

Trinity Presbytery

Protection Policy Manual

Section Headings

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1. DEFINITIONS

Accused is the term used for the person against whom a claim of sexual misconduct is made.

Accuser is the term used for the person claiming to have been the victim of sexual misconduct by a teaching elder, staff person, or volunteer. Other persons may also report an allegations (family member, friend, or colleague of the Accuser, another teaching elder or church member, etc.).

Advocate is a friend, family member, or pastor who is permitted to accompany the Accused or Accuser to meetings in order to give moral support and advice. The Accused and Accuser will select their own Advocates.

Allegations are assertions that allege an offense committed by a minister, staff person, or volunteer. It is the term which refers to assertions made prior to the commencement of formal *Book of Order* Rules of Discipline proceedings. (See “Charges” below.)

Book of Order contains the Form of Government (operating rules), Directory of Worship (sacerdotal matters), and Rules of Discipline (judiciary procedures) of the Presbyterian Church (USA).

Charges are formal statements of accusation made by an Investigating Committee (replaces a “Special Disciplinary Committee” per D-10.0100 of proposed “Rules of Discipline”) against a teaching elder, staff person, or volunteer when it has reason to believe an offense has occurred which should be brought to trial before the Permanent Judicial Commission of the Presbytery for the purpose of discipline in the case of teaching elders and which should be brought before the Coordinating Team in the case of lay employees and volunteers.

Child Sexual Abuse includes, but is not limited to, any contact or interaction between a child under the age of eighteen and an adult when the child is being used for sexual stimulation of the adult person or 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. Child sexual abuse is a felony (according to federal and state law) and must be reported to the appropriate officials.

Contact Person is the Response Coordination Team Member assigned to a particular case. Contact Persons are specially trained in interviewing those affected by allegations of sexual misconduct.

Pastoral Care Givers are assigned by the Response Coordination Team to provide pastoral care to those affected by allegations of sexual misconduct. In this Presbytery a Pastoral Care Giver fits the category of persons defined in the *Book of Order* as “a person duly appointed by a governing body to provide counseling services for persons within the jurisdiction of the governing body.” The *Book of Order* further specifies that such persons “shall not testify before a ...permanent judicial commission...” See *Book of Order*, D-14.0203 (new version of “rules of Discipline”).

Response Coordination Team is the six member team that is nominated by the Nominating Committee of Trinity Presbytery and elected by the entire Presbytery. A full description of this team - its makeup and function, is found in section four of this Policy.

Sexual Harassment as defined for this Policy is as follows: Unwelcomed and unsolicited sexual advances, requests for sexual favors, discriminatory tormenting based on gender, and other unwelcome verbal, visual or physical conduct of a sexual nature. In particular, sexual harassment occurs if:

1. submission to any kind of sexual harassment is explicit or implicit term or condition of employment;
2. submission to, or rejection of, sexually harassing behavior is used as the basis of employment, or other personnel decisions affecting the recipient of the behavior;
3. sexual harassment has the purpose or the effect of unreasonably interfering with the recipient's work performance or creating an intimidating, hostile, or offensive environment.

Sexual misconduct includes, but is not limited to the following:

1. Child sexual abuse as defined above.
2. Sexual harassment as defined above.
3. Rape or sexual contact by force, threat or intimidation.
4. Sexual conduct (such as offensive, obscene or suggestive language or behavior, unwelcome touching or fondling) which is injurious to the physical or emotional health of another person.
5. Sexual malfeasance is defined as sexual conduct within a ministerial or professional relationship (for example, clergy with a committee member, camp counselor with a conferee, lay employee with a church member). Sexual malfeasance includes unwelcome sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature, whether consensual or non-consensual, and regardless of any purported therapeutic benefit or treatment within a counseling or professional relationship of any kind.

2. POLICY FOR THE PROTECTION OF CHILDREN, YOUTH AND PERSONS WITH SPECIAL NEEDS ENGAGED IN OUR MINISTRIES

A. A Vision for Children and the Church

“Let the little children come to me, and do not hinder them, for the kingdom of God belongs to such as these. I tell you the truth, anyone who will not receive the kingdom of God like a little child will never enter it.” And he took the children in his arms, put his hands on them and blessed them. Mark 10:14-16

Because we affirm that all children are a gift of God, created by God and created good;
all children are a gift to the whole of the human community;
all children have a real faith, and gifts for ministry;
all children have the right to be children;
and all children are not just tomorrow, they are today.

Because we believe that all children depend upon adults for safety and security
in a world that does not always value children;
all children are affected first and most deeply by those things that work against
health and wholeness:
where there is disease, children sicken and die;
where there is homelessness, children sleep on the streets and in other dangerous
places;
where there is war, children are frightened and without a safe place;
where the air and water are polluted, children feel the effect in their bodies and in
their futures;
where there is shame, children’s spirits are wounded.

Therefore we hope for a world where all children can find a safe place;
where all ages, races, genders, creeds, and abilities are recognized, valued, and
celebrated;
where all adults hear the voices of children and speak with as well as for them;
where all children have “first call” on the world’s resources and first place in the
minds and hearts of the world’s adults.

Because Jesus welcomed children and encouraged us to welcome them in his name;
Jesus lifted up a child as an example of what the realm of God is like;
Therefore we hope for a church
where we take seriously our baptismal vow to nurture all children committed to
our care;
where we bring good news to all those places where children are in need;
where adults and children alike share in ministry.

We covenant to act so that this vision may be made real for all children, now and in times to come.

Adopted by the 205th General Assembly, 1993

B. Policy

Because we believe that children are a gift of God as demonstrated by Jesus welcoming them; because we believe in the *Vision for Children* adopted by the 205th General Assembly; and because we are called, as God's people to nurture, love, and care for our children, Trinity Presbytery adopts the following covenant to provide a safe place for our children, youth or persons with special needs to experience the kingdom of God.

For the purpose of this policy, the terms "child," "children," or "youth" include all persons under the age of eighteen years. It is also the intent of this policy to protect persons with special needs regardless of age. "Special needs" is defined as any individual who requires assistance for disabilities that may be medical, mental, or psychological.

For the protection of those persons in our care, everyone working directly with children, youth and persons with special needs, whether paid or volunteer, at any Trinity Presbytery sponsored or cosponsored events is subject to the provisions of this policy.

Therefore, all Presbytery activities and programs will be subject to the following policy:

1. It is our intent to provide two unrelated adults, aged 18 or older, to be designated to supervise or lead all activities involving children or youth on behalf of the presbytery. Supervising adults should be at least four (4) years older than those being supervised. If this is not possible and only one adult or two related adults are supervising, there will be multiple children or youth participating, and parents/guardians will be informed of the situation in writing.
2. Individuals who have not been members of a church in Trinity Presbytery for at least six (6) months *may* be invited to work in supervised settings with children, youth and special needs persons, but ***will not*** be the adult in charge. Paid staff (church and/or presbytery) are exempt from this requirement.
3. Each Division and Committee must complete procedures and management practices to include Screening, Standards of Behavior, and Reporting Procedures as related to this policy to Trinity Presbytery Coordinating Team (PCT). Trinity PCT should approve each Division's policy.
4. Each Division and Committee will be responsible for completion of Volunteer Information Form, criminal record check and reference checks before service begins for events under their supervision. Employees of Trinity Presbytery are required to complete information/background screening as provided for in this policy, and will be subject to additional requirements as per the Trinity Presbytery Personnel Policy.
5. Trinity Presbytery will provide a copy of this policy to each congregation within its bounds.
6. All Divisions and Committees will provide training annually on the Trinity Presbytery Policy for the Protection of Children, Youth and Persons with Special Needs and the guidelines of that Division.

C. Standards of Behavior

Pursuant to South Carolina Definition of Abuse Law & Abuse Reporting Law (Appendix E), sexual/physical abuse acts are prohibited by Presbytery employees and volunteers.

Use of alcohol, tobacco or illegal drugs while leading or participating in a ministry program of Presbytery involving children, youth or persons with special needs is prohibited.

Volunteers and Presbytery employees are to uphold appropriate and faithful communications with children, youth and persons with special needs in all contexts, including all electronic and social media.

Supervision according to this policy must be maintained before, during and after Presbytery events until a parent/guardian resumes responsibility.

D. Screening Procedures

National background checks for volunteers or adults leading activities shall be completed every three (3) years. Congregations are encouraged to use a reputable national vendor, such as the vendor used by Trinity Presbytery. Background checks normally include:

- State and National Criminal Background checks,
- Driving Record check, if driving is required for activity,
- Sexual Offender Registry check.

E. Reporting Procedures

In order to maintain an environment free of destructive acts toward all children, youth and persons with special needs, the staff, employees, teachers, parents and volunteers of the presbytery must be aware of their individual responsibility to report any questionable circumstance, observation, act, omission, or situation thought to be in violation of this policy. South Carolina law requires the prompt reporting of suspected abuse.

Anyone who witnesses or receives an allegation of such an occurrence should follow these steps to insure the security and protection of all persons involved:

1. Personally ensure the safety of the child, children, youth or persons with special needs.
2. Report the incident immediately to the supervisor of the program or ministry area and to appropriate authorities. (If help is needed in making the report, contact supervisor or Presbytery staff.)
3. Do not leave the child, children, or youth alone to report the incident.
4. Do not personally confront the accused violator of the policy.
5. Maintain the confidentiality of the accused, the accuser, and the victim.
6. Parents or legal guardians of those involved in the incident will be contacted by supervisor of the program or ministry area.
7. The Person with firsthand knowledge of the event shall complete the Incident Report Form (Appendix D).

8. Once the situation is stabilized, the completed incident report form will be given to the General Presbyter of Trinity Presbytery, the Chair of the Coordinating Team of Presbytery or the Moderator of the Committee on Ministry within 48 hours. These persons have a responsibility to refer the allegations to the Moderator of the Response Coordination Team within three days.
9. Do not investigate the accusation. Allow professional/law enforcement officials this responsibility.
10. Until an investigation is complete, the accused and accuser may not participate in Presbytery events.

F. Right to Exclude from Service

Trinity Presbytery reserves the right to exclude from service any volunteer or employee who has been found in violation of this policy or for whom potentially negative or questionable information has been discovered in background screenings, interviews or reference checks. Trinity Presbytery also reserves the right to terminate an employee for such violation of this policy.

3. THE PREVENTION OF SEXUAL MISCONDUCT

A. Policy:

It is the policy of Trinity Presbytery as a governing body of the Presbyterian Church (U.S.A.) that all Teaching Elders, 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. It is never permissible or acceptable. Sexual Misconduct is defined and further explained in the Definitions found in Section 1 of this Policy and by the *Standards of Ethical Conduct* which was approved by the 210th General Assembly (1998) and adopted for use by Trinity Presbytery in October of 2013. (Appendix F)

This Policy on Sexual Misconduct (hereafter called “Policy”) applies to every Teaching Elder (“minister”) who is a member of Trinity Presbytery and every lay employee and volunteer staff of Trinity Presbytery. 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).

B. Standards of Behavior

In order to maintain integrity of relationships between Christians, those who plan, supervise and execute events sponsored by Trinity Presbytery are expected to take care to observe both the spirit and the requirements of this policy to avoid either the appearance or the occurrence of Sexual Misconduct or Harassment as defined in Section 1 of this Policy. In order to accomplish this goal, the following standards of behavior, taken from the larger *Standards of Ethical Conduct* document (approved as Presbytery Policy in October of 2013 - Appendix F) are to be followed by all Teaching Elders, lay employees and volunteer staff of Trinity Presbytery.

1. Be honest and truthful in my relationships with others;
2. Be faithful, keeping the covenants I make and honoring marriage vows;
3. Refrain from abusive, addictive, or exploitative behavior and seek help to overcome such behavior if it occurs;

4. Honor the sacred trust of relationships within the covenant community and observe appropriate boundaries;

5. Be judicious in the exercise of the power and privileges of my office and positions of responsibility I hold;
6. Refrain from exploiting relationships within the community of faith for personal gain or gratification, including sexual harassment and misconduct as defined by Presbyterian Church (U.S.A.) policy;
7. Accept the discipline of the church and the appropriate guidance of those to whom I am accountable for my ministry.

C. Reporting Procedure

Anyone who believes that they are the victim of sexual misconduct or harassment by a Teaching Elder, lay employee or volunteer staff member of Trinity Presbytery, or anyone who believes they have observed such conduct have the right to let their complaint be made known and to take advantage of the processes and protections offered by this policy.

Allegations should be put in writing and sent to the General Presbyter of Trinity Presbytery, the Chair of the Coordinating Team of Presbytery or the Moderator of the Committee on Ministry. These persons have a responsibility to refer the allegations to the Moderator of the Response Coordination Team within three days. After the written allegation is referred to the Response Coordination Team, their policies and procedures shall govern and guide the actions of the Presbytery.

4. THE TRINITY PRESBYTERY RESPONSE COORDINATION TEAM

A. Response Coordination Team is a six member team elected by the Presbytery having been nominated by the Nominating Committee. These persons are selected on the basis of special skills and with substantial knowledge of human resources and knowledge of liability exposure. Care shall be given by the Presbytery Nominating Committee to have as equal a number of Ruling and Teaching Elders on this Team as possible. Members serve staggered terms of three years. Members may be elected to serve for two consecutive terms. The Moderator of the Response Team is elected by the Team itself each year in November/December before the class rotating off leaves office. In the rest of this paper this group is called simply the Response Team. Responsibilities of the Response Team are:

1. To fulfill the procedures of the Policy and prevention assignments outlined in the Personnel Manual.
2. To make provision for pastoral care to all parties, to help all parties understand the process, to coordinate the implementation of the process, to help train and give counsel to all parties.
3. To review this Policy and make recommendations for change.
4. To develop a handbook which outlines the specific duties of and provides a training guide for new Response Team members, Pastoral Care Givers, Contact Persons, and others charged with responsibilities under this Policy.

In the event a member of the Response Team or any family member, relative or personal friend of a member of the Response Team is named as an Accused or an Accuser, or is the ongoing pastor or Pastoral Care Giver of an Accused or Accuser, that member shall be relieved of service on the Response Team until the case in question is completed in both ecclesiastical and secular courts. (Upon notification, the Nominating Committee may name a replacement for the duration of the suspension period.)

B. Reporting Procedures

Procedures for reporting abuses against children, youth or persons with special needs are outlined in that Policy (see Section 2E). Procedures for reporting sexual misconduct or harassment against a Teaching Elder, lay staff or volunteer staff member of Trinity Presbytery are outlined in that Policy (see Section 3C). In both cases the following procedures are assumed for reporting:

1. The intention of these policies is to make clear and available recourse for action for all allegations of sexual misconduct. The Response Coordination Team has the authority, given the unique circumstances of any case, to make a change in the order of the procedures so long as the changes facilitate the reporting and response.
2. The General Presbyter, Moderator of Presbytery Coordinating Team or the Moderator of the Committee on Ministry are the persons to whom allegations should be given. Depending on the needs of the specific event, allegations may initially be received verbally. However, eventually all allegations shall be put in writing.
3. These persons will ensure that the allegations are referred to the Moderator of the Response Coordination Team within three (3) days.
4. Ordinarily, within three days of receiving an allegation, the chair of the Response Team assigns a member of the Response Team to serve as Contact Person (i.e. Coordinator) for the case. Ordinarily the chair will not be a Contact Person. The two primary roles of the Response Team are:
 - a. To make provision for pastoral care to all parties throughout the process; and
 - b. To coordinate the implementation of the process.

C. The Response Team and the Accuser

1. Ordinarily within three days of receiving an allegation, the chair of the Response Team contacts the accuser and assigns a Pastoral Care Giver for the Accuser (and family).

Note: (The same Pastoral Care Giver will not be assigned to both the Accuser and Accused.) The Pastoral Care Givers are assigned from a pool of people previously recruited by the Response Team, from other pastors or pastoral care specialists. The chair of the Response Team always consults with the Accuser and the Accused to obtain their consent for the Pastoral Care Giver assigned to them. The Pastoral Care Giver will not be a member of the Response Team nor a staff member of any congregation involved.

2. Ordinarily within three days of appointment, the Contact Person and Pastoral Care Giver arrange a meeting with the Accuser. They inform the Accuser that an Advocate may also attend the meeting.
3. The Contact Person, Pastoral Care Giver and Advocate meet together with the Accuser for the following purposes:
 - a. They help the Accuser understand this Policy and disciplinary procedures of the *Book of Order*; and

- b. The Accuser is offered assistance to arrange for counseling. If the Accuser (or family) needs financial help to pay for therapy, the General Presbyter is informed and makes the necessary arrangements, and
 - c. All parties are encouraged to keep this matter in strictest confidence, and,
 - d. If the accusation is not in written form, the Accuser is informed that for the process to continue, the allegation must be put in writing by either the Accuser or by an officer of the Presbytery. The Contact Person, Advocate or Pastoral Care Giver may assist the Accuser to prepare a written accusation, and
 - e. The Accuser is informed that a limited release or waiver of confidentiality is necessary if the case is taken to the Permanent Judicial Commission or to the Presbytery Coordinating Team. (The Accuser will be required to give permission for the Accused to answer any allegations which grow out of “privileged communication” settings, such as counseling session.) This release will be limited to the procedures of the Policy and ecclesiastical disciplinary proceedings which may ensue.
4. The chair of the Response Team asks the General Presbyter to notify the Presbytery insurance carrier in order to comply with the requirements of the insurance policy.
 5. Ordinarily within ten days of the meeting with Accuser, the written accusations are given to the Chair of the Response Team.
 6. Ordinarily within ten days after the General Presbyter, the Moderator of Presbytery Coordinating Team or the Moderator of the Committee on Ministry receives the written accusations, the Chair of the Response Team and the Moderator of the Presbytery appoint an Investigating Committee from the pool of persons previously elected by the Presbytery. (See *Book of Order*, Rules of Discipline, Chapter X, “Disciplinary Cases”)

D. The Investigating Committee and the Person Accused

1. Ordinarily within ten days of appointment, the Investigating Committee shall arrange a meeting with the Accused. Information passed on to the Accused concerning the meeting to be held shall include the following:
 - a. That an Advocate chosen by the Accused may attend the meeting;
 - b. That the Response Team will be in contact with him/her in order to assign a Pastoral Care Giver for the Accused and family; and
 - c. That the Accused has the right to be represented by legal counsel and the right to refuse to comment on the accusation.
2. The Investigating Committee, Pastoral Care Giver and Advocate meet together with the Accused for the following purposes:
 - a. To review with the Accused this policy and the disciplinary procedures of the *Book of Order*, Rules of Discipline, Chapter X;
 - b. To provide a summary of the written accusations to the Accused;
 - c. To instruct the Accused not to have further contact with the Accuser or the Accuser’s family;

- d. To offer the Accused assistance in arranging for counseling. If the Accused (or Family) need financial help to pay for therapy, the General Presbyter is informed and, if possible, makes the arrangements for assistance; and
 - e. To inform all parties that this matter is to be kept in strictest confidence.
3. The Investigating Committee shall conduct an inquiry in strict accord with the provisions of the *Book of Order*, D-10.0200 to determine whether or not charges should be filed. If the Investigating Committee determines that there are no probable grounds or cause to believe that an offense was committed, or that there is insufficient evidence to proceed (see *Book of Order*, D-10.0202, D10.0303 and D10.0304), the Pastoral Care Givers will continue to offer pastoral care to all parties and no further action will be taken at this time.
 4. If the Investigating Committee determines that there are sufficient grounds to warrant the filing of charges, they shall notify the Accused and the Committee on Ministry (or the Coordinating Team of Presbytery if the Accused is a lay employee or volunteer) of their decision.
 - a. In the case of lay employees or volunteers, the Coordinating Team or Personnel Committee may determine whether limitations should be imposed on the Accused. Specific limitations shall be communicated in writing to the Accused within three days.
 - b. In the case of lay employees, if there are compelling reasons, the Coordinating Team may do one of the following:
 - i. Suspend the Accused from the performance of certain duties.
 - ii. Place the Accused on Administrative Leave.
 - c. In the case of a volunteer, if there are compelling reasons, the Coordinating Team may suspend the Accused from the performance of certain or all duties.
 - d. In the case of a teaching elder, the Constitution of the Presbyterian Church (U.S.A.) does not permit a governing body to place a teaching elder on temporary leave simply because there is a formal accusation of sexual abuse or misconduct.
 5. The provisions of G-3.0109b regarding the functioning of an administrative commission or the provisions of the Rules of Discipline regarding disciplinary cases must be implemented and brought to their full conclusion before anyone can be temporarily or permanently removed from office. A voluntary suspension may be agreed to by the parties involved.
 from Minutes of General Assembly, 1995
 Report of Advisory Committee on the Constitution - 21.103 - 21.105
 6. The Coordinating Team informs the Accused lay employee of the Administrative Leave or the volunteer of the temporary suspension in writing, within three days, and the Contact Person instructs the Accused to have no further contact with members of any churches involved, or any other persons who have a pastoral or professional relationship with the Accused (unless approved in advance by the Contact Person.) During the period of Administrative Leave or suspension, the Accused shall refrain from the exercise of any function of the previous position. This process will be carried out with no undue delay.
 7. D-10.0103 states "...the stated clerk shall ... report to the governing body only that an offense has been alleged without naming the alleged offender , or the nature of the alleged offense..." This section does NOT mean that the allegations are kept secret. Instead, it means that only those who have a "need to know" are informed. The investigating committee will decide who needs to be informed.

8. Representatives from the Response Team, Committee on Ministry, Coordinating Team and General Presbyter continue to offer care and guidance to the parties involved until such care is no longer needed.

E. Settlement

1. If at any time during the course of these proceedings, a request for a civil settlement is made by the Accuser, the following principles apply:
2. Legal counsel will be consulted, and
3. The Response Team will negotiate terms.
4. If there are any financial dimensions to a proposed settlement, the Response Team, in consultation with the appropriate officers, determines if this cost is covered by the Presbytery insurance for such purposes. If it is, the Response Team may propose a settlement.
5. The following committee is authorized to give final approval to settlements which are within Presbytery insurance coverage: The Chair of Presbytery Coordinating Team, the Moderator of the Board of Trustees, the Moderator of Presbytery, and the General Presbyter. If the terms of the Proposed settlement go beyond the scope of Presbytery insurance, the final terms must be approved by the Presbytery Coordinating Team, and reported to the Presbytery.
6. The final settlement will be reported to the General Presbyter, Committee on Ministry and/or Coordinating Team and will be retained in the permanent confidential personnel file of the Accused. A summary of the settlement will be reported to prospective employers of the Accused in the future.
7. If at any point in the process the Response Team or investigating committee requires the assistance of an attorney, the General Presbyter is informed and makes arrangements.
8. If disciplinary procedures are required, those procedures are as follows:
 - a. The disciplinary procedures for teaching elders (investigation, filing of charges, trial before the Permanent Judicial Commission, renunciation of jurisdiction, appellate procedures, etc.) are described in the *Book of Order*, "Rules of Discipline." (Refer to the "Rules of Discipline" for a full statement of the formal procedures.)
 - b. The disciplinary procedures for lay employees and volunteer staff are described below and are consistent for lay employees with the Personnel Policies and Practices of Trinity Presbytery, Sections IV and VI:
 - i. If the Investigating Committee, after their inquiry, feels there are probable grounds or cause to believe an offense was committed, or there is sufficient evidence to proceed, they shall present such evidence to the Coordinating Team.
 - ii. The Accused will be given an opportunity to defend himself or herself before the Coordinating Team.
 - iii. If in the case of a lay employee, the Coordinating Team concludes that there are probable grounds that an offense did occur, the Accused will be dismissed with cause immediately. In such cases pay in lieu of notice will be given.
 - iv. In the case of a volunteer staff, if the Coordinating Team feels that there are probable grounds that an offense did occur, the Accused will be dismissed from the volunteer position.

5. AMENDMENTS AND REVISIONS TO THIS POLICY

This policy, in its entirety, is to be revised and applied under the primary supervision of the Coordinating Team of Trinity Presbytery. Each year, The Education and Nurture Ministry and the Outdoor Ministry Board shall review Section 2 of this Policy and suggest any revisions that seem prudent or necessary to ensure the safety of children, youth and Persons with Special Needs. The Committee on Ministry, likewise, has responsibility annually to review Section 3 of this Policy and to suggest any revisions that seem prudent or necessary to ensure the prevention of sexual harassment and misconduct by teaching elders, commissioned ruling elders, lay employees and volunteer staff of Trinity Presbytery.

Coordinating Team of Trinity Presbytery has the responsibility:

- 1 To receive and to act upon recommendations for changes that are received from Education and Nurture, Outdoor Ministries and the Committee on Ministry.
- 2 To ensure that a Response Coordination Team is recruited, trained and in place in the event that such a team is needed.
- 3 To review the Policy as a whole to ensure cohesion and the consistent use of this Policy across our Presbytery.
- 4 To take any changes approved by the Coordinating Team of Trinity Presbytery to the whole Presbytery for action so that the Policy may be amended by Presbytery.
 - a. After the adoption of the original Policy (date), this Policy may be revised at any Stated Presbytery Meeting as long as:
 - i. Revisions come from Education and Nurture, Outdoor Ministries and/or Committee on Ministry and have been discussed and voted on by those bodies.
 - ii. The Revisions passed on by those entities are made available to the entire Coordinating Team of Trinity Presbytery at least 3 days prior to their meeting when such revisions are to be considered, and the proposed revisions are approved by a majority of the Coordinating Team.
 - iii. The Revisions, thus approved by Presbytery Coordinating Team, are listed on the Agenda of a Stated Meeting of Trinity Presbytery and the text of the revisions are made available to Trinity Presbytery in the original Presbytery Packet (not the supplement) so that they may be considered.
 - iv. After these requirements are met, revisions may be made by a majority vote of Trinity Presbytery at that Stated Meeting and will become official upon approval.
5. To ensure that this Policy is made available to all Moderators of Trinity Presbytery Committees, all Teaching Elders, Clerks of Sessions and lay Presbytery Staff on an annual basis and to ensure that training and education as seems appropriate and necessary happen.

6. APPENDICES

APPENDIX A

**TRINITY PRESBYTERY
VOLUNTEER INFORMATION FORM
FOR WORKERS WITH CHILDREN, YOUTH AND PERSONS WITH SPECIAL NEEDS**

1. Name (last, first, middle, maiden name)

If you have ever used another name, please indicate the name and the time period(s) used:

Current Address: _____

How long have you lived at this address: _____

How long have you lived in South Carolina: _____

Gender: M ___ F ___ Birth date: _____

Home Phone: _____ Cell phone: _____

Place of Employment: _____

Work Phone: _____

2. (skip number 2 if your position does not include driving)

Drivers License Number:

Have you ever had your driver's license suspended or restricted for any reason? _____

If yes, please describe the dates and reasons for each such occurrence on the back.

3. Location of current church membership: _____

Date you became a member: _____

4. List all previous church work involving children, youth, and special needs persons: (church name, address, type of work, dates, etc.)

5. List all previous non-church work involving children, youth, special needs persons: (Name of organization, address, type of work, dates, etc.)

6. Have you ever been arrested, charged, indicted or convicted for any criminal offense (misdemeanor or felony) other than a traffic violation? _____ (If yes, please explain.)

7. Have you ever been subject to any disciplinary action, complaint or allegations that you violated any employer's or any organization's policy concerning sexual misconduct? _____ (If yes, please explain.)

8. References: Please list the names, addresses, occupations, and telephone numbers of three people (other than relatives) who are familiar with your character and abilities. References will be contacted.

Name	Address	Occupation	Work Phone	Home Phone
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9. I understand and agree that:

- a) All information that I have provided may be verified. I agree to release from liability any person or organization that provides information concerning me, including these persons I have listed as references. I understand and agree that any information received will not be disclosed to me, and I hereby waive any right I may have to inspect any information provided about me by any person or organization identified by me on this form.
- b) By signing this form, I certify and affirm that the information I have given is true complete, and correct in all respects.
- c) I have read, understood and agree to abide by Trinity Presbytery Policy for the Protection of Children, Youth and Persons with Special Needs.
- d) I have completed the Release Authorization form or have furnished an accepted background screening.
- e) I will participate in any required training for volunteer leaders.

Signature: _____ Date: _____

Parent or Guardian's Signature: _____ Date: _____

(If under age eighteen)

This form must be updated at least triennially.

This form is confidential and will be kept in a locked file at the presbytery office.

APPENDIX B

**TRINITY PRESBYTERY
RELEASE AUTHORIZATION
Applicant Complete the Following**

1. In connection with my Christian service through Trinity Presbytery, I understand that a national background check will be required.
2. I acknowledge that a telephonic facsimile (FAX) or photographic copy shall be as valid as the original. This release is valid for most federal, state and county agencies.
3. I hereby authorize, without reservation, any law enforcement agency, institution, information service bureau, school, employer, reference or insurance company contacted during a background check, to furnish the information described in Section 1. The following information is required by law enforcement agencies and other entities for positive identification purposes when checking public records. It is confidential and will not be used for any other purposes. I hereby release the employer and agents and all persons, agencies and entities providing information or reports about me from any and all liability arising out of the requests for or release of any of the above mentioned information or reports.

Please print your full name

Please print other names you have used

Home address

City

State

Zip Code

Social Security Number

Date of Birth

The following states require sex and race data to obtain information: AL, AR, FL, GA, IA, IN, OR, TX, WI.

Male _____ Female _____

Asian ___ Black/African American ___ Hispanic ___ White ___ Native American ___ Other ___

Drivers License Number _____ State Issuing License _____

Name as it appears on license _____

Signature _____ Today's date _____

APPENDIX C

**TRINITY PRESBYTERY
VOLUNTEER PHONE REFERENCE CHECK**

Identify yourself.

Tell the person that (applicant's name) gave you permission to call for a personal reference and that you will keep the conversation confidential.

Explain what the applicant will be doing for the (church's name) and the age and sex of the children or youth with whom the volunteer will be working.

Name of volunteer applicant: _____

Name of staff/volunteer calling for reference: _____

Name of reference: _____

Title/occupation: _____

Phone number: _____

Date called: _____

How long have you known (applicant's name) and in what capacity?

Have you observed (applicant's name) interacting with children/youth/persons with special needs and in what kind of environment?

Please describe this interaction.

Is there any other information you can tell me about (applicant's name)?

Would you let (applicant's name) take care of your children or persons with special needs?

Do you have any reservations about (the applicant) working in a setting with Children, Youth or persons with special needs?

APPENDIX D

TRINITY PRESBYTERY INCIDENT REPORT FORM

Date of incident: _____ Time: _____

Name of Reporter: _____ Phone: _____

Name(s) of those involved:

_____ Age: _____
_____ Age: _____
_____ Age: _____

Location of Incident: _____

Quote the first words verbatim of the child/youth/special needs person making the accusation.

Briefly describe behavior/appearance of the person making the accusation.

Briefly describe the behavior/appearance of anyone else involved in this incident.

Briefly describe what happened.

What actions did you take?

Has the incident been resolved? _____ Yes _____ No Explain:

Were there any witnesses? _____ Yes _____ No

Names:

_____	Phone: _____
_____	Phone: _____
_____	Phone: _____

Signatures (If possible):

Signature of person submitting report:

_____	Date: _____
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Report given to: _____ Date: _____

APPENDIX E

South Carolina Definition of Abuse Law & Abuse Reporting Law

SECTION 63- 7- 20. Definitions

- (4) “Child abuse or neglect” or “harm” occurs when the parent, guardian, or other person responsible for the child’s welfare:
- (a) inflicts or allows to be inflicted upon the child physical or mental injury or engages in acts or omissions which present a substantial risk of physical or mental injury to the child, including injuries sustained as a result of excessive corporal punishment, but excluding corporal punishment or physical discipline which:
 - (i) is administered by a parent or person in loco parentis;
 - (ii) is perpetrated for the sole purpose of restraining or correcting the child;
 - (iii) is reasonable in manner and moderate in degree;
 - (iv) has not brought about permanent or lasting damage to the child; and
 - (v) is not reckless or grossly negligent behavior by the parents.
 - (b) commits or allows to be committed against the child a sexual offense as defined by the laws of this State or engages in acts or omissions that present a substantial risk that a sexual offense as defined in the laws of this State would be committed against the child;
 - (c) fails to supply the child with adequate food, clothing, shelter, or education as required under Article 1 of Chapter 65 of Title 59, supervision appropriate to the child’s age and development, or health care though financially able to do so or offered financial or other reasonable means to do so and the failure to do so has caused or presents a substantial risk of causing physical or mental injury. However, a child’s absences from school may not be considered abuse or neglect unless the school has made efforts to bring about the child’s attendance, and those efforts were unsuccessful because of the parents’ refusal to cooperate. For the purpose of this chapter “adequate health care” includes any medical or nonmedical remedial health care permitted or authorized under state law;
 - (d) abandons the child;
 - (e) encourages, condones, or approves the commission of delinquent acts by the child and the commission of the acts are shown to be the result of the encouragement, condonation, or approval; or
 - (f) has committed abuse or neglect as described in subsections (a) through (e) such that a child who subsequently becomes part of the person’s household is at substantial risk of one of those forms of abuse or neglect.

SECTION 63- 7- 310. Persons required to report.

- (A) A physician, nurse, dentist, optometrist, medical examiner, or coroner, or an employee of a county medical examiner's or coroner's office, or any other medical, emergency medical services, mental health, or allied health professional, member of the clergy including a Christian Science Practitioner or religious healer, school teacher, counselor, principal, assistant principal, social or public assistance worker, substance abuse treatment staff, or childcare worker in a childcare center or foster care facility, police or law enforcement officer, undertaker, funeral home director or employee of a funeral home, persons responsible for processing films, computer technician, or a judge must report in accordance with this section when in the person's professional capacity the person has received information which gives the person reason to believe that a child has been or may be abused or neglected as defined in Section 63- 7- 20.
- (B) If a person required to report pursuant to subsection (A) has received information in the person's professional capacity which gives the person reason to believe that a child's physical or mental health or welfare has been or may be adversely affected by acts or omissions that would be child abuse or neglect if committed by a parent, guardian, or other person responsible for the child's welfare, but the reporter believes that the act or omission was committed by a person other than the parent, guardian, or other person responsible for the child's welfare, the reporter must make a report to the appropriate law enforcement agency.
- (C) Except as provided in subsection (A), any person who has reason to believe that a child's physical or mental health or welfare has been or may be adversely affected by abuse and neglect may report in accordance with this section.
- (D) Reports of child abuse or neglect may be made orally by telephone or otherwise to the county department of social services or to a law enforcement agency in the county where the child resides or is found.

STANDARDS OF ETHICAL CONDUCT

Approved by the 210th General Assembly (1998)

Presbyterian Church (U.S.A.)



Life Together in a Community of Faith:
Standards of Ethical Conduct for Ordained Officers
in the Presbyterian Church (U.S.A.)

Professional Code of Ethics

Approved by the

210th General Assembly (1998)

Presbyterian Church (U.S.A.)

Developed by

The Special Committee on a Professional Code of Ethics

Published by The Office of the General Assembly PC(USA)

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The Committee on Ministry of Trinity Presbytery

The Committee on Preparation for Ministry of Trinity Presbytery

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**LIFE TOGETHER IN THE COMMUNITY OF FAITH:
STANDARDS OF ETHICAL CONDUCT FOR**

ORDAINED OFFICERS IN THE PRESBYTERIAN CHURCH (U.S.A.)

As an ordained officer in the Presbyterian Church (U.S.A.), in obedience to Jesus Christ, under the authority of Scripture and guided by our Confessions, I affirm the vows made at my ordination, confirm that Jesus Christ is the pattern for my life and ministry and, relying on God's grace, commit myself to the following standards of ethical conduct.

I

I will conduct my life in a manner that is faithful to the gospel and consistent with my public ministry. Therefore I will:

1. Practice the disciplines of study, prayer, reflection, worship, stewardship, and service;
2. Be honest and truthful in my relationships with others;
3. Be faithful, keeping the covenants I make and honoring marriage vows;
4. Treat all persons with equal respect and concern as beloved children of God;
5. Maintain a healthy balance among the responsibilities of my office of ministry, my commitments to family and other primary relationships, and my need for spiritual, physical, emotional, and intellectual renewal;
6. Refrain from abusive, addictive, or exploitative behavior and seek help to overcome such behavior if it occurs;
7. Refrain from gossip and abusive speech; and
8. Maintain an attitude of repentance, humility, and forgiveness, responsive to God's reconciling will.

II

I will conduct my ministry so that nothing need be hidden from a council or colleagues in ministry. Therefore I will:

1. Preach, teach, and bear witness to the gospel of Jesus Christ with courage, speaking the truth in love;
2. Honor the sacred trust of relationships within the covenant community and observe appropriate boundaries;
3. Be judicious in the exercise of the power and privileges of my office and positions of responsibility I hold;
4. Avoid conflicts of interest that might compromise the effectiveness of my ministry;
5. Refrain from exploiting relationships within the community of faith for personal gain or gratification, including sexual harassment and misconduct as defined by Presbyterian Church (U.S.A.) policy;
6. Respect the privacy of individuals and not divulge information obtained in confidence without express permission, unless an individual is a danger to self or others;

7. Recognize the limits of my own gifts and training, and refer persons and tasks to others as appropriate;
8. Claim only those qualifications actually attained, give appropriate credit for all sources used in sermons, papers, music, and presentations, and observe copyrights;
9. Refrain from incurring indebtedness that might compromise my ministry;
10. Be a faithful steward of and fully account for funds and property entrusted to me;
11. Observe limits set by the appropriate council for honoraria, personal business endeavors, and gifts or loans from persons other than family;
12. Accept the discipline of the church and the appropriate guidance of those to whom I am accountable for my ministry;
13. Participate in continuing education and seek the counsel of mentors and professional advisors;
14. Deal honorably with the record of my predecessor and upon leaving a ministry or office speak and act in ways that support the ministry of my successor;
15. **Participate in the life of a ministry setting I left or from which I have retired only as directed by presbytery;
16. **Provide pastoral services for a congregation I previously served only as directed by the presbytery and provide pastoral services to members of other congregations only with the consent of their pastors; and
17. **Consult with the Committee on Ministry in the presbytery of my residence regarding my involvement in any ministry setting during my retirement.

III

I will participate as a partner with others in the ministry and mission of the Church universal. Therefore I will:

1. Participate in the mission and governance of the Presbyterian Church (U.S.A.) and work for the unity of the holy catholic church;
2. Show respect and provide encouragement for colleagues in ministry;
3. Recruit church members responsibly, respect existing congregational relationships, and refrain from exploiting persons in vulnerable situations; and
4. Cooperate with those working in the world for justice, compassion, and peace, including partners in ministry of other faith traditions.

** These standards apply only to pastors. They also apply to commissioned ruling elders when they are performing pastoral functions.