

New Road Church of Christ

**POLICY AND PROCEDURE
REGARDING ALLEGATIONS OF
SEXUAL MISCONDUCT OR
HARASSMENT**

December 10, 2014

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The ethical conduct of all persons who minister in the name of Jesus Christ is of vital importance to the New Road Church of Christ. Persons who minister include all paid employees, all elders, all deacons, all Bible Class Teachers, and volunteers who serve in a leadership capacity. We will abide by the teaching of the Scriptures and, where applicable, Secular Law.

SEXUAL MISCONDUCT

Sexual Misconduct, as used in this Policy, includes:

- 1) Child Sexual Abuse, as defined in Appendix I
- 2) Sexual Harassment, as defined in Appendix I
- 3) Rape or sexual contact by force, threat, intimidation, or misuse of power in a trust relationship
- 4) Sexual conduct (including, but not limited to, sexual advances, requests for sexual favors, and other kinds of verbal or physical conduct of a sexual nature, such as obscene or suggestive language or behavior, use of church property, computers and other equipment for sexual or pornographic purposes, unacceptable visual contact, touching or fondling) that is unwelcome and/or repeated when the person engaged in the conduct knows or has been informed that the conduct is unwelcome or offensive to the recipient. This definition does not apply to relationships between spouses.

PROCEDURES

- 1) All paid employees, all elders, all deacons, all Bible Class Teachers, and volunteers who serve in a leadership capacity will be asked to provide a copy of a Texas Driver's License or Texas Identification Card to the elders. This information may be used, at the discretion of the elders, to perform background checks. ID and background information will be held in confidence by the elders.
- 2) In case of an incident, the complainant should contact any two of the elders of the New Road Church of Christ, who will complete an incident report form in the presence of the complainant, allowing the complainant to add their comments to the form. If the incident involves a child (under 18 years of age), a parent or legal guardian should serve as complainant.

- 3) The two elders who receive the complaint will act with due diligence to bring the matter to a full meeting of the elders. If the complaint involves one of the elders, that elder should be excused from the first meeting.
- 4) After being advised of the complaint, the elders will begin an investigation of the incident. Video from church security cameras will be viewed when appropriate.
- 5) If a violation of Secular Law has occurred, this will be reported to the appropriate law enforcement agency.
- 6) Copies of this policy will be distributed annually to paid employees, elders, deacons, Bible Class Teachers, and certain volunteers. Each recipient will sign an acknowledgement that they have received a copy of this policy. Other training may be provided when professional training is available.

RESPONSE

- 1) The elders will minister to the emotional and spiritual needs of both the victim and the accused. This may include arrangements for professional counseling or therapy as deemed necessary.
- 2) The elders will communicate with the congregation as appropriate, respecting the privacy of the individuals involved.
- 3) The elders will cooperate fully with any Police or Child Protective Services investigations which may result.
- 4) The elders, at their discretion, may impose spiritual discipline on individuals as conclusions of the investigation are reached.

ATTACHMENTS

- 1) Appendix I - Definitions
- 2) Policy Agreement Form
- 3) Incident Report Form
- 4) Texas Family Code, Chapter 261

APPENDIX I - DEFINITIONS

Accused is the person against whom a claim of sexual misconduct is made.

Accuser is the person claiming knowledge of sexual misconduct by a person covered by this policy. The Accuser may or may not be the Victim of alleged sexual misconduct. A person such as a family member, friend, or colleague of the Victim may be the Accuser whose information initiates an inquiry.

Child is a person under eighteen years of age.

Child Sexual Abuse includes, but is not limited to, any contact or interaction between a Child and an adult when the Child is being used for the sexual stimulation of the adult or of a third person. The behavior may or may not involve touching. Sexual behavior between a Child and an adult is always considered forced whether or not consented to by the Child.

Employee is the comprehensive term used to cover individuals who are hired or called to work for this Church for salary or wages.

High Risk Occupation is that which calls for a person to work in close contact with those who are vulnerable and less capable of protecting themselves, such as children, elderly persons, those who are wholly or partially incapacitated, or clients who are having emotional or personal problems.

Investigation is the term generally used by police, secular prosecutors, and Child protective services when responding to allegations of an offense.

Response is the action taken by the Church when a report of sexual misconduct is received. It may include (1) inquiry into facts and circumstances, (2) possible disciplinary action (administrative or judicial or both), (3) pastoral care and professional intervention for Victims, their families, and others involved in congregational and employment settings, (4) pastoral care and professional intervention for congregational and employment settings, and (5) pastoral care for the Accused.

Secular Authorities are the governmental bodies, whether city, county, state or federal, who are given the responsibility to investigate, criminally prosecute, and/or bring civil charges against individuals accused as sexual crimes or offenses.

Secular Law is the body of municipal, state and federal laws and is often referred to collectively as civil and criminal. Prohibited behavior addressed by this policy may result in criminal charges and/or civil lawsuits filed under Secular Law.

Sexual Harassment in this Policy Means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: 1) submission to such conduct is made either explicitly or implicitly a term or a condition of an individual's employment or volunteer service, 2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual, or 3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile or offensive working environment

Scriptures is the term used for the Holy Bible, both Old and New Testaments, inspired by the Holy Spirit.

Victim is the term used to identify the person alleged to have been injured by sexual misconduct.

Volunteer is the term used for those who provide services for the Church and receive no benefits or remuneration. Volunteers include persons elected or appointed to serve on boards, committees and other groups. For purposes of this policy, volunteers are treated the same as employees. Liabilities of the governing body or entity are the same for volunteers as for employees.

Attachment 1
New Road Church of Christ
Policy Agreement Form

The undersigned acknowledges that they have received and read the above *New Road Church of Christ Sexual Misconduct Policy* and agree to be bound by the terms found therein.

The undersigned acknowledges that the enforcement of these guidelines may periodically involve new criminal background evaluations, and waives any right of privacy to any such information that may be needed by the church to conduct the same.

The undersigned further acknowledges that they are fully capable of guarding the trust that has been given them, and agrees to notify the church should any material change occur, or if they should have any reason to believe that they have become unfit in to guard this trust in any way.

Print Full Name

Date

Signature

Date

**Attachment 2
New Road Church of Christ
Incident Report Form**

Date & Time of Incident: _____

Complaint/Occurrence: _____

Reported by: _____

If this incident involves sexual misconduct (other than rape or assault), have you notified the perpetrator that such conduct is not welcome?

Yes _____ No _____

Action Taken:

Perspectives: Circle the perspectives that are applicable. Attach a written statement from each individual representing the perspective.

- I. Perspective # 1- Person Responsible for Child's Welfare
- II. Perspective # 2 - Adult (at least 18 years of age)
- III. Perspective #3- Minister or Other Employee of the Church
- IV. Perspective #4- Bible Class Teacher or Assistant
- V. Perspective # 5- Elder or Deacon
- VI. Perspective # 6- Church Volunteer in Leadership Capacity

Follow up actions: