

Unitarian Universalist Fellowship of Pottstown Safe Congregation Policy Statement

The Unitarian Universalist Fellowship of Pottstown, PA is committed to promoting a safe and welcoming environment supportive of personal and spiritual growth. This fellowship recognizes the right of its ministers, employees/contractors, members, and guests to have an environment free of interpersonal violence such as harassment and abuse. Violations would include abuse or harassment of a physical, psychological, or sexual nature.

We believe that harassment and abuse are not the fault of the victim. A person who has been harassed or abused needs support, empowerment, and a structure which provides an effective, safe, and prompt response to his or her complaint. We understand that harassment and abuse may not be intentional, but may in fact arise through miscommunication or lack of awareness. When uncomfortable and/or unacceptable behaviors occur, individuals can sometimes resolve the situation themselves through direct discussion with the responsible party. Since this direct approach is not always appropriate, a Safe Congregation Committee shall be formed to provide the fellowship with a means of safely and effectively resolving such situations. We recognize the right of an individual who is accused of inappropriate behavior to respond to the allegations. The panel will inform the accused of the allegations regardless of the outcome. Along with this policy statement are Safe Congregation Procedures which include guidelines for the formation and functioning of the Safe Congregation Committee.

This congregation recognizes its obligation to promptly report any action of a criminal nature to the proper authorities in a timely manner. This congregation also supports the Policies of the Unitarian Universalist Association and its Ministerial Fellowship Committee regarding professional behavior which are not part of this document. This Safe Congregation Policy Statement and the Safe Congregation Procedures are also considered to include prohibitions against all criminal behaviors.

Safe Congregation Procedures

Adopted: June 13, 2002 by UUFP Board of Directors
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1. Safe Congregation Committee: Formation and Functioning

The Board of Directors designates the Safe Congregation Committee as the body administrating the Safe Congregation Policy. The Ministerial Committee, or in its absence the Board of Directors, is authorized to construct a Safe Congregation Committee. The committee will consist of five members including the minister, a board member, and three members of the Ministerial Committee, or in the absence of the Ministerial Committee, the BOD will appoint three members. The five will include at least two women and two men. Should there not be a gender balance serving on the Ministerial Committee, the Board will appoint a member of the congregation to comply with the intended gender balance. Should a Board member also be a member of the Ministerial Committee, that person cannot serve on the Safe Congregation Committee representing the Board position. The committee shall handle complaints according to the following guidelines:

- a) All complaints shall be given prompt and fair consideration.
- b) Persons presenting complaints shall be free of coercion, restraints, interference, discrimination, or reprisal.
- c) The Safe Congregation Committee shall act with sensitivity, objectivity, and fairness in handling these complaints.
- d) Decisions of the committee must reflect a quorum of at least three persons, one of whom must be the minister or the board member.

e) The committee will appoint a chairperson and a back-up chairperson to fill in if the chairperson is unavailable.

f) A complaint can be made orally or in writing to any member of the Safe Congregation Committee who will immediately report to the Safe Congregation chairperson to determine if mediation is possible. If so, an individual will be chosen (often the member first approached or the minister) to make a best effort to bring the problem to a satisfactory solution on a personal level. If it is determined that mediation is not possible or the mediation effort is not successful, the chairperson will arrange for the formation of a panel to address the complaint. The panel will have at least one man and one woman. The complainant or any panel member can request that an additional member(s) of the Safe Congregation Committee be on the panel, hence increasing the panel size to four or five members. The panel must include either the minister or a board member. When a panel is formed by the Safe Congregation Committee, the Board president and the minister will be notified.

g) Except under extenuating circumstances, the panel shall meet within ten days of the complaint being made, and shall issue a decision within ten days of the panel's first meeting. (At any point in this process the panel may determine that the panel is not the appropriate body to address or deal with this complaint.)

h) If the panel's decision involves any disciplinary action against the offender, the panel shall make that recommendation to the Board of Directors. If no disciplinary action is involved, the panel's decision can close the complaint process.

i) A complaint against the minister will be handled by a special Safe Congregation Committee panel consisting of: the President of the Board of Directors, another board member, and three members of the congregation.

j) A written record shall be kept using a standard form(s) developed by the Safe Congregation Committee. Unless otherwise required, this confidential record shall only be accessible to the Safe Congregation Committee members, the Board of Directors and the minister. Access shall be further limited if the complaint involves any of these parties.

k) In handling any given complaint, the panel shall not be

required to keep a written record if the complaint is resolved informally or dropped at the request of the complainant.

2. Definitions Of Harassment and Abuse

Introduction

Two principal forms of interpersonal violence are harassment and abuse, which are defined below. If an individual feels his/her personal safety has been violated in this congregation by a behavior or form of misconduct that is not specified here, s/he may still file a complaint with the Safe Congregation Committee.

Harassment

Harassment includes unsolicited and unwelcome conduct that in the case of sexual harassment has sexual overtones. All forms of harassment can feel intrusive, intimidating, hostile, offensive and/or humiliating to the victim. This includes physical, psychological, and sexual harassment. Stalking is also a type of harassment. We consider these three areas to overlap, but are focusing on where the primary complaint is. Unwelcome physical touch with sexual overtones would be considered sexual harassment.

- a. Physical- pertaining to unwanted touch, contact, or other physical intrusions on another's space
- b. Psychological- pertaining to emotional and mental levels of pestering, intruding, stalking, etc.
- c. Sexual- pertaining to unwanted sexualized behaviors, which may be in the form of:
 - c1. physical conduct- touching, pinching, brushing against, impeding or blocking movement, assault, coercing sexual contact, etc
 - c2. verbal conduct- sexually suggestive or obscene comments, sexual propositions, threats (including threat of job loss or other punishment unless victim engages in sexual relations), jokes about gender-specific traits or sexual orientation, etc.
 - c3. written conduct- sexually suggestive or obscene written material;

Abuse

Abuse is a pattern of behavior that is used to control and/or dominate another person. Abuse can be physical, psychological, and/or sexual.

Physical- includes actual or threatened harm, such as hitting, shoving, kicking, or throwing things. The harm or threat thereof may also be against family members, pets, or treasured belongings.

Psychological- includes being mistreated mentally and emotionally, such as being insulted, ridiculed, or threatened verbally.

Sexual- includes any of the behaviors above. Three major areas of concern are:

1. Sexual relating or contact between an adult and a minor;
2. Sexual relating or contact between minors that violates one of them because of the other's role or position;
3. Sexual relating or contact between adults that violates one of them because of the other's role or position.

3. Policy Regarding Behavior of Fellowship Minister

The minister will recognize the power the ministry gives him/her and refrain from practices which are harmful to others and which endanger his/her integrity or professional effectiveness.

Such practices include, but are not limited to, sexual activity with a child, with an adult in the congregation who is not his/her spouse or partner, with a counselee, with the spouse or partner of a person in the congregation, with an intern, with an employee/staff member, or with anyone else whose relationship with the minister would be exploited by a sexual involvement. If the minister is single, before becoming sexually involved with a person in the congregation, the minister will take special care to examine his or her commitment, motives, intentionality, and the nature of such activity and its consequences for the minister, the other person, and the congregation.

The minister will not invade the private and intimate bonds of others' lives, nor trespass on those bonds for the minister's own advantage or need. In any relationship of intimate confidentiality, the minister will not exploit the needs of another person.

Sexual misconduct is a violation of the ministerial relationship in which a person in a position of religious leadership takes advantage of a vulnerable person instead of protecting him/her. It covers a wide range of activity, and the harm caused by this misconduct is related to the degree of seriousness. The range below is from (a) the least degree of seriousness to (e) the greatest degree of seriousness:

- (a) Sexual innuendoes
- (b) Inappropriate touching
- (c) Unwelcome advances or requests for sexual favors
- (d) Sexual relations with an adult under inappropriate circumstances
- (e) Sexual relations with a minor under any circumstances.

Procedure to Handle Complaint Against Fellowship Minister

The complainant shall make a confidential statement, orally or in writing, to a member of the Safe Congregation Committee. That member will then contact the chairperson, who will arrange for a special Safe Congregation Committee panel to be formed. This special panel shall include the President of the Board of Directors, another board member, and three members of the congregation (from the Safe Congregation Committee, if possible). The panel will meet within ten days after the complaint was made. A written record of the complaint shall be made at the time of the meeting. In the event the complaint alleges that sexual relations occurred, the Safe Congregation Committee must immediately report it to the UUA Ministerial Fellowship Committee in Boston, Massachusetts.

The Safe Congregation Committee panel shall issue a decision within ten days after the first meeting of the panel. The process of reaching a decision may include a meeting between the complainant, the minister, and the panel, if such a meeting will not put the complainant at risk.

4. Policy Regarding Behavior of Staff

The staff shall be held to similar standards as the minister. Staff members, if single, shall not be prohibited from a dating relationship with another staff member or a person in the congregation. Before becoming sexually involved with another staff member or a person in the congregation, a staff member will take special care to examine his/her commitment, motives,

intentionality, and the nature of such activity and its consequences for himself/herself, the other person, and the congregation.

Procedure to Handle Complaint Against Staff

The complainant shall make a confidential statement, verbally or in writing, to a member of the Safe Congregation Committee. That member will then contact the chairperson, who will arrange for the three (or more) person panel formed from the Safe Congregation Committee to meet within ten days of the complaint being made. A written record of the complaint shall be made at the time of the meeting.

The panel from the Safe Congregation Committee shall issue a decision within ten days of the panel's first meeting. The process of reaching this decision may include a meeting between the complainant, the staff member the complaint is directed against, and the panel, if such a meeting will not put the complainant at risk. As is deemed appropriate by the panel, the panel shall report the nature of the complaint and the panel's decision regarding the complaint to the Personnel Committee.

5. Policy Regarding Sexual Harassment of Employees (Under Title VII of The Civil Rights Act of 1991)

All employees and persons who have been contracted with for their labor have the right to an environment free from sexual harassment. Sexual Harassment is illegal under Title VII of the Civil Rights Act of 1991. When a person is sexually harassed, s/he is afforded the same protection and redress as a victim of any other form of discrimination.

Sexual harassment is defined by the U.S. Equal Employment Opportunity Commission (EEOC) as the use of one's authority or power, either explicitly or implicitly, to coerce another into unwanted sexual relations or to punish another for his/her refusal of same; or the creation of an intimidating, hostile or offensive working environment through verbal or physical conduct of a sexual nature.

It prohibits unwelcome sexual advances, requests for sexual favors, and other verbal or physical conducts of a sexual nature when:

- 5.1) Submission to such conduct is made either explicitly or implicitly a term or condition of employment; and/or

5.2) submission to or rejection of the conduct is used as the basis for a decision or decisions affecting such individual; and/or

5.3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance; and/or

5.4) such conduct has the effect of creating an intimidating, hostile, or offensive working environment, and the supervisor knows or should know of the existence of the harassment and fails to take timely and appropriate action.

All individuals in positions of supervision are responsible for their own conduct and for the conduct of individuals they supervise, and will take affirmative steps to stop sexual harassment by subordinates when it is brought to their attention, including warning or disciplining the offending individual. Such disciplining may include any legally acceptable means, to be decided with the assistance of the Safe Congregation Committee, and if deemed advisable, the Board of Directors.

Procedure to Handle Complaint Of Fellowship Employee

When an employee has an unresolved complaint about another employee or anyone s/he encounters in the context of the fellowship work environment, the employee shall first discuss the complaint with the minister or the Board President. If the employee would like further assistance in resolving the complaint, the employee can submit the complaint in writing to the Safe Congregation Committee, along with an explanation of actions taken to date. If the minister and/or the Board President have been involved in any attempts at resolution, they shall also submit documentation. (If the complaint is against the minister, see Page 5 for procedure.)

The Safe Congregation Committee will, within ten days of the complaint being made, have the panel meet to review all written materials relating to the complaint and meet with all relevant parties. Except under extenuating circumstances, the panel will issue a decision within ten days of the panel's first meeting, which will close the complaint process.

6. Policy Regarding Behavior of Member or Guest

We believe our fellowship needs to have clearly communicated standards. Misconduct on the part of a member or guest can have harmful effects on any individual as well as on the rest of the congregation. This is intended to protect the welfare of all individuals, including the fellowship staff and minister.

Gradations of seriousness can apply to all forms of harassment and abuse. For example, the following list applies to sexual misconduct, where (a) is least serious and (e) is most serious:

- 6.1 Unwelcome sexual innuendoes
- 6.2 Inappropriate touching
- 6.3 Unwelcome advances or requests for sexual favors
- 6.4 Sexual relations with an adult under inappropriate circumstances
- 6.5 Sexual relations with a minor under any circumstances.

Appropriate steps will be taken when the behavior of a member or guest has the effect of interfering with another person's personal safety and/or spiritual growth.

Procedure for Complaint Against Member or Guest

The minister, fellowship staff, and fellowship officers all have the right to exclude or remove from the fellowship premises, by any lawful means, any person whose conduct is so disruptive and/or offensive so as to impair the functioning of the fellowship. This conduct may come to their attention by direct observation or by verbal or written complaint of another member or guest. The objectionable conduct may be in person, by mail, by telephone, or by other means and includes psychological harassment and abuse such as emotional and mental pestering, intruding, stalking, and being insulted, ridiculed or threatened verbally.

If the complainant and/or fellowship official (such as minister, staff member, etc.) believes the person committing the objectionable behavior is not aware that his/her actions are disruptive or offensive, the complainant and/or fellowship official can attempt to resolve the situation by approaching the person in this way:

- 1) Clearly and directly tell the person what action is disruptive and/or offensive.
- 2) State that you expect the person to stop this behavior.

3) Firmly tell the person that if his/her actions persist, you will file a formal action with the Safe Congregation Committee whose role includes investigation and resolution of such issues.

If this effort is ineffective or such an approach is deemed unacceptable or inadvisable, the complainant can make a confidential statement, verbally or in writing, to any member of the Safe Congregation Committee. A panel from the committee will meet within ten days of the complaint and attempt mediation and resolution, while respecting the confidentiality of all parties concerned. If the complainant or the panel believes there to be a possible risk of harm, the identity of the complainant shall be kept confidential. The panel shall issue a decision within ten days of the first meeting of the panel.

The Safe Congregation Committee panel may resolve the complaint by recommending to the Board of Directors that they do any or all of the following:

- 1) Permanent or temporary barring of offender from fellowship premises and functions;
- 2) Termination of committee, council, teaching or volunteer positions;
- 3) Requirement that offender enter therapy program to remain a fellowship member;
- 4) Removal of offender from fellowship membership;
- 5) Filing of formal charges under State and/or Federal law.

**National Clearinghouse on Child Abuse and Neglect Information Page 39
PENNSYLVANIA
23 Pa. Cons. Stat. Ann. § 6311(a)-(b) (West Supp. 1998)**

WHO MUST REPORT

Licensed physicians, osteopaths, medical examiners coroners, funeral directors, dentists, optometrists, chiropractors, podiatrists, interns, registered nurses, licensed practical nurses, hospital personnel engaged in the admission, examination, care or treatment of persons, Christian Science practitioners;

Members of the clergy, school administrators, school teachers, school nurses, social services workers, day-care center workers or any other child-care or foster-care workers, mental health professionals, peace officers or law enforcement officials.

CIRCUMSTANCES

When, in the course of their employment, occupation or practice of their profession, they come into contact with children who they have reasonable cause to suspect, on the basis of their medical, professional or other training and experience, that a child coming before them in their professional or official capacity is an abused child.

PRIVILEGED COMMUNICATIONS

23 Pa. Cons. Stat. Ann. § 6311(a) (West Supp. 1998)

Except with respect to confidential communications made to an ordained member of the clergy which are protected under law relating to confidential communications to clergymen, the privileged communication between any professional person required to report and the patient or client of that person shall not apply to situations involving child abuse and shall not constitute grounds for failure to report as required by this chapter.