

Best Practices Guide and Model Anti-Harassment Policy

Introduction

We are putting no obstacle in anyone's way, so that no fault may be found with our ministry, but as servants of God we have commended ourselves in every way.

2 Corinthians 6:3-4

We all are called for service to witness in God's name.
Our ministries are different, our purpose is the same:
to touch the lives of others by God's surprising grace,
so people of all nations may feel God's warm embrace.

"We all are one in mission", Wonder, Love, and Praise 779

From the beginning, human beings were meant for connection and relationship. "It's not good that the human is alone," God said, and made a helper and partner.¹ As members of one body in Christ, as people called to minister in God's name, we seek to nurture interpersonal relationships that are healthy and life-giving for all. We hope and perhaps even expect that the Church should be a place where we can trust one another and where God's warm embrace feels comfortably close at hand.

Yet too often, the Church has fallen far short of that goal. The ways in which the Church has fallen short were detailed by the House of Deputies Special Committee on Harassment and Exploitation in 2018. They confirmed that many of the Church's members, lay and ordained, experience various forms of harassment that interfere with their ability to live fully into their vocations or roles and to participate in the life and work of the Church.² When any member harasses another, they abuse the trust of the whole Body, violate the baptismal covenant, and act contrary to Christian character. Harassment (whether by lay or ordained members of the Body) must be taken seriously by the whole Church, because when any member harms another, the whole Body is harmed.

¹ Genesis 1:18, Common English Bible.

² Members of the committee gathered data informally from lay and ordained members throughout the Church, including their own experiences of systemic sexism, misogyny, misuse of power, sexual harassment, exploitation, and violence in the Church and other employment and institutional settings). Although other denominations, including the United Methodist Church, have gathered official data on these issues within their denomination, and these reports informed the special committee's work, TEC has not conducted a formal, denomination-wide study. A report of the special committee's work was not included in the Blue Book for the 79th General Convention, but may be found on-line at <https://extranet.generalconvention.org/staff/files/download/22107>. In addition, a summary of the committee's work and resulting resolutions may be found on-line at <https://houseofdeputies.org/2018/10/06/special-committee-on-sexual-harassment-and-exploitation-legislation/>

Harassment is unwelcome conduct toward an individual on the basis of race, color, religion, sex, sexual orientation, gender identity, gender expression, national origin, age, weight, height, disability, military status, family status, marital status, or any legally protected status, any time the conduct creates an intimidating, hostile, or offensive environment. Examples of harassment that may violate this policy include, but are not limited to:³

- Oral, written, or electronic communications that contain slurs, negative stereotyping, offensive jokes, insults, or threats. This includes comments or jokes that are dismissive of human dignity or targeted at individuals or groups based on attributes listed above.
- Nonverbal conduct, such as leering and giving inappropriate gifts.
- Physical conduct, such as assault or unwanted touching.
- Visual images, such as derogatory or offensive pictures, cartoons, drawings or gestures. Such prohibited images include those in hard copy or electronic form.
- Expressed or implied demands for favors in exchange for some benefit (e.g., a promotion, a leadership role) or to avoid some detriment (e.g., termination, removed financial support for a pet project)

Taking harassment seriously includes taking seriously the differences of power resulting from distinctions in order and role, as well as power differentials that also exist outside the Church.⁴ It includes doing all we can to prevent harassment from happening as well as providing structures for responding appropriately to stop harassment; for redressing harm caused by harassment to the harassed, the harasser, and the community; and for exploring how and when reconciliation may be possible. Such responses will and should vary depending on the circumstances.

This document is for you if you have ever witnessed or experienced harassment in the Church and wondered how you can help prevent it from happening to someone else. This document is for you if you have been accused of harassment in the past and wondered how you can avoid similar situations in the future. This document is for you if you work in shared spaces with representatives or ministries of the Episcopal Church and want to build a culture of mutual respect.

But this document is especially for you if you are a lay or ordained leader of any sort in any Episcopal church, community, or other context. When we accept leadership roles, we accept heightened responsibility for helping to set expectations in our context, as well as for noticing

³ A more detailed list of example behaviors is included in Appendix A.

⁴ These may include but are not limited to ability, gender, race, wealth and status, relative size, familiarity with the space or community, or education level.

and redirecting harassing behavior in others. Leaders also bear a particular responsibility for understanding how their own behavior may impact others (including the reality that their behavior may land differently simply because they are a leader). Your intention is significantly less important than your impact.

This document is designed to assist you in preventing and responding to harassment in your context. It serves as a statement and a guide for the Episcopal Church, to help ensure that the behavior of church members (individually and corporately) witnesses to the transforming power of God's love. It offers a set of best practices for developing consistent methods of preventing, identifying, and compassionately responding to the harassment we know is taking place in the Church. The practices outlined here are designed to govern all members of the Church, lay and ordained; employees of churches, broader Church or church-related entities such as camp & conference centers, schools, etc.; volunteers; service providers; and any others acting on church/institutional property or participating in church-sponsored events.

This document starts from the perspective of protecting those most vulnerable, because by doing so, we increase the safety of and support for all persons. Anyone may be harassed and anyone may harass another person; however, women; transgender, nonbinary and gender nonconforming persons; children; the elderly; Indigenous people, and/or People of Color; neuro-divergent people; and persons with mental and/or physical disabilities are often at greater risk of harassment, including sexual harassment and assault.

In most cases, these practices and the model policy they guide focus on forms of harassment other than physical or sexual abuse and/or assault, although some cases of harassment may ultimately escalate to become such cases. While there may be a variety of responses to harassment which appropriately redress harm and maintain community bonds, there is never any excuse for, nor should there be toleration for, abuse or assault.⁵

As a Church body, we have learned through hard experience that ignoring harassment within the body of Christ will not make it go away - it simply reduces the Church's capacity to witness to God's transforming love and gives permission for continuing and escalating harassment. Policies and practices are not a magic wand; they cannot substitute for an authentic culture of mutual care for one another, nor for the caring responses needed when harassment occurs. However, their implementation often helps communities to become and remain more spiritually healthy and to reduce the occurrence of harassment.

⁵ Whatever other actions the church takes in such cases, the church should always work primarily to assure safety for those who have been assaulted. Church members and officials should cooperate as needed with secular legal authorities to take appropriate action against the assault perpetrator while continuing to provide pastoral and community support for the victim. In situations in which the church also engages in its own disciplinary processes, these should not be used to hinder or interfere with secular criminal processes.

Spiritual Call to Action

Then God said, "Let us make humankind in our image, according to our likeness...." So God created humankind in his image, in the image of God he created them.

Genesis 1:26a, 27a

Every person is made in the image of God. This reality undergirds everything we do as the people of God, especially when it comes to how we treat one another. All our words and actions - as individuals, as communities, and as a whole Church - must therefore be informed by this truth. We seek always to honor the divine image in one another and in ourselves through our words and actions. When we fail to do so, we hurt one another and we obscure God's image in ourselves.

When Jesus highlighted the commandments to love God with all we are and have and to love our neighbors as ourselves,⁶ he reinforced for us that link. We cannot honor God and hurt our sibling;⁷ we cannot harm our sibling and hope to escape unscathed ourselves.⁸

When we are received into the household of God through baptism, these bonds are sealed in a new way. We promise to respect the dignity of every human being, to seek and serve Christ in each other, and to strive for justice and peace among all people.⁹ These promises do not leave room for us to harass or intimidate or retaliate against one another, nor do they permit us to stand by silently when others do these things. All of us, lay and ordained, are equally bound by these promises. All forms of harassment, aggressive pressure or intimidation, persecution, force, coercion, and molestation are violations of our baptismal vows.

At the same time, our understanding of God's command to love one another is formed by the people around us. In particular, our race, ethnicity, and culture affect what we perceive to be harassment in ways we may not always be aware of. A firm tone of voice may be considered appropriate and respectful in one cultural context yet feel aggressive to someone from another context. Avoiding eye contact may be experienced as respectful by one person or a sign of mistrust by another. It is crucial that our conversations about how to respect the dignity of each person include voices from a range of cultural perspectives as we set the tone for what we consider "appropriate" in our settings. We must take into account the full range of power differences in a situation and prioritize safety first and comfort second as we seek to live out our love and respect for one another.

⁶ Matthew 22:34-40

⁷ 1 John 4:20

⁸ 1 Corinthians 12:12-27

⁹ BCP p. 305

The image of God within each of us and the promises we make to God and one another in baptism call us to be better. When we become aware of situations that obscure God's image in ourselves, in members of our communities, and in those we serve, we are compelled to act on that awareness.

The Legal and Ecclesiastical Position

Almighty God, whose loving hand has given us all that we possess: Grant us grace that we may honor you with our substance, and, remembering the account which we must one day give, may be faithful stewards of your bounty, through Jesus Christ our Lord. Amen.

For the Right Use of God's Gifts, Book of Common Prayer, p. 827

Surprisingly, no comprehensive policy yet exists outlining general expectations for how all church members and others in church settings treat each other, although several existing church policies do address various types of improper conduct in our Episcopal communities.

Such policies include but are not limited to:

- Title III on Ministry and especially Canon III.1 on Lay Ministry.
- Title IV on Ecclesiastical Discipline for ordained ministers.
- Model Policies for the Protection of Children, Youth and Vulnerable Adults.
- Anti-Racism Training.
- Canons prohibiting discrimination against members and employees of the church as well as in the discernment process for ordination on the basis of race, color, ethnic origin, national origin, marital or family status (including pregnancy or childcare plans), sex, sexual orientation, gender identity and expression, disabilities or age.
- Charter for the Safety of People within the Churches of the Anglican Communion.

These may have implications for a faithful response to harassment (sexual and otherwise).

Harassment may be understood as a form of discrimination, and thus definitions of harassment are often part of laws against discrimination. Secular laws against discrimination vary by region and country, and, in the United States, by state. Because TEC exists throughout the United States and in 16 other countries in several very different regions of the world, no single definition of harassment is likely to be helpful in ensuring that all people are

treated with dignity and respect in all parts of the church. Still, some of the characteristics of harassment deemed illegal in different parts of the world may include:

- Unequal treatment or bullying.
- Unwelcome verbal, physical, or sexual conduct.
- Unwelcome behavior, including behavior motivated by a person's actual or perceived sex, sexual orientation, gender identity/expression, race/ethnicity, age, ability, or physical appearance or background.
- Behavior that creates/has the purpose of creating hostility, intimidation, humiliation or offense.
- Making a person's employment or role within the organization conditional on their acceptance of certain unwelcome conduct.

Although all Christians have made a commitment to love our neighbors as ourselves, unfortunately only clergy are currently subject to discipline under the canons for violations of these promises. Although some parish bylaws and diocesan canons provide for the removal of lay leaders (especially wardens and vestry members) from ministry leadership positions, regrettably, no church canons or churchwide policies provide for discipline when a layperson harasses another person (lay or ordained). Parishes, dioceses, and other church organizations that have relevant policies can use these as guides as they adapt the sample policies and best practices to the particular contexts of their communities.

In some cases, actions by individuals in the Church may give rise to secular lawsuits. It may also be necessary for the Church to involve the police or other secular legal authorities and support the prosecution of, or other legal action against, the harasser. In these and all harassment situations, the church has a responsibility to provide for the entire community's sense of safety as they consider the harasser's participation in the life of the church. When police or other secular authorities become involved, this is likely to increase the trauma some members of the community experience. Such involvement may also lead to a harasser escalating the unwanted behavior. Care should therefore be taken to engage law enforcement officers only, when necessary, when doing so is required by law, and with the goal of preventing and/or ending harm. Questions about whether or how to involve secular legal authorities should never turn on considerations of liability alone or minimization or denial of problems. It is vital for institutional leaders to take all allegations of harassment seriously so that prompt and supportive action can be taken for the well-being of all in the community.

How Can Congregations, Dioceses, and other Church Organizations Help to Prevent and Respond to Harassment?

You... were called to be free. But do not use your freedom to indulge the flesh; rather, serve one another humbly in love. For the entire law is fulfilled in keeping this one command: "Love your neighbor as yourself."

Galatians 5:13-14, CEB

The freedom for which Christ has set us free is the freedom to love actively: to grow in community with God and with one another in order that the whole body of Christ might flourish. As the apostle Paul taught, often we do not do the good we want to do; instead, we do the very thing we mean to avoid. When that happens, our communities - whether congregations, dioceses, schools, or other groups - can help us reorient ourselves toward that love which respects the dignity of every person, so that we can choose the good next time.

The choices that we make affect others. Much of harassment comes from a place of power and control. By responding to harassment, and setting standards, you are taking the control away from the harasser. By creating norms, you are taking the burden off of the one being harassed to create standards. Setting norms and standards is a first step in interrupting this power and control dynamic.

Even before your group has established a formal policy for preventing and responding to harassment, you can begin to set standards about how you intend to treat each other, whether in physical space or digital space. These standards should be modeled by ordained and lay staff and leadership. Consider especially the following norms:

- Make seeking consent a part of everything you do. It might feel odd at first to ask, "May I sit here?" "Can I give you a high five or a hug?" or "Would you like help carrying that?" and to hear "No thank you" as easily as "Yes, please". The more we make these behaviors normative in all our interactions, from greeting a small child to comforting the bereaved, the less we will have to work to remember it in situations that might otherwise feel sexualized, and the more we will honor God's image in one another and in ourselves.
- If a person says, "This is upsetting to me," practice taking that seriously, no matter the intent of the original comment. Keep in mind that the most important priority is everyone's safety and basic human dignity - not protection from uncomfortable truths. Sometimes we feel upset because we have been wronged, and sometimes we feel upset because someone has asked us to acknowledge that we have done wrong. Taking the moment seriously means taking the context seriously as well. When we make it a habit to stop, listen, and adjust our behavior even in the little hurts, it's easier

to avoid hurting each other in bigger ways. It also makes us more likely to respond well when we do hurt each other in bigger ways.

- Practice letting go of opinions about other people's bodies. When we learn not to worry about how other people dress their bodies, how big or small those bodies are, how people manage what their bodies can or cannot do, etc., we don't have to worry about whether our comments about their bodies will be received the way we meant them.
- Consider your group's culture of ritual touch in addition to everyday touch. For instance, how do/could/will moments such as the passing of the peace truly honor the dignity of and image of God in each person, as they were created to do?
- Focus on building Christian relationships of mutual accountability grounded in God's call and love. Commit to telling the truth about yourselves and others and be honest about harm done by and to you. Practice receiving others' apologies with compassion rather than shaming them or minimizing the impact. Teach and model confession, lament, intercessory prayer, and making amends as key ingredients to building accountable Christian communities.

Our good intentions are easier to live out when our communities have agreed on what it looks like to love one another honestly and serve one another humbly. In addition to being intentional with our informal community norms, formal anti-harassment policies help us clarify our vision and standards for our community and give us a path forward when harassment does occur. You will find several examples of anti-harassment policies at www.episcopalchurch.org/safe-church. One or more may provide a useful template for your own group.

Whether you begin from a template or from scratch, don't go it alone. Your policy will better reflect your community and have more authority among your members if the group that creates it includes clergy, staff, and lay members who represent the diversity of your particular community. Recognize as you invite these individuals that members of vulnerable communities must be part of the work if it is to reflect their needs and their past experiences of harassment. Recognize also that many of these individuals are frequently asked to give the Church the benefit of their labor and experience and consider compensating them for this work if you are able to do so. If your local context includes intentional communities and/or community organizing networks, you may find these to be valuable resources as well.

Keep in mind that ordained and lay staff, volunteers, and members may all experience or witness harassment. Anyone may also harass, either intentionally or unintentionally. Therefore, your policy will need to provide all members of the community with options for responding if they do experience or witness harassment, as well as help everyone to understand how behavior may be experienced as harassing so they can avoid it. The more

representative your group is, the more effective your policy will be at accounting for the variety of situations you may encounter.

Here are some other important considerations to take as you create your own anti-harassment policy:

- *Take a “bystander intervention” approach*

As the church, non-profit, and corporate worlds alike have incorporated more policies and trainings to improve workplace safety and inclusion, we have learned a bit about what works and what doesn't. Most of us don't just want the environments around us to be safe for us - we want them to be safe for everyone! Yet we can find ourselves getting resentful when trainings and policies seem to assume we are behaving badly and need to be kept under control.

The most effective way to help transform your culture is to assume that most people in your church, diocese, school, or organization mean well and want to help make a safe environment. Approach your policy writing, follow-up communications, and training from this perspective. Commit to supporting one another in becoming an accountable community where members speak and receive the truth about harm that is done. Teach people how to seek help, how to apologize, and how to make appropriate amends. Teach them what to watch for, how to intervene, and how to support those who have been harassed. The more you treat people like they're on the team, the more likely it is they'll act like they're on the team.

- *Plan how you will respond when harassment occurs*

Your policy should include a plan for ensuring that its goals and promises can be lived out. Identify a process for how to report a violation as well as what steps should be taken once it is reported. Include what interim steps you might take while the report is investigated, in order to ensure a sense of safety for those involved. Commit to seeing your process through and know whose responsibility it is to oversee which steps.

As a Church, we minister in hundreds of different cultural and legal contexts. It would be impossible to craft a detailed, “one-size-fits-all” response to harassment across all these contexts; however, there are a number of things you will need to consider as you plan your local policy:

- What is the reality of your context? Are you highly resourced in people? Is your system based on one person doing everything? Does everyone know each other? How is the reality of your context both a blessing and a drawback? How will that impact what it looks like to follow up and monitor complaints in your community?

- In particular, what resources are available in your local community to help you respond to harassment? Mental and behavioral health professionals, county social service agencies, local transformative justice groups, and community advocacy and support organizations may be able to provide training and consultation. Some situations, such as stalking, may rise to the level of a crime requiring legal action.
- Most people who experience harassment simply want the behavior to stop. While we want our policies and their enforcement to be rigorously fair, it's important to take into account the unique details of each situation. Some situations call for disciplinary action beyond a change of behavior; others do not. Remember that our goal is to be both fair and sensitive at the same time, to treat all with dignity and respect and to create a pathway to reconciliation in community for the one who has done harm, if they are willing to take accountability.

When you receive a complaint from someone being harassed, the following points shall be addressed:

- Provide compassionate care for the person making the complaint of harassment.
- Listen to the complainant's description of what happened and ask what they want done.
- Work for the best solution for the person(s) who have been harmed, prioritizing their self-determination whenever possible.
- Mutually agree on an Advisor for the complainant. This Advisor will walk with the complainant through the rest of the process.
- Mutually agree on an Advisor for the accused. This Advisor will walk with the accused through the rest of the process.
- Make it clear to all parties that any retaliatory action is prohibited and could lead to further disciplinary action.
- Follow the laws, canons and policies of your location, especially Title IV of the Canons of the Episcopal Church.
- Keep the matter as confidential as possible, without diminishing the complainant's agency or ability to appropriately function.
- Make a plan for the safety of the community.

- Deal with the situation in a timely manner, while staying in regular communication with the persons most directly involved.
- Keep the complainant's sense of safety as a primary concern as you explore options for resolution.
- Follow up periodically with the complainant, including after the initial resolution. Address any retaliation, whether direct (such as removing someone from a committee or job) or indirect (such as being treated coolly by members of the congregation).
- Keep in mind that interpersonal relationships are messy and there may be many faithful expressions of reconciliation for any given situation that include or don't include mediation.

You may want to develop a resource page for those who may have experienced harassment as well as one for those who have been accused of harassment. (Samples of such a resource can be found in Appendix B of this document.)

- *Identify who should respond to allegations of harassment (if the matter falls outside of a Title IV proceeding)*

Choosing who will respond is a matter that requires particular care and consideration. You will need to identify who can begin in this role immediately, and also whether this person or team will be your best long-term solution. In most cases, the best long-term answer to this question is to form or connect with an ombuds team or office. However, as this is a relatively recent approach to resolving instances of sexual harassment, most congregations, dioceses, and other Episcopal groups and organizations will not immediately have access to this model.

In the meantime, consider who in your sphere might match the following description.

An effective responder will be:

- A person of integrity with a history of trustworthy behavior.
- A bridge builder. They must work with all sorts of people in all sorts of situations and be able to help people come to common conclusions. They must be able to step outside of their own experience to have empathy with people of various backgrounds and identities.
- A problem solver. They must be a respectful listener so that they can help people find solutions appropriate to the situation instead of merely imposing a one-size-fits-all answer. They must be able to discern when an informal response is enough to stop

the behavior, and when a formal process must be engaged. They should have a healthy approach to conflict and not be avoidant or overfond of it.

- Equipped. They must have sufficient time to dedicate to this work, as well as clear policies and procedures to guide their responses. They and you should be clear about their role: are they to facilitate a consensus, make recommendations, or impose a final and binding obligation? They will likely also need ongoing emotional and spiritual support, especially if and when they have a relationship with any party to the complaint.
- Discreet. They must be able to keep strict confidentiality when required and refrain from public speculation or private gossip when strict confidentiality is not possible.
- Connected but independent. A responder will not be able to earn full trust if they are so caught up in the church systems that they cannot take the risk of saying something the senior leadership doesn't want to hear. Nor will they be able to work effectively if they are so far outside that they do not understand how church systems operate. Ideally, they would also be conversant with canonical and legal standards as well as counseling practices.

Where might you find such a person? Unless you have the financial and human resources to hire an outside expert (and most of us won't), you'll likely need to find someone who can begin with the appropriate levels of trust and responsible character and learn the specific skills required for this role. In most circumstances, the best answer is to equip a team of at least two people, to maximize the possibility of trust and provide some collegiality and accountability for the intake coordinators themselves. Good candidates for the role might include:

- A lay person with outside training in this work (The fact that lay people do not vow obedience to the institution of the Church can be very helpful here.)
- A lay or clergy person with a previous counseling background
- A well-trusted, retired bishop of another diocese
- Someone on the staff of the parish/diocese/school/organization who is not the rector/bishop/senior leader
- Someone who has been a leader in a neighboring parish/diocese/organization but is outside the direct scope of your church or organization

- Someone without a formal role in your church or organization who has a high level of trust from all parties.

Finally, keep in mind that very few people trust any institution, including the Church, to respond well when harassment occurs. Your intake coordinator(s) will begin with a trust deficit to overcome. You can set the stage for easier trust building by gathering a small group of people who represent different stakeholders in your church or organization, and discerning together whom to appoint to this position, rather than having the rector/bishop/senior leader appoint them independently.

- *Communicate with the whole Body*

Once you have identified what behaviors you expect from one another and how you will respond when people behave otherwise, it's time to share the plan with the whole community. Make your policy widely available, including on your website and in hard copy. Create a short summary version of your policy that can be posted in plain view and/or handed out regularly. (A model policy of this sort can be found in Appendix B of this document.)

Discuss it as a community. Make these expectations as much a part of your community's care for each other as washing your hands. Have regular conversations with your ordained and lay staff and leadership about how your goals are being lived out and how your community can keep building on these goals.

- *Train leaders*

While keeping people safe from harassment is the work of the whole community, your leaders bear particular responsibility for helping model this well and offering constructive correction where needed. Train your leaders regularly on what you expect from them and make reconciliation a regular part of your life together.¹⁰

¹⁰ At the time of writing, TEC does not offer anti-harassment training directly; however, preliminary anti-harassment training materials are currently being created by our Safe Church Training vendor to reflect the guidelines outlined in this guide.

Appendix A: Examples of harassing behavior, possible remedies, and potential consequences

Examples of harassing behavior

This list of behaviors is not exhaustive; instead, it gives a clear indication of the types of actions that constitute harassment:

- consistently attacking someone’s professional or personal standing
- attempting to make someone appear incompetent
- deliberate sabotage of a person’s work or actions
- public or private displays of offensive material
- use of emails or texts to harass or insult, sent either to the individual or to third parties
- spreading rumors to third parties
- public humiliation by constant innuendo, belittling and ‘putting down’
- personal or aggressive insults
- aggressive gestures, verbal threats and intimidation
- unwanted physical contact, including invading someone’s personal space
- talking/shouting directly into someone’s face
- direct physical intimidation
- threats to a person’s security or their property
- not accepting a person’s “no”