

**Sexual Misconduct Policy
New Harmony Presbytery
Presbyterian Church (U.S.A.)**

I. POLICY

It is the policy of New Harmony Presbytery as a governing body of the Presbyterian Church (U.S.A.) that all ministers of Word and Sacrament, lay employees and volunteer staff are to maintain the integrity of the ministerial, employment and professional relationship at all times. Sexual misconduct is not only a violation of the principles set forth in Scripture, but also of the ministerial, pastoral, employment, and professional relationship. Sexual misconduct is never permissible or acceptable.

This Policy on Sexual Misconduct (hereafter called “Policy”) applies to every Minister of Word and Sacrament (“minister”) who is a member of New Harmony Presbytery, to every member of the Presbytery staff, and to every volunteer staff person. In all its provisions, this Policy is under the authority of the Constitution of the Presbyterian Church (U.S.A.) as contained in the Book of Order (most recent edition).

II. DEFINITION OF SEXUAL MISCONDUCT

For the purposes of this policy “Sexual Misconduct” is intended to include the following three categories of sexual conduct:

A. **Sexual Abuse:** which shall mean any of the following:

1. rape, sexual battery, or other sexual contact by force, threat, or intimidation with a person of any age; or
2. child sexual abuse, which is any contact, interaction, or other behavior between a child (under 18 years of age) and an adult under circumstances in which the child is used for sexual stimulation of the adult or of a third person. The behavior may or may not involve touching. Sexual conduct or other behavior between or involving a child and an adult is always considered to be forced, regardless of whether there is consent or purported consent by the child.

B. **Sexual Harassment:** which shall mean unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of sexual nature under circumstances which:

1. submission to such conduct is made either implicitly or explicitly a term or condition of a person’s employment or continued employment, a person’s pastoral care or counseling, or a person’s continued

- membership status or participation in an institution or entity of the Church; or
2. such conduct has the purpose or effect of interfering with a person's work performance or continued participation as a volunteer with an institution or entity of the Church, or of creating an intimidating, hostile, or offensive working or volunteer service environment; or
 3. submission to or rejection of such conduct by a person is used as a basis for employment decisions affecting such person.
- C. **Sexual Malfeasance:** which shall mean sexual conduct within a ministerial (e.g., clergy with member of a congregation) or professional (e.g., counselor with client, professional or employee with a member of the congregation, presbytery executive with a committee member) relationship. Sexual malfeasance is intended to include sexual advances, request for sexual favors and verbal or physical conduct of a sexual nature which occurs in a ministerial or professional relationship. Sexual malfeasance does not include relationship between spouses or restrict church professionals from having normal, mutual, or intimate relationships outside of a ministerial or professional context.

III. PREVENTION

- A. All candidates, ministers, and employees of the Presbytery of New Harmony are required to sign a written acknowledgement indicating that they have received a copy of this Sexual Misconduct Policy and the Presbytery's Statement of Ethics. Such acknowledgment will be kept in the person's personnel file.
- B. All ministers seeking new calls within the Presbytery of New Harmony shall at a minimum complete that portion of the Personal Information Form currently being distributed by the Call Referral Services of the Presbyterian Church (U.S.A.), with regard to Sexual Misconduct Information or any successor form.
- C. It is further the policy of Presbytery that all employees complete an employee questionnaire.
- D. The Presbytery of New Harmony and all its agencies, committees, and affiliates will adhere to this policy, including its standards, procedures, and practices.
- E. This policy shall be distributed to all ministers, employees, volunteers, and entities of the Presbytery of New Harmony. The policy shall be made available to all persons who accuse others of misconduct as well as those accused of misconduct.

- F. The Presbytery of New Harmony will provide periodic training opportunities for ministers, employees, and volunteers on the intent and application of this policy.

IV. **RESPONSE PROCESS**

- A. The Committee on Ministry shall be responsible for the implementation of this policy and any other applicable administrative procedures and remedies, provided however, that in all circumstances, the provisions of this policy are subordinate to and must be applied consistent with the Rules of Discipline provided for by the Book of Order.
- B. The Committee on Ministry will recruit a pool of persons from the Presbytery to serve as potential members of Response Coordination Teams (hereinafter referred to as RCT). The training of these individuals shall include, but not be limited to: (1) the provisions and implementation of this policy; (2) the legal, administrative and disciplinary provisions of the Book of Order; (3) recognition and identification of the issues involved in sexual abuse, sexual harassment and sexual malfeasance; and (4) response protocols and techniques.
- C. Whenever an allegation of sexual misconduct is received by any member or staff of Presbytery it will be immediately referred to the Moderator of the Committee on Ministry and the Stated Clerk.
- D. Whenever the Committee on Ministry determines that it is both appropriate and necessary it will appoint from the pool of trained individuals a RCT to coordinate the Presbytery's response to the allegation of sexual misconduct.
- E. After the RCT has completed its response to a particular allegation, it will then conduct an evaluation of its activities seeking input from the individuals and groups involved in the process and if changes of the policy and/or its implementation are deemed advisable, it will make specific recommendations in that regard to the Committee on Ministry.