

# Sexual Misconduct Policy and Procedures

First Presbyterian Church  
300 East Main Street  
Batavia, NY 14020

Introduction and Purpose	page 2
Policy	page 5
Definitions	page 9
Procedures for Implementation	page 10
Procedures Quick Reference Guide	page 15
Managing the Policy	page 17
Forms	page 18

Date Adopted: May 22, 2013

Reviewed and approved by Vision Board: January 19, 2023

# Introduction and Purpose

Since the 1990's, the Presbytery of Genesee Valley has encouraged all member churches to formulate policies to deal with sexual misconduct. In the fall of 2011, the Personnel committee began to work on a policy for First Presbyterian Church (FPC) of Batavia. Along with Pastor Roula Alkhouri, members of the committee were Robert Ayers (chair), David Blake, Nancy Brach, Rick Lanich, Betsy Tuites, and David VanScoy.

This policy has been formulated in order to ensure that everyone associated with our church will be able to work, worship, study, and enjoy fellowship in a safe environment, free from sexual misconduct. As a community of believers in Jesus Christ as our Lord and Savior, we take seriously the responsibility of spreading the Gospel and offering the love of God to any and all who are within our church walls or participating in any of our sponsored activities. Therefore, this policy has been prayerfully and carefully considered and formulated.

To that end, our policy defines sexual abuse and sexual misconduct as well as those who may be involved in either. In addition, there are procedures provided for implementing this policy and for use in the event that sexual misconduct is observed or experienced. As a church and a Session we seek to prevent sexual misconduct from happening and will actively assist those who become involved in such incidents.

We believe that all people were created by God. God values all human life equally. Therefore we must respect the worth and dignity of all human beings – men, women, and children. We also believe in justice for all. Sexual misconduct is an abuse of power and trust and therefore is unjust.

The purposes of writing this Sexual Misconduct Policy and Procedures are:

- to attempt to break the conspiracy of silence surrounding sexual misconduct within the church community;
- to recognize that the church is responsible for the professional conduct of its staff and church-related conduct of other workers and volunteers, and must act to prevent misconduct from causing harm to its members and staff;
- to outline procedures for FPC and staff for making and responding to allegations of sexual misconduct; and
- to identify areas in which healing and reconciliation can be supported within the church community following occurrences or accusations of sexual misconduct.
- This Sexual Misconduct Policy and Procedures is to be used in conjunction with the FPC Child Protection Policy.

We thank Bethany Presbyterian Church and Third Presbyterian Church, both of Rochester, NY, for the excellent work they have done in writing their sexual

misconduct policy and for providing First Presbyterian Church with copies of their policies to use as a framework for our own. We owe them both a great debt. In addition, we thank the Presbytery of Genesee Valley for the materials and feedback they have provided in helping us develop our policy.

## Our Call to Act: A Biblical Foundation

This policy and its implementation are of utmost importance to us because we, as the church of Jesus Christ, are called to ensure the safety and well-being of all of God's children in our community. We believe that all forms of abusive behavior, and especially sexual behavior, exact immeasurable spiritual, psychological, and physical costs in terms of suffering, human potential, social stability, and damage to the credibility and commission of the community of Christ. We, as instruments of Christ's compassionate peace, are called as a church body to create environments in which victims of abusive behavior can find support and healing. We, as instruments of Christ's justice and love, are called as a church body to prevent abuse and abusive behavior and to deal with and resolve directly and fairly instances of abuse should such arise in our communities. We are informed and encouraged by the examples found in the Bible for handling abuse with a spirit of openness and courage.

"But a Samaritan while traveling came near him; and when he saw him, he was moved with pity. He went to him and bandaged his wounds, having poured oil and wine on them. Then he put him on his own animal, brought him to an inn, and took care of him. The next day he took two *denarii*, gave them to the innkeeper, and said, 'Take care of him; and when I come back, I will repay you whatever more you spend.' Which of these three, do you think, was a neighbor to the man who fell into the hands of the robbers? [The Lawyer] said, 'The one who showed him mercy.' Jesus said to him, 'Go and do likewise.'

Luke 10:33-37, NRSV

- *The Samaritan acknowledges the problem from the point of view of the victim.*
- *The Samaritan acts directly to provide care by drawing upon available resources.*
- *When further care is required, the Samaritan mobilizes additional resources.*
- *The Samaritan commits to ongoing concern expressed over time.*

"Anyone then, who knows the right thing to do and fails to do it, commits sin."

James 4:17, NRSV

The Bible guides and informs the church as it seeks to understand sexual abuse by a church leader or caregiver. The prophet Ezekiel is adamant that God

opposes leaders who fail to strengthen and nourish those under their care, but instead prey on them to meet their own needs:

“The word of the Lord came to me: ‘...Ah, you shepherds of Israel who have been feeding yourselves! Should not shepherds feed the sheep?... You have not strengthened the weak, you have not healed the sick, you have not bound up the injured... Therefore, you shepherds, hear the word of the Lord: As I live... because my sheep have become a prey, and my sheep have become food for all the wild animals... I am against the shepherds, and I will demand my sheep at their hand, and put a stop to their feeding the sheep; no longer shall the shepherds feed themselves. I will rescue my sheep from their mouths, so that they may not be food for them. For thus says the Lord God: I myself will search for my sheep, and will seek them out.” Ezekiel 34:1-11, NRSV

In Matthew 18, Jesus echoes these concerns for those who are vulnerable:  
“If any of you put a stumbling block before one of these little ones who believe in me, it would be better for you if a great millstone were fastened around your neck and you were drowned in the depth of the sea... Take care that you do not despise one of these little ones; for, I tell you, in heaven their angels continually see the face of my Father in heaven.” Matthew 18:6,10, NRSV

# SEXUAL MISCONDUCT POLICY

## I. THE POLICY

All employees, pastors, members, and congregants are entitled to an environment free of sexual harassment and sexual misconduct. Sexual misconduct is unacceptable behavior. Sexual misconduct of any type by any pastor, church employee, church member or congregant is strictly prohibited. Pastors, employees, church members, or congregants working as church volunteers are responsible for imposing limits and maintaining appropriate boundaries in all relationships. Allegations and charges of misconduct will be dealt with swiftly, fairly, and with compassion and justice for both the accused and the accuser/victim.

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

1. Sexual abuse as defined below;
2. Sexual harassment as defined below.

Sexual Abuse of another person is any offense involving sexual conduct in relation to:

1. any person under the age of 18 years (whether or not it was consented to by the minor) or anyone over the age of 18 without the mental capacity to consent; or
2. any person when the conduct includes force, threat, coercion, intimidation, or misuse of office or position.

Sexual Harassment is defined as follows:

1. unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature;
2. presentation, transmission or posting of written, graphic, pictorial, video, or audio materials with sexual content. This includes inappropriate use of social media, cell phones, and computers. Any misuse of cyber / technology transmissions of all of the above items is prohibited.
3. suggesting or forcing submission to such conduct which is made either explicitly or implicitly a term or condition of an individual's employment or involvement, or his/her continued status in FPC.
4. conduct of a sexual nature which has the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, or offensive environment.

This policy shall be available to all staff, members, and congregants of FPC. The policy shall be reviewed with all employees on an annual staff basis.

## II. SCREENING PRACTICES

All employees and those volunteers listed on Appendix B are required at the beginning of their service, to sign a certification that they have read and understood this Policy and the attached Procedures Regarding Sexual Misconduct.

In addition, all applicants for employment and all designated volunteers are required to sign a statement of release related to information regarding civil or criminal convictions or church complaints of sexual misconduct. (The statement for volunteers appears as Appendix B. The statement for employees is Appendix C.)

An applicant who has a civil, criminal, or church record of sexual misconduct or who has admitted prior sexual misconduct of any kind will be barred from employment. A volunteer with such record will be barred from service.

## III. PREVENTION

Prevention is always preferable to dealing with the crisis of sexual misconduct. Every effort shall be made to prevent it by educating staff, members, and congregants about this policy, by instituting guidelines for pastors, staff and youth workers, and by working for a better understanding by members and congregants that sexual misconduct in the church is a problem to be confronted and prevented.

The church shall work for prevention of sexual misconduct by:

1. Educating the employees, members, and congregants toward gender equality.
2. Reviewing the policy, procedures, and guidelines during new member training.
3. Educating the employees, members, and congregants regarding abuse of power in relationships.
4. Encouraging open discussion of sexual misconduct in our society.
5. Empowering victims to come forward without fear of retribution.
6. Helping the employees, members, and congregants to reach a healthy resolution following a sexual misconduct incident.
7. Encouraging treatment programs for both offenders and victims involved with incidents of sexual misconduct.
8. Ensuring that the building is safe for children and youth. Each door to a room designated for use by children or youth, e.g., a classroom, will contain a clear glass window that permits unrestricted view of the room. As a substitute to a window, a Dutch door with an open upper section is acceptable.

Session Oversight: The Session shall ensure that the above training and education will be implemented in the following manner:

1. The Pastor and the Personnel Committee shall be responsible for providing opportunities for training and education in sexual misconduct prevention for the staff.
2. Elders and deacons are mandated reporters of abuse by the Book of Order. Trustees have a fiduciary responsibility under the New York State non profit law. Each incoming class of elders, deacons, and trustees will be given a copy of the policy, procedures summary, and guidelines as part of their training, at which time they will be asked to sign the Policy Acknowledgement Form, which will be kept in the church office.
3. The Christian Education Committee and the Youth Ministry Director shall be responsible for providing opportunities for:
  - a. Age appropriate sexual misconduct prevention education to the children and youth of the church, helping them to understand and recognize inappropriate behavior by adults or peers and to whom they should report such behavior.
  - b. Training and education in sexual misconduct prevention for all persons who work directly with children and youth.
  - c. Programs to educate the members and congregants about sexual misconduct in the church and society.
4. Such programs for the staff, members, and congregants shall be repeated at regular intervals, as determined by Session at its annual review and evaluation of the policy, procedure, and guidelines.
5. Follow the Guidelines of FPC Child Protection Policy.

#### IV. COMPANION DOCUMENTS

This policy and its procedures are designed to be applied in conjunction with the Child Protection Policy, "The Presbytery of Genesee Valley Sexual Misconduct Policy and Procedure", (adopted: 10/25/94; revised: 05/26/98; 11/27/01; 5/27/10) and "Sexual Misconduct Policy and Its Procedures" adopted by The General Assembly in 2011 and with the Rules of Discipline, Book of Order of the Presbyterian Church (USA).

#### V. STATUTE OF LIMITATIONS

The ability of FPC to respond promptly and justly to sexual misconduct is related in part to the opportunity to receive allegations and gather evidence soon after the occurrence. However, the Procedures regarding sexual misconduct recognize the special problems related to discovery and recognition of various forms of sexual misconduct. Child sexual abuse may not be recognized until the victim of abuse reaches adulthood. Recognition of abuse and willingness to come forward by an adult victim may also be delayed for many years.

Regardless of when the incident of misconduct or abuse is alleged to have occurred, FPC strongly encourages and supports people with information to report the incident to Church leaders and/or staff. For the disciplinary offense of sexual abuse of another person, there is no statute of limitations. Book of Order [D-10.0401]

## VI. PROVISIONS FOR REVIEW OF POLICY AND PROCEDURES

The annual review of the policy and procedures shall include its discussion at a staff meeting and an annual review by Personnel.

The Personnel Committee shall then review the Policy and Procedures, make any necessary and/or desired changes, verify that the policy complies with the requirements of the church's insurance carrier, and then recommend them to Session. Additionally, if the Policy and Procedures are used at any time, the Personnel Committee will evaluate the procedures outlined herein, based on their experience, and make recommendations to the Session for any needed changes.



## ADDITIONAL DEFINITIONS

- A. Accused is the term used to represent the person against whom a claim of sexual misconduct is made.
- B. Accuser is the term used to represent the person claiming knowledge of sexual misconduct by a person covered by this policy. The accuser may or may not be the victim of alleged sexual misconduct. A person such as a family member, friend, or colleague of the victim may be the accuser whose information initiates an inquiry.
- C. Children and youth of First Presbyterian Church are in the age range of birth until 18<sup>th</sup> birthday.
- D. Congregant is a person who, though not a formal member, participates in the life, programs and/or worship of FPC. This may include but is not limited to, one who attends worship services, sings in the choir, attends Youth Fellowship meetings, has received pastoral care or counseling, or attends adult education programs.
- E. Employee/Staff is a person who is hired or called to work for FPC for salary or wages.
- F. Investigating Committee as defined by the Book of Order [D.-10.0200] is the body charged with looking into allegations of sexual misconduct by a member of FPC. Session will appoint three to five active members of FPC who are not currently serving on Session to serve on this committee.
- G. Member means baptized, active, and affiliate members of FPC. Book of Order [G.-1.04].
- H. Minor is anyone under the age of 18 years old. This includes children and youth.
- H. Victim is the term used to identify the person alleged to have been injured by sexual misconduct as defined in the policy.
- I. Volunteer refers to a person who provides services for FPC and receives no remuneration or monetary benefits. Volunteers include, but are not limited to, persons elected or appointed to serve on Session, boards, committees, and all other groups under the jurisdiction of the Session.

## **PROCEDURES FOR IMPLEMENTATION OF THE SEXUAL MISCONDUCT POLICY**

### **I. General Procedures**

- A. To ensure the safety of the victim, the entity investigating the allegation has, at their discretion, the authority to do the following:
  - 1. Suspend the accused from participation in FPC programs until the investigation is complete.
  - 2. Temporarily relieve the accused from his or her duties until the investigation is complete.
  - 3. Place an accused employee on paid leave until the investigation is complete.
- B. Procedures in Section II through VI of this document will be followed.
- C. All information and/or actions taken in regard to allegations brought shall be documented.
- D. Any problem or suspected issue regarding minors should be reported immediately to child protective services, a staff member and Presbytery.
- E. Inform FPC's insurance agent of any allegations of sexual misconduct.
- F. Refer any inquiries from the media regarding an incident of sexual misconduct to the Pastor or to the chair of the Personnel Committee.

### **II. Procedure to File an Allegation Against a Pastor**

- A. The procedure to file an allegation of sexual misconduct against a Pastor who is a member of the Presbytery of Genesee Valley or who is serving a church in the Presbytery of Genesee Valley is covered under the "Policy on Sexual Misconduct" of the Presbytery of Genesee Valley. Such a complaint may be filed with the Presbytery Leader, the Stated Clerk of the Presbytery, or a member of the Presbytery's Committee on Ministry. Names of all these individuals can be obtained by calling the Presbytery Office or by asking FPC's Clerk of Session.
- B. The accuser may, however, choose initially to bring the accusation to the Personnel Committee of FPC. In that case, the following procedure will be followed:
  - 1. An alleged victim, or someone acting on his or her behalf, brings an allegation, written or verbal, of sexual misconduct to a member of the Personnel Committee. If written, the allegation should come in the form of a simple signed statement. If verbal, the person should be strongly encouraged to put the allegation in writing.
  - 2. Within 24 hours, a member of the Personnel Committee will contact a member of Presbytery's Committee on Ministry, the Stated Clerk, or the Presbytery Leader of Genesee Valley.
  - 3. If the alleged victim is a minor, child protective services, legal counsel, FPC's insurance agent, and Presbytery officials will be notified.
    - a. Local Child Abuse Hotline: 800-342-3720 or 585-344-2580
    - b. Presbytery Office of Genesee Valley: 585-242-0099
    - c. RB Adams Agency: 585-343-0046

4. A member of the Personnel Committee shall be designated to maintain contact with the Committee on Ministry regarding the case.
  5. In compliance with the policies of the Presbytery of Genesee Valley, the pastor will be placed on automatic paid leave during the investigation.
- C. The Personnel Committee shall request of Presbytery a copy of the investigation and disposition of the allegation to include in the personnel file of the Pastor.

### **III. Procedure to File an Allegation Against an Employee of FPC Other Than the Pastor**

- A. When an alleged victim, or someone acting on his or her behalf, brings an allegation of sexual misconduct against an employee, the allegation shall be reported to the Pastor, who will immediately convey such information to the Clerk of Session and the Chair of the Personnel Committee. They will then be formed into a Response Team.
1. If the alleged victim is a child or youth, the appropriate church and civil legal authorities will be notified. The Presbytery Leader of the Presbytery of Genesee Valley is the church authority: 585-242-0099. Child Protective Services is the civil legal authority: 800-342-3720 or 585-344- 2580.
  2. The leader of the Response Team will consult FPC's or Presbytery's legal counsel.
- B. If the employee is a member of FPC or a member of another Presbyterian Church (USA), any church judicial proceedings arising from the allegations shall follow the procedures outlined in Chapters X and XI of the Book of Order.
- C. The Response Team shall meet to investigate the allegations. During the period of investigation, the Response Team may consider suspension with pay for the accused. The Response Team will consult legal counsel.
1. The Pastor shall be designated as spokesperson.
  2. The Clerk and the Chair of Personnel shall act as liaisons to the alleged victim and the accused, respectively, to keep them informed of progress of the investigation.
- D. No later than 15 days from the date the initial allegation was received, the Response Team shall submit a written report to the Personnel Committee.
1. If the allegation against the employee is found to be without merit, the Response Team should place a letter in the employee's file.
    - a. The letter should state that an accusation was made but that it was found to be without merit. Complete details of the investigation and its findings should be included.
    - b. Notification of the decision will be given in writing by certified mail to the accuser/victim (and/or the parent or legal guardian of a minor) and to the accused.
  2. If the allegation against the employee is found to be with merit, the Response Team shall write a report that includes the following:

- a. Names of parties involved
  - b. Allegations made by accuser
  - c. Response made by accused
  - d. Findings and conclusions
  - e. Recommendations for action
- E. When the Personnel Committee receives the report from the Response Team, then the Personnel Committee shall, within 10 days:
  - 1. Gather any additional information necessary to make a decision.
  - 2. Determine the appropriate action and report it to Session.
  - 3. The report shall include:
    - a. All information from the Response Team's report
    - b. Additional findings and conclusions
    - c. Action taken by the Personnel Committee
- F. The Personnel Committee shall file the report in the employee's personnel file.
- G. Notification of the decision will be given in writing by certified mail to the accuser/victim (and/or the parent or legal guardian of a minor) and to the accused.
- H. In any discussions with the parties, it should be made clear that any statements made by the parties may be used in any church or judicial proceeding to the extent permitted by church or civil law.
- I. Either the accuser/victim (and/or the parent or legal guardian of a minor) or the accused shall have the right to appeal any decision or action taken by the Personnel Committee by writing to the Clerk of Session within 30 days of receipt of the decision and sending it by certified mail, requesting a review and reconsideration by Session. The decision of the Session shall be final.

#### **IV. Procedure to File an Allegation Against a Member of First Presbyterian Church**

- A. When an alleged victim, or someone acting on his or her behalf, brings an allegation, written or verbal, of sexual misconduct against a member, the allegation shall be reported to the Pastor, the Clerk of Session, a member of Session, or a member of the Personnel Committee. If written, the allegations shall come in the form of a simple signed statement. If verbal, the person should be strongly encouraged to put the allegation in writing. The person receiving the allegation should then immediately pass the statement to the Clerk of Session and the Pastor.
- B. If the alleged victim is a minor, child protective services, legal counsel, and Presbytery official will be notified by the Pastor.
- C. The Clerk of Session shall follow the procedures outlined in *Chapter X, Disciplinary Cases* of the Book of Order [D.-10.0000].
- D. Within five days Session shall appoint an Investigating Committee comprised of three to five active members of FPC who are not currently serving on Session.

- E. This Investigating Committee will look into the allegations of sexual misconduct by a member of FPC. No later than 15 days from when the Investigating Committee is formed, it shall report findings to the Session. The report shall include:
  - 1. Names of parties involved
  - 2. Allegations made by accuser
  - 3. Response made by accused
  - 4. Findings and conclusions
  - 5. Recommendations for action
- F. Session shall make its decision no later than 30 days from when it receives the report from the Investigating Committee. Session will inform the accused and the accuser/victim (and/or the parent or legal guardian of a minor) of its decision in writing sent by certified mail.
- G. If the Session finds that there is merit to the allegation(s) and the accused wishes to appeal the decision, then *Chapter XIII* in the Book of Order [D.-13.000] shall be used as a guide for the appeal process.

#### **V. Procedure to File an Allegation Against a Person (Congregant) Who is Not a Member of First Presbyterian Church**

- A. Upon receipt of a report of sexual misconduct, or when an alleged victim, or someone acting on his or her behalf, brings an allegation of sexual misconduct against a person (congregant) who is not a member of FPC, the information will be conveyed immediately to the Pastor.
- B. If the alleged victim is a minor, child protective services and legal counsel will be notified by the Pastor.
- C. If the allegation is against a minor whose family is not associated with FPC, then the parent/guardian shall be immediately contacted.
- D. The Pastor will bring the matter to the attention of Session who will determine the course of action to be taken. Notification of the decision of Session will be given in writing by certified mail to the accuser/victim (and/or the parent or legal guardian of a minor) and to the accused.
- E. If the Session finds there is merit to the allegation(s) and the accused wishes to appeal the decision, then *Chapter XIII* in the Book of Order [D.-13.000] shall be used as a guide for the appeal process.

#### **VI. Session's Role in Restoration and Healing**

- A. Upon completion of the investigation, if the allegation is found to be *without merit*, Session shall:
  - 1. Stop the investigation.
  - 2. Report compassionately to all of the parties affected and to the congregation.
  - 3. Make every effort to exonerate the accused.
  - 4. Ensure pastoral care for the accused and for the accuser and their families.
- B. Procedure to follow if the allegation is found to be *with merit*. Session shall:

1. Ensure pastoral care for the victim(s) and/or the accuser(s) and their families.
2. Ensure pastoral care for the congregation.
3. Restore the integrity and credibility of the church's ministry which includes the congregation, Session, the church staff, and the Pastor.
4. Appropriately discipline the offender, considering the nature, severity, and frequency of the misconduct and take other appropriate steps to prevent the sexual misconduct from continuing or recurring.

## **PROCEDURES QUICK REFERENCE GUIDE**

### **DISTRIBUTION OF POLICY, PROCEDURES, AND GUIDELINES**

1. All members of the FPC staff, parents of children and youth of the church, new members, Session, Deacons, Trustees, and all volunteers will be given the policy, the procedure summary, and the guidelines.
2. Anyone may request a copy of the full policy, procedures, and guidelines documents.
3. The policy, the procedures, and guidelines will be discussed with the staff annually.

### **REPORTING ALLEGATIONS OF SEXUAL MISCONDUCT**

Initial reports may be made verbally but as soon thereafter as possible, the allegations should be put into writing, stating simply what has allegedly occurred. Such allegations shall be referred to an investigating committee per the Book of Order (D-10.0201). Session and the Board of Trustees will be informed of any and all allegations of sexual misconduct, including the identity of the offender / accused offender.

#### **When the alleged victim is a **child or youth**:**

1. Notify the parents or legal guardians of the child or youth, including law enforcement if appropriate.
2. Contact appropriate authorities and professionals immediately.
  - a. Child Protective Services – 800-342-3720 or 585-344-2580.
  - b. Presbytery officials – Presbytery Office, 1190 Winton Road South, Rochester, NY 585-242-0099
  - c. Insurance company – RB Adams Agency, 539 E. Main, Batavia, 585-343-0046

#### **When the accused is a **Pastor**:**

1. Notify the Presbytery Leader and the Stated Clerk of Presbytery and a member of Presbytery's Committee on Ministry. Names and numbers of these individuals can be obtained by calling the Presbytery Office or FPC's Clerk of Session.
2. Accusation can be made first, if preferred, by notifying any member of FPC's Personnel Committee.

#### **When the accused is an **employee of FPC other than the Pastor**:**

1. Report the alleged action to the Pastor who will convey the information to the Clerk of Session and to the Chair of Personnel.
2. Legal counsel will be consulted.
3. Session and the Board of Trustees will be informed that an allegation has been made and an investigation has begun, including the identity of the offender / accused offender.

When the accused is a **member of FPC:**

1. Report the alleged action to the Pastor, the Clerk of Session, a member of Session, or a member of the Personnel Committee.
2. The person who receives the report of an alleged action will bring the matter to Session.
3. Session and the Board of Trustees will be informed that an allegation has been made and an investigation has begun, including the identity of the offender / accused offender.
4. Allegations will be passed to the Clerk of Session who will follow procedures outlined in the Book of Order, *The Rules of Discipline*. (D-10.000

When the accused is **not a member of FPC:**

1. If the alleged victim is a minor, follow procedures above.
2. Report the alleged action to the Pastor who will convey the information to the Clerk of Session.
3. Session and the Board of Trustees will be informed that an allegation has been made and an investigation has begun, including the identity of the offender / accused offender.
4. If the accused is a member of another church, inform the leadership of that church.

When the accused is a **youth:**

1. Notify parents or legal guardians.
2. Follow member or non-member procedures seen above, as appropriate.

**SESSION'S ROLE IN RESTORATION AND HEALING:**

1. Ensure pastoral care for the congregation.
2. Restore integrity and credibility of the church's ministry.
3. Help the members and congregants heal any divisions that have arisen during the crisis.
4. Session will seek assistance from a person outside the congregation who has demonstrated experience and expertise with cases of sexual boundary violations in congregations.



## **MANAGING THE SEXUAL MISCONDUCT POLICY, PROCEDURES, AND GUIDELINES FOR PREVENTION OF SEXUAL MISCONDUCT**

In the document that follows, “the Policy and Procedures” indicates “The First Presbyterian Church Sexual Misconduct Policy, Procedures, and Guidelines for Prevention of Sexual Misconduct”.

**Maintenance of Acknowledgement Forms:** In March of each year, the Personnel Committee will meet to review the Policy and Procedures and to assure the accomplishment of these matters:

1. The church office will maintain a file of staff and volunteer Policy Acknowledgement Forms.
2. Church officers (elders, deacons, trustees, treasurer and clerk) and committee members who are new to their positions will read the Policy and Procedures during officer training and sign the appropriate Acknowledgement Form.
3. Whenever the Policy and Procedures document is updated or changed in any way, all those required to sign an Acknowledgement Form will be required to read the updated changes to the Policy and Procedures and initial the Acknowledgement Form.

## Appendix A

### Policy Acknowledgement Form For Session, Board of Deacons, and Trustees

I hereby acknowledge that on (date) \_\_\_\_\_

\_\_\_\_\_ I received and read the "Sexual Misconduct Policy", the "Procedure Summary", and the "Guidelines" of First Presbyterian Church.

\_\_\_\_\_ I understand their meaning; and

\_\_\_\_\_ I agree to conduct myself in accordance with the policy.

\_\_\_\_\_ I understand that a copy of the full policy, procedures, and guidelines will be provided upon my request or on the website.

\_\_\_\_\_ I will notify in writing the Pastor or Chair of Personnel within 5 days of any convictions or formal charges of sexual misconduct which occur subsequent to the initial signing of this form.

Name (printed): \_\_\_\_\_

Signature \_\_\_\_\_

Position: \_\_\_\_\_

Date: \_\_\_\_\_

This form shall be maintained in a file by the Church Financial Assistant.

Those required to sign this form include all members of Session, Trustees, the Board of Deacons, and committees and such other persons as Session may require.

## Appendix B

### Policy Acknowledgement and Release Form for Volunteers Working with Children and Youth

I hereby acknowledge that on (date) \_\_\_\_\_

\_\_\_\_\_ I received and read the "Sexual Misconduct Policy", the "Procedure Summary", and the "Guidelines" of First Presbyterian Church.

\_\_\_\_\_ I understand its meaning; and I agree to conduct myself in accordance with the policy.

\_\_\_\_\_ I also certify by the signature below that no civil, criminal, or ecclesiastical complaint has ever been sustained or is pending against me for sexual misconduct.

\_\_\_\_\_ I have never resigned or been terminated from a paid or volunteer position for reasons related to sexual misconduct.

\_\_\_\_\_ I understand that First Presbyterian Church intends to take appropriate action to protect the children and youth who participate in its programs and will also protect the confidentiality of all volunteers.

\_\_\_\_\_ I understand that a copy of the full policy, procedures, and guidelines will be provided upon my request or on the website.

\_\_\_\_\_ I will notify in writing the Pastor or Chair of Personnel within 5 days of any convictions or formal charges of sexual misconduct which occur subsequent to the initial signing of this form.

Name (printed): \_\_\_\_\_

Signature \_\_\_\_\_

Position: \_\_\_\_\_

Date: \_\_\_\_\_

This form shall be maintained in a file by the Church Financial Assistant. This form shall be signed by all volunteers working with children and youth in activities that include, but are not limited to, church school, youth fellowships, children's events, youth retreats, Vacation Bible School, children's choirs, child care, and such other persons as the Session shall require,

## Appendix C

### Acceptance and Release Form for Employees

I hereby acknowledge that on (date) \_\_\_\_\_

\_\_\_\_\_ I received and read the "Sexual Misconduct Policy", the "Procedure Summary", and the "Guidelines" of First Presbyterian Church.

\_\_\_\_\_ I understand its meaning; and I agree to conduct myself in accordance with the policy.

\_\_\_\_\_ I also certify by the signature below that no civil, criminal, or ecclesiastical complaint has ever been sustained or is pending against me for sexual misconduct.

\_\_\_\_\_ I have never resigned or been terminated from a paid or volunteer position for reasons related to sexual misconduct.

\_\_\_\_\_ I understand that First Presbyterian Church intends to take appropriate action to protect the children and youth who participate in its programs.

\_\_\_\_\_ I understand that a copy of the full policy, procedures, and guidelines will be provided upon my request or on the website.

\_\_\_\_\_ I will notify the Pastor or Chair of Personnel within 5 days of any convictions or formal charges of sexual misconduct which occur subsequent to the initial signing of this form.

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 with First Presbyterian Church. I also agree that I will hold harmless First Presbyterian Church or judicial authority from any and all claims, liabilities, and causes of action for the legitimate release or use of any information.

Name (printed): \_\_\_\_\_

Signature \_\_\_\_\_

Date: \_\_\_\_\_

This form shall be maintained in a file by the Church Financial Assistant.