

SEXUAL MISCONDUCT PREVENTION POLICY & PROCEDURES

Revised February 2, 2013

*References herein cited from the Book of Order: The Constitution of
the Presbyterian Church (USA) Part II, edition 2011/2013.*

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I. Foundations

As God who called you is holy,
be holy yourselves in all your conduct.
I Peter 1:15

Not many of you should become teachers,
my brothers and sisters, for you know that we
who teach will be judged with greater strictness.
James 2:15

Tend the flock of God, that is your charge,
not under compulsion, but willingly,
not for sordid gain, but eagerly,
do not lord it over those in our charge, but be examples to the flock.
I Peter 5:2 (NRSV)

G-3.0106 Administration of Mission: **All councils shall adopt and implement a sexual misconduct policy.** (Page 44, Book of Order)

II. POLICY STATEMENT

It is the policy of the Presbytery of Stockton that all church members, church officers, nonmember employees, and volunteers of the Presbyterian Church, and related agencies, shall maintain the integrity of ministerial, employment, and professional relationships at all times. Sexual misconduct is a violation of the principles set forth in Scripture and is never permissible.

III. PURPOSE OF THE POLICY

The Presbytery of Stockton adopts this policy on sexual misconduct prevention for the use of all ministers, and other related agencies under its jurisdiction as follows:

1. To set standards of ethical behavior consistent with Scripture and secular law, and to establish a process for the enforcement of those standards.
2. To provide procedures for inquiry and effective response to allegations of sexual misconduct and/or harassment.
3. To serve as a guide for the application of the powers of presbytery under the Form of Government and the Rules of Discipline of the Presbyterian Church (U.S.A.). See D-1.0100.
4. To establish personnel employment practices and forms for the administration of appropriate employer/employee relationships within the presbytery and related agencies.
5. To serve as a guide for the prevention of sexual misconduct.
6. To demonstrate pastoral concern to all parties affected by any alleged incidence of sexual misconduct.

IV. DEFINITIONS

- A. **Accountability Partner** refers to a person thoroughly familiar with the ethical responsibilities of religious leaders and problems of transference likely encountered by such leaders, whose role is to help the clergy/professional layperson to be alert to possible problems in maintaining appropriate boundaries in relationships with parishioners/clients.
- B. **Accused** refers to the person against whom a claim of sexual misconduct is made.
- C. **Accuser** refers to the person whose claim of knowledge of sexual misconduct initiates an inquiry into alleged sexual misconduct.
- D. **Advocate** refers to the person(s) who provide ongoing support and accompaniment to the victim throughout the inquiry process and any subsequent proceedings. This may be a clergy or lay person, with special training for this task, who will have their out-of-pocket expenses covered by the presbytery.

E. Child Sexual Abuse includes, but is not limited to:

1. Any sexual contact or sexual interaction between a child (under the age of eighteen years) and an adult;
2. Any use of a child for the sexual stimulation of an adult, a third person, or the child;
3. Any risqué jokes, innuendo, unacceptable visual contact, unwelcome casual touch, unwelcome and inappropriate hugs and kisses, and sexually suggestive pictures between an adult and a child, as deemed inappropriate by any reasonable adult.

F. Church, when capitalized, refers to the Presbyterian Church (U.S.A.). When non-capitalized, ‘church’ refers to local churches.

G. COM refers to the Committee on Ministry of the Presbytery of Stockton.

H. Disciplinary Process is the process undertaken pursuant to section D-10.0100ff in the *Book of Order*.

I. Employee (member or non-member) is any person hired or called to work for the Presbytery or related organization including local churches where jurisdictional to the Presbytery, for salary or wages.

J. Investigation/Inquiry are the terms used in the Rules of Discipline to determine whether charges should be filed based upon the allegation of an offense received by the presbytery. (See *Book of Order* D-10.0200) (This section, and following, includes processes to enable the examination of alleged sexual misconduct.)

K. Investigating Committee as defined in D-10.0201ff is the body charged with performing the investigation/inquiry on behalf of the presbytery.

L. Liaison refers to the person who relates to the accused throughout the inquiry process and any subsequent proceedings, whose out-of-pocket expenses will be covered by the presbytery.

M. Mutual Consent is NOT POSSIBLE when one party is a clergy person or a professional lay leader in a pastoral position. Nor is mutual consent possible when one party is in a position as counselor dealing with a client, a supervisor or other person of authority dealing with an employee or supervised volunteer, or any leadership position within the church, related organization, or sponsored activity in which the other party is under the leadership, authority, or supervision of such person, consent is never possible when one of the parties is a child or a person otherwise not competent to give consent. It is the express purpose of this definition to be clear that any exercise of office, authority, leadership or other position of trust to gain the perception of consent is deemed to be coercive and therefore a breach of the trust relationship.

N. **Persons Covered** by this policy include all members of the Presbytery of Stockton, and the employees and volunteers of the churches under its jurisdiction.

O. **Professional Lay Leader** is any person hired to work for the presbytery or any church or related organization within the jurisdiction of the presbytery for salary or wages in a position which could be filled by either clergy or layperson.

P. **Reasonable Suspicion** is a belief or opinion based on information or circumstances sufficient for a prudent person to take appropriate action.

Q. **Religious Leader** is a term used to include clergy persons, and professional as well as volunteer lay leaders.

R. **Secular Authorities** are the government officials, who have the responsibility to investigate, prosecute, and/or bring charges against individuals accused of sexual crimes or offenses against adults and children.

S. **Sexual Abuse** is sexual misconduct in the context of a clear breach of professional trust and/or misuse of the power, stature, influence, or authority of the clerical office or other leadership position. In a professional context, mutual expressions of affection do not abrogate the abusiveness of the relationship, for true consensus may be considered, by definition, impossible between a professional and a person in that professional's care.

T. **Sexual Harassment** means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or their continued status in the Presbytery or
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals, or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, or offensive working environment based on the declared judgment of the affected person.

Lack of intent to harass is no defense.

Examples of sexual harassment include, but are not limited to:

1. **Verbal:** *sexual innuendos, risqué jokes, sexually suggestive or insulting questions, comments or sounds, jokes or teasing of a sexual or romantic nature, sexual propositions or threats, continuing to make sexual advances or comments or otherwise expressing personal interest after being informed the interest is unwelcome, sexual remarks regarding clothing, body, or love life, or any type of subtle pressure for sexual activity.*

2. **Visual:** *sexually suggestive or gender derogatory objects, pictures, computer software, posters, or letters; leering, whistling, or obscene or sexually suggestive gestures.*
3. **Physical:** *unwanted physical contact, including touching, pinching, brushing the body, impeding or blocking movement, sexual intercourse or assault.*
4. *Encouraging attitudes or patterns of verbal, visual, or physical conduct (may or may not be obviously directed at a particular person) which may reasonably be perceived as tending to legitimate, rationalize, or make light of unwanted sexual advances.*

U. **Sexual Misconduct** is a comprehensive term used in this policy to include, but is not limited to:

1. Child Sexual Abuse as previously defined;
2. Rape or sexual contact by force, threat, or intimidation;
3. Sexual Malfeasance - as breach of trust by a religious leader, resulting from a relationship and/or sexual contact within a ministerial or professional or leadership relationship;
4. Production or distribution of pornography as defined by actions or policy statements of the General Assembly, Presbyterian Church (U.S.A.);
5. Sexual Harassment.

The definition of sexual misconduct is not meant to include non-abusive relationships between spouses.

W. **Victim** is the term used to identify the person(s) who have been injured by sexual misconduct.

X. **Volunteer** refers to a person who provides services to a presbytery, or a church, or related organization without financial or material remuneration.

V. **PRINCIPLES OF ETHICAL CONDUCT**

1. An act of sexual misconduct is a violation of the ordination vows of clergy, and of lay persons who are appointed by the presbytery for the work of ministry. In such ministry, leaders are called upon to exercise integrity, sensitivity, and caring in a trust relationship devoted to the best interests of those to whom they minister.

2. Sexual misconduct is a misuse of authority and power which breaches Christian ethical principles and Biblical teachings on sexuality. It is further a misuse of a trust relationship to gain advantage of another for personal pleasure or power, in an abusive, exploitative, and unjust manner. Such conduct cannot be justified by a claim of mutual consent. Even if the one being

ministered to initiates or invites a sexual relationship, it is the clergy person's, or lay leader's responsibility to maintain the appropriate role and prohibit a sexual relationship.

3. Sexual misconduct takes advantage of the vulnerability of children and persons who are less powerful to act for their own welfare. It is antithetical to the gospel call to work as God's servant in the struggle to bring wholeness to a broken world. It violates the mandate to protect the vulnerable from harm.

4. Other areas of ethical conduct are treated in detail in the Ethical Guidelines of this presbytery, approved by Presbytery of Stockton on 4/8/10.

5. **NOTE:** It has been determined through case law that there is no confessional protection in the Presbyterian Church (U.S.A.) regarding mandatory reporting laws for child sexual abuse.

VI. PREVENTION EDUCATION AND TRAINING

Every pastor member of Stockton Presbytery shall take a basic course in Sexual Misconduct Prevention within one year of becoming an active member. Thereafter every pastor will be expected to avail themselves of one such training opportunity related to sexual behavior every five years. The Committee on Ministry will provide ongoing educational programs aimed at preventing sexual misconduct.

The goals of this education and training will include the following topics:

1. Affirmation of Biblical teaching and Confessional standards
2. Recognition of the imbalance of power between a religious leader and those in their care.
3. That religious leaders understand the necessity of maintaining appropriate boundaries as well as establishment and maintenance of professional and caring environment and demeanor; thereby ensuring the confidentiality of the parishioner/client and the protection of both parishioner/client and leader.
4. That religious leaders be aware that frequent pastoral calling visits, frequent phone conversations, extended time together, and physical touching, hugs, and kisses may be associated with sexual advances and are **HIGH RISK BEHAVIORS** which may be perceived as unwelcome or an infringement on the rights of others.
5. The need for **ALL** clergy to have accountability partner with whom they meet regularly, since their role invites trust and dependence and because they are often in a one-on-one setting with persons who respect and depend on them.
6. The need for religious leaders who counsel or provide spiritual direction to observe professional precautionary measures such as: limiting time spent with each counselee or directee, making sure that there are other people around the

buildings during sessions, and observing a professional caution regarding touching of counselee/directee.

7. The need for religious leaders who are providing counseling to be in an accountability relationship.
8. The need for religious leaders who are Certified Spiritual Directors to comply with their certification to be in an accountability relationship.

VII. RESPONSE PROCEDURES

A. Initial Report Procedures

Allegations of sexual misconduct are made in a variety of ways. It is important that officers, employees, and persons highly visible to church members and visitors understand how allegations of incidents are to be processed.

An accuser may report alleged sexual misconduct to any of the following;

1. The pastor of the accuser's church or the church of the accused;
2. A member of the Personnel Committee of the church or governing body;
3. The Committee on Ministry;
4. The Executive Presbyter;
5. The Stated Clerk of Presbytery.

The first person to learn of alleged sexual misconduct must take the allegations seriously and confidentially. This person shall complete the Report of Suspected Sexual Misconduct (Exhibit A, this document). The report shall immediately be delivered to and called to the attention of the clerk of session or the Stated Clerk of the presbytery.

NOTE: It has been determined through case law that there is no confessional protection in the Presbyterian Church (U.S.A.) regarding mandatory reporting laws for child sexual abuse.

Any incident of suspected sexual abuse of a minor, by a person covered by this policy, shall IMMEDIATELY be reported to Child Protective Services, local law enforcement, and/or the District Attorney.

B. Presbytery Judicial Response

Immediately upon receipt of the Report of Suspected Sexual Misconduct, the Stated Clerk shall inform the Executive Presbyter and COM Chair, and these three shall determine if Presbytery has original jurisdiction. If it is determined that jurisdiction applies, these three shall appoint an Investigating Committee as stipulated in the Rules of Discipline (D-10.0201). If jurisdiction resides in the local church, the Clerk of Session and church Pastor shall be informed and the matter referred to the Session for investigation and disposition. If the Session fails to act within 90 days of the return of the matter to it, the Presbytery will assert jurisdiction (D-3.0103).

The I.C. must promptly begin its inquiry into the allegations, having received orientation by the Stated Clerk, as delay may cause further harm to all parties involved. The I.C. will conduct a thorough investigation as called for in D-10.0200.

Administrative leave: “When a written statement of an alleged offense of sexual abuse toward any person under the age of eighteen, or who is alleged lacked the mental capacity to consent, has been received against a teaching elder, the stated clerk receiving the allegation shall immediately communicate the allegation to the permanent judicial commission. The moderator of the PJC shall within three days designate two members who may be from the roster of former members of the PJC, to determine whether the accused shall be placed on a paid administrative leave during the resolution of the matter.” (D-10.0106) If administrative leave is deemed appropriate, the COM shall immediately begin work with the session and congregation.

Administrative leave is appropriate if there is some likelihood that a similar offense as alleged may occur during the period of investigation and/or trial; or if it appears necessary to preserve the peace and purity of the congregation, related organization, or sponsored activity. Administrative leave is preventative, not punitive.

If the I.C. finds the allegations to be unsupportable, the report of that finding is forwarded to the Stated Clerk who shall then report that finding to the presbytery.

If at any time during the investigation the accused admits to the allegations, the investigation shall proceed to its conclusion, the charges shall be filed with the PJC along with the signed statement of the accused, and a settlement of consequences may be formally mediated.

If the accused does not concur with the allegations, charges are to be filed with the PJC, and the judicial process is to continue, per D-10.0400ff.

The degrees of censure are listed in D-12.0100, and the terms of restoration in D-12.0200. The PJC is encouraged to consult with the Synod Stated Clerk for sentencing appropriate to the offense.

C. Presbytery Pastoral Response

Feelings of guilt, shame, anger, mistrust, lowered self-esteem, unworthiness, and feelings of alienation from God, self, the religious community, and family, are injuries frequently suffered by those impacted by sexual misconduct (these include among others: the victim(s), the accused, the accuser, the families and co-workers, the congregation, other employing entities, and the presbytery). It is important for the presbytery to be sensitive to the pain of all those involved, and their need for healing, and to act by making appropriate pastoral care available.

1. **Victim and Family**
The presbytery will offer to provide pastoral care to the victims of sexual misconduct and their families through an advocate. If the victim or family at first refuses care, the presbytery should continue to offer this assistance throughout the process. Above all, the presbytery will NOT act in a self-protective manner by ignoring the victims and their families.
2. **Congregation (or employing entity)**
The COM, recognizing that allegations may polarize the congregation, damage morale, and create serious internal conflicts, may need to meet with the session to inform them of the allegations toward a religious leader related to that congregation. After a briefing on the judicial process, the COM may assist the session in planning their care for the congregation through this time.
3. **Accused and Family**
The presbytery will offer to provide pastoral care for the accused as well as his/her family through a liaison. If the accused is a minister, this is the responsibility of the COM. Any representatives of the presbytery are not to make any presumption of guilt or innocence, and must be aware that the accused is wounded by the experience.

When charges against the accused are not sustained, it is vital that the presbytery publicize this fact as widely and quickly as is appropriate.

VIII. STATUTE OF LIMITATIONS

Allegations of sexual misconduct should be made to the proper officers of the presbytery as promptly as possible. However, there is no time limit on the filing of charges in cases of sexual misconduct (D-10.0401). Child sexual abuse may not be recognized until the victim of abuse reaches adulthood. A person victimized when an adult may not recognize the abuse or be willing to come forward with an allegation for many years.

IX. EMPLOYMENT PRACTICES

All governing bodies are to comply with Title VII of the Civil Rights Act to ensure fair employment practices.

A. Record Keeping

Accurate record keeping is an essential part of responsible hiring and supervisory practice. Every session and presbytery shall maintain a personnel file on every employee, including ministers. The file shall contain the application for

employment, employment questionnaire (Exhibit B), reference responses (Exhibit C), and other documents related to this policy or required by law.

B. Pre-screening Applicants

Pre-employment screening for ALL employees, including clergy, is to include completion of certification found on page 2 of Exhibit B which states:

I certify that (a) no civil, criminal, ecclesiastical complaint has ever been sustained or is pending against me for sexual misconduct; (b) I have never resigned or been terminated from a position for reasons related to sexual misconduct; or (c) I have never been required to receive professional treatment for reasons related to sexual misconduct on my part.

If the applicant is unable to certify to the above, applicant may instead provide a description of the relevant complaint, resignation, transfer, termination, or course of treatment giving dates, names, addresses, and telephone numbers of employers and/or physicians, the outcome of the situation, and any explanatory comments the applicant wishes to make.

C. Reference Checks

1. The employing entity, through its session, governing board, personnel committee, or PNC, as appropriate, is responsible for contacting references for all prospective employees, including clergy, regularly scheduled volunteers, and volunteers in high risk positions such as workers with youth and children, lay counselors, boy or girl scout leaders, and camp counselors.
2. The presbytery, through the Executive Presbyter, is also responsible for including questions regarding sexual harassment and other sexual misconduct when making clearance checks of applicants for ordained positions; and for reporting to COM and the appropriate PNC any information received as to those specific subjects, including a report that there is no reported difficulty.
3. Applicants shall be given opportunity to submit additional references or to give other evidence to correct or respond to harmful information obtained from a reference.
4. If false or misleading information regarding sexual harassment or other sexual misconduct has been given by the applicant or relevant information withheld, the applicant shall be eliminated from consideration.

5. If a response to a reference check reveals information of sexual harassment or other sexual misconduct, COM **must** be notified immediately if the position is jurisdictional to the presbytery, and the applicant **may not** be called or hired without the specific **written** approval of COM.
6. In response to reference requests, the Executive Presbyter and/or other persons authorized by the presbytery (either directly or through COM) to give references, **must** give truthful information regarding allegations and administrative or disciplinary action related to sexual misconduct of the applicant. The response, however, must be limited to information contained within the written summary prepared by the PJC or governing body.

X. COMPLIANCE AND DISTRIBUTION

All continuing members of the presbytery, its employees, and volunteers in high risk positions, e.g. youth ministry, camp counselors, etc. shall be required to sign a statement (Exhibit D) acknowledging that they have received a copy of this document and that they agree to conduct themselves in accordance with the policy contained herein. It will also be distributed to the sessions of all churches in the presbytery and made available to their church members upon request. Furthermore, a summary statement of the policy and other significant portions of this document (Exhibit E) **SHALL BE POSTED IN ALL CHURCHES AND ENTITIES.**

XI. REFERENCES

All references to the Book of Order are from the 2011-2013 edition.

Exhibit A

Report of Suspected Sexual Misconduct

Reported by:

Name and title

Address

City, State, Zip Code

Telephone

Date of Report:

Person suspected of misconduct:

Name and title

Address

City, State, Zip Code Telephone

Other person(s) involved (victims)

Name and title

Age and sex

Address

City, State, Zip Code Telephone

Witness(es)

Name and title

Age and sex

Address

City, State, Zip Code

Telephone

Exhibit A

Report of Suspected Sexual Misconduct

Describe incident(s) of suspected sexual misconduct with as much detail as you are able, including date(s), time(s), and location(s):

Identify eyewitnesses to the incident, including names, addresses and telephone numbers, where available:

Other information which may be helpful:

Exhibit B

Employment Questionnaire

Page 1 of 2

NAME: _____

First

Middle

Last

ADDRESS: _____

CITY, STATE, ZIP _____

PHONE _____

Business

Home

Have you ever been known by any other name? Yes _____ No _____

If yes, please provide other name: _____

Employment Record: (List current and previous employers for the last five years)

Employed by _____

Address _____

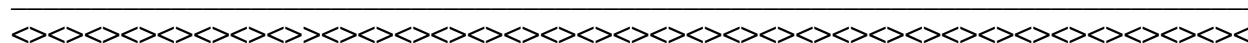
City, State, Zip _____

Your supervisor _____ Phone _____

Supervisor's Title _____

Employed from (Month/Year) _____ to (Month/Year) _____

Why did you leave? _____



Employed by _____

Address _____

City, State, Zip _____

Your supervisor _____ Phone _____

Supervisor's Title _____

Employed from (Month/Year) _____ to (Month/Year) _____

Why did you leave? _____

Exhibit B

Employment Questionnaire

Please complete the following certification:

I certify that (a) no civil, criminal, ecclesiastical complaint has ever been sustained or is pending against me for sexual misconduct; (b) I have never resigned or been terminated from a position for reasons related to sexual misconduct; or (c) I have never been required to receive professional treatment for reasons related to sexual misconduct on my part.

Signed

Date

NOTE: If you are unable to make the above certifications, you may instead give, in the space provided, a description of the complaint, termination, or course of treatment you have been involved in, giving dates, names, and addresses of employers or physicians, the outcome of the situation, and any explanatory comments you care to add.

If the above certification cannot be made because of sustained or pending charges related to sexual misconduct, termination for reasons related to sexual misconduct, or civil or criminal charges, the following waiver must be signed, witnessed, and notarized:

Release

The information I have provided on this questionnaire is accurate to the best of my knowledge and may be verified by the Presbytery of Stockton to make any and all contacts necessary to verify my prior employment history, medical information, and to inquire concerning any prior arrest or criminal records or any judicial proceedings involving me as a defendant. By means of this release, I also authorize any previous employer, any physician who has treated me (specifically including any psychiatrist, mental health professional, or psychologist possessing information as to prior mental or emotional illnesses or drug or alcohol abuse), and any law enforcement agencies or judicial authorities to release any and all requested information to the Presbytery of Stockton.

I have read this release and understand fully that the information obtained may be used to deny me employment or any other type of position in the Presbytery of Stockton. I also agree that I will hold harmless the Presbytery of Stockton, as well as any prior employer, psychologist, psychiatrist, mental health professional, physician, law enforcement authority, or judicial authority from any and all claims, liabilities, and cause of action for the release or the use of any information.

Signature

Date

Exhibit C
Employment Reference

If the information in this report alleges sexual misconduct as defined in the *Policy and Procedures*, *Sexual Misconduct Prevention of the Presbytery of Stockton*, a copy of this employment reference in its entirety will be given to the accused.

1. Name of applicant _____
2. Reference or church contacted (if a church, identify both church and person contacted):

3. Date and time of contact: _____
4. Method of contact (telephone, letter, personal conversation): _____
5. Summary of conversation (summarize the reference's remarks concerning the applicant's fitness and suitability for the position, any allegations of sexual misconduct or child sexual abuse):

Name of person making this reference contact _____

Signature

Date

Exhibit D

Acknowledgment of Receipt

(Policy and Procedures, Sexual Misconduct Prevention, Presbytery of Stockton)

I hereby acknowledge that I received on _____(date) a copy of “Policy and Procedures, Sexual Misconduct Prevention for the Presbytery of Stockton”, dated _____, and that I have read the policy, understand its meaning, and agree to conduct myself in accordance with the policy.

Name (Please print)

Signature

Date

A similar acknowledgment will be signed at such times as amendments or revisions to the policy are made and distributed.

**Information Regarding Policy and Procedures
Sexual Misconduct Prevention of the Presbytery of Stockton**

In recognition of the public and spiritual trust given to the Presbyterian Church (U.S.A.), the Presbytery of Stockton has adopted a policy to set and enforce standards of ethical sexual behavior by clergy and lay leaders consistent with scripture and secular law, and to provide procedures for inquiry and effective response to allegations of sexual misconduct. Copies of the entire policy and procedure document may be obtained from your pastor, clerk of session, or the presbytery office.

THIS POLICY IS BASED UPON SCRIPTURE

As God who called you is holy, be holy yourselves in all your conduct. I Peter 1:15

Not many of you should become teachers, my brothers and sisters, for you know that we who teach will be judged with greater strictness. James 2:15

POLICY STATEMENT

It is the policy of the Presbytery of Stockton that all church members, church officers, nonmember employees, and volunteers of the Presbyterian Church, and related agencies, shall maintain the integrity of ministerial, employment, and professional relationships at all times. Sexual misconduct is a violation of the principles set forth in Scripture and is never permissible.

CONSONANT WITH SCRIPTURE, THE UNDERLYING ETHICAL PRINCIPLES OF THIS POLICY ARE:

1. The act of sexual misconduct is a violation of the ordination vows of clergy, elders and deacons, and a breach of trust for all who are placed in leadership positions in the church.
2. Sexual misconduct is a misuse of authority and power which breaches Christian ethical principles by misusing a trust relationship to gain advantage over another for personal pleasure or power in an abusive, exploitative and unjust manner. Even if the one being ministered to initiates or invites a sexual relationship, it is the clergy person's or lay leader's responsibility to maintain the appropriate role and prohibit a sexual relationship.
3. Sexual misconduct takes advantage of the vulnerability of children and persons who are less powerful to act for their own welfare. It is antithetical to the gospel call, to work as God's servant in the struggle to bring wholeness to a broken world. It violates the mandate to protect the vulnerable from harm.

Exhibit E

THIS POLICY DEFINES SEXUAL MISCONDUCT AS:

1. Sexual abuse of children (under the age of 18 years).
2. Rape or sexual contact by force, threat, or intimidation.
3. Sexual Malfeasance - a breach of trust by a clergy/lay leader resulting from sexual contact within a ministerial or professional relationship.
4. Production or distribution of pornography.
5. Sexual harassment.

PRESBYTERY WILL SEEK TO PREVENT AND TO RESPOND TO MISCONDUCT BY:

1. Providing educational programs and training in pastoral and disciplinary procedures aimed at preventing sexual misconduct.
2. Immediately investigating all allegations of sexual misconduct.
3. Providing advocates to victims and liaisons to those accused.
4. Working with congregations to heal pain and conflicts within the congregation resulting from such misconduct.
5. Taking disciplinary action against the accused if the investigation reveals that the misconduct did, in fact, occur.

YOU CAN HELP TO ENSURE THE EFFECTIVENESS OF THIS POLICY BY:

1. Monitoring your own conduct toward others.
2. Promptly informing any person or persons involved that they should stop engaging in conduct offensive or objectionable to you or to others.
3. Bringing the matter to the attention of your pastor, supervisor (if you are a church employee), member of personnel committee, elder, chairperson of presbytery Committee on Ministry, or the Executive Presbyter.

YOU MAY CONTACT THE COMMITTEE ON MINISTRY FOR THE YEAR 2013:

Bianca Makoor, Chair Phone: 209-634-0424

EXECUTIVE PRESBYTER:

Rev. Julia Leeth Phone 209-331-3119

STATED CLERK:

Keith Drury Phone: 209-777-1545