

Houston Graduate School of Theology
PH 751 Clergy Professional Conduct and Ethics
Spring 2019, Thursdays 1:00-3:30 p.m.
Professor Herbert Fain, DMin
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Houston Graduate School of Theology equips women and men to be ministers and messengers of God's mission of reconciliation through academic excellence, personal transformation, and leadership development.

I. Course Description

A study of the professional responsibilities of clergy persons with an examination of particular cases where improper behavior by ministers has resulted in lawsuits and prosecutions within the State of Texas, other states, and the federal courts. This course is designed to help ministers avoid some serious issues that could impair their ministries.

II. Student Learning Outcomes

Upon completion of this course, the student will be able to:

- A. Demonstrate knowledge in professional conduct and ethics, evaluate behavior, and make judgments about solutions and methods of correction for professional clergy's responsibility, through successful completion of the presentation (A) and exam (B). (MDiv-1, -10)
- B. Discuss case studies (assignments A, B, and C) and apply scripture with integrity and scholarly attention for ministers' and church leaders' professional responsibility under the law. (MDiv-6, -8)
- C. Develop and recommend measures to protect congregations from the risk posed by sexual predators, as evidenced through successful completion of assignment F. (Mdiv-5, -6, -8)
- D. Evaluate current church policies, conduct research, and write programs that train church leaders to prevent sexual abuse within the church, as evidenced through successful completion of assignment C. (MDiv-6, -7, -8)
- E. Apply the teachings of Jesus on leadership and service to train and develop the necessary practices and policies for the highest professional standards for the clergy, as demonstrated in assignments A and B. (MDiv-1, -6, -10)

III. Texts

Fain, Constance, and Herbert Fain, "Sexual Abuse and the Church," *Thurgood Marshall Law Review* 31 no. 2 (Spring 2006): 209-238.

Glover, Voyle A. *Protecting Your Church against Sexual Predators: Legal FAQs for Church Leaders*. Grand Rapids: Kregel Academic & Professional, 2005. ISBN-10: 082542691X; ISBN-13: 978-0825426919.

McClintock, Karen A. *Preventing Sexual Abuse in Congregations: A Resource for Leaders*. Herndon, Virginia: Alban Institute, 2004. ISBN: 978-1-56699-295-4.

IV. Course Requirements

The requirements of the course include an oral presentation, a final paper, class participation, a book review, and assignment folder. Complete other assignments as requested.

- A. Oral Presentation: Each seminarian will be required to present an oral presentation to the class from a reading assignment, course bibliography, or other material from the class as determined by the instructor. The seminarian will prepare an abstract summarizing the oral presentation. The seminarian is required to offer insight and analysis of the material and will be evaluated by the instructor and their peers. See Addendum 1. (MDiv-1, -10)
- B. Final Paper: Each seminarian will be required to submit a final paper on a course topic of his/her choice from the bibliography. The paper should be 8-10 pages in length. Citations must comply with the latest issue of Kate L. Turabian, *A Manual for Writers*, 8th Ed. ISBN: 0-226-81627-3. (MDiv-6, -8)
- C. Class Meetings and Class Participation: Each seminarian is required to attend class meetings and to theologically reflect and evaluate materials and presentations. Each seminarian will be required to participate in each class, demonstrating a basic grasp of the material being presented. (MDiv-5, -6, -8)
- D. Read and Analyze Assignments: The seminarian will submit a chapter summary over each reading assignment, and offer analysis, comprehension, application, and synthesis of the reading assignment. The seminarian will submit all chapter summaries in their assignment folder, which is due at the end of the semester. See VIII Class and Reading Schedule for reading assignments. Reading assignments are subject to revision depending on the needs of the class, weather events, and other factors. Students are responsible for the material covered because of an adjustment. **Email is HGST's official means of communication.** Revised timetables will be sent to your assigned HGST email address. (MDiv-8)
- E. Book Review: Each seminarian is required to choose a book listed in the bibliography during the first two weeks of class. The seminarian will read the book and write a book review. See Addendum 2 for book review requirements. (MDiv-1, -6, -10)
- F. Assignment Folder: Each seminarian is required to submit an assignment folder on the last class day of the semester. The assignment folder contains the entire seminarian's work for the semester including, but not limited to, assignments, chapter summaries, book review, peer-reviews, and final paper. In addition, seminarians may be required to submit some or all assignments electronically. (MDiv-1, -6, -10)
- G. Final Exam: Each seminarian is required to prepare for and take a final examination. (MDiv-1, -6, -10)

***All seminarians are required to timely submit all assignments by the date on which the work is due. There will be no exceptions, and there will be no excuses allowed. Grades will be adversely affected by the late submittal of assignments.**

V. Grading Scale

Grades will be recommended as follows:

- (1) Seminar Meetings and Class Participation, 20%;
- (2) Oral Presentation, 5%;
- (3) Book Review, 5%;
- (4) Final Paper, 20%;
- (5) Assignment Folder, 15%;
- (6) Read and Analyze Assignments, 20%;
- (7) Final Exam, 15%

Seminarians are admonished to avoid all forms of scholastic dishonesty.

General Criteria for Evaluation

- A** Excellent attendance, oral presentations, and the assignment folder containing all required materials including a table of contents; accurate completion of the preceding items; submission of these items no later than the last class meeting day; timely completion of all assignments, class participation and oral presentations showing exceptional understanding of the materials; and critical exposition, independent thought, and 94-100% success in meeting course outcomes are required.
- B** Good attendance and oral presentation, timely completion of most assignments, class participation, and oral presentation show a competent grasp of the material, and critical exposition of themes and 86-93% success in meeting course outcomes.
- C** Fair attendance and oral presentation, timely completion of some assignments, class participation, and oral presentation show a basic grasp of themes and 78-85% success in meeting course outcomes.
- D/F** Poor attendance and oral presentation, completion of few assignments, class participation/oral examination shows a lack of understanding for the basic material and themes and 77% or less success in meeting course outcomes.

Grades will be derived using the following scale:

A=95-100

A-=94-92

B+=91-90

B=89-85

B-=84-82

C+=81-80

C=79-75

C-=74-72

D=71-70

F=69 and below

VI. Policies

- A. Regular attendance and regular submission of assignments on due dates in the syllabus is expected. The following guidelines have been approved for inclusion in all HGST syllabi and reflect standards for all courses:

Fall/Spring semester 15-session course - 3-absence maximum

Summer term 8-session course - 1-absence maximum (equals 4 hours).

6-session hybrid - 1-absence maximum

4-session hybrid - 0-absence maximum

If a student reaches the designated number of absences, the student will no longer be allowed to stay in the class. The student does have the opportunity to appeal to the Academic Dean and should assume responsibility for scheduling that meeting as soon as possible.

- B. Work is expected on the due date. Late papers will receive no less than a one-letter grade reduction.

- C. Turnitin.com

1. All written assignments are subject to required submission to www.turnitin.com to check for originality and style. The assignments that are required for submission will be described in the syllabus.

2. Students will create an account at www.turnitin.com. After doing so, the student will join the course page with the code and password supplied by the instructor. A list of assignments and due dates will be available on the course page.

3. Students will submit assignments by the due date and time and will be required to submit the assignments in a hard copy format as well.

- D. Electronic Equipment Usage in Classrooms

It is expected that students will use technology (cell phones, laptop computers, iPads, etc.) during classes only for the purposes of class work. Therefore, students should turn off cell phones and refrain from texting and using laptop computers during classes except for the purposes of taking notes or doing research specifically authorized by the course instructor. Students who have emergency needs not covered by this policy must ask for an exception from the course instructor.

- E. *Please review the Academic Catalog for policies regarding Incompletes and Plagiarism. For more information on HGST and area Library Services, please download the Library Handbook from the HGST website.*

VII. Notes for Writing Assignments

- A. Writing assignments should conform to Kate Turabian, *A Manual for Writers of Term Papers, Theses, and Dissertations*, 8th Edition. This includes matters of style and format. Counseling students should pay particular attention to the *Manual* guidelines on submission of academic papers.

- B. The instructor requires the use of footnotes for documentation. The student should number pages. According to Turabian, page numbers should be in the upper right-hand corner, except for the first page of the paper (not counting the title page). Margins should be one inch on all four sides, except where major headings require a two-inch top margin.

- C. The student should utilize 12-point Times New Roman font throughout. The instructor prefers that the student **not** use presentation or report binders or folders. She prefers submission of papers with staples or binder clips.
- D. Critical or formal writing differs from colloquial writing or spoken English at several points. The student should note the following guidelines for critical writing. The instructor expects students to follow these guidelines strictly. Failure to do so will be penalized.
1. Avoid 1st or 2nd person references (“I,” “we,” or “you”). Keep the written projects objective and professional. The student must remember that imperative forms are second person.
 2. Never use contractions.
 3. Avoid passive voice construction (i.e. The student should write “God chose Joshua” rather than “Joshua was chosen by God.”). Some exceptions are necessary, but limiting the use of passive voice is a good policy.
 4. Be sure that number and tense always agree (i.e., Do not write in one place that “Brueggemann argues . . .” and at another place “Brueggemann argued . . .”). Subject-verb agreement is imperative.
 5. Spellcheck! Spellcheck! Spellcheck! Professor Fain does not tolerate misspelled words. Failure to spellcheck will result in a substantive reduction on the grade for written assignments.
 6. Grammar check works as well!
 7. All pronouns should have clear antecedents. Avoiding “it is” and “there is” in the paper removes much of the ambiguity of pronoun usage.
 8. Sentence fragments are unacceptable. Every sentence must have a subject and a predicate.

VIII. Seminarian Workload Expectations

Requirements:	Hours:
(1) Class Time	45
(2) Oral Presentation	3
(3) Book Review (200 pages @ 10/hr + Book Review)	25
(4) Chapter Analyses (15 chapters @ 1/hr)	15
(5) Required Reading (220 pages @ 10/hr)	22
(6) Final Paper (10 pages @ 2/hr)	20
(7) Final Exam preparation	8
Approximate Total	138

Seminarians are admonished to avoid all forms of scholastic dishonesty.

IX. Class and Reading Schedule

Selected readings should be completed prior to class discussion on the topic. The professor of record reserves the right to adjust classroom topics as the course develops.

Week 1 Lecture Sexual Abuse and the Church Article

pp. 209-238

- (01/24/19) *Protecting Your Church against Sexual Predators: Legal FAQs for Church Leaders*
 Preface pp. 7
Preventing Sexual Abuse in Congregations: A Resource for Leaders
 Foreword pp. v
 Preface pp. xi
- Week 2** *Protecting Your Church against Sexual Predators: Legal FAQs for Church Leaders*
 (01/31/19) Coming Soon to Your Church: A Child Molester pp. 11-24
Preventing Sexual Abuse in Congregations: A Resource for Leaders
 Abuse Prevention pp. 1-16
- Week 3** *Preventing Sexual Abuse in Congregations: A Resource for Leaders*
 (02/07/19) Family, Generation, Culture, Congregation: The Context pp. 17-32
- Week 4** *Protecting Your Church against Sexual Predators: Legal FAQs for Church Leaders*
 (02/14/19) Appreciating the Danger Posed by Child Molesters pp. 25-34
Case Study of Archdiocese of Philadelphia
- Week 5** *Protecting Your Church against Sexual Predators: Legal FAQs for Church Leaders*
 (02/21/19) A Closer Look at Some Reasons for the Risk pp. 35-44
Preventing Sexual Abuse in Congregations: A Resource for Leaders
 Sexual Harassment: What It Is and What to Do about It pp. 33-50
- Week 6** *Protecting Your Church against Sexual Predators: Legal FAQs for Church Leaders*
 (02/28/19) Paying Attention to Details pp. 45-56
Preventing Sexual Abuse in Congregations: A Resource for Leaders
 Educating Your Congregation pp. 51-68
- Week 7** *Protecting Your Church against Sexual Predators: Legal FAQs for Church Leaders*
 (03/07/19) Safeguards pp. 57-64
Preventing Sexual Abuse in Congregations: A Resource for Leaders
 Professional Roles and Romantic Relationships pp. 69-82
- Week 8** **Spring Break (No Classes)**
 (03/14/19) *Preventing Sexual Abuse in Congregations: A Resource for Leaders*
 Congregations at Risk pp. 83-102
- Week 9** *Protecting Your Church against Sexual Predators: Legal FAQs for Church Leaders*
 (03/21/19)

- It Happened: What is Our Liability pp. 65-72
Preventing Sexual Abuse in Congregations: A Resource for Leaders
 Clergy at Risk pp. 103-114
- Week 10** *Protecting Your Church against Sexual Predators: Legal*
 (03/28/19) *FAQs for Church Leaders*
 Sexual Assaults by Leaders pp. 73-84
Preventing Sexual Abuse in Congregations: A Resource for Leaders
 Dangers in Pastoral Counseling pp. 115-130
- Week 11** *Protecting Your Church against Sexual Predators: Legal*
 (04/04/19) *FAQs for Church Leaders*
 A Duty to Report? pp. 85-90
Preventing Sexual Abuse in Congregations: A Resource for Leaders
 Policies That Protect pp. 131-148
- Week 12** *Preventing Sexual Abuse in Congregations: A Resource for Leaders*
 (04/11/19) Abuse Reporting Policies pp. 149-160
 Notes pp. 161
- Week 13** *Protecting Your Church against Sexual Predators: Legal*
 (04/18/19) *FAQs for Church Leaders*
 Insurance Coverage pp. 91-96
- Week 14** *Protecting Your Church against Sexual Predators: Legal*
 (04/25/19) *FAQs for Church Leaders*
 Other issues pp. 97-108
 Children Worker Application
 Questions to Ask References
 Consent by Volunteer Worker
 Questions to Ask Former Church
 Tip Sheet for Trips and Outings
 Resources
- Week 15** **Final Exam**
 (05/02/19)
- Week 16** **Assignment Folders Due**
 (05/09/19) **Last Day of Class**

X. Bibliography

Abraham, Lynne. *The Philadelphia Report - The Philadelphia Investigating Grand Jury Report into Allegations of Clergy Sexual Abuse in the Archdiocese of Philadelphia*. [Audio CD] Cherry Hill Publishing; Abridged edition (February 22, 2010). ISBN: 978-0984375912.

- Bradlee, Ben Jr. *Betrayal: The Crisis in the Catholic Church*. Boston: Little, Brown and Company, 2002. ISBN 0316776750.
- Capardi, Nicholas P. *Before Dallas: The U.S. Bishops' Response to Clergy Sexual Abuse of Children*. Mahwah, NJ: Paulist Press, 2003. ISBN 0809105802.
- D'Antonio, Michael. *Mortal Sins: Sex, Crime, and the Era of Catholic Scandal*. New York: Thomas Dunne Books St. Martin Press, 2013. ISBN 978-0-312-59489-3 (Hardcover); ISBN 978-1-250-03439-7 (e-book)
- Fain, Constance, and Herbert Fain. "Sexual Abuse and the Church." *Thurgood Marshall Law Review* 31 no. 2 (Spring 2006): 209-238.
- Fleming, Patrick Lauber-Fleming, and Mark T. Matousek. *Broken Trust: Stories of Pain, Hope, and Healing from Clerical Abuse Survivors and Abusers*. New York: Crossroad Publishing Company, 2007. ISBN-13: 978-0-8245-2410-4
- Flynn, Kathryn A. *Sexual Abuse of Women by Members of the Clergy*. Jefferson, NC: London McFarland & Company, Inc. Publishers, 2003. ISBN 0-7864-1620-3
- Glover, Voyle A. *Protecting Your Church against Sexual Predators: Legal FAQs for Church Leaders*. Grand Rapids: Kregel Academic & Professional, 2005. ISBN 082542691X
- Gula, Richard M. *Ethics in Pastoral Ministry*. Mahwah, NJ: Paulist Press, 1996. ISBN 0809136201
- Harmon, Nolan B. *Ministerial Ethics and Etiquette*. Nashville: Abingdon Press, 1995. ISBN 0687270340
- Josephson, Michael. *Making Ethical Decisions*. Los Angeles: Josephson Institute of Ethics, 2002 edition. ISBN 1888869137
- Lytton, Timothy D. *Holding Bishops Accountable: How Lawsuits Helped the Catholic Church Confront Clergy Sexual Abuse*. Boston: Harvard Press, 2008. ISBN-13: 978-0-674-02810-4
- Plante, Thomas G. *Sin against the Innocents: Sexual Abuse by Priests and the Role of the Catholic Church*. Westport, CT: London, Praeger, 2004. ISBN: 0-275-98175-4
- Spotlight*. Directed by Tom McCarthy. First Look Media, 2015. Film. Open Road Films, 2015.
- Taylor, Thomas F. *Seven Deadly Lawsuits: How Ministers Can Avoid Litigation and Regulation*. Nashville: Abingdon Press, 1996. ISBN-10: 0687008220; ISBN-13: 978-0687008223.
- The Keepers*. Directed by Ryan White. Aired May 19, 2017 on Netflix. Online. Film 45 and Tripod Media, 2017.
- Trull, Joe E., and James E. Carter. *Ministerial Ethics: Moral Formation for Church Leaders*. Grand Rapids: Baker Academic, 2004. ISBN 0801027551
- Weitz, Mark A. *Clergy Malpractice in America*. Lawrence, KS: University Press, 2001. ISBN 0700611266.

STATUTES

- Tex. Penal Code Ann. § 22.011 (West 2017).
- Tex. Fam. Code Ann. § 261.101 (West 2017).
- Tex. R. Evid. 505 (West 1998) (Amended 2015).

INTERNET

- Anderson, Jeff & Associates, PA*. Archdiocese of Milwaukee Documents. [Link to Documents](#). Copyright 2011, Jeff Anderson & Associates.

- <http://www.andersonadvocates.com/Archdiocese-of-Milwaukee-Documents.aspx>. (Accessed on November 27, 2017).
- Boston Globe*. Spotlight Investigation: Abuse in the Catholic Church. Database on-line. Copyright 2004, New York Times Company. <http://www.boston.com/globe/spotlight/abuse>. (Accessed on November 27, 2017).
- Center for the Prevention of Sexual and Domestic Violence. Database on-line. Seattle, WA: Faith Trust Institute. <http://www.cpsdv.org>. (Accessed on November 27, 2017).
- Christian Life Commission. *Broken Trust: Confronting Clergy Sexual Misconduct*. Copyright 2001-2013 OCLC. <http://www.worldcat.org/title/broken-trust-confronting-clergy-sexual-misconduct/oclc/52525668>. (Accessed on November 27, 2017).
- Clergy as Mandatory Reporters of Child Abuse and Neglect: Summary of State Laws*. https://www.childwelfare.gov/systemwide/laws_policies/state/index.cfm?event=stateStatutes.showSearchForm. You must select the appropriate State, Under #1, the Topic “Clergy as Mandatory Reporters of Child Abuse and Neglect,” Under #2, and then Click “Go!” Under #3. (Accessed on November 27, 2017).
- Houston Chronicle* Archives [Database on-line]. Copyright 2013, Hearst Communications, Inc. Available with registration from <http://www.chron.com>. (Accessed on November 27, 2017).
- Philadelphia Grand Jury Report Released September 21, 2005. BishopAccountability.org 2004. http://www.bishop-accountability.org/pa_philadelphia/Philly_GJ_report.htm. (Accessed on November 27, 2017).
- “Sample Policy Statement for Local Churches.” United Church of Christ. Database on-line. <http://www.ucc.org/ministers/safe/safebook.pdf>. (Accessed on November 27, 2017).
- St. Anthony Messenger*. Journal on-line. An AmericanCatholic.org Site from the Franciscans and Franciscan Media, Copyright 1996- 2012. <http://www.americancatholic.org/default.aspx>. (Accessed on November 27, 2017).
- United States Conference of Catholic Bishops. Database on-line. Washington, D.C.: Office of Communications. Copyright 2013, United States Conference of Catholic Bishops. <http://www.usccb.org/about/communications/>. (Accessed on November 27, 2017).
- The View from the Trenches: Recommendations for Improving South Carolina’s Response to Child Sexual Abuse Based on Insights from Frontline Child Protection Professionals*. National Child Protection Training Center (NCPTC). May 2013. <http://silenttearssc.org/the-view-from-the-trenches-recommendations-for-improving-south-carolinas-response-to-child-sexual-abuse-based-on-insights-from-frontline-child-protection-professionals/>. (Accessed on November 27, 2017).
- **Please note: You may need to use the search feature on the internet websites to find case studies and access databases relating to the topic. In addition, if the hyperlink does not work, you may need to right click on the link and click “open hyperlink” to access the websites or cut and paste the link into your browser.**

Addendum 1

PEER EVALUATION FORM

The evaluator should place a “Yes” or “No” in each blank. A “Yes” is worth 2 points; a “No” is worth 0 points for a total of 100 points. The evaluator should add all points to determine presenter’s final score.

Yes	No	
		Introduction
		Does it get your attention?
		Does it touch some need directly or indirectly?
		Does it orient you to the subject?
		Does it orient you to the main idea?
		Is it the right length?
		Is there a specific purpose?

		Body and Structure
		Is the development clear?
		Is the overall structure clear?
		Does the presentation have a central idea?
		Can you state it?
		Are the transmissions clear?
		Is there a logical or psychological link between the points?
		Do the main points relate back to the main idea?
		Are the sub-points clearly related to their main points?

		Conclusion
		Does the presentation build a climax?
		Is there an adequate summary of ideas?
		Are there effective closing appeals or suggestions?

CONTENT

		Subject Development
		Is this subject significant?
		Is the analysis of the subject thorough?
		Does the speaker convince you that he/she is right?
		Does the content show originality?

		Supporting Material
		Did the speaker use illustrations?
		Is the supporting material related to its point?
		Is it interesting?

		Style
		Does the speaker use correct grammar?
		Is his/her vocabulary concrete?
		Are words used correctly?
		Does the choice of words add to the effectiveness of the presentation?

DELIVERY

Yes	No	
		Intellectual Directness
		Does the speaker want to be heard?
		Is he/she alert?
		Do you feel he/she is talking with you?
		Is he/she friendly?
		Does the delivery sound like conversation?
		Are words pronounced correctly?

		Oral Presentation
		Is the voice easy to listen to?
		Is he/she alert?
		Do you feel he/she is talking with you?
		Is he/she friendly?
		Does the delivery sound like conversation?
		Are words pronounced correctly?

		Physical Presentation
		Is his/her entire body involved in the delivery?
		Does he/she gesture?
		Are the gestures spontaneous?
		Are there distracting mannerisms?
		Is the posture good?
		Does the speaker look alert?
		Are there good facial expressions?

GENERAL EFFECTIVENESS

		Audience Adaptation
		Is the presentation adapted to your interest?
		Does the speaker look you in your eye?
		Does the speaker's presentation fit or accommodate the various learning styles?

_____ Total Yes Points
Multiply "Yes" totals by "2"

_____ **Total Points**

COMMENTS

Professor

Course

Date

Created by B. Bammel

Addendum 2

BOOK REVIEW: CRITIQUE REQUIREMENTS

The reading critiques are a vital part of the study of ethics and social witness. It is important in our study to continue our professional development by reviewing suggested reading.

The reading critique should be 3-5 pages, double spaced, and formatted with one-inch margins and a size 12 font. Include your name, date, and name of book.

The critique should address the following:

1. Bibliographic data
2. Concisely summarize the writer's main idea
3. Explain how this reading affected your understanding of the following:
 - a) God
 - b) The Christian Life
 - c) Ministry/Minister
 - d) Yourself
4. Analyze the most meaningful part of the reading and explain your reasons.
5. Evaluate your favorite quote and explain.

All critiques should be completed and submitted within your assignment folder.