clergy and laity sexual ethics outside of the required clergy quadrennial sexual ethics training which lies under the care of the Center for Multiplication, and the Child and Youth Safety trainings under the care of Championing Children and Youth.

The Cabinet, especially the District Superintendents, are strongly encouraged to engage in quadrennial (and/or upon new appointment) training by professionals from COSROW and the Crisis Response and Care Ministry to keep updated with resources available to them, best practices regarding individual and church crisis intervention, and any BOD, Conference Policy, criminal, or civil legal changes.

Training and Education for Clergy and Laity

The Horizon Texas Conference requires all clergy under appointment or assignment to complete *Understanding Clergy Sexual Ethics* through the Lewis Center for Church Leadership. Clergy will be responsible for the cost of the course and the course must be renewed every four years. Clergy may use Continuing Education funds provided by local churches and/or Board of Ordained Ministry Continuing Education grants to pay for this course. (BOR #3351) Failure to complete this mandatory training and subsequent renewals will result in (a) referral to Executive Committee BOM for possible Administrative Complaint and (b) may have consequences affecting future appointments. Clergy must complete the course prior to the beginning of their appointment/assignment or their interview with the Board of Ordained Ministry for Commissioning and Provisional Membership if they have not been previously appointed. Sexual Ethics training from other sources or places of employment may not be substituted, as they do not address the clergy role specifically or satisfy the complete requirements of the training (see Appendix E, Required Topics for Quadrennial Clergy Sexual Ethics Training.) The quadrennial clergy training shall be coordinated by the Center for Multiplication leadership team, who may ask for assistance from COSROW, the Board of Ordained Ministry, and the Crisis Response and Care Ministry.

Training for laity may be coordinated by the Center for Multiplication leadership team, and resources may be accessed through the Crisis Response and Care Ministry, COSROW, the Board of Laity, The United Methodist Sexual Ethics website, and/or the General Commission on the Status and Role of Women (GCSROW). At a minimum, laity training will be designed and offered to chairs of S/PPRCs annually. Training will be provided separately for clergy and laity. The training for laity at minimum shall include provision of and understanding of these policies and procedures regarding clergy and laity sexual misconduct, with focus on understanding the process of reporting all types of misconduct in relation to adults and children.

Resources for and Responsibilities of The Local Church and Other HTCUMC Ministry Settings

The Horizon Texas Conference with the assistance the Crisis Response and Care Ministry Coordinator, the Center for Multiplication, and District Superintendents shall be responsible for distributing these Sexual Ethics Policies and Procedures to all lead/senior pastors, who will distribute these policies to their local church chairs of Staff/Pastor-Parish Relations Committees, Administrative Councils, United Methodist Men, and United Women of Faith in their ministry settings annually and as these persons are elected.

All clergy and the chairs of the Staff/Pastor-Parish Relations Committee of every local church in the Horizon Texas Conference shall have a copy of and be familiar with:

- The Horizon Texas Conference Policy Statements on Sexual Misconduct
- Procedures for reporting clergy and lay sexual misconduct in the Horizon Texas Conference
- The complaint process outlined in the current *Book of Discipline* (BOD ¶362, 363)

Each local church will:

- Will make available to their congregation copies of the brochures entitled *Clergy Sexual Misconduct: What You Should Know*, and *Sexual Misconduct by Congregants: What You Should Know*, which publishes the names and telephone numbers of the District Superintendents, and the Coordinator of the Crisis Response and Care Ministry.

- Place copies of these brochures in accessible locations throughout the year. (An electronic copy of the brochure can be found on the digital web resource page in this document.)
- Is responsible for establishing its own policy statement on sexual misconduct, consistent with the Book of Discipline and the policy statement of the Horizon Texas Annual Conference, and to establish guidelines, procedures, and training on these policies for resolving incidents of sexual misconduct in the local church, including but not limited to paid staff, counselors, lay leaders and volunteers, and others as deemed appropriate BOD ¶162, Other Social Issues. M, 644.1.d, ¶2103).
- Is responsible for educating and training its staff and lay leadership, including SPRC Teams, on all forms of sexual misconduct on a regular basis and as new staff or members join. BOD ¶162, Other Social Issues, ¶2103).
- Is responsible for establishing policies and procedures for child and youth safety in accordance with practices set forth in the HTC Child and Youth Safety Policies and Procedures and for the safety of other vulnerable persons. (BOD ¶162, Other Social Issues, ¶256.1-3)

See Appendix A, Web Resources; Sexual Misconduct, Prevention, and Care webpage for policy development resources.

DISSEMINATION AND REVIEW OF CONFERENCE POLICIES AND PROCEDURES

The Horizon Texas Conference is committed to:

- The continuing broad dissemination of this policy
- The continuing broad dissemination of any related guidelines and procedures adopted by the HTC
- The continuing education of clergy and lay persons within the Conference for the purpose of preventing sexual misconduct and increasing awareness and understanding of the Conference's policies and procedures
- The resourcing and upkeep of the Horizon Texas Conference web page titled, Sexual Misconduct, Prevention, and Support

The *Personal Conduct/Sexual Ethics Policies and Procedures* of the Horizon Texas Conference will be available to anyone who requests a copy and is also available on the Horizon Texas Conference website.

The BOM, COSROW, and the CRCM Coordinator will review these policies annually for possible updates once per year.

As part of our comprehensive training and education programs for clergy and laity, the Horizon Texas Conference emphasizes the importance of understanding the intersectionality of race, ethnicity, and sexual misconduct. Recognizing that individuals' experiences and perceptions of misconduct may vary significantly based on their racial and ethnic backgrounds, our training programs are designed to foster cultural sensitivity and awareness. This approach ensures that all members of our community receive support sensitive to their specific experiences.

(If any provision of these Procedures conflicts with the 2020/2024 Book of Discipline, the current Book of Discipline shall prevail.)

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Appendix D: Crisis Response and Care Ministry and Resource Persons

1. Horizon Texas Conference Crisis Response and Care Ministry Coordinator and Team Qualifications
2. The Qualifications and Duties of a Resource Person

Appendix E: Required Topics for Quadrennial Clergy Sexual Ethics Training

Appendix F: Sexual Misconduct Brochures (required for conference distribution annually)

1. Clergy Sexual Misconduct: What You Should Know
2. Sexual Misconduct by Congregants: What You Should Know

Appendix G: Serious Allegations That Must Be Reported To District Superintendent

Appendix A: Website Resources

1. Digital Copy of these policies and procedures: Horizon Texas Conference Sexual Ethics Policies and Procedures www.htcumc.org
2. Child and Youth Safety Policies and Procedures www.htcumc.org
3. United Methodist Sexual Ethics Website www.umsexualethics.org
4. My Rights: What to Expect www.htcumc.org (conference web page address) or <https://www.resourceumc.org/en/partners/um-sexual-ethics/home/content/my-rights>
5. Sexual Misconduct Prevention and Support www.htcumc.org
6. Responding Well to Sexual Misconduct Complaints; A Handbook for District Superintendents
<https://www.resourceumc.org/-/media/cosrow-media/2021/09/30/02/09/handbook-responding-to-sexual-misconduct-complaints-final-edition.pdf>
7. Crisis Response and Care Ministry/ Resource Persons www.htcumc.org
8. Do No More Harm: A Step by Step Guide of the Formal Complaint Process
<https://donomoreharm.org/#/>
9. Brochure: Clergy Sexual Misconduct, What You Should Know www.htcumc.org
10. Brochure: Sexual Misconduct by Congregants, What You Should Know
www.htcumc.org
11. Ministry with Sex Offenders: A Resource for Church Leadership www.htcumc.org
12. Local Church Sexual Misconduct Policy Checklist and Sample Policies
www.htcumc.org
13. Ministry with Sex Offenders Protocol (resource for churches if sex offender is member or visitor) www.htcumc.org

Resources may be added or updated to this appendix, but will not alter policy.

Complaint Process

What happens with each role during a complaint?

ROLES

COMPLAINANT

SUPPORT PERSON FOR COMPLAINANT

RESPONDENT

ADVOCATE FOR RESPONDENT

BISHOP'S OFFICE

BOARD OF ORDAINED MINISTRY (BOM)

COUNSEL FOR THE CHURCH

COMMITTEE ON INVESTIGATION

NOTES

- + Just resolution may be initiated at any point (shall use facilitator) (¶ 363.6).
- + Congregational care, including use of Bishop's/Conference's Response Team may occur at any point.
- + If complaint is resolved or dismissed by end of Phase 4, the process ends. If complaint is referred to counsel for the Church, the process continues in Phase 5.
- + If civil authorities are involved, the Church may hold the complaint in abeyance (which pauses all progress on the complaint until the abeyance is lifted).

PHASE 1 Before the Complaint is Filed

COMPLAINANT

- + Experiences alleged multiple or one-time offense.
- + Discerns what has happened.
- + Determines if this is a concern or complaint and decides whether to raise concern or file complaint.
- + May contact GCSRW for guidance.
- + May seek a support person.

SUPPORT PERSON

- + Responds to invitation for support.
- + Assesses circumstances of the concern/complaint. Determines ability to serve as support person.
- + Advises complainant of possible next steps.
- + Helps complainant anticipate the concern or complaint process.
- + Refers complainant to other support resources as needed (e.g., therapist, spiritual director).

RESPONDENT

- + Commits alleged offense.
- + May seek an advocate.

Note: The respondent does not need to be informed of a possible complaint until the bishop receives a complaint, and notification is from the bishop's office. The respondent's and advocate's involvement begins when the respondent learns of a possible or received complaint.

ADVOCATE FOR RESPONDENT

- + Responds to invitation to provide advocacy.
- + Assesses circumstances of complaint. Determines ability to serve as advocate.
- + Helps respondent anticipate the concern or complaint process.
- + Refers respondent to other support resources as needed (e.g., therapist, spiritual director).

PHASE 2 Initial Response When a Complaint is Filed

COMPLAINANT

- + Submits signed, written complaint to the superintendent or bishop's office.
- + May meet with the bishop without the respondent present.
- + Receives written response to complaint with an explanation of the ensuing process from bishop's office.
- + Complainant's name and nature of complaint are communicated to the respondent.

SUPPORT PERSON

- + Discusses possible next steps with complainant, including possible outcomes that do not require complainant's approval (e.g., clergyperson surrenders credentials, retires, or is placed on involuntary leave).
- + Has the right to accompany complainant and have voice at any meeting.
- + Has the right to receive direct or copied communication from bishop's office.

RESPONDENT

- + Receives written notice and nature of complaint, name of complainant, and explanation of ensuing process from bishop's office.

ADVOCATE FOR RESPONDENT

- + Has the right to accompany respondent and have voice at any meeting.
- + Has the right to receive direct or copied communication from bishop's office.

BISHOP'S OFFICE

- + Bishop receives written complaint.
- + Begins supervisory response (¶ 363.5).
- + Offers appropriate pastoral response as quickly as possible.
- + Provides complainant and respondent written explanation of ensuing process.
- + Informs BOM chair of complaint.
- + Requests BOM approval of 90-day suspension, if warranted.
- + Enlists Bishop's/Conference's Response Team as needed.

BOARD OF ORDAINED MINISTRY (BOM)

- + Bishop notifies BOM chair of complaint.
- + Responds to bishop's request for suspension, if needed (¶ 363.7).

PHASE 3 As Soon as Possible After the Initial Response

COMPLAINANT

- + May request information or ask questions at any time to better understand status of the case and/or the complaint process.
- + No matter where in the process a just resolution is initiated, the complainant shall be a party to the resolution process and every effort shall be made to have the complainant agree to the resolution before it may take effect (¶ 363.6e).

SUPPORT PERSON

- + Has the right to accompany complainant and have voice at any meeting.
- + Has the right to receive direct/copied communication from bishop's office.
- + Has the right to request information or ask questions on behalf of the complainant, and to receive responses.
- + Maintains communication with complainant to anticipate ongoing support needs.

BISHOP'S OFFICE

- + Explores case's merits to determine next steps (e.g., dismiss case, initiate just resolution, request suspension or involuntary status change, etc.).
- + Meets with complainant and respondent separately (and never together).
- + If just resolution is initiated, the complainant and respondent are parties to the process (¶ 363.6).
- + Requests BOM approval of suspension and/or involuntary leave of absence, if warranted (¶ 355).
- + Informs complainant and respondent of case's progress no later than 30 days after the complainant's receipt.
- + If just resolution reached, refer to Administrative Review Committee for review (¶ 635).

PHASE 4 Supervisory Response – Within 90-120 Days After a Complaint is Filed

COMPLAINANT

- + May request information or ask questions at any time to better understand the status of the case and/or the complaint process.
- + No matter where in the process a just resolution is initiated, the complainant shall be a party to the resolution process and every effort shall be made to have the complainant agree to the resolution before it may take effect (¶ 363.6e).

SUPPORT PERSON

- + See Phase 3.

BISHOP'S OFFICE

- + Communicates regularly with the complainant and informs the complainant when to expect communication. We suggest the bishop's office communicate no less often than three weeks or when there is an important development.
- + If applicable, requests involuntary leave of absence from BOM no later than 21 days before suspension ends (and earlier, if possible).
- + Completes supervisory response within 90 days of receipt of complaint. Ninety-day period may be extended by one 30-day period, with consent of all parties. If supervisory response is extended and the clergyperson has been suspended, the bishop requests one 30-day extension to suspension.
- + If supervisory response is extended and the clergyperson has been suspended, the bishop requests one 30-day extension to suspension.
- + Refers or dismisses case (¶ 363.6e)(3).

BOARD OF ORDAINED MINISTRY (BOM)

- + Responds to bishop's request to extend suspension, if needed.
- + Receives request for involuntary leave of absence from bishop, if warranted.
- + If involuntary leave of absence is requested, the conference relations committee (CRC) administers a fair process hearing within Disciplinary requirements (¶ 362).
- + BOM votes on CRC's recommendation as determined by fair process hearing.

PHASE 5 Not Constrained by Time Limits

COMPLAINANT AND SUPPORT PERSON

- + Receives copy of complaint and supporting evidence sent to counsel for the Church.
- + Participates in investigative process.
- + This may include suggestions for a face-to-face meeting with the respondent. The complainant decides if the complainant will attend a meeting with the respondent. The complainant and support person will want to consider all options and potential outcomes before consenting to this meeting.

RESPONDENT AND ADVOCATE FOR RESPONDENT

- + Receives copy of complaint and supporting evidence sent to counsel for the Church.
- + Participates in investigative process.
- + Respondent may respond to the judicial complaint within 30 days of its receipt by counsel for the Church.

COUNSEL FOR THE CHURCH

- + Receives written complaint from the bishop's office.
- + Investigates merits of case.
- + Develops a judicial complaint including statement of case and supporting evidence to submit to the committee on investigation.
- + Serves as the Church's representative for the duration of the case.
- + Sends copy of judicial complaint and supporting evidence to complainant, respondent, bishop.

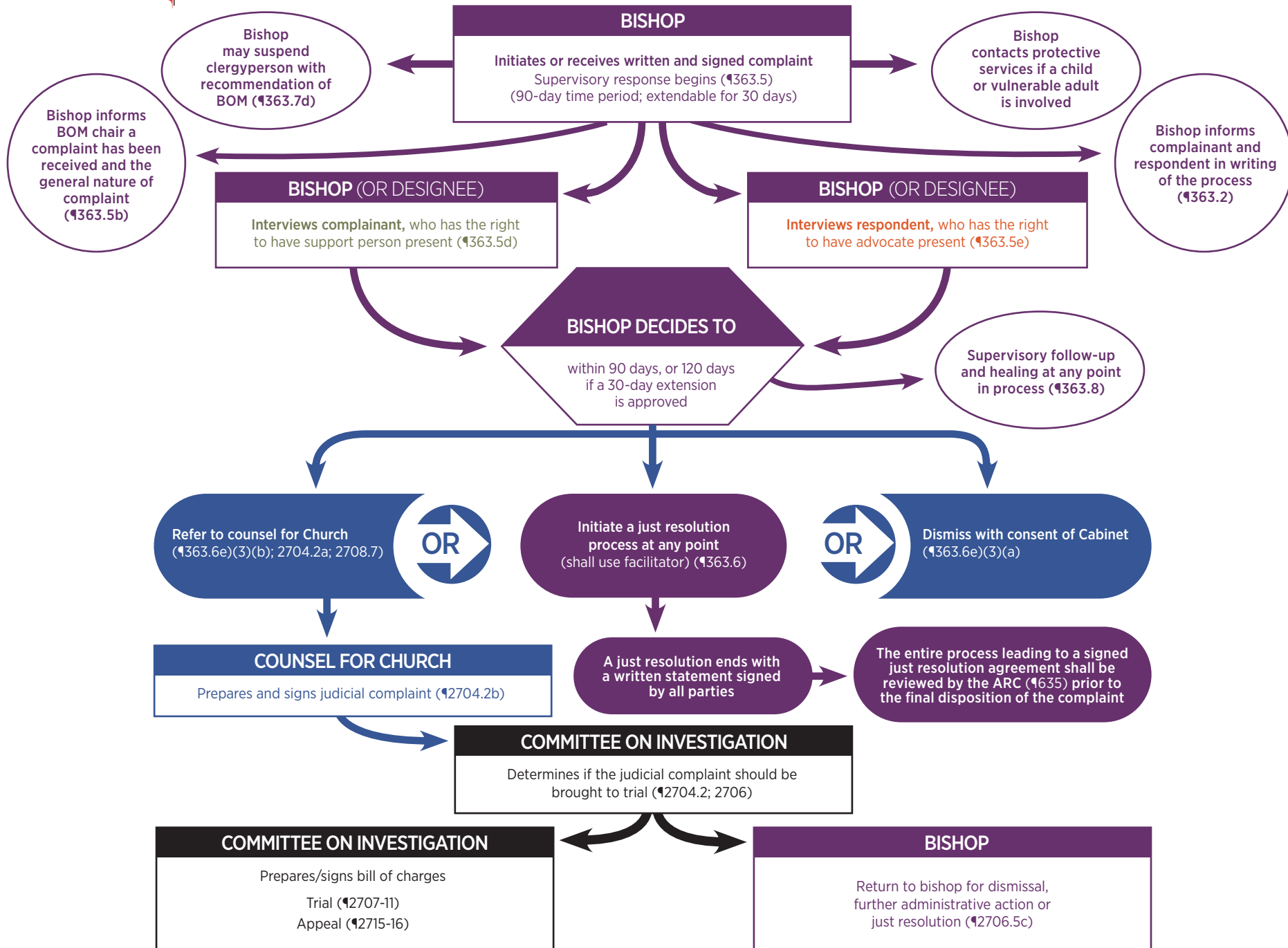
COMMITTEE ON INVESTIGATION (COI)

- + Receives complaint from counsel for the Church.
- + Convenes within 60 days of receiving complaint.
- + Considers case's merits and supporting evidence. May include talking with complainant, respondent, witnesses, and other parties as the COI determines.
- + Decides if there are reasonable grounds to refer the judicial complaint to trial.
- + Without reasonable grounds to refer, the case is dismissed, further administrative action may be taken, or just resolution may be pursued.
- + With reasonable grounds to refer, the COI prepares and votes on a bill of charges and specifications and the trial process begins (¶ 2707).
- + The COI sends the bill of charges according to the requirements in ¶ 2706.5b.
- + If the COI refers a bill of charges for trial, the trial process begins (¶ 2707).

Those involved in a complaint process may contact the General Commission on the Status and Role of Women for consultation at any time at their confidential, toll-free number - 1.800.523.8390.

Complaint Process

Refer to 2020/2024 Book of Discipline for specifics



APPENDIX C: STEP-BY-STEP REPORTING PROCESSES AND FORMS

(C-1) Reporting Sexual Misconduct of Clergy

If you have experienced any form of sexual misconduct by a clergyperson, you may consider the two different kinds of complaints:

Complaint without Formal Charges

To file a complaint without formal charges means that you want to bring behavior to the attention of the clergyperson's superiors. Your report will be taken seriously, and the District Superintendent will investigate the complaint, determine the severity of the case, decide what steps will be taken administratively, and work with you to see what can be done to come to a just resolution for you and the clergy person.

1. Document or gather documentation of the information you want to bring forward such as dates, incidents, witnesses or others who know or may have been affected, emails, texts, pictures if applicable. An incident report may be helpful to you as you gather such information.
2. Make a report to your District Superintendent by appointment, phone call, or email.

Formal Complaint with Formal Charges

To file a complaint with formal charges means that you want to bring the clergyperson up on formal charges and bring the behavior to the attention of the Bishop of the Horizon Texas Conference of the United Methodist Church (per BOD ¶2702.1) Work toward negotiation of a just resolution will be the first goal, however, if a just resolution cannot be reached and the Bishop decides it is necessary, the case will move toward a church trial.

1. Gather documentation of the information you want to bring forward such as dates, incidents, witnesses or others who know or may have been affected, and emails, texts, and pictures if applicable. An incident report may be helpful to you as you gather such information.
2. You may use this Misconduct Report Form to submit your complaint, or you may draft a letter and email it to the Bishop's office bishop@htcumc.org . You may also call the Bishop's office to make a report (972)526-5015.

(C-2) Reporting Sexual Misconduct of Laity/Congregant

If an associate pastor is the recipient of the misconduct, make a report to the Senior Pastor or Executive Pastor of your church and the District Superintendent.

If a senior pastor is the recipient of the misconduct, make a report to the District Superintendent.

If a lay person is the recipient of the laity misconduct, report to the Senior or Executive Pastor.

1. Gather documentation of the information you want to bring forward such as dates, incidents, witnesses or others who know or may have been affected, and emails, texts, and pictures if applicable. An incident report (see attached) may be helpful to you as you gather such information.
2. Depending on the need, the SPRC may be called upon for assistance. Gather documentation of the information you want to bring forward such as dates, incidents, witnesses, or others who know or may have been affected, and emails, texts, and pictures if applicable. *Note: If in a ministry setting outside the church, follow the Human Resources Protocols within the setting.
3. Work with the appropriate persons within the church administration and the District
4. Superintendent, if involved, to handle the situation appropriately and arrive at a solution.
5. If you are not satisfied with the help you have received, you may make a written or telephone report to your District Superintendent.

As a last resort, there exists the option to file a formal complaint with formal charges against a congregant with whom no solution can be reached (BOD ¶2701.2). You may use a Formal Complaint form (see attached) to file formal charges.

Clergy may also go to Sexual Harassment by Congregants: What You Should Know for guidance on working with laity on healthy boundaries within the ministerial relationship.

*If you need help, you may contact the Crisis Response Team Coordinator or go to the Crisis Response and Care Team page on the Conference website.

(C-3) Incident Report Template

This template may be adjusted for various needs and situations

Name of person making report:

Today's Date:

Names of all persons involved and their roles within the church or ministry area:

Location of incident event(s), date(s) and time(s) and person(s) involved in each:

Outcome(s) of the incident(s) to date- physical, emotional, spiritual:

Questions to consider:

- If a legal issue, has it been reported to the authorities? *(Note: any abuse regarding a youth or child under the age of 18 MUST be reported to the authorities- no exceptions! The Texas Child Abuse Hotline number is 1-800-252-5400 or you can report to 911.)*
- Has this been reported to the District Superintendent or Conference Staff?
- Is there information that should or should not be shared as advised by DS, Crisis Response Team Coordinator, or Conference staff because of confidentiality, protection of victim's identity, legal requirements, insurance requirements?
- Is there information that cannot be shared with the congregation or ministry group due to legal restrictions and/or advice of a lawyer or the chancellor?
- Who are all the people that know? If a church or ministry incident, have the staff been briefed? Volunteers? Church Leadership? or Ministry specific leadership?
- Were the initial responses by the leadership and/or staff helpful or not helpful? Was information held onto for any length of time?
- Was this a one-time event? Were there previous incidents that did not get reported?

- If addressing a complaint, have any other persons with similar complaints come forward?
- What subgroups within the church will be particularly affected?
- Have the aggrieved and/or family received care? In what ways? Have they had the opportunity to have a voice in the process?
- Has the alleged offender been reported to the legal authorities?
- If addressing a situation with an identified alleged offender, does or has the alleged offender participated in any conference level activities or ministries (EX: camps, youth or children's events, etc...), or any community activities (EX: youth coach, scouts, school volunteer, etc...) If there is an arrest with charges or there has been a confession by the offender, have these other agencies been alerted?
- If the alleged offender/ offender is clergy, has the DS been notified? Has a formal complaint been filed according to the Book of Discipline? Does the alleged offender have voice? Is the offender being given due process by the church/conference?
- Has the news media become aware? If so, what is your church's plan to address media concerns?
- Is any of this out on social media? If so, how will this be addressed by the church?
- Have or will any church activities be canceled, partially halted, or go on as usual?
- Has the church leadership decided how the congregation will be informed?
- What are the current dynamics surrounding this crisis? Has there been any staff blaming, pastor blaming, or blaming the aggrieved individual or group? Has there been a tendency to hide information or minimize information? Has any of the information been gossiped about or blown out of proportion?
- If a possible issue with insurance, has it been reported to the insurance company?
- What, if any, are additional complications, stressors, or dangers that will need to be addressed or attended to (ex: campus restrictions, safety plan, behavior covenant?)
- What are the action items at this point, who is responsible for each, and by what day/time will they be completed?

(C-4) Formal Complaint of Clergy Misconduct Form

Formal Complaint of Clergy Sexual or Professional Misconduct

Horizon Texas Conference of The United Methodist Church

Report Date: _____

Claimant Information (Person completing this report)

Name _____ Relationship to Respondent _____

Mailing Address _____

Email Address _____

Home Phone _____ Cell Phone _____

Respondent Information (Person being reported)

Name _____ Position _____

Mailing Address _____

Email Address _____

Home Phone _____ Cell Phone _____

Respondent's Area(s) of Misconduct:

- | | |
|---|---|
| ☐ Child abuse | ☐ Practices incompatible with Christian teachings |
| ☐ Sexual abuse | ☐ Failure to perform the work of ministry |
| ☐ Harassment (sexual, racial, other) | ☐ Disobedience to the order and Discipline of The United Methodist Church |
| ☐ Discrimination (racial, gender, other) | ☐ Dissemination of doctrines contrary to the established standards of doctrines of the UMC |
| ☐ Abuse of pastoral authority | ☐ Relationships and/or behaviors that undermine the ministry of another pastor |
| ☐ Breach of confidentiality | ☐ Other _____ |
| ☐ Funds mismanagement | |
| ☐ Dishonesty | |
| ☐ Plagiarism | |
| ☐ Immorality | |
| ☐ Crime | |

Misconduct Report

On the following page, please give a detailed description of the incident that prompted this report of concern and attach documentation, if applicable and available (attach more pages, if needed). Please include the following: What did the accused do? Where? When? What was the impact of the behavior?

Legitimate reports are encouraged and will be taken seriously without retaliation from anyone involved in the process of response. However, individuals who make false or frivolous reports will be held accountable. Confidentiality will be preserved, and general information will only be shared on a need-to-know basis. A certain degree of transparency is essential for the process of just resolution, accountability, and healing.

Appendix D: Horizon Texas Conference Crisis Response and Care Ministry and Resource Persons

(D-1) Requirements, Qualifications, Training of Coordinator and Team

The Response Team is composed of members who are selected because of their gifts and skills for crisis work.

Criteria

The Response Team members should possess some or all the following qualifications:

- Master's or doctorate degree in counseling, social work, psychology, law, human resources
- Licensed at the highest level for profession (LPC, LMFT, LCSW)
- Five years postgraduate experience
- Experience working with youth, children, and/or vulnerable populations

(Specialized experience and certifications may also be considered for qualification.)

All team members will possess the following qualifications:

- Ability to work independently and as a team member
- Member of a local United Methodist Church, strong Christian faith, and abide by the policies of the HTCUMC
- Trained in trauma debriefing, crisis response, grief therapy, group dynamics, and sexual misconduct
- Maintain confidentiality of the work

Selection Process

Team members are sought within their United Methodist community; they are known for their expertise, compassion, and reputation. Recommendations are considered from various clergy and lay members, and from clinical professionals within the community.

Prospective Crisis Team Members understand that they will operate in a volunteer capacity completing all the following: application (to include confidentiality covenant), background check, Ministry Safe training, interview by Response Team Coordinator, and other relevant information submitted at the time of application.

NOTE: To hold the position of Response Team Coordinator, one must have served a minimum of 3 years on the Team, have practical experience in serving congregations in

crisis responses, understand the Crisis Response Team's protocol and best practices, and be confident in their ability to advocate for the steadfast use of these processes with conference leadership. They must have the skills for Team recruitment and training, comprehensive assessment and crisis response planning, and coordination of the Response Team during various types of congregational responses. They must have the ability to adequately train and support Resource Persons especially in the formal complaint process and have specific knowledge of the complaint process and every person's role in it. Consideration should be given to conflicts of interest, ex: someone who has not nor likely will be a District Superintendent.

**For further information on recruitment, training, and Response Team protocol and best practices, please see the Response and Care Team Ministries for Congregational Care Policies and Procedures which may be found on the Conference website.*

(D-2) The Qualifications and Duties of a Resource Person

A Resource Person is a qualified and trained lay professional volunteer member of the Response Team made available by the Crisis Response Team Coordinator to support persons who have experienced a trauma or boundary violation and/or who may be considering filing a formal complaint. This service is made available to any person within the scope of the Horizon Texas Conference who asks.

A resource person may be obtained by contacting the Response Team Coordinator who will assess the case and assign a Resource Person they see as the best fit possible for the case. This may be done in confidentiality unless/until a formal complaint is filed, when the identity of a complainant receiving services is made known to the defendant, key persons working on the case, and the Board of Ordained Ministry.

The complainant may have an issue with clergy or another church leader. The complaint may or may not involve sexual misconduct. Often a person simply needs someone to listen to their story and help them decide the most appropriate and helpful steps to take for their healing, such as a referral to a counselor/therapist. Resource Persons stay within the support person's boundaries (providing information, education, and listening) and do not become a counselor or therapist.

- Listening and processing information with a person and helping to decide next steps.
- Providing education, information, resources and referrals.

- Provide an intake/assessment, interim reports (to be decided upon by the Response Team Coordinator on a case-by-case basis), and a final report/incident closure- each to the Response Team Coordinator in a timely manner.

If an allegation is made the duties also include:

- Confirm the aggrieved person understands the procedures for reporting allegations of sexual misconduct or other types of abuse.
- Verifying and clarifying the allegation with the aggrieved person.
- Requesting that the aggrieved person prepare a written summary of the allegation and, if necessary, a formal complaint when requested to do so.
- Once filing a complaint has been decided, inform the Response Team Coordinator so that the DS may be informed if not already involved.
- Accompanying aggrieved person to meetings, with voice, to help in connection with the Procedures of the Horizon Texas Conference and the BOD.
- Calling to the attention of the Bishop, the DS and Response Team Coordinator and any vindictive, hostile, or insensitive situations that arise during the process.
- Giving feedback to the Response Team Coordinator regarding observations of helpful and hurtful situations arising during the process to be shared with the DS and/or Bishop.

(Note: If the alleged offender is clergy, a Resource Person may help with listening, counseling referrals, clarifying allegations, and understanding the complaint and judicial processes, but cannot accompany them to meetings with the Bishop – clergy must bring a clergy advocate of their own choosing for such meetings.)

Appendix E: Required Training Topics for Quadrennial Clergy Sexual Ethics Training

The Horizon Texas Conference shall provide training to educate the clergy and laity about the complaint process in the event of allegations of sexual misconduct and to heighten awareness of the clergy and laity about the seriousness of the problem of sexual misconduct, thereby aiding in the prevention of this problem in our local churches.

The goals of the training include the following:

1. to explain the abuse of power and dynamics of trust in abusive relationships
2. to provide behavioral definitions of sexual abuse and sexual harassment
3. to describe the impact on the victim, the perpetrator, the families, and the church
4. to explain the Policy and Procedures of the Horizon Texas Conference and The United Methodist Church regarding sexual misconduct
5. to explain legal responsibilities regarding minors
6. to introduce the Resource Person(s) and clarify their role
7. to define the risk to church vitality, attendance and giving, liability to individuals, congregations, and the annual conference
8. to discuss the importance of healing and how the church is an agent in the healing process
9. to explain the need for preventative measures
10. to discuss the importance of local church policies and procedures addressing issues of sexual misconduct
11. to distribute copies of the brochure entitled "Clergy Sexual Misconduct: What You Should Know," and to explain its purpose and educational use, and
12. to provide resources for local churches

Appendix F: Sexual Misconduct Brochures

Included on following pages

RESOURCE PERSONS

The Resource Person Program, coordinated by the Crisis Response and Care Team, provides support to those who may have experienced clergy sexual misconduct. Resource Persons are specially trained laypeople who walk alongside individuals through the complaint process, advocating for a fair process on behalf of the care recipient.

What a Resource Person does:

- Listens with care and offers support
- Explains church processes and procedures
- Provides resources and referrals
- Assists in writing a complaint (if requested)
- Accompanies the aggrieved in meetings (as allowed by the Book of Discipline)
- Alerts the Bishop to hostile or improper treatment in the process

What a Resource Person is not:

A judge, therapist, lawyer, decision-maker, rescuer or mediator.

Accessing a Resource Person

You do not need to file a complaint, seek permission, or share your identity before speaking with a Resource Person. Using a Resource Person is always your choice.

CONTACT US

Bishop

Bishop Ruben Saenz Jr.
972-526-5015
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District Superintendents

EAST AND MID-NORTH - Rev. Cassie Wade
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The Crisis Response and Care Team

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Margaret Nicholson
Lead Resource Person
214-450-7457 // mag7958@sbcglobal.net

For more information regarding clergy sexual misconduct and the complaint process, visit UMSexualEthics.org.



**CLERGY SEXUAL
MISCONDUCT:**
WHAT YOU SHOULD KNOW

STATEMENT OF PURPOSE

The Horizon Texas Conference of The United Methodist Church is committed to the well-being of all people and to fostering healthy relationships between pastors and those they serve.

In this brochure, the terms “clergy persons” and “pastors” include all clergy and laity serving as ministers, counselors, or in other positions of authority within the Conference. The behaviors described here are inappropriate for anyone serving in these roles.

Victims of clergy sexual misconduct need clear information to recognize misconduct and to take steps toward healing.

The Conference’s goals are to:

- Respond quickly and fairly to support healing
- Protect the vulnerable by preventing further abuse
- Provide aggrieved persons with information about church policies and procedures
- Seek justice by acknowledging harm and holding offenders accountable through appropriate discipline
- Encourage both aggrieved persons and offenders to seek counseling or treatment as part of the healing process
- Restore the well-being of congregations and others affected
- Treat all involved with the fairness, respect, and compassion our faith requires

DEFINING CLERGY SEXUAL MISCONDUCT: WHAT IS IT AND WHY IT’S WRONG

Clergy Sexual Misconduct is any sexual contact or sexualized behavior between a pastor and someone with whom they have a professional relationship. It can be:

- Physical (touch, kissing, caressing)
- Verbal (sexual comments, jokes, intimate questions)
- Visual (gestures, images, sexualizing looks)

Clergy hold positions of trust and authority. This creates an imbalance of power that makes meaningful consent impossible in ministerial relationships. Regardless of who initiates, it is always the pastor’s responsibility to maintain boundaries. Crossing them is a violation of professional ethics.

EXAMPLES OF MISCONDUCT

Sexual misconduct may include, whether welcomed or not:

- Inappropriate touch, fondling, or prolonged embraces
- Kisses on the lips, stroking, tickling or pressing against your body
- Sexualized comments or jokes
- Questions about your relationships or intimate life
- Disclosure of the pastor’s own intimate experiences
- Excessive personal attention or gifts that create discomfort

If behavior leaves you feeling uneasy, confused or unsafe, it may be a warning sign of misconduct.

IS A RELATIONSHIP WITH MY PASTOR EVER APPROPRIATE?

It is not unusual for a member of a congregation to feel attracted to his or her pastor. There is nothing wrong with you because you have these feelings. If you express your feelings, it is your pastor’s professional responsibility to explain why a relationship is inappropriate and maintain appropriate boundaries.

A healthy relationship cannot exist while a pastoral role continues. Only after a pastor fully steps away from the ministerial relationship could a consensual relationship be ethically possible—and even then, risks of manipulation remain high.

IF YOU HAVE EXPERIENCED MISCONDUCT

You may feel fear, confusion or even blame yourself for not objecting sooner. Remember: if a pastor has used their power to take advantage of your vulnerability, it is misconduct. You are not at fault. Sharing your experience with a trusted person can be an important first step toward healing.

GRIEVANCE POLICY

The Horizon Texas Conference follows the process outlined in ¶12702 of *The 2020/24 Book of Discipline of The United Methodist Church*. To begin a formal grievance, contact the Bishop or any District Superintendent (see Contact Us section).

IF A BEHAVIOR COVENANT IS REFUSED

- The individual chooses to disengage from church life — no contact, communication, presence on church property or participation in programming until the covenant is signed.
- All attendees document and sign as witnesses to the refusal.
- Send a certified letter outlining steps for future participation.
- Forward documentation via certified mail to the DS and possibly the Bishop's office.
- DS and pastor consult with the Chancellor.
- Meet confidentially with church leadership:
 - SPRC Chair & Committee
 - Trustees
 - Lay Leader
 - Staff
 - Custodian(s)
- Reinforce that The UMC takes boundaries seriously to ensure a safe, respectful environment.
- Prepare a response plan if the individual appears on church property or contacts church leaders.

IF FLIRTATION HAS OCCURRED (MUTUAL ATTRACTION)

Name & Confess: Acknowledge your role in the boundary confusion.

Repent: Take responsibility, apologize, and name the harm caused.

Reconcile: Set clear boundaries and stop misleading behaviors.

Pastors should seek accountability through regular meetings focused on healthy professional boundaries.

This brochure is to be displayed in all HTC churches in areas accessible to congregants and staff.

WHO TO CONTACT

If you would like to speak with someone about your options for taking action in response to sexual misconduct or harassment, please contact one of the following individuals:

DISTRICT SUPERINTENDENTS

EAST AND MID-NORTH - Rev. Cassie Wade
903-439-1117 // cassiewade@htcumc.org

METRO EAST - Rev. Dr. Lucretia Facen
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THE CRISIS RESPONSE AND CARE TEAM

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Margaret Nicholson
Lead Resource Person
214-450-7457 // mag7958@sbcglobal.net

Further resources regarding sexual misconduct, visit UMSexualethics.org.



**SEXUAL
HARASSMENT BY
CONGREGANTS:
WHAT YOU SHOULD KNOW**

SEXUAL HARASSMENT BY CONGREGANTS: WHAT YOU SHOULD KNOW

“Sexual Misconduct within ministerial relationships is a betrayal of sacred trust, defined as 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, 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, and/or any misuse of the pastoral or ministerial position using sexualized conduct to take advantage of the vulnerability of another. It includes criminal behaviors in some nations, states, and communities and is a chargeable offense in The United Methodist Church." (*The Book of Discipline* 2020/2024 ¶162, *Book of Resolutions* ¶3351)

Sexual Harassment is “any unwanted sexual comment, advance, or demand, either verbal or physical, that is reasonably perceived by the recipient as demeaning, intimidating or coercive. Sexual harassment must be understood as an exploitation of a power relationship rather than as an exclusively sexual issue. Sexual harassment includes, but is not limited to, the creation of a hostile or abusive working environment resulting from discrimination on the basis of gender.” (*The Book of Discipline* 2020/2024, ¶162)

SUGGESTED STEPS FOR RESPONDING TO A BOUNDARY VIOLATION

Maintaining appropriate boundaries is the responsibility of all ministerial leaders. If you experience a boundary violation or harassment by a layperson, follow these steps to respond professionally and protect the integrity of your role. The term “pastor” is used here; however, this procedure may be applied to any leadership position.

Recognize and Reframe the Relationship

If you perceive an advance has been made, immediately establish pastoral boundaries.

- Clearly identify your role:
 - “I am your pastor.”
 - “As your pastor, I...”
 - “The United Methodist Church considers this behavior to be sexual harassment and takes it seriously.”
- Emphasize and clarify the broader context:
 - “We are in relationship to a congregation, denomination, calling(s), roles, responsibilities...”
 - “I cannot be your pastor if this behavior continues.”

Document and Report

- Record interactions in writing.
- Verbally report to the SPRC Chair.
- Notify the District Superintendent (DS) with details, including: what happened, where, who was involved, when (date/time), any witnesses and your response.

If a Crisis Arises

If setting boundaries triggers a crisis, contact the **Director of Care and Healing** to engage the support of the Crisis Response Team Coordinator.

IF INAPPROPRIATE BEHAVIOR CONTINUES

- Continue to set and reinforce boundaries.
- State that you will not meet privately; another person must be present. Confidentiality will still be maintained.
- Reiterate your pastoral role to the congregant.
- **Document** the interaction in writing and report to SPRC and DS.

IF BOUNDARY VIOLATIONS PERSIST

Call a meeting to clarify the pastor’s role and appropriate congregant behavior. In the Horizon Texas Conference, this may be facilitated by the Crisis Response and Care Team with the DS.

Invite:

- District Superintendent (DS) – Share meeting purpose, follow-up plan, and other details.
- Violator – Ask them to bring a trusted, reflective friend or family member (lawyers not advised).
- SPRC Chair – Maintain clear, factual documentation.

During the Meeting

- Seek resolution with clearly defined boundaries and reasons for maintaining them.
- Consider drafting a Behavioral Covenant:
- Include the pastor’s needs.
- List behaviors the violator must stop.
- Write agreed “ways of being” for all to sign and commit to prayer.

After the Meeting

- Plan a follow-up to assess clarity and accountability.
- Send a letter to all involved and to the DS that:
 - States the meeting’s purpose, attendees, resolution (if reached) and next steps.
 - Thanks participants and requests continued prayer.

Appendix G: Serious Allegations That Must Be Reported to District Superintendent

The following are examples of serious sexual misconduct allegations of which the District Superintendent should be immediately informed:

- Any sexualized behavior with children or youth
- Any use of sexually explicit materials, physical or electronic
- Any sexually related crime that happens on church property or ministry context of the church
- Abuse of power resulting in sexual exploitation of another (using photographs of or stories of one person that may be sexualized and sharing with others)
- Manipulated or forced contact such as molestation, rape
- Sexual exhibitionism refers to both genital exposure to an un-consenting person and refers to purposefully placing oneself where others can see them during sexual activity
- Repetitive and/or severe harassment causing recipient to be hindered or threatened in work or ministry
- Repetitive minor allegations that continue after correction/resolution
- Repetitive refusal to follow local church and conference policies regarding child and youth safety policies and sexual ethics policies
- Any situation where you are unsure how to manage and need guidance

The following are examples of allegations that may not need reporting to the District Superintendent before the local policies and procedures are applied:

- Comments about clothing, appearance
- Uncomfortable personal space such as unwelcome front hug or getting too close to someone
- Disagreement about sexual or gender related topics or understandings
- Subtle acts of exclusion (SAE) such as not being invited into a conversation or event, or speech that makes assumptions about sexual/gender related topics