

**Part 21. PRESBYTERY OF GRAND CANYON CHILD PROTECTION and SEXUAL MISCONDUCT PREVENTION  
POLICY AND ITS PROCEDURES**

**I. Policy Statement**

It is the policy of the Presbyterian Church (U.S.A.) and the Presbytery of Grand Canyon that all teaching elders, church members, church officers, nonmember employees, and volunteers of congregations, governing bodies, and entities of the church are to maintain the integrity of the ministerial, employment, and professional relationship at all times. Persons who engage in sexual misconduct are in violation of the principles set forth in Scripture, and also of the ministerial, pastoral, employment, and professional relationship. It is never permissible or acceptable for a church member, officer, employee, or volunteer to engage in sexual misconduct.

This policy applies to all teaching elder members of the Presbytery, Commissioned Ruling Elders, candidates, inquirers and all who serve in the staff, programs, and positions of leadership (volunteer or paid) in the presbytery. Others, who serve the local congregations, paid and volunteer, are under the jurisdiction of the Session of the particular church. Each congregation in Grand Canyon Presbytery is required to develop a policy; for non-minister professionals, officers, employees and volunteers which is consistent with this document.

Distribution

Copies of this policy and its procedures shall be distributed to all teaching elders, commissioned ruling elders, candidates for ministry, presbytery staff, and clerks of sessions of the presbytery. It is intended as guidance for teaching elder members, commissioned ruling elders, church sessions, presbytery staff, commissions, committees, networks and task forces. This policy and its procedures should be made available to persons who accuse others of misconduct, including those who are or claim to be victims of sexual misconduct and their families. Sessions may use this policy as a guide to develop their own policies and procedures related to sexual misconduct.

**II. Standards of Conduct**

... As [God] who called you is holy,

be holy yourselves in all your conduct;

... Tend the flock of God that is in your charge, ...

not under compulsion but willingly, ...

not for sordid gain but eagerly. ...

not lord it over those in your charge,

but be examples to the flock.

... You know that we who teach will be judged with greater strictness.

1 Pet. 1:15; 5:2-3; Jas. 3:1, *NRSV*

The ethical conduct of all who minister in the name of Jesus Christ is of vital importance to the church because through these representatives an understanding of God and the gospel's good news is

conveyed. "Their manner of life should be a demonstration of the Christian gospel in the church and in the world."

The basic principles of conduct guiding this policy are as follows:

1. Sexual misconduct is a violation of the role of pastors, employees, volunteers, counselors, supervisors, teachers, and advisors of any kind who are called upon to exercise integrity, sensitivity, and caring in a trust relationship. It breaks the covenant to act in the best interests of parishioners, clients, co-workers, and students.
2. Sexual misconduct is a misuse of authority and power that breaches Christian ethical principles by misusing a trust relation to gain advantage over another for personal pleasure in an abusive, exploitative, and unjust manner. If the parishioner, student, client, or employee initiates or invites sexual content in the relationship, it is the pastor's, counselor's, officer's, or supervisor's responsibility to maintain the appropriate role and prohibit a sexual relationship.
3. Sexual misconduct takes advantage of the vulnerability of persons who are less powerful to act for their own welfare, including children. 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.

#### Definitions

**Sexual Misconduct** is the comprehensive term used in this policy to include:

1. **Child sexual abuse**; including, but is not limited to, any contact or interaction between a child and an adult when the child is being used for the sexual stimulation of the adult person or of a third person. The behavior may or may not involve touching. Sexual behavior between a child and an adult is always considered forced whether or not "consented to" by the child. In the Presbyterian Church (U.S.A.), the sexual abuse definition of a child is anyone under age eighteen.
2. **Sexual abuse** as defined in the *Book of Order*: "Sexual abuse of another person is any offense involving sexual conduct in relation to (1) any person under the age of eighteen years or anyone over the age of eighteen years without the mental capacity to consent; or (2) any person when the conduct includes force, threat, coercion, intimidation, or misuse of office or position" (*Book of Order*, D-10.0401c).
3. **Sexual harassment**; defined for this policy is as follows: unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when
  - a. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or their continued status in an institution;
  - b. submission to or rejection of such conduct is used as the basis for employment decisions affecting such an individual;
  - c. 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; or

- d. an individual is subjected to unwelcome sexual jokes, unwelcome or inappropriate touching, or display of sexual visuals that insult, degrade, and/or sexually exploit men, women, or children.
4. **Rape** or sexual contact by force, threat, or intimidation.
5. **Sexual conduct** (such as offensive, obsessive or suggestive language or behavior, unacceptable visual contact, unwelcome touching or fondling) *that is injurious* to the physical or emotional health of another.
6. **Sexual Malfeasance**; as defined by the broken trust resulting from sexual activities within a professional ministerial relationship that results in misuse of office or position arising from the professional ministerial relationship.
7. **Misuse of technology**; use of technology that results in sexually harassing or abusing another person, including texting or emailing suggestive messages and images to persons with whom one has a ministerial relationship. It is never appropriate to view pornography on church property. When this includes a person under the age of eighteen, it is considered child abuse. There is never an expectation of personal privacy when using technological equipment owned by a church or church entity or within the context of ministry.

### III. Church Response to Allegations of Sexual Misconduct

#### A. Principles

In responding to allegations of sexual misconduct, members, persons in ordered ministry, and employees of the church should seek healing and assure the protection of all persons. Where possible, the privacy of persons should be respected and confidentiality of communications should be maintained.

In responding to allegations of sexual misconduct, members, persons in ordered ministry, and employees of the church should seek to uphold the dignity of all persons involved, including persons who are alleging harm, persons who are accused of sexual misconduct, and the families and communities of each.

The Presbytery of Grand Canyon has jurisdiction over its members, persons in ordered ministry, and employees such that if a member, officer, or employee is alleged to have committed an offense against Scripture or the PC(USA) Constitution, the church has the duty to inquire into the allegations and, if the allegations are proven, to correct the behavior of the member, officer, or employee and ensure the safety of others in the community. Allegations of sexual misconduct are always considered allegations of offense against Scripture or the PC(USA) Constitution that trigger the disciplinary processes of the PC(USA) set forth in the *Book of Order*. In the case of an active non-member who is employed or volunteers with the church, the individual will be covered by the procedures of the written personnel policies of the governing body or entity.

If the person accused of sexual misconduct is no longer a member, officer, or employee of the PC (USA), but the conduct occurred while the person was acting on behalf of the PC(USA), the church does not have jurisdiction to correct the behavior, but it does have a duty to hear the allegations of offense and to take measures to prevent future occurrences of harm. The Council may appoint an administrative committee or commission to hear the allegations of sexual misconduct. The Council may also take measures to prevent future occurrences of harm through education and policy.

## B. Reporting Requirements

### 1. Reporting Sexual Misconduct

A person needing to report that a member, officer, employee, or volunteer of the PC(USA) has committed sexual misconduct is encouraged to seek guidance from a PC(USA) teaching or ruling elder regarding filing the report.

**Congregation:** If the person who is accused of committing sexual misconduct is a member, ruling elder, deacon, volunteer, or employee of a congregation, the report of allegations should be made to the pastor, the clerk of session, or the chair of the personnel committee. If the accused is a member or officer of the church, the church will respond by using the procedures set forth in the Rules of Discipline of the *Book of Order*. If the accused is a nonmember employee or volunteer, the church will respond by using procedures set forth by the session of the congregation.

**Presbytery:** If the person who is accused of committing sexual misconduct is a teaching elder member, the report of allegations should be made to the stated clerk of the presbytery. If the report of allegations is placed in writing, the presbytery will respond by using the procedures set forth in the Rules of Discipline of the *Book of Order*. If the person who is accused of committing sexual misconduct is a volunteer or nonmember employee of the presbytery, the report of allegations may be made to any of the staff or volunteers of the presbytery. The presbytery will respond by using procedures set forth by policy or bylaws of the presbytery.

### 2. Cooperation with Investigations

The Presbytery expects and requires the cooperation of all employees in the investigation of violations of the Code of Conduct, Ministry Standards or other misconduct, including a complainant, witness, and the accused offender. We may interview these individuals privately and take oral and/or written statements from them. Any person who fails to cooperate with such an investigation or to provide complete and truthful information may be subject to disciplinary action.

### 3. Notification of Parents

A minor child may be party to an incident either as an initiator or as the victim. Whether a child is initiator or victim may not be clear in all circumstances, such as a child-on-child incident. And violation of policy does not necessarily create a victim. While notification of parents of such circumstances may be warranted, utmost care in communication is required.

Therefore, a teaching elder or commissioned ruling elder having knowledge of an incident which warrants communication to a parent shall first advise their immediate supervisor, who shall consult with the Presbytery Pastor, Stated Clerk or Chair of COM. While communicating with a parent, and being mindful of the importance of timely communication, care shall be given to assessing:

- a. The specific facts;
- b. Whether a disciplinary or termination process is required;
- c. Whether a child should be dismissed from a program (requiring notification of other parents/guardians);
- d. Whether “mandatory reporting” is a factor;

- e. Who shall and in what manner communicate with the parents/guardian;
- f. Whether the Pastor should be involved in the communication;
- g. Tentative remedial steps to prevent a further incident.

Notification of parents shall not be delayed when immediate medical care is required.

#### 4. Victim Needs

In the event of cases of reportable abuse, the policy of the Presbytery is to be responsive to the needs of victims within the constraints or obligations imposed under insurance contracts. In general, we will attend to the immediate needs of victims by providing support and pastoral care.

(Insurance Board clients only) An incident of alleged abuse that requires medical or psychological care for a victim or family shall be reported to the Insurance Board by the Presbytery Pastor, Stated Clerk or Chair of COM. The latter shall discuss with the Insurance Board Claims Department whether the circumstances warrant initiation of Crisis Management services which may include psychological counseling. Upon approval, counseling services may be offered to a perceived victim(s), which may include family members.

#### 5. Responsibility of Employees and Volunteers

Each employee or volunteer is obligated to fulfill the Code of Conduct (Appendix D) and Ministry Standards (Appendix E) both by living the standard and helping others to do the same. Each is obligated to guide and gently correct others as they would in a circumstance of high personal risk. When another person, regardless of status, rank or power, repeats a violation of the Code of Conduct or Ministry Standards, the employee/volunteer observer must report the violation to his/her own immediate supervisor, or the next level of authority if necessary.

Reporting responsibility includes incidents of child-on-child sexual activity, dangerous behaviors, employee-on-employee "sexual harassment", bullying of any kind, the exploitation of a "vulnerable adult" or circumstances which rise to the level of abuse requiring action by a "mandatory reporter."

#### 6. Receiving Reports of Sexual Misconduct

Reports of allegations of sexual misconduct will occur in a variety of ways.

Because a Council or entity cannot control to whom the victim of sexual misconduct will speak first, it is important that officers, employees, and persons highly visible to church members and visitors understand how reports of incidents are channeled to the proper person. The allegations may come from persons who have or who do not have a formal relationship with the PC(USA) and may be made to a variety of persons in ordered ministry or leaders within the PC(USA). It is the duty of these persons in ordered ministry to see that any allegation of sexual misconduct is reported appropriately keeping in mind the mandatory reporting requirements for allegations of child abuse.

Reports of allegations of sexual misconduct should never be taken lightly or disregarded and allowed to circulate without concern for the integrity and reputation of the victim, the accused, and the church. Reports of allegations should be dealt with as matters of highest confidentiality, both before and after they have been submitted to appropriate authorities as outlined below.

The first person to learn of an incident of sexual misconduct should not undertake an inquiry alone or question either the victim or the accused unless the incident is divulged in the process of pastoral care, counseling, or a therapy session. If the victim is hesitant to talk to “higher authorities,” the person who has received the initial report has a special pastoral responsibility to build trust and willingness to speak with the accuser, lest the church be unable to respond because no one is able to give firsthand information.

The person receiving the initial report of allegations of sexual misconduct shall analyze the relationship of the person accused of sexual misconduct with the PC(USA) and shall make sure that the allegations of offense are filed with the Council with jurisdiction over the person accused. This may be done by the person alleging harm or by any member of the PC(USA).

If the report is made orally, the person receiving the report of allegations shall request that the person making the report of allegations place it in writing. A report of allegations of sexual misconduct in writing from a member of the PC(USA) alleging another member or officer of the PC(USA) committed an offense must be acted on according to the Rules of Discipline of the *Book of Order*. If a clerk or stated clerk receives a report of allegations in writing from a nonmember of the PC(USA) alleging another member or officer of the PC(USA) committed sexual misconduct, the report also should be acted on according to the Rules of Discipline of the *Book of Order*. If the person who makes the report is unwilling or unable to place it in writing, any member of the PC(USA) should make the written statement that will automatically trigger the Rules of Discipline of the *Book of Order*.

## 7. Mandatory Reporting of Child Abuse

All members engaged in ordered ministry (teaching and ruling elders, and deacons) and certified Christian educators are required to report knowledge of child abuse to the civil and ecclesiastical authorities according to the *Book of Order*. The *Book of Order* requires that:

Any member of this church engaged in ordered ministry and any certified Christian educator employed by this church or its congregations, shall report to ecclesiastical and civil legal authorities knowledge of harm, or the risk of harm, related to the physical abuse, neglect, and/or sexual molestation or abuse of a minor or an adult who lacks mental capacity when (1) such information is gained outside of a confidential communication as defined in G-4.0301, (2) she or he is not bound by an obligation of privileged communication under law, or (3) she or he reasonably believes that there is risk of future physical harm or abuse (G-4.0302).

All persons covered by this policy have an additional duty to report knowledge of child sexual abuse to the employing entity, supervisor, or Council representative. All persons should be informed of and must comply with state and local laws regarding incidents of actual or suspected child sexual abuse. These reports should be made within a reasonable time of receiving the information.

These provisions of the *Book of Order* attempt to balance conflicting moral duties for officers of the Presbyterian Church (U.S.A.).

For teaching elders, the provision strives to balance the duty to protect children from future harm with the duty of a minister to hold in confidence any information revealed to them during the exercise of pastoral care in any ministry setting as defined in G-4.0301 in the *Book of Order*.

For ruling elders, deacons, and certified Christian educators, the provisions strive to balance the duty of an officer of the church to protect children from harm and any secular duty the officer may have to hold

in confidence any information revealed as a result of a secular relationship such as attorney/client, counselor/client, or physician/patient. The secular duties will be a function of secular law and may vary from state to state.

### C. Responding

The appropriate Council or entity response will vary according to the relationship of the Presbytery of Grand Canyon with the person who is accused of sexual misconduct. Church members and persons in ordered ministry are subject to inquiry and discipline (censure and correction) under the *Book of Order*. Non church member employees and volunteers are subject to oversight and correction by the Council or entity that employs them.

#### 1. Accused Covered by *Book of Order*

When an allegation of offense of sexual misconduct has been received by the clerk of session or stated clerk of the presbytery, the clerk of the Council will report to the Council that an offense has been alleged and that the Council will proceed according to the procedures set forth in the Rules of Discipline of the *Book of Order*. The Council should appoint an investigating committee to inquire into the allegations. The investigating committee must promptly begin its inquiry into the allegations. Delay may cause further harm to the victim and/or the accused.

Governing bodies and entities must cooperate with civil authorities in an investigation of child sexual abuse or other criminal sexual misconduct. Church disciplinary proceedings cannot interfere with a criminal investigation by civil authorities and may have to be suspended until these are completed.

The session has original jurisdiction in disciplinary cases involving members, elders, and deacons of the church, each congregation having jurisdiction only over its own members.

A presbytery has original jurisdiction in disciplinary cases involving teaching elders. A presbytery may dissolve a pastoral relationship when the Word imperatively demands it (G-3.0301). However, a presbytery may only place a teaching elder on administrative leave when allegations of child abuse have been received and the presbytery has followed the *Book of Order* procedures to conduct its risk evaluation to determine whether or not a teaching elder member accused of child abuse should be placed on administrative leave (D-10.0106). It is recommended that the permanent judicial commission (PJC) members who will conduct this risk evaluation based upon the allegations and a hearing should also take into account secular legal advice.

When a member in ordered ministry renounces jurisdiction, the clerk or stated clerk shall report the renunciation at the next meeting of the Council and shall record the renunciation in the minutes of the Council. The status of any pending charges may be shared with the Council at that time.

#### 2. Responding to Media

Media publicity following an incident of abuse or exploitation may be detrimental to the reputations of individuals, the congregation and the Presbytery. Without intending ever to evade the media, contacts with media must be managed and conducted only by a person specifically designated by the Session to represent the church, the Board of Directors to represent a ministry, and Ministry for Leadership to represent the Presbytery. No other person(s) may speak on behalf of the church. Unless designated

differently in a particular circumstance, the exclusive spokesperson for the church shall be the Moderator of Session or, if no Moderator is currently appointed, the Clerk of Session. Unless designated differently in a particular circumstance, the exclusive spokesperson for the Presbytery shall be the Presbytery Pastor or, if s/he is unavailable, the Stated Clerk.

Prior to speaking to media, the above designated spokesperson shall contact and consult with Legal Counsel, to obtain an understanding of appropriate statements or admissions and issues of privacy that may apply to the situation. (Insurance Board clients only.) Designated spokesperson shall give immediate consideration to securing Insurance Board media relations and crisis management resources. Considering the speed of news cycles, a prompt determination is required, erring on the side of seeking help.

### 3. Accused Not Covered by *Book of Order*

When a Council or entity of the Presbytery of Grand Canyon receives an accusation of offense of sexual misconduct against a nonmember employee or volunteer, the procedural response of the Council or entity will be guided by the written personnel policies of the Council or entity. Usually the Council or entity will have a personnel committee that will be responsible for the inquiry. If a Council does not have a personnel committee, it may appoint either a committee or administrative commission for the review of the allegation.

The committee or commission that will respond to the allegation of offense of sexual misconduct will do the following:

- a. Determine whether or not the allegation gives rise to a reasonable suspicion of sexual misconduct by the accused.
- b. If so, gather additional information necessary to make a decision about correcting the behavior.
- c. Determine any remedies, including limiting ministry, suspension, or termination necessary and advisable under the circumstances. If the accused is a member of another denomination, that denomination will be notified of the allegations and the response.
- d. Inform the victim and the accused of the remedy.
- e. In all cases, the personnel committee shall prepare a written report, which shall be included in the accused's permanent personnel file. The accused shall be allowed to attach any written statements to said documents, also for permanent inclusion in the permanent file.

All procedures shall follow the guidelines set forth by the Council, employing agency, or entity of the Presbytery of Grand Canyon.

### 4. Council or Entity Record Keeping

The Council or entity should keep detailed records of its actions and minutes of its deliberations and its conversations with the accuser, the accused, and other parties involved, correspondence, and copies of the reports received from committees or commissions. Such records will be kept confidential as far as possible. In Case # 208-6, the General Assembly Permanent Judicial Commission (GAPJC) interpreted the Rules of Discipline to say that a Council or entity may share the contents of inquiry reports with other



governing bodies or entities of the PC(USA) when necessary. The clerk of the Council or director of the entity will maintain the records while the inquiry is in process.

## **IV. Prevention and Risk Management**

### **A. Implementation**

The Presbytery urges all governing bodies and related entities including colleges, universities, and theological institutions, to establish policies and procedures that make it a violation of the employer's work rules to engage in sexual misconduct and that encourage reporting of sexual misconduct. Governing bodies and entities are strongly encouraged to take appropriate steps to inform members, employees, volunteers, and students of the standards of conduct and the procedures for effective response when receiving a report of sexual misconduct.

### **B. Liability and Insurance**

A Council or entity can be held liable for harm caused by sexual misconduct of an officer, minister, or employee based on a number of legal theories. Governing bodies and entities should take such potential liability into consideration when establishing hiring and supervisory practices.

Governing bodies and entities should regularly inform their liability insurance carriers of the activities and programs they operate or sponsor and of the duties and responsibilities of officers, employees, and volunteers. The standard insurance policy should usually be enhanced by endorsements to cover specific exposures such as camps, day-care operations, shelters, or other outreach programs.

It is also recommended that governing bodies and entities obtain an endorsement to their general liability insurance policy specifically covering sexual abuse and molestation. Such coverage may provide for legal defense expenses and judgments in civil suits brought against the Council or entity, its officers, directors, or employees.

### **C. Employment Practices**

#### **1. Record Keeping**

Accurate record keeping is an essential part of hiring and supervision practices of churches, middle governing bodies, and related entities. Every Council and entity should maintain a personnel file on every employee, including ministers. The file should contain the application for employment, any employment questionnaires, background checks, references responses, and all other documents related to an employee's employment, except records that may be required, by law, to be kept in separate files.

#### **2. Prescreening Applicants**

Governing bodies and entities are urged to establish thorough and consistent hiring practices. If an applicant is unknown to the employer, the employer should confirm the applicant's identity by requiring photographic identification such as a driver's license. The Council should perform a background check, including a national criminal background check, on all applicants that may have interaction with children and youth.

Part of pre-employment screening should include specific questions related to discovering previous complaints of sexual misconduct. See Appendix B: Sample Exhibit E.

### 3. Background Checking

The Presbytery shall conduct a criminal background check on every employment candidate, teaching elder, commissioned ruling elder, candidate and inquirer. Written permission to conduct a background check shall be obtained from each applicant prior to executing the check. Criminal background checks shall be repeated for employees and volunteers who perpetually work with children every three years. Seasonal employees or volunteers who have been absent from work more than six months, shall have a new background check prior to resuming work.

### 4. Approval Procedure

When a background check indicates a potential cause for concern, a committee of three consisting of Presbytery Pastor, Stated Clerk and Chair of COM shall review the background check and agree that the applicant is eligible for service within the church.

Where a criminal record exists, consideration shall be given to:

- a. Seriousness of the crime;
- b. Statutes that may legally disqualify the person from working with minors;
- c. Length of time since the last offense;
- d. Pattern of criminal activity; and
- e. Activities the applicant has been involved in since the offense(s) occurred.

### 5. Review

Conviction for the following crimes shall require circumstances to evaluate suitability for employment:

- a. Violent crimes
- b. Sexual assault
- c. Sexual abuse or neglect of a child
- d. Drug offenses or driving offenses (depending upon position requirements)

Arrest data are not grounds for automatic disqualification. The status or relevance of other crimes will be considered on an individual basis.

Following the review, each committee member shall sign and date one of two documents that becomes part of the applicant's or employee's permanent personnel file:

"We have reviewed the criminal history of Applicant X and determined, based on the information we had available at this time, the applicant would be acceptable for the position."

OR

"We have reviewed the criminal history of Applicant X and determined, based on the information we had available at this time, the applicant is not acceptable for the position."

### 6. Confidentiality

At all times, the privacy and security rights of individuals are to be protected with utmost care. The Stated Clerk shall assure that physical means and processes are in place to protect individual rights.

## 7. References

The employing Council or entity is responsible for contacting references for prospective teaching elders, employees, or volunteers. A written record of conversations or correspondence with references should be kept in the teaching elder or employee's personnel file. (See Appendix B: Sample Exhibit B for a sample reference form.)

In dealing with teaching elders transferring from one position to another, the responsibility for previous employer reference checks will be the responsibility of the Presbytery Pastor or the authorized persons who would report to the Commission on Ministry or Commission on Preparation for Ministry.

The person within the Council or entity authorized to give a reference is obligated to give truthful information regarding allegations, inquiries, and administrative or disciplinary action related to sexual misconduct of the applicant.

If false or misleading information is given by the applicant, or relevant information is withheld, the applicant should be eliminated from consideration.

Applicants should be informed of negative comments regarding sexual misconduct and shall be given an opportunity to submit additional references or to give other evidence to correct or respond to harmful information obtained from a reference.

## **V. Educating and Training—Awareness**

Since the issue of sexual misconduct has become a present reality, there is an emerging need to educate and train a wide variety of persons. Persons needing this specific education include: teaching elders; volunteers; officers; nonprofessional and professional staff; ministerial candidates; professionals who will be working with this issue within the denomination; members of the congregation; and Presbytery staff including supervisors, employees, and stated clerks.

Education for these persons and groups will be different on a group-by-group basis. A primary requirement for all persons should be common knowledge regarding professional and ministerial boundaries, the Presbytery Sexual Misconduct Policy, and their own specific Council or entity policy.

It is further required that the presbytery provide training regarding sexual misconduct, especially including education on specific policies, procedures and standards of conduct that create safe environments for all children, youth and adults within the ministry setting. This training will be provided at least annually at a centrally located setting as well as through online course offerings and will be required annually of all inquirers, candidates, newly ordained teaching elders, teaching elders new to the presbytery, Commissioned Ruling elders serving in active ministry, as well as all teaching elders serving in active ministry. Failure to fulfill the annual requirement for training will elicit one of the following responses, as appropriate, until the training requirement is fulfilled: (a) for inquires and candidates – denial of advancement to the next level of the ordination process; (b) for newly ordained teaching elders and teaching elders new to the presbytery – denial of approval of entrance into presbytery membership; (c) for Commissioned Ruling Elders and teaching elders serving in active ministry – in ascending order of response: report of non-compliance to one's employing organization, report of non-compliance to the presbytery, denial of approval in changes to one's terms of call.

Much of a congregation's education currently happens in response to an actual case of sexual misconduct. However, it is recommended that the congregation be as proactive in this area as possible offering education in a variety of settings. There are already numerous resource materials available that could be adapted to a congregation's setting.

Employing entities need to make sure all employees are well acquainted with, understand, and abide by their policy and procedures. Employing entities should offer additional training and resources, such as: a workshop during staff meeting; lunchtime discussion group; articles and books made available; etc.

Any professional (therapists, attorneys, advocates, mediators, arbitrators) used by a Council should have access to experts qualified in the field of sexual misconduct if they themselves are not.

#### Grandfathering Not Permitted –

Each employee or volunteer now serving and regardless of length of service must be willing to set an example for all others who follow in their ministry. Therefore, at the time this policy is first adopted and whenever it is amended, all active teaching elders, commissioned ruling elders and paid employees of congregations and ministries of the Presbytery who work with children shall sign an acknowledgement form that they have received this policy and agree to comply with its requirements.

## VI. ADDITIONAL RESOURCES

### Appendix A – Definitions

### Appendix B – Employment Procedures with Forms

The Presbytery recommends to its churches the following template to be adapted and used within its congregations:

### Appendix C – Template for Limited Access Agreement for Cases of Convicted Sex Offenders

### Appendix D – Template for Code of Conduct

### Appendix E – Template for Ministry Standards

Certified Approved by 2/3 Majority  
Stated Clerk  
Presbytery Meeting 11/06/2015

## Appendix A. Definitions

**Accused** is the term used to represent the person against whom a claim of sexual misconduct is made.

**Accuser** is a term used to represent the person claiming knowledge of sexual misconduct by a person covered by this policy. The accuser may or may not have been the victim of the alleged sexual misconduct. A person such as a family member, friend, or colleague may be the accuser.

**Church** when spelled with the initial capitalized refers to the Presbyterian Church (U.S.A.). Church when spelled with the initial in lowercase refers to local churches. The word congregation is used loosely for members and participants.

**Council** is a representative body composed of teaching and ruling elders, sessions, presbyteries, synods, and the General Assembly. A Council may establish entities such as day-care centers, conference centers, camps, or homes for the aged. A Council may have both church members and nonmembers as employees.

**Employee** is the comprehensive term used to cover individuals who are hired or called to work for the Church for salary or wages.

**Entity** is the term used to refer to any program or office managed by a board, committee, Leadership Team, or other body whose membership is elected by a Council.

**Inquiry** is the term used in the Rules of Discipline to determine whether charges should be filed based upon allegations of an offense received by a Council. See *Book of Order*, D-10.0000.

**Mandated Reporter** is described by some states' laws as a person who is required to report any and all suspected incidents of child abuse, including child sexual abuse that come to their attention. State laws vary from defining "all persons having knowledge" as mandated reporters to specifying very limited lists of professions whose members are required to report.

**Persons Covered** by this policy includes church members, church persons in ordered ministry, and nonmembers who are employees or volunteers of the Presbytery of Grand Canyon.

**Prohibited sexual harassment** includes unsolicited and unwelcome contact that has sexual overtones, particularly:

- Written contact, such as sexually suggestive or obscene letters, notes, or invitations including through use of social media through e-mail, texting, Tweeting or Facebook comments;
- Verbal contact, such as sexually suggestive or obscene comments, threats, slurs, epithets, jokes about gender-specific traits or sexual orientation, sexual propositions;
- Physical contact, such as intentional touching, pinching, brushing against another's body, impeding or blocking movement, assault, coercing sexual intercourse; and
- Visual contact, such as leering or staring at another's body, gesturing, displaying sexually suggestive objects or pictures, cartoons, posters, or magazines.

**Response** is the action taken by the Council or entity when a report of sexual misconduct is received. It may include (1) inquiry into facts and circumstances, (2) possible disciplinary action (administrative or

judicial or both), (3) pastoral care for victims and their families and others, and (4) pastoral care and rehabilitation for the accused and care for their families.

**Secular Authorities** are the governmental bodies, whether city, county, state, or federal, who are given the responsibility to investigate, criminally prosecute, and/or bring civil charges against individuals accused of sexual crimes or offenses against adults and children.

**Secular Law** is the body of municipal, state, and federal laws and is often referred to collectively as civil and criminal law. Prohibited behavior addressed by this policy may result in criminal and/or civil charges filed under secular law.

**Sexual Exploitation** Sexual activity or contact (not limited to sexual intercourse) in which a Minister engaged in the work of the church takes advantage of the vulnerability of a participant by causing or allowing the participant to engage in sexual behavior with the Minister.

**Sexual Harassment** Repeated or coercive sexual advances toward another person contrary to his or her wishes. It includes behavior directed at another person's sexuality or sexual orientation with the intent of intimidating, humiliating, or embarrassing the other person, or subjecting the person to public discrimination. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition or circumstance of instruction, employment, or participation in any church activity;
- Submission to, or rejection of, such conduct by an individual is used as a basis for evaluation in making personnel or church-related decisions affecting an individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's performance or participation in church activities or creating an intimidating, hostile, or offensive work or church environment.

**Sexual Harassment** also includes continuing to express sexual interest after being informed directly that the interest is unwelcome and using sexual behavior to control, influence, or affect the career, salary, work, learning, or worship environment of another. It is not permissible to suggest, threaten, or imply that failure to accept a request for a date or sexual intimacy will affect a person's job prospects, church leadership, or comfortable participation in the life of the church. For example, it is forbidden either to imply or actually withhold support for an appointment, promotion, or change of assignment, to suggest that a poor performance report will be given because a person has declined a personal proposition; or to hint that benefits, such as promotions, favorable performance evaluations, favorable assigned duties or shifts, recommendations or reclassifications, will be forthcoming in exchange for sexual favors.

**Suspected Abuse** Actual abuse consists of physical, sexual or mental abuse inflicted by a person responsible for a child's health, welfare or care, who may be a parent, guardian or other person having access to a child. Abuse may include neglect of a person's health as a result of failure to properly feed, clothe or attend to apparent illness or mental well-being. As a caregiver in ministry, one need not directly witness, nor is one likely to directly witness actual abuse. It is sufficient to suspect abuse based upon observations of general health, physical condition, patterns of irregular behavior and environmental factors. Examples of observations might include: bruising on multiple occasions, weight loss, chronic physical illness, and anti-social or excessively withdrawn behavior. Environmental factors

may include highly contentious divorce and custody battles, or parental drug use. One must use judgment in assessing multiple factors which lead to suspicion of abuse.

While “suspected abuse” is defined here for the benefit of “mandatory reporters”, the definition, for the purpose of this policy, includes “suspected abuse” of a “vulnerable adult”.

**Victim** is a person claiming to have been harmed and/or abused by a person covered under this policy.

**Volunteer** is the term used for those who provide services for Presbytery of Grand Canyon. Volunteers include persons elected or appointed to serve on boards, committees, and other groups. For purposes of this policy, volunteers are to be treated in the same way as employees.

**Vulnerable Adult** Any adult person who by reason of profound physical disability or dependence, developmental disability, mental illness, relative social power or cultural circumstances may be susceptible to physical abuse, sexual exploitation, financial exploitation or manipulation as a consequence of being unable to physically resist, or render judgments regarding physical, mental, financial or environmental well-being. Such persons may be unable to act independently and may, to their detriment, manifest high levels of trust or fear of persons of perceived power or authority.

## **Appendix B. Employment Procedures—With Forms**

Each “Employing Entity” should have already established and implemented entity personnel policies that include employment procedures for the search, selection, and call of entity staff. The employment procedures should spell out the process to be followed during the election of chief administrative

officers and other staff, the appointment of exempt and nonexempt staff, and the call of ministers of the Word and Sacrament, chief administrative officers, and elected staff. These employment procedures should also include candidate/applicant reference checks prior to employment. Employing entity personnel policies should contain a clearly defined grievance process, a periodic performance review process, and a section that prohibits sexual misconduct (including sexual harassment). These provisions should be applicable to all full-time, part-time, temporary, and interim staff. The personnel policies should also provide for confidential communication channels whereby staff members can voice concerns or apprehensions without fear of retribution.

Church-wide and public advertisement of vacant positions as a part of an employing entity's search procedures to fill vacant positions is required of Presbytery entities and related bodies and is recommended as a guideline for governing bodies by the church-wide personnel policies as well as the Church-wide Plan for Equal Employment and Affirmative Action. In support of this policy and its procedures on sexual misconduct, all vacant positions of religious leadership forwarded to publications for advertisement, distributed to units of the church, as well as posted on local bulletin boards, will include the following statement: "The Presbyterian Church (U.S.A.) is an equal opportunity employer. In addition, the church has a strong policy opposing sexual harassment or abuse. References and records will be checked during the employment process."

This statement will also be included in all information distributed through the Personnel Referral Services of the Office of Vocation. The following forms are included in Appendix B:

- Exhibit A, Employee Questionnaire
- Exhibit B, Confidential Employee References
- Exhibit C, Form for Implementing Policy of Sexual Misconduct
- Exhibit D, Report of Suspected Sexual Misconduct
- Exhibit E, Employment Questions

**Exhibits A and B** will be used by Presbytery entities and institutions and are recommended for use by all other employing units of the church

**Exhibit C** is to be used by each employing entity as it distributes its sexual misconduct policy to employees and others.

**Exhibit D** is for gathering basic information to be passed along to the appropriate person or group handling sexual misconduct cases for a unit or other entity.

As required by acceptable personnel procedures, an employee handbook should be written, published, and distributed to each employee of church employing entities. All existing personnel policies and employee handbooks should be updated to include a child protection and sexual misconduct prevention policy.

It is advisable to seek legal advice as other Councils, related bodies, and entities develop and publish policy and procedures on sexual misconduct using this Presbytery policy as a guide.

All forms should be checked for compliance with state laws.

#### **Sample Exhibit A - Employment Questionnaire**

This is a sample employment questionnaire. In addition to the usual questions one finds on an employment questionnaire, the writing team has added certifications and releases that focus on past incidents of sexual misconduct. All entities are urged to have this or any substitute form they design examined by their legal counsel before using it.



Employment Questionnaire

Name:

\_\_\_\_\_

Last

First

Middle

Address: \_\_\_\_\_

Street \_\_\_\_\_

City State Zip \_\_\_\_\_

Business Phone: \_\_\_\_\_ Home Phone: \_\_\_\_\_

Have you ever been known by any other name? Yes\_\_\_ No\_\_\_  
If yes, please provide other name(s): \_\_\_\_\_

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

Employed by: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Supervisor: Phone: \_\_\_\_\_

Supervisor's Title: \_\_\_\_\_

Employed from \_\_\_\_\_ (month/year) to \_\_\_\_\_ (month/year)

Why did you leave? \_\_\_\_\_

Employed by: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Supervisor: Phone: \_\_\_\_\_

Supervisor's Title: \_\_\_\_\_

Employed from \_\_\_\_\_ (month/year) to \_\_\_\_\_ (month/year)

Why did you leave? \_\_\_\_\_

Employed by: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Supervisor: Phone: \_\_\_\_\_

Supervisor's Title: \_\_\_\_\_

Employed from \_\_\_\_\_ (month/year) to \_\_\_\_\_ (month/year)

Why did you leave? \_\_\_\_\_

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.

\_\_\_\_\_

Signature

Date

Note: If you are unable to make the above certification you may instead give in the space provided a description of the complaint, termination, or the outcome of the situation and any explanatory comments you care to add.

Employment Questionnaire (continued)

Release

The information contained in this questionnaire is accurate to the best of my knowledge and may be verified by the employing entity. I hereby authorize (*Name of Employing Entity*) to make any and all contacts necessary to verify my prior employment history, and to inquire concerning any criminal records or any judicial proceedings involving me as a defendant. By means of this release I also authorize any previous employer and any law enforcement agencies or judicial authorities to release any and all requested relevant information to the \_\_\_\_\_

(Name of Employing Entity)

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 from the employing entity. I also agree that I will hold harmless the employing entity or judicial authority from any and all claims, liabilities, and cause of action for the legitimate release or use of any information.

Signature \_\_\_\_\_

Witness \_\_\_\_\_

Witness \_\_\_\_\_

**Sample Exhibit B - Face-to-Face or Telephone Reference Checks**

This is a sample form that may be used to keep a record of all face-to-face or telephone reference checks. Additions that have to do with sexual misconduct or child abuse may be needed by the entity to justify to a court of law that they have done reasonable and prudent screening before hiring a person for a position within that entity.

Confidential Employment Reference

1. Name of applicant:

\_\_\_\_\_

2. Reference or church contacted (if a church, identify both the church and person contacted):

\_\_\_\_\_

3. Date and time of contact:

\_\_\_\_\_

4. Person contacting the reference or church:

\_\_\_\_\_

5. Method of contact (phone, letter, personal conversation):

\_\_\_\_\_

6. Summary of conversation (summarize the reference's remarks concerning the applicant's fitness and suitability for the position, any convictions for or actions pending related to sexual misconduct, sexual harassment or child abuse):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Name

\_\_\_\_\_

Title

\_\_\_\_\_

Signature

\_\_\_\_\_

Date

**Sample Exhibit C – Implementation of Sexual Misconduct Prevention Policy**

This is a sample designed to implement the sexual misconduct prevention policy. It is necessary that all employees acknowledge being in receipt of the sexual misconduct policy. The policy provides protection and empowerment for the employee.

Form for Implementing Policy of Sexual Misconduct Acknowledgement of Receipt

I hereby acknowledge that I received on \_\_\_\_\_ (date), a copy of the “Policy and Its Procedures on Sexual Misconduct of the Presbyterian Church (U.S.A.)” dated that I have read the policy, understand its meaning, and agree to conduct myself in accordance with the policy.

Signature \_\_\_\_\_

A similar acknowledgement should be signed at the time amendments to the policy are made and distributed.

**Sample Exhibit D - Report of Suspected Sexual Misconduct**

This exhibit provides entities with a sample Report of Suspected Sexual Misconduct. It provides space for the names, addresses, and telephone numbers of victims, the accused, possible witnesses, and others involved. It also provides space for a description of the offending behavior as well as other pertinent information. This form or a revision of it should be filed with the appropriate supervisor, office, or administrator of an entity who is required to file this with the constituting authority or its response coordination team. (See section on Subsequent Reporting in this policy and its procedures.)

**Reported by:**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, and Zip Code

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
Date of Report

**Person suspected of misconduct:**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, and Zip Code

\_\_\_\_\_  
Telephone

**Other person(s) involved (witness or victims):**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

Age \_\_\_\_\_ Sex \_\_\_\_\_

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, and Zip Code

\_\_\_\_\_  
Telephone

**Report of Suspected Sexual Misconduct (Continued)**

Describe incident(s) of suspected sexual misconduct, including date(s), time(s), and location(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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**Sample Exhibit E – Employment Questions**

Employment Questions to Ask of Potential Employees

Governing bodies and entities should ask persons seeking ministerial calls or employment in non-ordained positions questions such as:

1. Has a civil, criminal, or ecclesiastical complaint ever been sustained against you involving sexual misconduct by you?
2. Have you ever resigned or been terminated from a position for reasons relating to allegations of sexual misconduct by you?
3. If so, indicate the date, nature, and place of these allegations, and the name, address, and telephone number of your employer at that time.
4. Have you been required to receive professional treatment, physical or psychological, for reasons related to sexual misconduct to you?
5. If so, please give a short description of the treatment including the date, nature of treatment, place, and name, address, and telephone number of the treating physician or other professional.

**Appendix C:**  
***SUGGESTED TEMPLATE FOR***  
**Limited Access Agreement for Cases of Convicted Sex Offenders**

\_\_\_\_\_, referred to below as “we”, “the congregation” and “clergy”;  
(Your Church)

And

\_\_\_\_\_, referred to below as “you” and “your”  
(Petitioner Name)

\_\_\_\_\_, is an “open and affirming congregation” and as such affirms the dignity  
(Your Church)

and worth of all persons as expressed in our Welcome Statement. We are committed to being a religious community open to those who are in need of worshiping with us, especially in times of distress and serious personal troubles. However, based on your background, we have concerns about your contact with children and youth in our congregation. The following guidelines are designed to reduce the risk to both you and them of an incident or accusation. We welcome you to our congregation and our membership but your participation will be limited to ensure the safety of our children and youth and to assure that you will not be subject to future accusations.

Within these guidelines, the congregation welcomes your participation in worship services, coffee hour, meetings, adult education, and all adult social events. Do not enter the classroom wing or the lower level of the church building. You are to avoid all contact with children and youth on church property or congregation-sponsored events. This includes the following:

- Do not talk with children.
- Do not volunteer or agree to lead, chaperone or participate in events for children and youth including such things as religious education classes, stories or talks for worship, youth group events, activities during intergenerational events, driving or otherwise transporting children and/or youth.
- You will remain in the presence of a Parish Associate who knows your situation at all times. You must meet that person before coming onto church property (or before arriving at any church-sponsored event), remain with him at all times, and depart with him.
- If a child or youth in the congregation approaches you, either at church or in a community place, politely and immediately excuse yourself from the situation.
- Avoid being in the church or any church-owned building or church-rented space at any time without a Parish Associate present with you at all times.
- Do not ask for, seek access to, nor remove from the church any materials, files, directories, etc. listing members and friends of the church.
- We ask that you limit your time in coffee hour to about ten minutes.

As a part of this agreement it is understood that you will have three (3) members of this congregation, approved by the clergy, who know thoroughly your history and are willing to serve as your Parish Associates. You will be welcome on church property and at church-sponsored events but must be accompanied at all times by one of the church members named below:

\_\_\_\_\_  
(Named Church Member 1)

\_\_\_\_\_  
(Named Church Member 2)



---

(Named Church Member 3)

To engage your integration into the congregation and to assist you in maximizing your experience with the church it is agreed that you will meet on a bi-monthly basis with the Parish Associates and a member of the clergy together or separately to discuss matters of mutual interest and concern. These meetings will also serve as an ongoing review of the implementation of this agreement.

Implementation of this agreement is based upon a review by the clergy of the most current supporting documents as follows:

- A statement from the court as to the nature of the conviction.
- A risk assessment from a qualified therapist.
- A report from a certified treatment provider indicating that you are not at too high a risk for recidivism.

Any change in the above must be reported immediately to a member of the clergy.

**REASONS FOR EXCLUDING A PERSON FROM ALL CONGREGATIONAL ACTIVITIES INCLUDE, BUT ARE NOT LIMITED TO:**

- Refusal to allow the clergy to contact the treatment provider and parole officer. Refusal to go for a risk assessment with a qualified therapist.
- Report by a treatment provider that the individual is at too high a risk for recidivism. Refusal to sign a Limited Access Agreement.
- Refusal to comply with the requirements of the Limited Access Agreement.

This agreement will remain in effect until/unless:

- You fail to honor the terms of the agreement, thus nullifying it.
- It is superseded by any policies and procedures put in place by the church's SafeConduct™ Committee. The SafeConduct™ Committee in consultation with the clergy is the body responsible for providing you with guidelines, support and counsel for your participation in the life of the congregation.
- You, the clergy, and the SafeConduct™ Committee mutually agree to change the terms of this agreement.

**ATTEST:** I have reviewed the terms of the above limited access agreement and agree to abide by its provisions. Failure to honor its terms will result in my being denied access to church property and all church events.

---

Signature

Date

\_\_\_\_\_  
Petitioner Name

\_\_\_\_\_  
Address

**WITNESS FOR THE CHURCH:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name

\_\_\_\_\_  
Church Official Title

\_\_\_\_\_  
**YOUR CHURCH**

(Address)

**Appendix D**  
***SUGGESTED TEMPLATE FOR***  
**Code of Conduct**

This Code of Conduct defines individual responsibilities as teaching elders, ruling elders, employees or volunteers to meet the expectations of (Your Church) with respect to behavior or conduct in the service of the ministries of the church, especially those which serve children and “vulnerable adults”.

## **General Requirements --**

Each person subject to this Code shall

1. Act as a team member in fulfilling ministry objectives
2. Treat children and “vulnerable adults” (clients) with respect, and fairly without regard to race, age, gender, sexual orientation or religion
3. Practice those behaviors we regard as necessary and positive as well as to refrain from those behaviors which have been defined as prohibited.

## **General Prohibitions –**

The following behaviors are prohibited at all times:

1. Display affection toward a child/client in privacy.
2. Use profanity or tell off-color jokes.
3. Discuss their sexual encounters with or around children or in any way involve children in their personal problems or issues.
4. Date or become romantically involved with children.
5. Use or be under the influence of alcohol or illegal drugs in the presence of children.
6. Possess sexually oriented materials, including printed or online pornography, on Church property.
7. Have secrets with clients
8. Stare at or comment on children’s bodies.
9. Engage in inappropriate or unapproved electronic communication with children.
10. Work one-on-one with children in a private setting.
11. Abuse clients in anyway including (but not limited to) the following:
  - Physical abuse: hit, spank, shake, slap, unnecessarily restrain
  - Verbal abuse: degrade, threaten, curse
  - Sexual abuse: inappropriately touch, expose oneself, or engage in sexually oriented conversations
  - Mental abuse: shame, humiliate, act cruelly
  - Neglect: withhold food, water, shelter
  - Permit children to engage in the following: Hazing, bullying, derogatory name-calling, games of Truth or Dare, ridicule or humiliation or sexual activity
12. Manipulate or exploit a “vulnerable adult” in any way.

## **Reporting Obligations --**

Each teaching elder or statutory “mandatory reporter” shall report:

1. Concerns or complaints about other employees and volunteers, other adults, or children to a supervisor. (Appendix D – Leadership & Reporting Roster)
2. Allegations or incidents of “suspected abuse” to the designated law enforcement or child welfare authority. (Appendix D – Leadership & Reporting Roster)

## **Specific Interaction Standards –**

This Code of Conduct defines individual responsibilities as teaching elders, leaders, employees or volunteers to meet the expectations of (Your Church) with respect to behavior or conduct in the service of the ministries of the church, especially those which serve children and “vulnerable adults”.

### **General Requirements --**

Each person subject to this Code shall

1. Act as a team member in fulfilling ministry objectives
2. Treat children and “vulnerable adults” (clients) with respect, and fairly without regard to race, age, gender, sexual orientation or religion
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7. Have secrets with clients
8. Stare at or comment on children’s bodies.
9. Engage in inappropriate or unapproved electronic communication with children.
10. Work one-on-one with children in a private setting.
11. Abuse clients in anyway including (but not limited to) the following:
  - Physical abuse: hit, spank, shake, slap, unnecessarily restrain
  - Verbal abuse: degrade, threaten, curse
  - Sexual abuse: inappropriately touch, expose oneself, or engage in sexually oriented conversations
  - Mental abuse: shame, humiliate, act cruelly
  - Neglect: withhold food, water, shelter
  - Permit children to engage in the following: Hazing, bullying, derogatory name-calling, games of Truth or Dare, ridicule or humiliation or sexual activity
12. Manipulate or exploit a “vulnerable adult” in any way.

### **Reporting Obligations --**

Each teaching elder or statutory “mandatory reporter” shall report:

1. Concerns or complaints about other employees and volunteers, other adults, or children to a supervisor.
2. Allegations or incidents of “suspected abuse” to the designated law enforcement or child welfare authority.

**Specific Interaction Standards –**

Each teaching elder, employee or volunteer worker of (Your Church) shall conduct him/herself in a manner that fosters understanding of SafeConduct™ in the context of serving children and “vulnerable adults”. The standards articulated below serve two purposes:

To protect children and “vulnerable adults” from abuse or grooming for abuse elsewhere; and  
 To protect/prevent church staff from engaging in patterns of behavior that may be construed as abusive or predatory. While a single infraction of guidelines may not constitute abuse, a pattern of repeated violations will result in disciplinary action up to and including dismissal from ministry.

1. **Approval and Affection** – In providing approval or affection, the following guidelines apply:

<i><b>Appropriate Physical Interactions</b></i>	<i><b>Inappropriate Physical Interactions</b></i>
<ul style="list-style-type: none"> <li>• Side hugs</li> <li>• Shoulder-to-shoulder or “temple” hugs</li> <li>• Pats on the shoulder or back</li> <li>• Handshakes</li> <li>• High-fives and hand slapping</li> <li>• Verbal praise</li> <li>• Pats on the head when culturally appropriate</li> <li>• Touching hands, shoulders, and arms</li> <li>• Arms around shoulders</li> <li>• Holding hands (with young children in escorting situations)</li> </ul> <p>These may be inappropriate if unwanted by the child or the employee or volunteer.</p>	<ul style="list-style-type: none"> <li>• Full-frontal hugs</li> <li>• Kisses</li> <li>• Showing affection in isolated area</li> <li>• Lap sitting</li> <li>• Wrestling</li> <li>• Piggyback rides</li> <li>• Tickling</li> <li>• Allowing a child to cling to an employee’s or volunteer’s leg</li> <li>• Any type of massage given by or to a child</li> <li>• Any form of affection that is unwanted by the child or the employee or volunteer</li> <li>• Compliments relating to physique or body development</li> <li>• Touching bottom, chest, or genital areas</li> </ul>

2. **Verbal Interactions** – The manner of speaking with children establishes respect. The following guidelines apply:

<i><b>Appropriate Verbal Interactions</b></i>	<i><b>Inappropriate Verbal Interactions</b></i>
<ul style="list-style-type: none"> <li>• Positive reinforcement</li> <li>• Appropriate jokes</li> <li>• Encouragement</li> <li>• Praise</li> </ul>	<ul style="list-style-type: none"> <li>• Name-calling</li> <li>• Discussing sexual encounters or in any way involving children in the personal problems or issues of employees and volunteers</li> <li>• Secrets</li> <li>• Cursing</li> <li>• Off-color or sexual jokes</li> </ul>

	<ul style="list-style-type: none"> <li>• Shaming</li> <li>• Belittling</li> <li>• Derogatory remarks</li> <li>• Harsh language that may frighten, threaten or humiliate children</li> <li>• Derogatory remarks about the child or his/her family</li> </ul>
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**3. Out-of-Program (Off-Site) Contact –**

(Your Church) strongly recommends that teaching elders, employees or volunteers observe the following forms of outside contact as appropriate and inappropriate:

<i>Appropriate Outside Contact</i>	<i>Inappropriate Outside Contact</i>
<ul style="list-style-type: none"> <li>• Taking groups of children on an outing</li> <li>• Attending sporting activities with groups of children</li> <li>• Attending functions at a child’s home, with parents present</li> </ul>	<ul style="list-style-type: none"> <li>• Taking one child on an outing without the parents’ written permission</li> <li>• Visiting one child in the child’s home, without a parent present</li> <li>• Entertaining one child in the home of a church employee or volunteer</li> <li>• A lone child spending the night with a church employee or volunteer</li> </ul>

In addition, when outside contact is planned or occurs, the following steps are to be taken:

- A supervisor shall identify for employee and volunteers what types of outside contact are appropriate and inappropriate (above)
- A supervisor shall assure that the employee or volunteer has the parents’ permission to engage in outside contact with the child. When time permits, parents shall execute a permission form with a waiver of liability (if permitted by state law).

**4. One-on-One Interactions –**

Because most abuse occurs when an adult is alone with a child, private one-on-one meetings with a child are prohibited unless approved in advance by (Chair, Employment Committee). When so permitted, the following guidelines shall apply:

### ***One-on-One Interaction Guidelines***

- When meeting one-on-one with a child, always do so in a public place in full view of others.
- Avoid physical affection that can be misinterpreted. Limit affection to pats on the shoulder, high fives, and handshakes.
- If meeting in a room or office, leave the door open or move to an area that can be easily observed by others passing by.
- Inform other employees and volunteers that you are alone with a child and ask them to randomly drop in. (Ask to be supervised.)
- Document and immediately report any unusual incidents, including disclosures of abuse or maltreatment, behavior problems and how they were handled, injuries, or any interactions that might be misinterpreted.

To the extent any of these guidelines may appear to be in conflict, the spirit of them is that one shall seek to be under the supervision of others while meeting privately with a child.

## **5. Social Media – Electronic Communications –**

### **Social Networking Code of Conduct**

Each teaching elder, employee or volunteer who leads using the resources of social media shall apply this Social Networking Code of Conduct:

- Prohibit comments that are, or could be construed by any observer, to be harsh, coercive, threatening, intimidating, shaming, derogatory, demeaning, or humiliating.
- Prohibit sexually oriented conversations or discussions about sexual activities.
- Prohibit private messages between employees and volunteers and children.
- Prohibit posting inappropriate pictures (for example, sexually suggestive, exploitive or voyeuristic) or inappropriate comments on pictures.
- Provide children and their parents with this Social Networking Code of Conduct.
- Encourage parents to play a role in monitoring their children's interactions with employees and volunteers.
- Continuously remind children how to interact appropriately through social networking sites.
- Deny participation by individuals who repeatedly violate the Code of Conduct.

At the institution of the use of social media, the authorized teaching elder, employee or volunteer shall present this Social Networking Code of Conduct to children (or other client group) and parents/guardians.

\*\*\*\*\*

If offered a position as teaching elder, employee or volunteer, I affirm that application disclosures are complete and truthful. I agree to comply with all code of conduct standards described above relating to children/clients as defined above. If requested to do so, I will cooperate with any investigation of a possible violation of church policies and rules by providing complete and truthful information in an oral and/or written statements.

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Signature

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Date

---

Name



**Appendix E:**  
**SUGGESTED TEMPLATE FOR**  
**Ministry Standards**

These ministry standards are intended to provide a safe environment for children and “vulnerable adults” in a variety of circumstances. From time to time it may not be possible to fulfill the standard to the letter. Permission is granted to Ministers in leadership to waive a standard with justification. If it is found that consistent fulfillment of a standard is not practicable, the matter shall be elevated to the (Your Committee) for resolution or amendment of these standards.

**Adult-Child Ratios –**

For all activities an adult-child ration of (xx):1 shall be maintained, except that a ratio of (yy):1 may apply to a classroom environment with children above the age of (zz). Employees or volunteers under the age of 18 are not included in the ratio.

In all cases, an employee or volunteer under the age of 18 working with minor children shall be under the supervision of an adult over the age of 21.

Employees or volunteer leaders under the age of 21 shall not supervise or lead a youth group in which the oldest participating minor child is less than three years younger than the supervisor/leader.

**Bathrooms, Locker Room and Out-of-the-Way Locations –**

The following practices shall apply to supervision of bathrooms and changing areas:

1. Minimize presence of diverse child age groups at the same time.
2. No employee/volunteer shall enter with a single unrelated child unless the entry door is ajar (propped open) in a way that (s)he can be observed by others.
3. Children shall not enter alone in pairs.
4. Children shall not enter unsupervised.
5. Require children to ask permission before using bathrooms.

Employees and volunteers in leadership are to frequently and randomly check bathrooms to assure their security.

The following areas are to be locked at all times: **(Your rules)**

The following areas are to be off-limits: **(Your rules)**. Typically a place where a predator and child might find unsupervised privacy, such as an unsupervised floor, basement, balcony, or adjacent building.)

**Transition and “Free” Time --**

Especially during day long, off-site or overnight activities, children will periodically not be engaged in a supervised activity. Supervision shall be maintained during transition times through the use of chaperones, hall monitors and escorts to minimize the opportunity for security breach or child-on-child incidents. (Leadership titles) shall assess at what times and places additional duties are to be assigned to employees and volunteers to assure supervision of transition and free time.

### **Transportation of Children –**

Transportation of children, whether on buses, motor coaches or private passenger vehicles, is a serious responsibility. Especially when utilizing church owned vehicles or private vehicles of employees and volunteers, utmost care shall be taken in view of the risks associated with managing transportation.

The following standards shall apply:

1. No employee or volunteer shall transport a single child that is not his/her own, except as may be required in an emergency with the approval of a supervisor. Communications shall be established to verify the whereabouts, expected arrival and change of custody of the child.
2. Any driver operating a vehicle which holds 16 passengers or more, including the driver, shall possess a valid Commercial Driver License (CDL).
3. Any person who drives on behalf of (Your Church) sponsored programs shall be previously qualified under our transportation and driver qualification procedure.
4. Adult-child ratios shall be maintained and within the safe loading limits of the vehicles being used.
5. As practicable, mixed age groups are not to sit together.
6. Employees and volunteers are not to make unauthorized or unplanned stops.
7. On each trip, a vehicle log shall be maintained which documents the departing time, arrival time, destination, mileage, names of passengers and supervising staff and volunteers and any unusual occurrences.
8. All passengers are to be seated and to use safety belts as available.
9. Employees and volunteers are to be seated on larger vehicles in a way that permits them to supervise young passengers.
10. When passengers must disembark at a rest facility or destination, care shall be taken to obtain a headcount on arrival and departure. All passengers shall be required to complete a trip on the same vehicle to assure accountability.

### **Off-site Activities (Day Trips) --**

Off-site activities require special additional planning, taking into account the nature of the destination and exposure to the public at large. For example, attendance at a public venue, such as an amusement park, will require greater supervision than a visit to a sister church. Due to the increased risk of a child becoming lost or injured during an off-site activity, extra care shall be taken to assure adequate supervision.

The following are minimum requirements:

1. All off-site activities shall be approved in advance by **(Leadership title)**.
2. The trip leader shall provide a plan outlining transportation and supervision for the activity.
3. Parent/guardian permission shall be obtained. Permission forms are to site the destination(s) and activities in which the child might engage (e.g., climbing wall, horseback riding, soccer, baseball, etc.)
4. Parent/guardian providing permission shall indicate who will receive the child on return if other than the person signing the permission.
5. Adult-child ratios shall be increased by at least one person, which may include a person age 16 or older who is qualified to drive. One adult may supervise only one person under the age of 18 (employee or volunteer).
6. Each employee or volunteer shall be assigned to a specific group of children to supervise. Each employee or volunteer must then maintain a roll sheet listing all of the children in his or her group. Head counts and roll checks will be conducted routinely.
7. Standards for bathroom activities, transition time and transportation shall be maintained.

8. Parents/guardians shall be provided a means to make emergency contact with the trip leader.

### **Over-night Activities --**

Camps generally have the experience and staffing to adopt different standards than these below. The assumption for the purpose of this standard is lodging at a public hotel in an unfamiliar city.

As with off-site activities, over-night activities present an even higher level or risk to children than day trips due to isolation from parents and the 24-hour supervision that is required throughout the activity.

The following standards will apply in addition to standards for off-site activities:

1. All overnight activities, whether on the church site or not, shall have prior approval of **(Leadership title)**.
2. All overnight activities include a minimum of two adult chaperones over 21 years of age.
3. All volunteers and employees under 18 years of age must be supervised at all times.
4. Parent/guardian permission shall be obtained. Permission forms are to site the destination(s) and activities in which the child might engage (.e.g., climbing wall, horseback riding, soccer, baseball, etc.)
5. The parent/guardian providing permission shall indicate who will receive the child on return if other than the person signing the permission.
6. At all times through the night an employee or volunteer must remain on duty at a location to supervise the coming and going of any child and to assure safe evacuation during an emergency and to prevent children sneaking out. (Maximum two hour watches through the night are recommended.)
7. Trip leaders or other designated adult shall conduct routine walk-throughs of high risk areas
8. For the event of a building evacuation, an outdoor rally point will be designated in advance.
9. A roster will be maintained of the room assignments for each child and adult.
10. A bed check will be conducted at a specific time known to all.
11. Adult-child ratios are to be maintained for outings away from the lodging site.
12. A daily schedule of events shall be maintained with supervisory duty assignments included.
13. Double-queen lodging is preferred at hotels, four to a room. Children in each room will be of similar age. No adult will share a bed with a child.
14. Adult rooms will be scattered among rooms occupied by children. There shall be at least one adult lodged on any floor on which children are sleeping.
15. Standards for bathroom, out-of-the-way, off limits locations and transition time shall be maintained as the site circumstances and facilities may require

### Part 22. Overture Concurrence Policy

Actions regarding overtures will be referred to an overtures sub-committee of the Operations Committee to be comprised of our four elected GA commissioners attending the upcoming General Assembly, one member of the Operations Committee, and one member of the Leadership Team.

### Overtures from sessions within presbytery

When the session of a church within our presbytery submits an overture for consideration, the overture sub-committee will:

- Review overture and advise session of any potential changes thought to better the overture.
- After conferring with session, develop a list of positive and less desirable outcomes from the potential implementation of the overture.
- Submit overture and supporting data to Presbytery for action.

### Overtures from General Assembly

For overtures submitted by presbyteries and sent by GA for review and possible concurrence to be referred to the General Assembly for formal action, the procedure will be:

- Stated Clerk receives overtures from General Assembly.
- Stated Clerk provides summary of information, with emphasis on impact to our presbytery by adoption of each overture, to the overture sub-committee.
- Overture sub-committee reviews summaries and determines if concurrence should be supported.
- Overture sub-committee develops a list of supporting criteria and sends recommendation for concurrence to the Presbytery for action.

There is nothing that precludes providing concurrence to another presbytery's overture prior to it being submitted to GA for concurrence distribution.