



THE CHURCH OF THE
INCARNATION

**CHURCH OF THE INCARNATION (COTI)
POLICY AND PROCEDURES
DEALING WITH SEXUAL MISCONDUCT INVOLVING
CHURCH LEADERS**

I. Preamble

As followers of Jesus Christ, we are called to participate in Christ's ministry of good news, healing and hope, peace and justice. Clergy and lay leaders of the church (COTI) are called to be exemplary in all spheres of morality as a condition of being appointed or remaining in office.

These guidelines are stated to assist the church (COTI) in responding to complaints of sexual misconduct by church leadership. The church (COTI) is committed to investigating complaints of sexual misconduct promptly and fairly, bearing in mind the solemn duty of Christians to resolve disputes among themselves (1 Corinthians 6:16).

II. Definition of Terms

Sexual misconduct: conduct of a sexual nature, whether consensual or non-consensual, including verbal and nonverbal harassment, indecent behavior, or the touching of any person in a sexual manner. At the rector's discretion, this policy may or may not be used to address consensual sexual misconduct between unmarried persons.

Leadership: any person holding a position of authority derived from the church, including clergy, Parish Council, Small Group leaders, Deacons, and church members holding administrative positions. This also includes any person holding an *ad hoc* position of authority, such as service project coordinator or chaperone, while acting under the auspices of the position.

Complainant: person claiming to have been sexually abused or to have knowledge of abuse.

Respondent: person accused of sexual misconduct and abuse.

III. Response Team

Designated response team of four (4) individuals will be appointed to review sexual misconduct complaints.

If **Rector** is implicated, the response team shall comprise the rector's warden, people's warden and two (2) members at large, appointed by the parish council when the need arises.

If a **leadership person (designated above)** other than the rector is implicated, the response team shall be appointed by the parish council, of four (4) individuals appointed to review sexual misconduct complaints.

IV. Procedure

If Rector is implicated in the Sexual Misconduct Report:

1. Complaint of Misconduct is made to rector's warden or people's warden. A complaint can be made by the person harmed or by a person with knowledge of misconduct concerning a church member.
2. The warden will help Complainant or person with knowledge determine if a Complaint of Misconduct form is to be completed. As of 2019, the statute of limitation is five (5) years to report a Claim of Misconduct.

The warden will assist the Complainant or person with knowledge in completing the Complaint of Misconduct form, including details of time, date, incident, location, exact conduct and words, names of witnesses and any other relevant information. The policy shall be reviewed with the Complainant at the time the complaint form is completed.

3. If Complainant or person with knowledge chooses not to make a formal complaint, the warden will document complaint made, with date, to be kept in confidential records. The warden shall keep these records in a secure and private manner during the length of their service and deliver them to their successor to be kept in like manner. The procedure concludes at this point.
4. If a formal, written complaint is completed, the warden will immediately contact the office of the Bishop and submit to his direction, in accordance with the Canons of the Diocese of Christ Our Hope.
5. Warden encourages selection of personal advocate for Complainant.
6. Warden notifies Respondent of complaint and encourages selection of personal advocate for Respondent.

Appeal Process:

Upon notification of Bishop's decision, any questions or concerns by members of the Response Team or the congregation should be submitted to the warden for correspondence with the Bishop.

If Leadership, other than Rector, is implicated in the Sexual Misconduct Report:

1. Complaint of Misconduct is made to rector's warden or people's warden. A complaint can be made by the person harmed or by a person with knowledge of misconduct concerning a church member.
2. The warden will help Complainant or person with knowledge determine if a Complaint of Misconduct form is to be completed. As of 2019, the statute of limitation is five (5) years to report a Claim of Misconduct.

The warden will assist the Complainant or person with knowledge in completing the Complaint of Misconduct form and will include details of time, date, incident, location, exact conduct and words, names of witnesses and any other relevant information. The policy shall be reviewed with the Complainant at the time the complaint form is completed.

3. If Complainant or person with knowledge chooses not to make a formal complaint, the warden will document complaint made, with date, discussed with supervisor and kept in confidential records. The warden shall keep these records in a secure and private manner during the length of their service and deliver them to their successor to be kept in like manner. The procedure concludes at this point.
4. If a formal, written complaint is completed, the warden encourages selection of personal advocate for complainant.
5. Warden informs appropriate Response Team of Complaint of Misconduct and convenes team to review report. The warden shall supply any past records on the respondent to the Response Team for consideration.
6. Warden notifies respondent of complaint and encourages selection of personal advocate for respondent.
7. Respondent shall have the right to file a response in writing with details, including any witnesses and information relevant to the complaint.
8. Response Team determines if outside investigator will be engaged to oversee the process and findings.

If no outside investigator is engaged, a trained, committee-appointed investigator will meet with complainant and respondent respectively and any named witnesses to determine timeline, facts, and testimonies. The response team will seek a qualified congregant trained in investigative matters to conduct the investigation. The investigator will make findings of fact in an investigative report.
9. The rector and Response Team will act on findings based on the investigative report. Options for action may include temporary suspension of their leadership role, meeting with named complainant and respondent or other resolution measures.
10. The Complainant and Respondent shall be informed of committee action and resolutions.
11. The investigation process shall not exceed thirty (30) to sixty (60) days.
12. At any time after the receipt of an accusation(s), the accused may confess to the truth of the allegation(s) and submit to the discipline of the Church.

Appeal Process:

1. Upon receipt of Response Team action, the Respondent has the right to appeal the decision within 10 (ten) days.
2. The appeal shall be in written form and addressed to rector and Response Team.
3. A response will be made to the Respondent in written form within 10 (ten) days and will be considered final.

V. Confidentiality and Public Notification

1. Complainant shall agree not to publish their accusation independently or via social media, with the exception of reporting to local authorities.
2. The investigative report will be kept on file.
3. Every complaint will proceed through the above procedure and culminate in a written response available to the public. A subcommittee consisting of both wardens and the rector will determine the statement to be released to the public, and the amount of publicity it receives. The publicity options would range from a statement available upon request at the church office to a public statement in the church service, newsletter or bulletin.

VI. Resources

Complaint of Sexual Misconduct Form
List of Investigators

VII. References

Code of Ethics for Church Leadership
Training/Education Recommendations
Steps to Restoration

Approved by Parish Council
September 16, 2021