

E-87 FLOW OF PROCESS

ACCUSER makes allegation known:

- Via organizational **Concerned Care Practitioners (CCP)** (submitted to: ProjectSafeChurch.com)
- Via direct report to an **Executive Officer (EO)** of relevant oversight entity

If made to **CONCERNED CARE PRACTITIONER:**

- **CCP** provides this policy and informs Accuser of roles:
 - **CCP** provides assistance and support in filing the complaint.
 - **CCP** does not provide professional counseling nor legal advocacy.
- **CCP** alerts EOs of report's existence, without sharing details until Accuser gives permission.
 - During this initial investigative process, **EOs** may only contact Accuser through CCP.
- **CCP** does not conduct separate fact-gathering investigations beyond Accuser's information.
- **CCP** supports Accuser's process of writing verified affidavit.
- **CCP** promptly notifies appropriate civil authorities if elements of Accuser's facts fall under mandatory reporting, e.g. child abuse/underage pornography, and informs EOs.

If made to **EXECUTIVE OFFICER:**

- **EO** provides Accuser choice between working directly with EOs or through a CCP.
- **Accuser** has 10 days to decide.
 - If Accuser prefers CCP, EO provides choice of three trained CCPs.

ACCUSED meets with **EXECUTIVE OFFICERS**

- **EOs** discuss verified complaint with Accused.
- **Accused** receives a copy of the Policy. An appropriate individual may be made available to interpret the process.
- **Accused** provides verified written response.
- **EO** may place Accused on leave of duty/volunteering during process of investigation

EACH CONFERENCE AND UNION

- maintains a pool of trained **Concerned Care Practitioners (CCP)** to draw upon when complaints arise.
- maintains a pool of trained **Sexual Ethics Committee (SEC)** members .

STATEMENT AGAINST BIAS:

To protect the integrity of the proceedings outlined in this policy, the Designated Officers and the members of the Sexual Ethics Committee (SEC) shall be free of actual or apparent bias, prejudice, predisposition or conflict of interest that may be material to the issues, proceedings, or individuals involved. Any of these individuals who are or appear to be biased, prejudiced, predisposed, or have a conflict of interest, shall be replaced or excluded from appointment. The Discipline Committee should also be free of actual or apparent bias, prejudice, predisposition, or conflict of interest that may be material to the issues, proceedings, or individuals involved.

DISCIPLINARY COMMITTEE

- The board of the existing body which has oversight and responsibility of the Perpetrator's employee, volunteer, or endorsed chaplain.
- **SEC** must report findings to EOs, to be shared with appropriate Disciplinary Committee.
 - If a finding is no-fault, every effort should be made to exonerate Accused.
- **DC** must review findings of SEC and may interview SEC members as needed to understand facts.
- **DC** determines and implements appropriate disciplinary action.
 - **DC** meets separately with Victim and Perpetrator to explain actions taken.
- **EOs** must include record of findings and actions in Accused's personnel file, and/or notify local church board, local conference, etc.

FINDINGS and/or Creation of **SEXUAL ETHICS COMMITTEE (SEC):**

- In the absence of meaningful factual dispute:
 - **EOs** may recommend resolution to parties and relevant Discipline Committee
- In all other cases EOs should convene **Sexual Ethics Committee (SEC):**
 - **SEC** consists of five-members drawn from trained Sexual Ethics Pool (SEP), and must be a majority of lay persons.
 - **SEC** meets only as a group to discuss the case.
 - **SEC** meets both with Accuser and Accused.
 - **SEC** may call other witnesses as part of the Investigative Process.
 - **SEC** must make written findings of fact and decide whether the allegations are more likely than not to be true.
 - Due to differing standards of proof, a finding of not guilty in a court of law does not affect the process or findings of this Policy.
 - There is no appeal from the final decision of **SEC**.
- If finding is more likely to be true than not, Accuser and Accused are now called **Victim** and **Perpetrator**.

E 81 15 EMPLOYMENT REGARDING INDIVIDUALS INVOLVED IN PERSISTENT OR EGREGIOUS SEXUAL MISCONDUCT

The Seventh-day Adventist Church desires to make its work and worship environments a safe place at all times.

To achieve this goal,
no denominational employing organization shall knowingly employ or retain an individual where any of the following exists:

1

Any admission of guilt pertaining to sexual abuse, or sexual misconduct (See E 87 15, paragraph 20)—Sexual Misconduct—Improper sexual behavior including any of the following:

- Actual or attempted sexual contact with a minor or with any person where there exists an exploitation of inequality of power.
- Actual or attempted rape or sexual contact by force, threat, or intimidation;
- Criminal behavior of a sexual nature;
- Possession, manufacture, distribution or access with intent to view child pornography.

2

Any criminal conviction or plea of guilty, nolo contendere (no contest), or its equivalent for sexual abuse, sexual misconduct, or possession, manufacture, distribution or access with intent to view child pornography.

3

Any civil judicial determination of liability, injunctive relief, non-monetary relief, punitive or exemplary damages, or factual finding, settlement for compromise of a civil suit or any finding by the employer's Sexual Ethics Committee or similar body in lieu of filing suit in favor of the claimant resulting from allegations of serious sexual misconduct.

As part of the employment due process, Designated Officers, or their designees, from denominational employing organizations shall make inquiry to officers, or their designees, of institutions or organizations currently employing, or having employed, individuals they are considering for employment.

Designated Officers, or their designees, responding to inquires about current or former employees of their organization shall make every effort to assure that accurate information is being communicated.