

POLICY ON SEXUAL HARASSMENT AND MISCONDUCT

Christiana Lutheran Church
6190 US Hwy 52
Salisbury NC 28146

Statement of Policy

It is the policy of Christiana Lutheran Church that sexual harassment and misconduct will not be tolerated. Any complaint of sexual harassment and misconduct will be dealt with quickly and confidentially. Our Policy applies to clergy, lay employees and volunteers. The intent of this Policy statement is to make certain that responses to any allegation of sexual harassment and misconduct be just and compassionate for all involved, and that all parties be heard.

Definition of Sexual Harassment and Misconduct

Sexual harassment and misconduct refers to behavior which is not welcome to the recipient and that is personally offensive. There are many forms of offensive behavior including, but is not limited to:

- Unwelcome sexual advances, leering, whistling, or sexual gestures
- Deliberate assaults, molestation, exploitation or injury
- Questions or comments about sexual behavior
- Gender based harassment
- Undesired physical contact
- Inappropriate comments about clothing or physical appearance
- Persistent sexually-oriented humor or language
- Continued or repeated jokes, language, epithets or remarks of a sexual nature
- Causing another person to engage in a sexual act by threatening that other person, placing that other person in fear or asserting undue influence over that other person
- Providing or displaying pornographic media to a person below the age permitted by law
- Any attempt to engage in or perform any of the above
- Any additional activity that is covered either by Federal or State laws

Reporting

Any person who believes that they have experienced or witnessed sexual harassment or misconduct, or have had a sexual harassment misconduct issue reported to them should report it immediately to:

- The President of the Congregation's Council or his/her designated representative; or
- The senior pastor of this Congregation
- Reports involving a rostered member of the ordained clergy or rostered lay person at Christiana Lutheran Church shall also be promptly reported to the Dean of the local Chapter.
- If required by law, ordinance, or similar regulations, a designated member of the Congregation must immediately report this incident to the proper authorities.
- Appropriate family members of the victim must be notified immediately of suspected child abuse.

Investigation

- Each incident that is reported will be promptly investigated with confidentiality, care and concern for all involved by the Congregation Council or designated committee.
- Investigation will include interview with all concerned.
- Investigation will include review of all relevant documentation.
- Investigation may be undertaken by either an internal team or we may hire an independent third party. We will cooperate fully with any investigation conducted by law enforcement or regulatory agencies and we may refer the complaint and the result of our investigation to those agencies.
- We reserve the right to place the subject of the investigation on an involuntary leave of absence or reassigning that person to responsibilities that do not involve personal contact with those concerned.
- To the fullest extent possible, but consistent with our legal obligation to report suspected abuse to appropriate authorities, we will endeavor to keep the identities of the alleged victims and investigation subject confidential.
- If the investigation substantiates the allegation, our policy provides for disciplinary penalties, including but not limited to the removal of the person's membership in our congregation, or termination of their relationship with our organization.
- The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. Should an individual's words or conduct be determined to constitute misconduct or harassment, recommendations for action will be developed and appropriate action will be taken. The action taken will depend on the severity of the situation.
- The Congregation Council will be sensitive to the needs of all involved and shall provide any support necessary including counseling during the investigation and response.

There are a number of "red Flags" that suggest someone is being sexually abused. They take the form of physical or behavioral evidence. Physical evidence of sexual abuse includes, but is not limited to:

- Sexually transmitted diseases;
- Difficulty walking or ambulating normally;
- Stained, bloody or torn undergarments;
- Genital pain or itching; and
- Physical injuries involving the external genitalia.

Behavioral signals suggested of sexual abuse include, but are not limited to:

- Fear or reluctance about being left in the care of a particular person;
- Recoiling from being touched;
- Bundling oneself in excessive clothing, especially night clothes;
- Discomfort or apprehension when sex is referred to or discussed; and
- Nightmares or fear of night and/or darkness.

Response

- The Congregation Council or designated committee will review all information obtained during the investigation, and when deemed necessary, will seek legal counsel to assist in the investigation and resolution.
- The Council, or committee, upon reaching a course of action, will meet separately with the person filing the complaint and then with the accused to communicate the results and resolution.
- The Council may recommend a course of action that may include counseling, education, or disciplinary action.
- If a complaint is not substantiated, all parties will be informed.
- Christiana Lutheran Church will not engage in or tolerate retaliation against any clergy person, lay employee or volunteer for making a good faith claim or misconduct or harassment or providing information relating to such complaints during an investigation. Anyone who improperly retaliates against someone who has made a good faith allegation of sexual abuse, or intentionally provides false information to that effect, will be subject to discipline, up to and including termination.
- Intentionally false or malicious accusations of sexual abuse are prohibited.

Communication of Policy

This Policy shall be given to and reviewed with the Congregation's clergy, employees, and volunteers to ensure their understanding and support of this Policy. This review shall take place on a regular basis. Their signature on the acknowledgement sheet indicates that the individual employee has reviewed, understands and supports this policy statement.

In addition, the Congregation shall periodically publicize this Policy to all its members and volunteers through church bulletins and other appropriate forms of communication.

Approval

The Congregation Council of Christiana Lutheran Church has approved this policy as of June 14, 2011.