

PRESBYTERY OF SHEPPARDS AND LAPSLEY Policy
Condemning Sexual Misconduct Principles of Ethical Conduct

Rev. 11-19-09

1.An act of sexual misconduct is a violation of the role of clergy, educators, employees, and lay volunteers of any kind who are appointed/hired by our Presbytery for the work of ministry ("Covered Persons"). In such ministry, leaders are called upon to exercise integrity, sensitivity, and caring in a trust relationship devoted to the best interests of those to whom they minister.

2.Sexual misconduct is a misuse of authority and power which breaches Christian ethical principles. It is further a misuse of a trust relationship to gain advantage of another for personal pleasure or power, in an abusive, exploitative, or unjust manner. Such conduct cannot be justified by a claim of mutual consent. Even if the one being ministered to initiates or invites a sexual relationship, it is the Covered Person's responsibility to maintain the appropriate role and prohibit a sexual relationship. It is presumed that the person to whom the Covered Person is ministering is in a vulnerable position because of the relationship of trust between the two.

3.Sexual misconduct takes advantage of the vulnerability of children and other persons who do not have power to act for their own welfare. It is in opposition 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.

Policy

The Presbytery of Sheppards and Lapsley condemns sexual misconduct. Allegations of sexual misconduct will be fully and fairly investigated and corrective or disciplinary action, which may include dismissal, taken, as warranted. Further, presbytery will report credible allegations of sexual misconduct to law enforcement officials and will cooperate fully with law enforcement officials investigating such allegations. The scope of this policy is not limited to the physical location of the work place and relationships with other staff at that location. It includes contacts anywhere in connection with carrying out Church responsibilities and relationships with employees, volunteers, and members of any Presbyterian Church (USA) bodies or entities.

Adult Sexual Misconduct - This type of sexual misconduct, which should result in disciplinary action or criminal charges or both, includes, but is not limited to:

1. Physical - rape, sexual assault, threat of intimidation, and adultery; production or distribution of pornography; unwanted physical contact.

2. Verbal - oral or written sexual innuendoes, risque jokes, suggestive or insulting questions, comments or sounds, teasing of a sexual nature, sexual propositions or threats, sexual remarks, about clothing, body, or love life.

3. Visual - sexually suggestive or gender derogatory objects, pictures, production and distribution of pornography, posters; leering or suggestive gestures.

Child Sexual Abuse - This type of sexual misconduct, which should result in disciplinary action or criminal charges or both, includes, but is not limited to:

1. Physical - any conduct 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. The upper age limit for status as a child is that recognized by the state in which the act of child sexual abuse is committed.
2. Verbal - sexual innuendoes and risque jokes; teasing of a sexual nature; any conversation of a sexual nature, for any purpose other than instruction approved by a parent; sexual propositions or threats.
3. Visual - any involvement with child pornography; display of pornographic or sexual material to a child.

However it may from time to time be amended, this policy shall become a part of the terms of call, contract or terms of employment of all current and future Covered Persons, who shall sign it in the following manner:

I _____, affirm that I have read, understand and adopt as my own the Presbytery of Sheppards and Lapsley's Policy Condemning Sexual Misconduct.

Signature

Date

B FSJ 626528 v2

1030664-000001 05/03/2004