

DRAFT REVISION May 7

**A SEXUAL CONDUCT POLICY
for the
THE PRESBYTERY OF HUNTINGDON
THE PRESBYTERIAN CHURCH (U.S.A.)
Adopted November 15, 2005**

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

What is required in the Seventh Commandment?: The Seventh Commandment requireth the preservation of our own and our neighbor's chastity, in heart, speech, and behavior. What is forbidden in the Seventh Commandment?: The Seventh Commandment forbiddeth all unchaste thoughts, words, and actions." (Shorter Catechism, Q. 71-72.)

"You know that we who teach shall be judged with greater strictness." (James 3:1)

PREAMBLE

Having experienced and responded to the love of God in Jesus Christ, the members, employees, and volunteers of the Presbytery of Huntingdon are part of a community of persons who share a living relationship with Jesus Christ. In their ministry, they seek to proclaim to both the church and the world that God is at work for the healing and reconciliation of persons and societies, to call persons into a living relationship with Jesus Christ, and to welcome and nurture persons who are discovering that relationship. They recognize that their own sexual conduct with other persons in the church and the world will have a significant impact on the quality of their Christian witness. "Their manner of life should be a demonstration of the Christian gospel to the world." (~~G-6.0106, Book of Order~~) [G-2.0104]

Therefore, we, the Presbytery of Huntingdon, enact the following policy on sexual conduct in order that we may affirm healthy, ethical behavior and treat allegations of sexual misconduct with all the seriousness they deserve and deal with them promptly, justly and with compassion to all parties affected by such allegations.

PURPOSES: The purposes of this policy are

- a. to set forth and enforce standards of ethical behavior consistent with Scripture and secular law;
- b. to **do our best to prevent** and eliminate sexual abuse within the Presbytery of Huntingdon and to condemn sexual misconduct
- c. to safeguard the Church's members and staff from abuse through any form of sexual misconduct
- d. to provide procedures for:
 - (1) inquiry and effective response to allegations against a minister or anyone involved in the work of the Presbytery, of the breach of duty of emotion, spiritual, and physical care; and
 - (2) **protection of vulnerable persons** other persons, which obligations rest on all who represent the Church in any way
- e. to seek justice by assuring effective administrative, investigative and judicial process in determining truth, protecting the innocent, and dealing appropriately with those who victimize others.
- f. to promote proper healing of all persons and congregations where sexual misconduct has occurred, to demonstrate pastoral concern for the victims as well as those accused of sexual misconduct, and to serve the peace and purity of the Church.

DEFINITIONS: The definitions of terms in this policy are based on the ordinary meaning of words or terms as such are defined in the **statutes of the Commonwealth of Pennsylvania Crimes Code, Chapters 31, 59, 63, or 76.**

Sexual conduct is any physical or verbal conduct in which the actor's intent is to gratify sexual desires of either himself/herself or of another person.

Sexual misconduct includes, but is not limited to, sexual intercourse, deviant sexual intercourse, indecent assault, indecent exposure, sexual harassment, sexual abuse of children, receiving, sending, displaying, or making adult or child pornography, open lewdness, prostitution and or patronizing a prostitute, improperly suggestive or lewd verbal or written conduct, photographing, videotaping, depicting on computer or filming sexual acts. Sexual abuse of children includes dissemination of photographs, videotapes, computer depictions and films; and child pornography.

Sexual harassment is unwelcomed sexual advances, requests for sexual favors, or verbal/physical conduct of a sexual nature. Sexual conduct that is injurious to the physical or emotional health of another, such as

offensive, obscene or suggestive actions or language (verbal or written), unwelcome touching or fondling, risqué jokes, innuendoes, insults, ingratiating and over-solicitous behavior including sexually inappropriate visits, phone calls, mail, questions about sexual activity, or flattery that is sexual in intent is prohibited by this policy.

Sexual impropriety pertains to sexual behavior involving persons in positions of trust in the Presbytery of Huntingdon which are not permitted by the list of gifts and requirements for those called to **ordered** ministry in ~~G-6.0106b~~. **[G-2.0104]**

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

- a. Any person under the age of eighteen years or anyone over the age of eighteen years without mental capacity to consent. ~~Sexual abuse of a minor “includes any form of sexual contact or exploitation in which a minor is being used for the sexual stimulation of the perpetrator.... Child sexual abuse may be violent or non-violent (and) is an exploitation of the child’s vulnerability and powerlessness in which the abuser is fully responsible for the actions. Child sexual abuse is criminal behavior that involves children in sexual behaviors for which they are not personally, socially, and developmentally ready. Child sexual abuse includes behaviors that involve touching and non-touching aspects.” [James F. Cobble, Jr., Richard R. Hammar, and Steven W. Klipowicz, *Reducing the Risk II: Making Your Church Safe from Child Sexual Abuse [Use 2015 definition from pafsa.org](Christian Ministry Resources, 2003), p. 10.]*~~
- b. Any person when the conduct includes force, threat, coercion, intimidation, or misuse of ~~office or position~~ **ordered ministry or position** [D-10.0401c(2)].

LIMITS ON CONDUCT: *Sexual misconduct is unacceptable in those who exercise the authority of ministry in the Church of Jesus Christ and is contrary to the requirement that their lives should be a demonstration of the Christian gospel in the church and in the world. Therefore sexual misconduct, sexual harassment, sexual impropriety, and sexual abuse are prohibited in those serving the congregations and entities of the Presbytery of Huntingdon. In addition:*

- a. Domestic violence is a violation of this policy.
- b. The use of church- or presbytery-owned or leased property, including but not limited to, computers, cell phones, cable, video or audio equipment, for making, downloading, processing, storing, or viewing adult or child pornography or sexually explicit material is prohibited by this policy.
- c. Further: Any sexual act considered a crime under the **statutes of** Pennsylvania ~~criminal code~~ is prohibited by this policy.

APPLICABILITY OF STANDARDS OF SEXUAL CONDUCT

Who Is Covered: This policy applies to all **those in ordered ministry** ~~ministers of the Word and Sacrament,~~ (**teaching elders**, ruling elders, and deacons); employees, commissioned ~~lay pastors,~~ **ruling elders**, **certified lay preachers**, persons under care, ministers of other denominations seeking ongoing relationships with churches of the Presbytery of Huntingdon, persons on the Approved Pulpit Supply list, and volunteers of committees, teams and entities while in service of the Presbytery.

Personal responsibility: It is the policy of the Presbytery of Huntingdon, that all individuals covered by this policy are responsible for maintaining the integrity of pastoral, ministerial, employment, and professional relationships at all times. **Those serving the presbytery are held to the standard of Christ’s ministry, the pattern of the one who came “not to be served but to serve” (Matt. 20:28.)**

Sexual misconduct is always a violation of such relationships and of the principles set forth in Scripture. It is never permissible or acceptable.

STANDARDS OF CONDUCT

1. ~~The~~ ministry shall reflect the quality of life demonstrated by the Lord Jesus Christ, by honoring and respecting all other persons as children of God.
2. ~~The~~ ministry shall reflect the Scriptural teaching that religious leadership is a covenantal relationship with God, calling for the trustworthy exercise of ministerial skills and authority for the wholeness and well-being of other persons.
3. ~~The~~ ministry shall reflect the reality that persons in positions of religious leadership in Presbytery are given a spiritual trust by the people and churches of Presbytery and by their colleagues in ~~the~~ ~~M~~ministry of the Word and Sacrament.

Therefore It is the expectation of Presbytery that the ministry of every person in a leadership role in the Presbytery of Huntingdon shall be conducted in accordance with *the above principles and* the following standards of sexual conduct. Such persons shall not be involved in sexual misconduct, sexual harassment, sexual ~~malfeasance~~, *impropriety*, sexual abuse, ~~further sexual misconduct~~, domestic violence, ~~violation of the Pennsylvania Crimes Code~~, or use of church property for purposes of involvement in pornography or sexual gratification

PREVENTION OF MISCONDUCT

Dissemination of policy: In recognition of the realities of the society in which the church lives and witnesses and the responsibility of Presbytery to provide appropriate oversight, all persons covered by this policy shall be given a copy of this Policy, and shall be required to sign a written acknowledgment (see Forms) indicating that they have received a copy of this Sexual Misconduct Policy and covenant to abide by its provisions, which shall be submitted to the Stated Clerk of Presbytery before admission to roll or status, employment or call contract is considered completed. All returned acknowledgments shall be kept in a locked file in the office of the Stated Clerk of Presbytery. *[This policy is posted on the presbytery website.]*

Background Checks: To assist it in determining the qualifications of those making application to it for professional service, the Presbytery of Huntingdon will conduct background checks of persons seeking to serve in leadership roles in the Presbytery. *(See Criminal Background Check Policy of the Presbytery of Huntingdon, Minutes, April 5, 2005, Appendix D, pp. 13-23).*

Who Covered: Prior to admission to Presbytery or to professional service in the Presbytery of Huntingdon, including all employees of the Presbytery of Huntingdon, all clergy entering Presbytery, ~~commissionable lay pastors before commissioning~~ *certified lay preachers and commissioned ruling elders*, inquirers ~~at time of moving to candidacy~~ *and candidates under care of this presbytery*, *Approved Pulpit Supplies* and ministers from other denominations seeking to enter into ongoing relationships with congregations of the Presbytery of Huntingdon must consent to, and have, background checks performed.

Such background checks will normally include

1. ~~National Criminal File Search~~ FBI Criminal History Report with Fingerprinting
2. ~~State Sexual Offender Search~~ Pennsylvania Child Abuse History Clearance
3. ~~State Criminal Database Search (for persons who have not resided outside of Pennsylvania)~~
Pennsylvania State Police Criminal Record Check
4. Theological degree verification

Or as mandated by Pennsylvania law from time to time.

TRAINING: Every ~~minister of the Word and Sacrament~~ *teaching elder*, ~~Commissioned Lay Pastor,~~ Ruling Elder, ~~Lay Pastor~~ *Certified Lay Preacher*, Certified Christian Educator, non-Presbyterian minister in an ongoing relationship with a congregation of the Presbytery of Huntingdon, and employee of Presbytery shall participate in a training programs on the prevention of adult sexual misconduct, and child sexual abuse, *and Pennsylvania mandated reporter standards at least every five years.*

The Stated Clerk shall insure that such a programs be developed and implemented *at least once each year* and funded through Presbytery's operating budget. Persons required to comply with this policy shall attend this training within two years of entering the service of the presbytery. The Stated Clerk of Presbytery shall keep a record of attendance ~~and~~, report the names of those who do not comply to the Committee on Ministry for pastoral review, and make notation on their permanent record of *such persons* compliance or noncompliance.

Other committee members and volunteers of Presbytery shall be invited and encouraged to participate in a similar training program. An open invitation shall be extended to officers, church school teachers, and youth leaders of the particular churches of the Presbytery.

ASSIST SESSIONS: *The presbytery shall work toward the goal that all sessions adopt and implement a sexual conduct policy and a child protection policy. The presbytery shall provide resources to assist sessions in crafting policies and procedures to safeguard their congregations. [G-3-0106]. The Presbytery of Huntingdon has approved a model Safe Sanctuaries Policy (A-48) and a model Congregational Sexual Misconduct Policy (A-51) for its sessions' use.*

RESPONSES TO ALLEGATIONS OF SEXUAL MISCONDUCT

QUESTIONS AND INTERPRETATION OF POLICIES: Anyone who has questions about this policy or interpretations of it should always be encouraged to contact the stated clerk, the general presbyter, or the chair of the Committee on Ministry.

FILING OF ALLEGATIONS *ECCLESIASTICAL*

PCUSA member: Allegations of sexual misconduct against a ~~minister, elder,~~ *teaching or ruling elder*, deacon, or member of the Presbyterian Church (U.S.A.) shall be filed in accordance with the disciplinary process described in the *Book of Order*, Rules of Discipline.

Full Communion Partner member: Allegations of sexual misconduct against a minister member of a denomination in full communion partnership with the Presbyterian Church (U.S.A.), serving a congregation of the Presbytery of Huntingdon shall be filed, in accordance with the Formula of Agreement, with the appropriate governing body having oversight of the minister accused.

Minister of Other Denomination: Allegations of sexual misconduct against a minister member of ~~another~~ denomination not in full communion partnership with the Presbyterian Church (U.S.A.), serving a congregation of the Presbytery of Huntingdon, shall be *filed with* the appropriate governing body having oversight of the minister accused.

Non-Presbyterian employee: Allegations of sexual misconduct against a non-Presbyterian employee *or volunteer* of the Presbytery of Huntingdon shall be filed with the Personnel Committee of the entity having oversight of the accused.

Mandated Reporter Ecclesiastical: *Any member of this church engaged in ordered ministry and any certified Christian educator employed by this church or its congregations* ~~minister of the Word and Sacrament~~ 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-6.0204a~~ *Form of Government G-4.0301*; or
- (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-6.0204b~~] [*G-4.0302*]

Reports to ecclesiastical authorities should be made to the Stated Clerk of Presbytery. *Reports may also be made to the General Presbyter or any member of the Committee on Ministry, who shall immediately cause written notification of the Stated Clerk to be made in order to initiate the processes of the Rules of Discipline.* When an allegation of sexual misconduct against a person subject to this policy is filed with the Stated Clerk of Presbytery, the Stated Clerk shall, in addition to the required constitutional actions, immediately notify the Presbytery solicitor, and Presbytery's insurance carrier. The Stated Clerk shall also comply with applicable state regulations, which may include notification to *the Pennsylvania Child Abuse Hotline and/or* law enforcement.

REPORTING *OF ALLEGATIONS CIVIL*

Mandated Reporter Civil: *In the Commonwealth of Pennsylvania anyone who in the course of employment or who as a volunteer has authority over children, who has reasonable cause to suspect a child has been abused, is mandated to report that suspicion of abuse to the Pennsylvania Child Abuse Hotline. (800) 932-0313.*

~~An *ruling* elder or deacon shall report to ecclesiastical and civil legal authorities knowledge, gained in the course of service to the church, 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 privileged communication; or~~
- ~~(2) she or he reasonably believes that there is risk of future physical harm or abuse. [~~G-6.0304b~~] [*G-4.0302*]~~ *In Pennsylvania, the appropriate civil authority to whom to report child abuse is the Pennsylvania Child Abuse Hotline.*

When allegations of sexual misconduct involve both civil and ecclesiastical authorities, presbytery representatives are encouraged to coordinate with legal authorities who may become involved.

RESPONSES OF CONCERN

Principles of Caring Response: In responding to allegations of sexual misconduct within its areas of responsibility

- a. Within the context of attempting to establish justice, the protection of all persons involved will be assured, and healing within any affected community will be promoted;
- b. Within the requirements of civil and ecclesiastical law, privacy of all persons will be respected and all communications kept confidential;
- c. Access to the disciplinary processes of the Presbyterian Church (U.S.A.) and the Presbytery of Huntingdon will be provided when appropriate;
- d. Within the context of pastoral care, all persons directly affected by allegations of sexual misconduct

will be provided with information concerning available therapeutic, legal, and/or counseling assistance.

To implement the Principles of Caring Response, the Committee on Ministry chairperson and/or General Presbyter shall designate persons to respond to the needs of the alleged victim(s) and the accused, including

Alleged victim: Affirming the reporting of the accusation by the alleged victim, advising the alleged victim that she or he may contact proper civil or criminal authorities, explaining the disciplinary process of the Church to the alleged victim; assuring the alleged victim that the complaint will be investigated promptly with every effort to maintain confidentiality and protect the privacy of the alleged victim; advising the alleged victim that she or he may choose to have both legal counsel and a personal advocate present during the Presbytery's inquiry into the alleged misconduct; advise the alleged victim that if she or he chooses to seek professional counseling, the representatives of Presbytery will encourage the person in that process, and may recommend some level of financial support be provided by Presbytery. The representatives will provide the alleged victim with a copy of the Presbytery's Sexual Conduct Policy. The representatives will encourage the alleged victim to seek continuing pastoral care.

Accused: Explaining the disciplinary process of the Church to the accused person; assuring the accused that the complaint will be investigated promptly with every effort to maintain confidentiality and protect the privacy of the accused; advising the accused that she or he may choose to have both legal counsel and a personal advocate present during the Presbytery's inquiry into the alleged misconduct; advise the accused that if she or he chooses to seek professional counseling, the representatives of Presbytery will encourage the person in that process, and may recommend some level of financial support be provided by Presbytery. The representatives will provide the accused with a copy of the Presbytery's Sexual Conduct Policy. The representatives will encourage the accused to seek continuing pastoral care.

RESPONSES OF JUSTICE

Presbyterian: All written statements of allegation of offense of sexual misconduct against members of the Presbyterian Church (U.S.A.) serving the Presbytery of Huntingdon shall be turned over to an investigating committee designated by the governing body having jurisdiction over the member to determine whether charges should be filed. The Investigating Committee shall follow the procedures designated in *the Rules of Discipline*.

Non Presbyterian clergy: All written statements of allegation of offense of sexual misconduct against minister members of denominations other than the PCUSA, shall be turned over to the governing body of membership for action. The Committee on Ministry may take action as the Ministry under the Word requires regarding the call, contract, or status, following the provisions of the Book of Order.

Non-Presbyterian employee: All written statements of allegation of offense of sexual misconduct against employees of the Presbytery of Huntingdon **or its entities** shall be turned over to the Personnel Committee of the Presbytery, which will proceed according to the procedures designated in the Personnel Policies of the Presbytery of Huntingdon.

Non-Presbyterian volunteer: All written statements of allegation of offense of sexual misconduct against non-Presbyterian volunteers of the Presbytery of Huntingdon shall be dealt with by Subcommittee on Unique Situations.

Need to know: If, in the process of investigating an alleged offense, the Investigating Committee determines members of a congregation may need to be approached or may be at continued risk of sexual misconduct, the Investigating Committee may direct the Stated Clerk of Presbytery to inform the session of the congregation in question of the accusations before the Investigating Committee.

Public statements on behalf of Presbytery about allegations of sexual misconduct against a ~~minister~~

teaching elder, commissioned lay pastor **ruling elder**, certified lay pastor, **preacher**, Approved Pulpit Supply, or employee of the Presbytery shall be made only by the Stated Clerk of Presbytery in consultation with the Presbytery Solicitor. No other Presbytery officer or employee, Investigating Committee member or Permanent Judicial Commission member shall make public statements about such allegations.

ADMINISTRATIVE LEAVE

When a written statement of an alleged offense of sexual abuse toward any person ~~under the age of eighteen, or who it is alleged lacked the mental capacity to consent,~~ has been received against a ~~minister of the Word and Sacrament,~~ **teaching elder** the Stated Clerk shall immediately initiate the procedures mandated by *D-10.0106*. ~~Following a written statement of accusation of an alleged offense of sexual misconduct, involving adults, against an individual subject to this Policy, If~~ the appropriate committee (Personnel or Committee on Ministry), shall consult **after consultation** with the accuser, the accused, and the involved session or board of oversight ~~to ascertain whether~~ the circumstances would be aided by the person accused being advised to take an administrative leave. And ~~if~~ the person accused refuses and the presbytery believes it imperative, the presbytery may proceed under ~~G-11.0103e~~ **G-3.0301a and G-3.0303d** or the Personnel Policy to remove the person. The Committee on Ministry or other body may also request that an administrative commission be appointed to deal with the discord caused by the alleged misconduct. **[G-3.0109b(5)]**

PASTORAL INQUIRY

In the event that jurisdiction in a judicial proceeding investigating an alleged offense of sexual misconduct against a member of the Presbyterian Church (U.S.A.) is ended as a result of the death of, or renunciation of jurisdiction by, the person accused of the disciplinary offense of 'sexual abuse of another person,' [D-10.0401c] ~~the Presbytery may appoint an administrative commission to make pastoral inquiry, following the provisions of G-9.0503a(7). G-3.0109b(6) OR~~

In the event that the accused subject of an allegation of sexual misconduct in the course of service to a congregation or entity of the presbytery of Huntingdon is a minister member of another denomination, serving a congregation of the Presbytery of Huntingdon,

the Presbytery may appoint an administrative commission to make pastoral inquiry following the provisions of ~~G-9.0503a(7).~~ **G-3.0109b(6)**

AMENDMENTS TO THIS POLICY

This policy may be amended only at a Stated Presbytery Meeting **or Special Presbytery Meeting called for this purpose** by two thirds of the commissioners present and voting. Amendments shall be proposed in writing at a previous Stated Presbytery Meeting. Notice shall be given of final action on the proposed changes by inclusion on the docket of the Stated Presbytery Meeting when action is to be taken.

Because of inherent ecclesiastical and legal issues, proposed amendments shall be reviewed by the Stated Clerk of Presbytery and the Presbytery Solicitor prior to final action. If amendments are made to such amendments on the floor of Presbytery, the action taken by Presbytery shall not be final until reviewed by the Stated Clerk of Presbytery and the Presbytery Solicitor.

SEXUAL CONDUCT INFORMATION & AGREEMENT TO ABIDE BY POLICY FORM

It is the policy of the Presbytery of Huntingdon and its congregations to maintain workplaces and church communities free from any form of sexual misconduct, including sexual harassment, by any member, employee, or volunteer. A willingness to recognize the dignity and worth of each person is essential to our mission. It is the responsibility of each person to respect the personal dignity of others. The Presbytery of Huntingdon expects members of the Presbytery community to demonstrate a basic generosity of spirit that precludes expressions of sexual misconduct. As a member of the Presbytery community, I,

_____ affirm that:
(Please print)

_____ (initial) I have read and understand the Sexual Conduct Policy of the Presbytery of Huntingdon, and

_____ (initial) I agree to abide by its provisions.

Further: (Please check one of the following)

_____ I certify by the signature below that no civil, criminal, ecclesiastical complaint has ever been sustained* or is pending* against me for sexual misconduct; and that I have never resigned or been terminated from a position for reasons related to sexual misconduct.

_____ I am unable to make the above certification. I offer, instead, the following description of the complaint, termination, or the outcome of the situation with explanatory comments. (Attach additional pages as necessary.)

The information contained in my Personal Information Form or Church Educator Personal Information Form ~~on file with Call Referral Services~~, job application submitted to the Personnel Committee of the Presbytery of Huntingdon, application submitted to the SubCommittee on Preparation for Ministry to come under care as an Inquirer or Candidate of the Presbytery of Huntingdon or to be enrolled in the Certified Lay ~~Pastor~~ **Preacher** or Commissionable ~~Lay Pastor~~ **Ruling Elder** program of the Presbytery, or application to be placed on the Approved Pulpit Supply list of the Presbytery is accurate to the best of my knowledge and may be verified by the calling or employing entity. I hereby authorize the entity to which my Personal Information Form or Application is being sent to inquire concerning any civil or criminal records, or any judicial or ecclesiastical proceedings involving me as a defendant, related to sexual misconduct. By means of this release I also authorize any previous employer, and any law enforcement agencies or judicial authorities or ecclesiastical governing bodies to release any and all requested relevant information related to sexual misconduct to the entity to which my Personal Information Form or Application is being sent.

I have read this certification and release form and fully understand 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 or judicial authority or any other entity from any and all claims, liabilities, and causes of action for the legitimate release of any information related to sexual misconduct.

Signature

Date

***Sustained**

1. In a criminal court, "sustained" means that there has been a guilty plea, a guilty verdict or a plea bargain.
2. In a civil court, "sustained" means that there has been a judgment against the defendant.
3. In an ecclesiastical case, "sustained" means that there has been a guilty plea and censure imposed, or finding of guilty with censure imposed, by a permanent judicial commission in the Presbyterian Church (U.S.A.) or an equivalent body of another church.

***Pending**

1. In a criminal court, "pending" means a criminal charge before a grand jury, in the process of being prosecuted, or in a case in which there is not yet a verdict.
2. In a civil court, "pending" means a case in which there has not been a decision or judgment.
3. In an ecclesiastical case, "pending" means an accusation is being investigated by an investigating committee or charges have been filed but have not yet been decided by a permanent judicial commission; or an accusation or charges are in an equivalent state or process in a church other than the Presbyterian Church (U.S.A.).

NON-PRESBYTERIAN SIGNOFF

SEXUAL CONDUCT FORM & AGREEMENT TO ABIDE BY PRESBYTERIAN POLITY FORM FOR NON-PRESBYTERIANS

SEXUAL CONDUCT FORM

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I, _____ affirm that:
(Please print)

_____ (initial) I have read and understand the Sexual Conduct Policy of the Presbytery of Huntingdon, and

_____ (initial) I agree to abide by its provisions.

Further: (Please check one of the following)

_____ I certify by the signature below that no civil, criminal, ecclesiastical complaint has ever been sustained* or is pending* against me for sexual misconduct; and that I have never resigned or been terminated from a position for reasons related to sexual misconduct.

_____ I am unable to make the above certification. I offer, instead, the following description of the complaint, termination, or the outcome of the situation with explanatory comments. (Attach additional pages as necessary.)

The information contained in my Personal Information Form or application to be placed on the Approved Pulpit Supply list of the presbytery is accurate to the best of my knowledge and may be verified by the calling or employing entity. I hereby authorize the entity to which my Personal Information Form or application is being sent to inquire concerning any civil or criminal records, or any judicial or ecclesiastical proceedings involving me as a defendant, related to sexual misconduct. By means of this release I also authorize any previous employer, and any law enforcement agencies or judicial authorities or ecclesiastical governing bodies to release any and all requested relevant information related to sexual misconduct to the entity to which my Personal Information Form or application is being sent.

I have read this certification and release form and fully understand 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 or judicial authority or any other entity from any and all claims, liabilities, and causes of action from the legitimate release of any information related to sexual misconduct.

Signature

Date

Definitions:

***Sustained**

1. In a criminal court, "sustained" means that there has been a guilty plea, a guilty verdict or a plea bargain.
2. In a civil court, "sustained" means that there has been a judgment against the defendant.
3. In an ecclesiastical case, "sustained" means that there has been a guilty plea and censure imposed, or finding of guilty with censure imposed, by a permanent judicial commission in the Presbyterian Church (U.S.A.) or an equivalent body of another church.

***Pending**

1. In a criminal court, "pending" means a criminal charge before a grand jury, in the process of being prosecuted, or in a case in which there is not yet a verdict.
2. In a civil court, "pending" means a case in which there has not been a decision or judgment.
3. In an ecclesiastical case, "pending" means an accusation is being investigated by an investigating committee or charges have been filed but have not yet been decided by a permanent judicial commission; or an accusation or charges are in an equivalent state or process in a church other than the Presbyterian Church (U.S.A.).

**AGREEMENT TO ABIDE BY AND BE SUBJECT TO PCUSA
CONSTITUTION AND POLICIES FORM**

As a non-Presbyterian minister serving in a ministerial capacity in a Presbyterian congregation, I agree to the extent that I am not prohibited by my conscience or the official doctrine of my denomination, while I am serving church(es) in the Presbytery of Huntingdon, to abide by and be subject to the Constitution of the Presbyterian Church (U.S.A.) (Book of Confessions, Book of Order, Directory for Worship, and Rules of Discipline) and the policies of the Presbytery of Huntingdon, as contained in the Manual of the Presbytery of Huntingdon and as may have been and may be adopted by the Presbytery. I hereby authorize the Presbytery of Huntingdon to work with my ecclesiastical body of membership regarding any disciplinary action.

Signature _____

Date _____