

**PRESBYTERY OF YUKON**  
***POLICY AND PROCEDURES RELATING TO SEXUAL***  
***MISCONDUCT BY MINISTERS, CHURCH OFFICERS, MEMBERS,***  
***AND VOLUNTEERS.***

*Adopted by Presbytery at the Spring Stated Meeting, 3/11/95*

**I. INTRODUCTION**

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

Tend the flock of God that is your charge,  
not under compulsion but willingly,  
do not lord it over those in your charge  
but be examples to the flock.  
I Peter 5:2

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

The ethical conduct of all who minister in the name of Jesus Christ is of vital importance to the Church, for through these representatives is conveyed an understanding of God and the Gospel's good news. Their manner of life should be a demonstration of Christian gospel in the Church and the world. Yukon Presbytery seeks ways of justice, healing, and restoration by means of this Policy.

The **purpose** of this Policy is

to make clear the position of the Presbytery on sexual misconduct, to alert church leaders as to ways of reducing the risk of such misconduct,  
and to establish the procedures to be followed in investigating and resolving instances where misconduct is alleged to have occurred.

**II. POLICY STATEMENT**

It is the policy of the Presbytery of Yukon that all ministers, church officers, church members, youth leaders, non-member employees and volunteers are to maintain the integrity of employment and professional relationships at all times. Sexual misconduct is a violation of the principles set forth in Scripture and is never permissible. Further, it is the policy of this Presbytery that charges of

sexual misconduct be treated with the seriousness they deserve and dealt with swiftly and fairly for the benefit of all parties concerned.

In adopting this initial policy, Yukon Presbytery recognizes the need to adapt its concept and principles to the needs and interpretations of the cultures of our non-English speaking congregations.

### III. PREVENTION & RISK MANAGEMENT

The goal in taking steps to avoid sexual misconduct is to seek a balance between pastors and leaders expressing genuine feelings and giving appropriate care to others without behavior which infringes on the rights of others.

- A. All those in pastor/leader relationships must be aware that hugs, kisses, touching, time together, phone conversations, and even pastoral calling may be seen, if not carefully monitored, as infringement on the rights of others.
- B. The pastor should not make home visits alone. A church elder, deacon, or other church leader should accompany the pastor.
- C. Those in counselor relationships need to observe basic precautionary measures, including: limiting each counselee to one hour per week, keeping curtains open and making sure there are other people around the building during counseling, and avoiding physical contact with counselees.
- D. Every room in the church building used for counseling, classes, or group activity should have a door with a window that provides a clear view of any activity in the room; the room may not be in an isolated area of a building. Where this is not possible, a second adult should be in the room with the pastor/counselor/teacher.
- E. All persons in leadership or care positions should have an accountability partner with whom they meet at least once a month, at which time the following subjects should be covered: personal feelings about counselees (using code names), and strategies for avoiding problems, review of any other relationships where there is a hint of sexual overtone, and check-in on family relationships as well as follow up of issues from the previous meeting.
- F. Accompanying a child to the restroom is permissible; however, the accompanying person should wait outside the restroom unless the child needs assistance, in which case:
  - 1. The person assisting should assure that the restroom door remains open while that person is in the restroom with the child, or
  - 2. Two people should assist the child, so that neither is alone in the restroom the child while the restroom door is closed.
- G. Church employees and volunteers should not engage in wrestling or rough play with children or youth.
- H. An employee or volunteer may spend time alone with a child or youth for specific ministry goals provided the time so spent and the goals are monitored by other responsible persons on the teaching or ministry staff.
- I. Congregations and agencies which sponsor programs for children and youth should utilize the following resources to train all staff persons who work with children or youth:

1. "CHURCH LAW AND TAX REPORT: Reducing the Risk of Child Sexual Abuse in Your Church" : guidebook, training manual, and video. In the Presbytery Resource Library, or order from Church Law & Tax Report by calling 1-800-222-1840,
2. "WHAT IS SEXUAL ABUSE?", leaflet by State of Alaska, Department of Health and Social Services.
3. Alaska Department of Health and Social Services, Division of Family & Youth Services.  
This state agency has personnel in all the cities, as well as many villages in Alaska. They are available to train people who work with children and youth in ways to avoid situations that may lead to sexual abuse of children.  
Regional offices are located in ANCHORAGE 265-5080,  
FAIRBANKS 452-1844, NOME 443-5247.

J. The Presbytery of Yukon, its church sessions, and its agencies shall inform members, employees, and volunteers of the standards of conduct outlined in this policy, as well as the procedures for responding when a report of sexual misconduct is made.

Upon receipt of a copy of this policy, all Ministers of the Word and Sacrament, Presbytery staff, and volunteers in Presbytery agencies shall sign a written acknowledgment of such receipt (Exhibit A). This acknowledgment shall be kept on file with the Committee on Ministry, and in a secure file in the Presbytery office.

In order to be considered for a call in the Presbyterian Church (U.S.A.) all Ministers of the Word and Sacrament are required to complete PART VI of their Personal Information Form, "SEXUAL MISCONDUCT INFORMATION", identical to Exhibit B. Upon receipt of a copy of this policy, all Ministers of the Word and Sacrament who have been received or ordained by Yukon Presbytery prior to September, 1994, shall complete and sign the information and release form, Exhibit B, and present it to the Stated Clerk for the Presbytery permanent file.

#### K. Record Keeping:

Each Church shall maintain a permanent confidential personnel file on every employee, including ministers. Either the Personnel Committee or the Clerk of Session shall be responsible for maintaining this file. The file should contain :

1. **Acknowledgment of Receipt and Agreement with Presbytery's Policy and Procedures Relating to Sexual Misconduct by Church Officers, Members, and Volunteers** (Exhibit A)
2. For Ministers only: **Sexual Misconduct Information** (Exhibit B)
3. For other employees: **Employment Questionnaire** (Exhibit C)
4. **Reference Contact Form** (Exhibit D)
5. Records of screening of volunteers.  
"While these guidelines are intended for volunteers, no requirement for screening and applications is usually applied. The increase of litigation requires that local churches do a better job of screening and supervising unpaid volunteers. If the volunteer is new or unknown to your church, some information

checking may be wise before allowing him or her to work in high-risk positions such as youth advisor, children's workers, lay counselor, boy or girl scout, or camp counselors." (Sexual Misconduct Policy, Church Vocations Ministry Unit Report, G.A. JOURNAL, 1993, page 586)

Presbytery Records:

The Presbytery shall maintain permanent records on each minister and Commissioned Lay Preacher in a secure file in the Presbytery office. Access shall be by authorized signature only.

## IV. DEFINITIONS

- A. **Accused:** the person against whom a claim is made of sexual misconduct.
- B. **Accuser:** the person claiming knowledge of sexual misconduct by a person covered by this policy.
- C. **Inquiry** is the term used in the Rules of Discipline to determine if charges should be filed based upon allegations of an offense received by a governing body.  
(BOOK OF ORDER D-7.0200.2b)
- D. **Reasonable Suspicion** refers to a belief or opinion based on known facts or circumstances that are sufficient for a prudent person to want to inquire further, to take protective action, or to report to authorities.
- E. **Mandated Reporter:** any person who has heard or has reason to believe that child sexual abuse or sexual harassment or misconduct has taken place. Such information requires that person to report such incidents to the appropriate governing body (session, presbytery, or agency) .
- F. **Persons Covered** by this Policy include ordained members and officers of the Presbytery, Presbytery staff, as well as all church officers, church members, youth leaders, non-member employees, and volunteers.
- G. **Response** is the action taken by the governing body or other organization when a report of sexual misconduct is received. It may include, but is not limited to:
- (1) inquiry into facts and circumstances;
  - (2) possible disciplinary action, administrative or judicial or both;
  - (3) pastoral care for alleged victims and their families;
  - (4) pastoral care and rehabilitation for the perpetrators and care for their families.
- H. **Child Sexual Abuse** includes, but is not limited to: any contact or interaction between a child and an adult when the child is being used for the sexual stimulation and/or satisfaction of the adult person or of a third person. Sexual misconduct between a child and an adult is always considered forced whether or not consented to by the child. Children under the age of 18 are covered by this definition.
- I. **Sexual Harassment:** unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when submission to or rejection of this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile or offensive work environment.

- J. **Sexual Misconduct** is the comprehensive term used in this Policy to include:
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, unacceptable visual contact, unwelcome touching or fondling) that is injurious to the physical or emotional health of another;
  5. **Sexual malfeasance** defined as sexual conduct within a ministerial (e.g. clergy with a member of the congregation) or professional relationship (e.g. counselor with a client, lay employee with a church member, executive presbyter with a committee member who may be a layperson, a minister, or an elder). Sexual conduct includes unwelcome sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature. This definition is not meant to cover relationships between spouses, nor is it meant to restrict church professionals from having normal, social, intimate, or marital relationships.
- K. **Victim**: the person alleged to have been injured by sexual misconduct as defined above.
- L. **Employee**: an individual hired or called to work for the Church or its agency for salary or wages.
- M. **Volunteer**: one who provides services for the governing bodies and agencies of the Church and receives no benefits or remuneration. Volunteers include persons elected or appointed to serve on boards, committees, and other groups, and/or positions filled within the Church in order for ministry to be accomplished. For purposes of the Policy volunteers are treated the same as employees. The liability of the governing body or church agency is the same for volunteers as for employees.
- N. **Agency** refers to any program or office managed by a board, committee, council, or other body whose membership is supervised or elected by a governing body of the Church.
- O. **Governing Body**: a representative body composed of Elders and Ministers of the Word and Sacrament. These are sessions, presbyteries, synods, and the General Assembly. A governing body may establish agencies such as day care centers, conference centers, camps or homes for the aged. A governing body may have both church members and non-members as employees.
- P. **Definitions of what is recommended vs. what is required**: “Should” and “may” define matters that are recommended; they are offered as guidance. “Shall” and “must” define mandatory positions or actions.

## V. RESPONSE PROCEDURES

### A. Reporting Allegations:

Reports of sexual misconduct will occur in a variety of ways. Because an individual church or the Presbytery cannot control to whom the accuser of sexual misconduct will first speak, it is important that all church leaders and employees understand how reports of incidents are to be channeled to the proper person.

Reports of sexual misconduct should never be taken lightly or disregarded and allowed to circulate without concern for the integrity and reputation of the accuser, the accused and of the Church. Reports should be dealt with as matters of highest confidentiality both before and after they have been submitted to the appropriate authorities.

All persons covered by this policy have a particular duty to report suspected child abuse. The person receiving the initial report is considered a mandated reporter and shall report the incident to the appropriate governing body or agency.

**When the incident is in the local church:**

If the person being accused of sexual misconduct is a church officer, church member, non-member employee or volunteer of the local church, then the mandated reporter shall immediately report the incident of sexual misconduct, as defined in this policy, to the pastor of the church or the Clerk of Session. If either of these persons is too closely connected with the accused, then the report is to be made to the Stated Clerk of Presbytery.

**When the incident is in an agency of the Church** (church camp, conference center, counseling center, day care center, etc.):

If the person being accused of sexual misconduct is an employee or volunteer on the staff of the program, then the mandated reporter shall immediately report the incident of sexual misconduct, as defined in this policy, to the director of the program or event.

**When the accused is an ordained Minister of the Word and Sacrament, or Presbytery staff person:**

The mandated reporter shall immediately report the incident of sexual misconduct, as defined in this policy, to either the Stated Clerk of Presbytery, or to the Executive Presbyter. If either of these individuals is the accused, the other shall be notified.

There is no statute of limitations in regard to reporting incidents of child sexual abuse, sexual harassment and sexual misconduct. An allegation is valid whenever the charge is brought forward.

The importance of properly reporting allegations of sexual misconduct cannot be overemphasized. Attempts to resolve accusations informally, while understandable, often result in nothing more than covering up the problem or trying to “make it go away”.

**B. Responding to Allegations:**

When an allegation of sexual misconduct is filed, many people will need pastoral care. Among these are the accuser, the accused, the victim, the families involved, and the congregation or agency of the Church.

**THE SEXUAL MISCONDUCT RESPONSE TEAM**

The Sexual Misconduct Response Team is a task force organized at the Presbytery level to quickly and objectively respond to reports of sexual misconduct.

A pool of persons large enough to provide separate Response Teams for different locations in the Presbytery will be selected by the Committee on Ministry, and trained to respond to allegations of sexual misconduct, and to identify and recognize the issues involved in sexual misconduct. The Moderator of the Committee on Ministry shall specify a coordinator for this pool. Team members shall be asked to commit to serve for a period of no less than three years to insure a professional level of experience, skill, and continuity. After initial training the pool shall meet no less than once each year to familiarize itself with these policies and procedures, and understand the legal, insurance, administrative, and disciplinary procedures of the Presbytery, its agencies, and the Book of Order.

The Response Team pool shall maintain a referral list of counselors and counseling centers sensitive to sexual misconduct issues and issues of faith and spiritual needs. This Policy shall not be construed to imply that the Church is legally obligated to pay for the victim's counseling; often the Church's insurance carrier is ready to accept this cost.

**When an incident is reported** the Moderator of the Committee on Ministry shall appoint a **Response Team** from the Response Team pool. Each team shall be composed of no fewer than three persons, and should include a trained psychological counselor and a trained legal professional. The majority of the Response Team should be of the same sex as the victim. Each team may choose one of their number to serve as chairperson.

The **Response Team** will have these responsibilities:

1. Receive the written report of sexual misconduct from the pastor, clerk of session, stated clerk of the presbytery or program director, or any other person who may have the report. (Exhibit E)
2. Since time is important, the inquiry of the allegations shall be started within five days of receiving the report. Delays shall be avoided whenever and wherever possible.
3. Confirm that civil authorities have been notified if applicable.
4. Gather as much information as possible regarding details of the allegations made by the parties involved.
5. Prepare a written report of the case to be given to the Stated Clerk of Presbytery, Clerk of Session, or director of the agency, including no less than the following:
  - a. names of parties involved;
  - b. governing body membership of the parties involved;
  - c. allegations made by the accuser;
  - d. findings and conclusions; and
  - e. suggested further actions to be taken by the governing body or agency.
6. If the accused has admitted to the misconduct as charged, so inform the accuser.
7. If there has been no admission of misconduct, advise the accuser of the need for the person who has been harmed to file a written accusation of the alleged misconduct with the appropriate officer of the governing body or agency.
8. Assure adherence to this policy by all parties involved.
9. Work within the established procedures for discipline in the Book of Order.

In addition to its primary functions, during or as a result of its initial inquiry, the Response Team may:

1. Advise all parties involved including the governing body or agency to obtain legal counsel.
2. Advise all parties to contact their insurance carriers.
3. Advise all parties involved to seek professional psychological counseling.
4. Advise all parties involved that the victim, accuser and/or the accused may choose to have an advocate accompany them throughout the inquiry process.

5. Recommend educational or employment practices to be implemented at the local level to prevent further instances of sexual misconduct.
6. Recommend actions to begin the healing process within the congregation, the presbytery, or the agency.
7. Recommend actions for the pastoral care of the accuser, the victim, the accused, and the families of all parties involved.

The response team is **NOT** to do the following:

1. Advocate for any party involved;
2. Act as legal counsel for any party involved;
3. Replace the functions of the Committee on Ministry, Council, Special Disciplinary Committee, or Permanent Judicial Commission.
4. Determine guilt or innocence of the accused; or
5. Enforce a specific remedy or disciplinary action.

### **Initial Response Team Inquiry**

NOTE: If the accuser claims **child sexual abuse**, the Response Team is advised not to interview the child (or children) due to the possible secondary trauma caused by the interview itself. Civil authorities should be notified immediately by the Response Team, if a report has not been previously filed with them. The Response Team should be guided by the recommendations of the civil authorities. If the Response Team needs a consultant in the area of child abuse, it shall contact an expert in child sexual abuse. The Response Team shall make the civil authorities aware that it wishes, insofar as the law allows, to be kept informed of the developments in the case to allow appropriate disciplinary measures within the Church to be taken against the accused.

Upon receiving written notice of sexual misconduct, the Response Team members will immediately confer to coordinate the initial inquiry process. The Response Team shall do the following:

1. Immediately notify the accused in writing of the accusations and advise the accused to have no further contact of any sort with the accuser, the victim, or the victim's family.
2. Immediately notify the accuser/victim that the team has received the report, that the accused has been notified to have no further contact with the accuser, and what steps the response team will be taking to investigate the report.
3. File a report with civil authorities if indicated. (See above NOTE.)
4. A minimum of two members of the Response Team shall meet with the accuser and/or victim to hear the accusations first hand. These team members should be skilled in pastoral care and counseling.
5. The Response Team shall assess and recommend resources for the following:
  - a. Need for psychological evaluation or counseling of the victim;



- b. Need for parties involved to obtain legal counsel and inform insurance carriers;
- c. Personal and pastoral needs of the accuser/victim and the accused (avoiding reference to guilt or innocence of the accused);
- d. Pastoral needs of the congregation or employing agency;
- e. Accuser's/victim's need for reconciliation with the congregation or employing agency; and
- f. The accused's needs for reconciliation with the congregation or employing entity.

If it should be determined during the initial inquiry that professional counseling is needed for the victim, the Response Team may refer the victim to a professional counselor trained to deal with issues of sexual misconduct.

### **Report to the Governing Body or Agency**

Within thirty days from the date it first receives a report of sexual misconduct the Response Team shall complete its inquiry and submit a report to the Stated Clerk, Personnel Committee, Clerk of Session, or director of the agency. Both the accuser and the accused will receive a copy of the report. The report shall include:

- 1. Name and address of the parties involved;
- 2. A summary of the allegations;
- 3. A summary of the facts as stated by the parties involved;
- 4. A summary of the Response Team's actions to date;
- 5. The remedy sought by the accuser/victim;
- 6. The Response Team's findings, conclusions, and determinations; and
- 7. The Response Team's suggestions for further actions to be taken by the governing body or agency.

**Leave of Absence.** The Response Team's suggestions may include, at any time before a Special Disciplinary Committee is established, an administrative leave for the victim and/or the accused.

**Media Contact.** Any inquiries from the media regarding an incident of sexual misconduct must be directed to the Executive Presbyter, Stated Clerk, Moderator of Session or Clerk of Session as the case may be. Members of the Response Team shall not offer information or respond to questions from the media.

**Response Team Record Keeping.** The Response Team shall keep all records confidential. The Response Team shall keep detailed records of its actions and minutes of its deliberations and its conversations with the accuser, accused, and other parties involved, copies of the initial report, correspondence, and copies of reports to the governing body or agency. The Response Team will maintain the records until the governing body or agency has determined disciplinary action and the action has been agreed to by the accuser/victim and the accused.

### **C. Governing Body or Agency Response:**

Governing body or agency response will vary according to the status of the accused. church members and ministers are subject to inquiry and discipline under the BOOK OF ORDER, D-5.0100. The pastoral relationship of ministers serving congregations is subject to oversight by the Presbytery, G-14.0601, G-14.0602, G-14.0603.

#### **1. Accused Covered by the BOOK OF ORDER.**

Upon receipt of the report filed by the Response Team, the clerk of the governing body should report in writing to the governing body that an offense has been alleged. If the Response Team reports that sufficient information is available to give rise to reasonable suspicion of sexual misconduct by the accused, a Special Disciplinary Committee should be immediately appointed, according to BOOK OF ORDER D-7.0800.

#### **2. Accused Not Covered by the BOOK OF ORDER.**

Upon receipt of the report filed by the Response Team, the director of the agency should immediately submit the report to the personnel committee of the agency. A session which ordinarily functions without a personnel committee may appoint an Administrative Commission for the function described in this section (G-9.0403 and 9.0502). The personnel committee will refer to and be guided by the written personnel policies of the governing body or agency which shall include the following:

a. Determine whether or not the Response Team's report gives rise to a reasonable suspicion of sexual misconduct by the accused.

b. If so, determine and gather additional information necessary to make a determination.

c. Determine any remedies, including disciplinary action, necessary and advisable under the circumstances.

d. Inform the accuser/victim and the accused of the remedy.

e. In all cases, the personnel committee or administrative commission shall prepare a written report which shall be included in the accused's permanent personnel file. The accused shall be allowed to attach any written statements to said documents, also for inclusion in the permanent personnel file.

**Appeal.** Either the accuser/victim or the accused shall have the right to appeal the decision through standard guidelines and procedures.

#### **3. Governing Body or Agency Record Keeping**

The governing body or agency should keep detailed records of its actions and minutes of its deliberations and its conversations with the accuser, the accused, and other parties involved; copies of reports received from the Response Team, correspondence and copies of the reports received from committees or commissions. Such records shall be kept confidential in the secure file in the Presbytery office. The clerk of the governing body or director of the agency shall maintain the records while the inquiry is in process.

EXHIBIT A

Presbytery of Yukon

ACKNOWLEDGMENT OF RECEIPT  
AND AGREEMENT WITH THE  
*POLICY AND PROCEDURES RELATING TO SEXUAL  
MISCONDUCT BY CHURCH OFFICERS, MEMBERS, AND  
VOLUNTEERS*

I hereby acknowledge that I have received a copy of the above named Policy,  
that I have read the Policy, understand its meaning and agree to conduct myself  
in accordance with the policy.

\_\_\_\_\_  
signature

\_\_\_\_\_  
witness

\_\_\_\_\_  
date

This completed form is to be placed in the permanent file of the church,  
presbytery or agency.

Presbytery of Yukon 3/11/95

## EXHIBIT B

### SEXUAL MISCONDUCT INFORMATION

(Identical to Part VI, SEXUAL MISCONDUCT INFORMATION of Personal Information Form)

**The following information related to sexual misconduct was mandated by the Sexual Misconduct Policy and Its Procedures adopted by the 1991 General Assembly, and was revised by the 1993 General Assembly.**

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:

The information contained in my Personal Information Form, Church Educator Personal Information Form or Application for Administrative positions on file with Call Referral Services 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 for 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

\_\_\_\_\_  
Social Security #

\_\_\_\_\_  
(Printed/Typed Name)

\_\_\_\_\_  
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 a 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 a Special Disciplinary Committee or charges have been filed but have not yet been decided by a Permanent Judicial Commission; or an accusation or charges are in a equivalent state or process in a church other than the Presbytery Church (U.S.A.).

(The following is taken from definitions in the General Assembly Sexual Misconduct Policy and Its Procedures, pg. 13)

\*Sexual Misconduct is the comprehensive term used in this policy and its procedures to include:

- 1) Child sexual abuse, as defined above (refers to Policy);
- 2) Sexual harassment, as defined above (refers to Policy);
- 3) Rape or sexual contact by force, threat, or intimidation;
- 4) Sexual conduct (such as offensive, obscene or suggestive language or behavior, unacceptable visual contact, unwelcome touching or fondling) that is injurious to the physical or emotional health of another;
- 5) Sexual malfeasance defined as sexual conduct within a ministerial (e.g., clergy with a member of the congregation) or professional relationship (e.g., counselor with a client, lay employee with a church member, presbytery executive with a committee member who may be a layperson, minister, or an elder). Sexual conduct includes unwelcome sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature. This definition is not meant to cover relationships between spouses, nor is it meant to restrict church professionals from having normal, social, intimate, or marital relationships.

Received by Clerk of Session or Stated Clerk \_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Clerk

This completed form is to be placed in the permanent file of the church, presbytery or agency.

## EXHIBIT C

### EMPLOYMENT QUESTIONNAIRE

For paid or volunteer staff  
Presbytery of Yukon

NAME: \_\_\_\_\_  
Last First Middle

ADDRESS: \_\_\_\_\_  
City State Zip Code

PHONE \_\_\_\_\_  
Business Home

Have you ever been known by any other name: \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, please provide the other name(s): \_\_\_\_\_  
\_\_\_\_\_

EMPLOYMENT RECORD: List current and previous employers for the last five years:

Employed by: \_\_\_\_\_  
Address: \_\_\_\_\_  
Your Supervisor: \_\_\_\_\_ Phone \_\_\_\_\_  
Supervisor's Title \_\_\_\_\_  
Employment dates: from (month/year) \_\_\_\_\_ to \_\_\_\_\_  
Why did you leave? \_\_\_\_\_  
\_\_\_\_\_

EMPLOYMENT RECORD: List current and previous employers for the last five years:

Employed by: \_\_\_\_\_  
Address: \_\_\_\_\_  
Your Supervisor: \_\_\_\_\_ Phone \_\_\_\_\_  
Supervisor's Title \_\_\_\_\_  
Employment dates: from (month/year) \_\_\_\_\_ to \_\_\_\_\_  
Why did you leave? \_\_\_\_\_  
\_\_\_\_\_

PERSONAL REFERENCES (other than former employers or relatives)

NAME \_\_\_\_\_ NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_ ADDRESS \_\_\_\_\_

\_\_\_\_\_

PHONE \_\_\_\_\_ PHONE \_\_\_\_\_

**CERTIFICATION**

I certify that, (a) no civil, criminal, ecclesiastical complaint has ever been sustained or is pending against me for sexual misconduct; (b) I have never resigned or been terminated from a position for reasons related to my sexual misconduct; and (c) I have never been required to receive professional treatment for reasons related to sexual misconduct on my part.

Signed \_\_\_\_\_ Date \_\_\_\_\_

**RELEASE**

The information I have provided on this questionnaire is accurate to the best of my knowledge and may be verified by the Church or agency. I hereby authorize the (name of Church or agency)

\_\_\_\_\_ to make any and all contacts necessary to verify my prior employment history and to inquire concerning any prior arrest or criminal records of any judicial proceedings involving me as a defendant. By means of this release I also authorize any previous employer and any law enforcement agencies or judicial authorities to release any and all requested information to the (name of employing Church or agency) \_\_\_\_\_.

I have read this release and understand fully that the information obtained may be used to deny me employment or any other type of position from the Church or agency.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date

This completed form is to be placed in the permanent file of the church, presbytery or agency.

EXHIBIT D

REFERENCE CONTACT FORM -- *CONFIDENTIAL*

Presbytery of Yukon

NAME OF APPLICANT \_\_\_\_\_

REFERENCE OR CHURCH CONTACTED (Identify both organization and person contacted.)

\_\_\_\_\_

\_\_\_\_\_

DATE AND TIME OF CONTACT \_\_\_\_\_

METHOD OF CONTACT: \_\_\_\_ Telephone \_\_\_\_ Letter \_\_\_\_ Personal  
conversation

SUMMARY OF CONVERSATION regarding applicant's fitness and suitability for the position, including any allegations of sexual misconduct or child abuse:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

LEGIBLE SIGNATURE \_\_\_\_\_

POSITION \_\_\_\_\_

DATE AND LOCATION \_\_\_\_\_

This completed form is to be placed in the permanent file of the church, presbytery or agency.



## EXHIBIT E

### REPORT OF SUSPECTED SEXUAL MISCONDUCT

To be turned in to the Pastor, Clerk of Session, Stated Clerk, or Agency Director  
for reference to a Response Team

#### Presbytery of Yukon

Reported by:

\_\_\_\_\_  
Name and Title

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State & Zip Code

\_\_\_\_\_  
Telephone

Person suspected  
of misconduct:

\_\_\_\_\_  
Name and Title

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State & Zip Code

\_\_\_\_\_  
Telephone

Other person(s)  
involved (witnesses  
or victims)

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State & Zip Code

\_\_\_\_\_  
Telephone

Describe the incident(s) of suspected sexual misconduct, including date(s), time(s), and  
location(s):

\_\_\_\_\_

\_\_\_\_\_

—

\_\_\_\_\_

—

\_\_\_\_\_

—

\_\_\_\_\_

Identify eyewitnesses to the incident(s), including names, address and telephone numbers when  
available: \_\_\_\_\_

—

\_\_\_\_\_

\_\_\_\_\_

Use reverse side for any other information which may be helpful to the investigation.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Presbytery of Yukon 3/11/95

## EXHIBIT F

### FLOW CHART OF PROCEDURES RELATING TO SEXUAL MISCONDUCT Presbytery of Yukon



