

Subject & Index No.	Sexual Misconduct Prevention	POL-SESS-2022-6
------------------------	-------------------------------------	------------------------

St. Andrew Presbyterian Church, through God's grace, is a loving, accepting, inclusive congregation serving others and fostering spiritual and personal growth for all ages. We rejoice in God's presence and in the abundant gifts we are given. We strive to be ambitious disciples of Christ and to provide a safe, supportive haven for all.

Category: Session Policy
 Owner: Personnel Committee
 Approval: Session

Effective Date: February 9, 1998
 Expiration Date: October 1, 2022

I. POLICY

It is the policy of the Session of St. Andrew Presbyterian Church that all who participate in our mission and ministry have the right as persons created by God to be safe and free from harm in this church. Behavior that constitutes sexual misconduct is contrary to our commitment to serve Jesus Christ, is morally wrong, is prohibited in St. Andrew's work and life, and will not be tolerated. When committed in the context of a ministry relationship, sexual misconduct betrays a sacred trust, violates the purpose of the ministry role, and exploits people who are vulnerable. This church is committed to preventing sexual misconduct and will take necessary actions to prevent its occurrence. St. Andrew is committed to intervening when sexual misconduct is alleged, investigating and taking appropriate actions based upon the outcome of the investigation.

A Principles of the Policy

This policy is based upon the mandates of Holy Scripture and relevant provisions of the Book of Order of the Presbyterian Church USA and includes:

- The responsibility we bear as a community of faith in Jesus Christ to ensure that our congregation is a place of safety;
- Our accountability as disciples to live responsibly in the personal, family, vocational, political, cultural, and social relationships of life;
- Our affirmative obligation to use our power, position, and authority to serve others; and
- Our obligation not to betray the ministry entrusted to us.

Appendix I sets forth a fuller statement of these principles, scriptural references, and specific citations to the Book of Order.

B. Goals of the Policy

The goals of this policy are:

- To safeguard from sexual misconduct, members, congregants, and staff and the people we serve, especially those who are vulnerable.
- To create an atmosphere at St. Andrew where individuals are encouraged to report allegations of sexual misconduct with confidence that their assertions and privacy interest will be fairly and appropriately handled;
- To guide our actions so that when incidents of sexual misconduct are discovered or alleged, truth will be determined, the privacy and due process rights of those involved will be honored, and appropriate remedies will be applied.
- To provide training in the prevention of and response to sexual misconduct to those engaged in ordained and lay ministry.

TABLE OF CONTENTS

I.	POLICY	Page 1
	A. Principles of the Policy	Page 1
	B. Purpose of the Policy	Page 2
II.	TERMS AND DEFINITIONS	Page 4
III.	CODE OF CONDUCT	Page 6
	A. Appropriate Interactions	Page 6
	B. Appropriate Leadership Practices	Page 7
	C. Appropriate Conduct when Using Electronic Medium	Page 8
	D. Inappropriate Interactions	Page 8
IV.	PREVENTING SEXUAL MISCONDUCT	Page 10
	A. Clergy and Ministry Staff	Page 10
	B. Church Officers [Deacons and Ruling Elders]	Page 10
	C. Volunteers Who Will Work with Children, Youth, or Vulnerable Adults	Page 11
	D. Volunteers and Congregants [Not Working with Children, Youth]	Page 11
	E. Individuals Convicted of Illegal Offenses Against a Minor	Page 12
	F. Church Practices	Page 13
V.	WHEN SEXUAL MISCONDUCT IS ALLEGED	Page 14
	A. Reporting Allegations or Discovery of Apparent Sexual Misconduct	Page 14
	1. Alleged Abuse Against Children and Vulnerable Adults	Page 15
	2. Alleged Abuse By Teaching Elders	Page 16
	3. Alleged Abuse By Staff Members	Page 17
	4. Alleged Abuse By Congregants and/or Volunteers	Page 17
	B. Investigating the Report	Page 17
	C. Reporting to Congregation	Page 19
	D. Response to Complainant(s) / Accused	Page 20
VI.	RESPONSE TEAM (RT)	Page 20
VII.	MEDIA CONTACT	Page 21
VIII.	CONFLICTS	Page 21
IX.	REVISIONS	Page 21
X.	AVAILABILITY	Page 22
XI.	AKNOWLEDGEMENT	Page 22
	APPENDIX I Principles of the Policy	Page 23
	APPENDIX II Forms	Page 24
	Background Check Release Form	Page 24
	Incident Report Form.....	Page 24

II. TERMS AND DEFINITIONS

At the time of its adoption, this policy utilizes some terms and definitions contained in the current edition of the Presbyterian Church (U.S.A.) Book of Order, Part II of the Constitution of the Church. If the Book of Order is amended or revised after the effective date of this policy, the most recent edition of the Book of Order shall be the authoritative source for terms and definitions.

St. Andrew refers to the St. Andrew Presbyterian Church, Renton, Washington, a particular congregation of the Presbyterian Church (U.S.A.).

Clergy: Teaching elders (i.e., ordained ministers of word & sacrament)

Congregant: A person who has participated in the church's worship, witness, mission, or ministry, whether a formal member of St. Andrew Presbyterian Church or not.

Criminal Background Check: The Washington State Patrol background check that searches for any criminal background in the State of Washington.

Member: Refers to all who belong to the church in accord with the requirements of the *Book of Order*, G-1.03.

Offense: Defined by the *Book of Order*, Rules of Discipline, D-2.0203b, is any act or omission by a member or officer of the church that is contrary to the Scriptures or the Book of Order of the Presbyterian Church (U.S.A.).

Pastor: Clergy who is the head of staff. An associate pastor or minister, whether paid or unpaid, is also a teaching elder or clergy.

Response Team: A group of people within St. Andrew who respond to reports of sexual misconduct and abuse. (See Section VI.)

Sexual misconduct includes any of the following behaviors: *sexual abuse of another person, child sexual abuse, sexual harassment, and wrongful sexual relationship.*

- **Sexual abuse of another person** is a Presbyterian Church (U.S.A.) disciplinary offense that is defined by the *Book of Order*, D-10.0401c. This includes such actions as: rape; sexual conduct in relation to a minor; sexual conduct in relation to an adult who lacks the mental capacity to exercise informed consent; the misuse of an office or position by committing acts of sexual misconduct.
- **Child sexual abuse** includes, but is not limited to, any inappropriate contact or interaction between an adult and a child or minor, as defined by State of Washington penal law, and when the child or minor is used for the sexual stimulation of the adult or of a third person.
- **Sexual harassment** is a term that refers to unwelcome and offensive, obscene, or suggestive sexual advances, or requests or demands for sexual favors. Sexual harassment is defined in Section 1 of the St Andrew Personnel Manual as "a form of unlawful harassment by members of the same or opposite sex. In general, it is defined as unwelcome conduct that is of a sexual nature or based on gender."

- **Wrongful sexual relationship** occurs when a pastor or lay leader misuses his or her ministerial role to engage in sexual acts, sexual contact or sexualized behavior with an adult to whom he or she is ministering. Such a relationship, though engaged in with consent, is an abuse of trust. It is especially harmful when accompanied by a demand for secrecy and/or the use of a spiritual or theological rationale to justify the sexual conduct.

Staff: All workers of the church including employees and independent contractors, except for the Pastor. An associate minister or pastor, whether paid or unpaid, is deemed a clergy (teaching elder) and may be considered as part of staff.

Volunteer: refers to those who have been enlisted by the church to perform services on its behalf and who receive no remuneration or monetary benefits for their services.

Volunteer supervisor: refers to those volunteers who supervise other volunteers (i.e., Sunday School Coordinator who supervises teachers).

Vulnerable adults: refers to persons age 18 or over who are susceptible to abuse or exploitation because of diminished physical or mental capacity which may be the result of developmental disabilities, impaired vision or hearing, confinement to a wheelchair, mental health disorders, emotional disorders, the effects of a stroke, age-related dementia, or any other cause. Definitions used by the State of Washington can be found in the Revised Code of Washington in [RCW 74.34-020](#).

III. CODE OF CONDUCT

Persons engaged in ministry at St. Andrew, including clergy, staff, and lay volunteers, are called to high standards of ethical conduct and personal integrity. Power and authority is inherent in the role of ministry. The burden of responsibility for maintaining appropriate boundaries rests upon those persons engaged in ministry. It is important that those engaged in ministry respect the individuals whom they serve. It is equally important that these high standards be applied to all congregants within the church, whether they are engaged in ministry or not.

In order to assure that all congregants of St. Andrew act in a manner consistent with Biblical teaching and ethical standards, it is expected that clergy, staff, lay volunteers and all congregants will:

- Respect the dignity of each person as made in the image and likeness of God;
- Protect those who are vulnerable, including those who are young, elderly, living with disabilities, grieving, and under emotional or mental stress;
- Maintain appropriate professional boundaries to avoid impropriety or the appearance of impropriety;
- Conduct themselves in a manner that is consistent with the discipline, norms and teachings of the church;
- Follow the policies of St. Andrew;
- Maintain confidentiality;
- Refer people to appropriate professional resources for counseling services;
- Respect the right of all persons to a good reputation; and
- Report violations of policy or suspected violations of policy to the appropriate church and/or civil authorities.

Church personnel and congregants are prohibited from engaging in the following conduct, including but not limited to:

- Crimes against persons;
- Immoral conduct;
- Possession or distribution of pornographic material;
- Adultery or promiscuity;
- Engaging in sexual abuse or sexual misconduct; or
- Failure to follow St. Andrew policies.

A. APPROPRIATE INTERACTIONS

Appropriate interactions between St. Andrew clergy, staff, lay volunteers and congregants with children, youth, and vulnerable adults are a positive aspect of the ministry and promote healthy development. Depending on the circumstances, the following forms of interaction are usually (but not always) regarded as appropriate.

Examples of Appropriate Physical Contact:

- Short hugs (especially side to side hugs);
- Pats on the shoulder or back;
- Handshakes;

- High-fives;
- Holding hands while walking with young children;
- Sitting beside young children;
- Kneeling or bending down for hugs with young children (usually initiated by the child); and
- Holding hands during prayer.

Examples of Appropriate Behavior:

- Maintaining professional relationships with children and youth, and their families, and adults;
- Following appropriate instructions of a minor or vulnerable adult's parent or guardian;
- Informing a minor or vulnerable adult's parent or guardian of activities; and
- Acquiring, when needed, appropriate signed permission forms for events.

Examples of Appropriate Verbal Interactions:

- Positive reinforcement;
- Verbal praise;
- Redirecting inappropriate, disruptive behavior by providing healthy behavioral choices;
- Appropriate jokes and age-appropriate humor; and
- Conversations in an appropriate manner addressing real-life challenges.

B. APPROPRIATE LEADERSHIP PRACTICES

General practices are provided in the following list. More detailed practices are contained in the "*Child Protection Policy*" for those items specifically applicable to children.

- **Two-deep leadership with children:** As often as practical, a minimum of two adults will be assigned to supervise or lead any St. Andrew-sponsored activities involving children or youth.
 - **Minimum adult:minor ratio:** Objective is to have at least 1 adult for every 10 children/youth.
 - **Leadership Age:** Ordinarily anyone in a leadership role will be over 18 years of age and at least 4 years older than the oldest participant. When the senior leader is 18 or older, an assistant leader 16 yrs to 18 yrs of age is permissible.
- **Three or more persons:** The following practices are preferred, although not always practical or possible: Three or more persons (i.e. two adults and one youth/vulnerable adult, or one adult and two youths/vulnerable adults) will be present when:
 - Transporting a youth or vulnerable adult; and
 - Working with youth, or vulnerable adults, e.g. Bible study, class, activity.
- **Overnight Activities:** The following practices are required when conducting youth and/or children overnight activities:
 - **Must** be supervised by a minimum of two adults.

- Ordinarily sleeping arrangements will be organized by binary gender designations. We understand gender and sexual identity considerations may lead to more appropriate arrangements on a case-by-case basis.
- **One-on-one contact:** If there is only one adult and one youth or vulnerable adult present, contact shall be in a public setting.

C. APPROPRIATE CONDUCT WHEN USING ELECTRONIC MEDIUM

This Code of Conduct applies to the use of phones, text messages, Internet and emails when communicating as a clergy, staff, lay volunteer or congregant with children, youth, and adults. The same standard described for personal contacts equally applies to “electronic” interactions and communications.

Use of the Internet through equipment and/or accounts that are the property of St. Andrew are subject to the discretion of the church. Email accounts obtained through St. Andrew are not the private property of the user. Use of St. Andrew email accounts or St. Andrew equipment to disseminate or receive child pornography is a violation of law and will be reported immediately to legal authorities when discovered. Use of St. Andrew computer equipment to receive, view, display or disseminate pornography or other inappropriate material that is not illegal is prohibited.

D. INAPPROPRIATE INTERACTIONS

On occasion, adults and others may use some forms of physical interactions with children, youth, and adults to initiate inappropriate contact. Generally, physical contact should be initiated by children, youth, and vulnerable adults, rather than by a person engaged in ministry or an adult. However, to maintain a safe environment for children, youth, and vulnerable adults, the following are examples of activities that should be avoided.

Examples of Inappropriate Physical Contacts:

- Lengthy hugs or forceful frontal hugs;
- Kisses;
- Holding minors, over the age of four years, on the lap;
- Touching chest, buttocks, or genital areas;
- Lying next to, or being in bed with, a child, youth, or adult; and
- Any type of massage, below the shoulder area, given by or to St. Andrew staff or lay leadership.

Examples of Inappropriate Behavior:

- Being alone with a child, youth, or vulnerable adult in a private setting;
- Allowing children, youth, or vulnerable adults to break rules or violate the law;
- Offering alcohol to children, youth, or vulnerable adults unless specifically granted by the Session. It is intended that wine and champagne will be permitted only for communion and toasts at weddings or similar ceremonies. Liquor will not be permitted, nor is the general consumption of wine or beer permitted.;
- Consumption of, possessing, or being under the influence of alcohol in the presence of minors or vulnerable adults to whom the clergy, staff or volunteer ministers;
- Offering cannabis (marijuana), prescription drugs or illegal drugs to anyone;
- Consumption of, possessing, or being under the influence of illegal drugs or non-medically warranted cannabis () in the presence of anyone;
- Showering or bathing with or in the immediate presence of a child, youth, or vulnerable adult; and
- Exposing a child, youth, or adult to sexually explicit or morally inappropriate materials.

Examples of Inappropriate Verbal Interactions:

- Swearing;
- Telling sexually suggestive jokes;
- Shaming;
- Comments related to physique or body development outside of curriculum or counseling needs;
- Involving a child, youth, or vulnerable adult in the leader's personal problems or issues;
- Asking a child, youth, or vulnerable adult to keep secrets from their parents or guardians; or
- Derogatory remarks about a child's, youth's, or vulnerable adult's family.

IV PREVENTING SEXUAL MISCONDUCT

A. Clergy and Ministry Staff

1. Recruiting, Screening, and Hiring

- An application form will be used as part of the standard hiring procedure each time St. Andrew seeks to fill an employee or staff position. The St. Andrew Application for Employment must be completed, dated, and signed, attesting to the truthfulness of the information provided and authorizing reference and background checks.
- St. Andrew will complete a criminal background check for each person who is to be offered a position before the person is employed.
- Thereafter, each St. Andrew worker is required to undergo a criminal background check every three years.
- Reasonable efforts will be made to contact all references of a candidate before that person is hired, and a record of the contacts will be filed with the personnel records. The record of the contact should include the person contacted, date contacted and a brief summary of the contact's response.
- A personnel file for each person hired will be maintained.

2. Training

- All clergy and ministry staff are required to complete training in sexual misconduct prevention within thirty (30) days of starting the position. The training will include sexual misconduct prevention, child protection from all forms of abuse, recognition of abuse symptoms and reporting procedures within the State of Washington. The training will also include a review of this St. Andrew policy, the "*Policy for Sexual Misconduct Prevention*", and the "*Child Protection Policy*." For clergy, the St. Andrew training is in addition to any training required and provided by Presbytery.
- The training will consist of a self-taught tutorial to allow each individual to progress at their optimum pace. The trainee will notify the Personnel Committee when they have completed the tutorial. The Personnel Committee will maintain records of when the training is required and when it is completed.
- All clergy and staff are required to complete a refresher training tutorial every three years.

B. Church Officers [Deacons and Ruling Elders]

Church Officers are subject to recruiting and training requirements, as are other leaders in St. Andrew, to minimize the risk of sexual misconduct. In addition, as officers of the church, Deacons and Ruling Elders are mandated reporters according to the Book of Order [G-4.0302 Mandatory Reporting]. To fulfill the role of mandated reporter and to prevent sexual misconduct, all Deacons and Ruling Elders are subject to the following requirements:

1. Recruiting and Nominating

- St. Andrew will complete a background check for each deacon and elder prior to their election, to verify that no criminal history would compromise the

deacon's or elder's exercise of good judgment in acting as a mandated reporter or in reporting suspected sexual abuse or harassment.

- Thereafter, each officer is required to undergo another criminal background check every time they are nominated for re-election. Since normal terms for deacons and elders are three years, the check will be done every three years consistent with the requirement for clergy and staff.

2. Training

- All officers, prior to installation, will receive training in preparation to be deacons and elders, as required by the Book of Order G-2.0402, that includes training on sexual misconduct prevention, child protection from all forms of abuse, recognition of abuse symptoms and reporting procedures within the State of Washington. The training will also include a review of this St. Andrew policy, the "*Policy for Sexual Misconduct Prevention*", and the "*Child Protection Policy*."

C. Volunteers Who Will Work Directly with Children, Youth, or Vulnerable Adults

1. Recruiting, Screening, and Selecting Volunteers

- Each volunteer will have a manager (supervisor) who is clearly identified to the volunteer.
- An Applicant Release form will be used as part of the standard selection procedure each time the church seeks to fill a position for a volunteer who works directly with children and/or youth. The Applicant Release must be completed, dated, and signed, attesting to the truthfulness of information provided and authorizing reference and background checks.
- St. Andrew will complete a criminal background check prior to his or her participation as a volunteer.
- Any person who has been found to engage in inappropriate or illegal behavior involving sexual misconduct shall not ordinarily be eligible to serve as a volunteer with children, youth or vulnerable adults. Any exceptions must be approved by the Session.

2. Training

- All volunteers will receive a "Code of Conduct" overview that summarizes appropriate behavior, where to find the "*Policy for Sexual Misconduct Prevention*" and the "*Child Protection Policy*" on the St. Andrew web site, and how to report suspected instances of sexual misconduct.
- The Personnel Committee will publish once each year a newsletter article to the congregants which summarizes St. Andrew policies regarding sexual misconduct, child protection and how to report suspected cases of sexual abuse.

D. Volunteers and Congregants [Not Working Directly with Children, Youth, or Vulnerable Adults]

1. Recruiting, Screening, and Selecting Volunteers

- Each volunteer will have a manager (supervisor) who is clearly identified to the volunteer.
- A criminal background check will not be conducted for volunteers or congregants if they will not be working with children, youth or vulnerable adults.

2. Training and Policy Awareness

- The Personnel Committee will publish once each year a newsletter article to the congregants which summarizes St. Andrew policies regarding sexual misconduct, child protection and how to report suspected cases of sexual abuse.

E. Individuals Convicted of an Illegal Offense Against a Minor or Vulnerable Adult

Any individual, who has been convicted of an illegal offense against a minor or vulnerable adult, will be prohibited from any position at St. Andrew which specifically involves contact with minors or vulnerable adults. Any individual for whom there is no known criminal conviction, but where the sexual abuse of a minor or vulnerable adults, sexual misconduct, or violence, is admitted or established, the individual who committed the established or admitted offense will be prohibited from either a paid or volunteer position at St. Andrew that specifically involves contact with minors or vulnerable adults.

The Response Team, with consultation, will individually review each request for fellowship by a convicted sex offender and reserves the right, in its sole discretion, to grant, deny or restrict access to the church community. The overall objective is to facilitate rehabilitation while ensuring the safety of all the congregants.

- **Probation.** If the convicted sex offender is on probation, the convicted sex offender will provide the church with the name and contact information for his or her probation officer, so that the church can verify whether:
 - Church attendance would violate the sex offender's probation; or
 - The probation officer has placed limitations upon the sex offender's church attendance.
- **Covenant.** If granted access to the church community, a sex offender shall have conditions placed upon his or her participation through the development of a written covenant signed by the person and the Pastor or the Pastor's designee. Among other things, the covenant shall provide that whenever the convicted sex offender is present in the church facilities he/she will be supervised by a designated responsible adult who is aware of the offending behaviors and of the conditions placed upon the sex offender's participation.

F. Church Practices

The following are practices that will be observed to limit the risk of sexual misconduct.

1. Practices Specific to Working with Children and/or Youth

Section III, the Code of Conduct, lists several specific practices that will be followed by all who work with children, youth or vulnerable adults. More detailed practices are contained in the *“Child Protection Policy.”*

2. Practices Specific to Pastors, Staff and Volunteers Who Conduct One-on-one Meetings

- **Avoidance of dual relationships:** Pastors, Staff and Volunteers who conduct one-on-one meetings are urged to avoid entering into dual relationships with members of the congregation, congregants, employees and staff when the unequal balance of power, status, or influence due to the ministry role could adversely affect the other party. An example of a dual relationship includes the pastor dating a congregant. It is the responsibility of the clergy to avoid entering into inappropriate dual relationships. Clergy must inform their supervisor, or the Personnel Committee, of all potential dating, romantic, or sexualized dual relationships, if any.
- *If a parishioner, client, co-worker, employee, or student, appears to initiate or invite sexual behavior in a relationship with a person in ministry, it is the responsibility of the person in ministry to maintain the appropriate behavior by observing sexual boundaries to insure that sexual misconduct does not occur. Such behavior cannot be justified by a claim of mutual consent. The person in ministry shall report such behavior to the Pastor or the Personnel Committee.*

3. Facility Design

It is the objective of St. Andrew to progressively improve the facility so that its design deters inappropriate behavior. Although the facility is not compliant at the time of release of this policy, St. Andrew will continue to work toward the following goals:

- **Classroom windows:** Each room designated for use by children or youth, e.g. a classroom, will contain a clear glass window that permits a view of the room, whenever possible. (This protects minors and protects against false allegations.)
- **Office windows:** An office or room used for one-on-one meetings will have an interior clear glass window that permits a clear view of the room, whenever possible.

For room without windows in the doors, leaders should consider leaving the door open, whenever practical.

V. WHEN SEXUAL MISCONDUCT IS ALLEGED

A. Reporting Allegations or Discovery of Apparent Sexual Misconduct

When sexual misconduct is alleged or apparent sexual misconduct is discovered, the purpose of intervention shall be a fair and appropriate resolution of the allegations in a manner that safeguards the rights, health and wellbeing of both persons who have alleged sexual misconduct and of persons who have been accused.

Reports of sexual misconduct will be taken seriously. Reports will be dealt with as matters of confidentiality both before and after they have been submitted to appropriate authorities, with disclosure only to follow careful consideration as outlined below.

Allegations are reported to the Response Team: The allegation or discovery shall be reported to any member of the Response Team within 12 hours of the initial allegation using an ***Incident Report*** form. The Response Team member will then inform all other members of the Response Team. Both formal and informal (unwritten) allegations will be investigated. However, informal allegations should be documented as soon as possible using an ***Incident Report*** form.

Failure to timely report an incident to the Response Team shall be considered a procedural violation of this Sexual Misconduct Prevention policy and shall be grounds for termination of employment of a staff member or employee and suspension and dismissal from participation in all children and youth activities and programs of St. Andrew by any person.

Section VI describes the membership and duties of the Response Team.

Allegations are investigated by a Task Force: The Clerk of Session or the Pastor, on behalf of the Response Team, shall convene an Investigating Task Force, within three (3) days, to investigate the report. The Investigating Task Force shall consist of:

- The Pastor or the Pastor's designee;
- The Clerk of Session;
- The Personnel Elder; and
- Two other Session Members.

The Investigating Task Force shall investigate the report as described in Section B.

Since an Investigating Task Force is assigned to investigate each report, the first person to learn of an incident of sexual misconduct should not undertake an inquiry or question either the complainant or the accused. Clergy or staff should not attempt any investigation. Any effort at an independent investigation at this point can jeopardize the safety of the child, youth or vulnerable adult and the integrity of the investigation. If the complainant is hesitant to talk to "higher authorities" or designated persons, the person who has received the initial report should work to build trust that will enable the church to receive firsthand information.

In addition to the reporting process described above, additional items should be considered for specific classes of individuals as described in the following:

1. Alleged Abuse Against Children, Youth and Vulnerable Adults

- a. In a case of alleged sexual abuse against children, youth or vulnerable adults, safeguarding the alleged victim and others who may be at risk is the church's initial primary concern. Consistent with the Book of Order and reporting laws, if the victim is in immediate danger, law enforcement should first be called.

Once the immediate safety of the victim is assured, the next step is to report the allegation to the Response Team (Pastor, any Session member or the Clerk of Session). The allegation could be any questionable circumstance, observation, act, omission, or situation thought to be in violation of this Policy. All questions or concerns of any suspected abusive behavior or harassment shall be directed to a member of the Response Team or in extenuating circumstances, Seattle Presbytery's Executive Presbyter.

In the event anyone personally witnesses an occurrence in violation of this Policy, that person will be asked to complete an **Incident Report within 12 hours**. Anyone who should witness such an occurrence should consider the following recommendations as to how such a situation should be handled to insure the security of the child or youth involved and to protect against physical, emotional or psychological injury, to all persons involved.

The person observing violation of the policy should take the following steps. The following are the steps to take in case of any occurrence of a violation of the Policy:

1. Personally assure the safety of the victim.
2. Report the incident to a member of the Response Team (Pastor, any Session member or the Clerk of Session) immediately! If the incident occurs during a St. Andrew-sponsored event, the incident should also be reported to the person in charge of the event.
3. Do not leave the victim alone to report the incident.
4. Do not personally confront the alleged or accused violator of the policy.
5. Allow the Response Team to provide you with instructions for reporting the incident to the parents or guardian.
6. Fill out incident report within 12 hours.
7. The moderator of the session or the designated person on the Response Team will be solely responsible for all communications on behalf of St. Andrew.

In the event a child, youth or vulnerable adult reports abusive conduct while engaged in a church-sponsored activity or involving the staff, employees, teachers, parents and volunteers of SAPC, regardless of where the conduct occurred, the person initially contacted by the victim should contact a Response Team member and complete an **Incident Report**. Record verbatim in the **Incident Report** the specific words first spoken by the victim and the conduct and demeanor observed concerning the incident.

- b. Per St. Andrew policy, the Response Team has the responsibility to report incidents to the appropriate authorities including Child Protective Services in the Department of Social and Health Services (DSHS). Under Washington

State law, such a report of sexual abuse shall be made within 48 hours of learning of the allegation or discovery of apparent sexual abuse. The report to DSHS will be documented in a written record.

St. Andrew has identified “mandated reporters” who have the responsibility to ensure that the incident is brought to the attention of the Response Team, and also to report it to the authorities if for any reason the Response Team is unable to report the incident in a timely manner. St. Andrew considers the following persons to be “mandated reporters” of sexual abuse concerning children or adults who lack capacity to consent:

- Teaching Elders (Ministers of Word and Sacrament), per G-4.03,
- Ruling Elders, per G-2.0304, Deacons, per G-2.02, and
- Certified Christian educators, per G-2.1103.

- c. Further reporting and investigation shall be handled in the same manner as other allegations of sexual misconduct as outlined above.

2. Alleged Abuse By Teaching Elder

When the Person Accused of Sexual Misconduct is a Presbyterian Teaching Elder, the following additional reporting tasks are required:

- a. Allegations of sexual misconduct shall be dealt with consistent with Section D 10.0106 of the Rules of Discipline in the Book of Order.
- b. Presbyterian ministers are members of the Seattle Presbytery and are subject to its discipline. The allegation or discovery of forms of sexual misconduct shall be reported to the Response Team who shall then report the allegations to the Stated Clerk of the Presbytery.
- c. The St. Andrew Personnel Committee and the Response Team shall together determine the interim work status of a Teaching Elder pending initial investigation of allegations. The Personnel Committee and the Response Team will consult with a representative of the Presbytery’s Committee on Ministry before determining the work status of a Teaching Elder.
- d. The Response Team shall also determine whether and when to place the St. Andrew insurance carrier on notice of a possible claim.

3. Alleged Abuse By a Staff Member other Than a Teaching Elder

When the Person Accused of Sexual Misconduct is a Staff Member other than a Presbyterian Teaching Elder, the following additional reporting tasks are required:

- a. The Pastor, as a member of the Response Team, will be advised of the allegation through St. Andrew’s standard reporting procedure. The allegation shall also be reported to the manager (if any) who supervises the staff member.
- b. The St. Andrew Personnel Committee and the Response Team, in consultation with the senior staff member (if any) under whose supervision the staff member is employed, shall determine the work status of a staff member pending investigation of allegations.
- c. The Response Team shall determine whether and when to place the St. Andrew’s insurance carrier on notice of a possible claim.

4. Alleged Abuse By a Congregant and/or Volunteer

When the Person Accused of Sexual Misconduct is a Member of the Congregation, a Congregant who is not a Member, or a Volunteer, the following action will be followed:

- a. In addition to the Response Team, the allegation should also be reported to the Staff person within whose department the volunteer works or the incident occurred.
- b. The Response Team shall determine, with consultation as needed, whether or to what extent the accused shall be allowed to continue to participate in the life of the congregation pending investigation of the charges.
- c. The Response Team shall also determine whether and when to place the St. Andrew's insurance carrier on notice of a possible claim.

B. Investigating the Report

The Response Team will convene an Investigating Task Force to examine all reports. An Investigating Task Force shall investigate each allegation utilizing either the **Traditional Process** or the **Formal Process**.

The **Traditional Process** is derived from our "traditional biblical obligation to conciliate, mediate, and adjust differences without strife." It is the objective of St. Andrew and "the duty of every church member to try (prayerfully and seriously) to bring about an adjustment or settlement of the quarrel, complaint, delinquency, or irregularity asserted, and to avoid formal proceedings under the Rules of Discipline unless, after prayerful deliberation, they are determined to be necessary to preserve the purity and purpose of the church." [Book of Order D-1.0103] Using the Traditional Process, the Investigating Task Force shall:

- Investigate the complaint
- Determine whether or not the evidence demonstrates that sexual misconduct did occur.
- Report all findings to the Response Team.

If the Response Team determines that the **Formal Process** is necessary, then the investigation will follow the disciplinary process set forth in the Rules of Discipline [Book of Order D-10.0000] and may include an investigating committee, judicial commission (Session), prosecuting committee, defense counsel, charges, witnesses and a formal trial. The Investigating Committee will decide whether to make charges and prosecute. If the prosecution goes forward, the Session or a subset thereof (as determined by the Session) will sit as a Judicial Commission and try the case, D-11.0101. The person accused has a right to counsel, to present witnesses, and to cross-examine witnesses. If at any point in the proceedings the accused presents a letter of resignation from the church ("Renounces Jurisdiction"), the jurisdiction of the Session ends (D-7.0700). Should the accused renounce the jurisdiction of the church as provided in G-600501, the clerk shall report to the Session the renunciation and the status of the matter at the time (D-3.0106). The Session records that the case was closed and the Prosecuting Committee dissolved

If a determination is made that misconduct did take place, the Response Team for the **Traditional Process** or the Judicial Commission for the **Formal Process**, will, in consultation with the appropriate staff, committees or members, determine the appropriate remedy as described in the following sections.

1. When the Person Accused of Sexual Misconduct is a Presbyterian Teaching Elder:

- The Seattle Presbytery shall have primary investigation responsibility. The St. Andrew Investigating Task Force will monitor the investigation and be prepared to support Presbytery if their investigation implicates any St. Andrew non-clergy members or congregants.
- The matter shall proceed under the Presbytery's disciplinary process. The Clerk of Session shall serve as a liaison to the Presbytery to facilitate the investigation. The Clerk of Session shall keep the Response Team and Investigating Task Force informed regarding the progress and timeline of the process.

2. When the Person Accused of Sexual Misconduct is a Staff Member other than a Presbyterian Teaching Elder:

- If a determination is made that misconduct did take place, the Investigating Task Force shall prepare a written report which shall be included in the accused person's permanent personnel file. The accused shall be allowed to attach any written statements to said documents, also for permanent inclusion in the permanent personnel file.
- The Response Team, in consultation with the manager, will determine the appropriate remedy and implement it through the manager and the Pastor.
- The Response Team will inform the complainant/victim of the resolution.

3. When the Person Accused of Sexual Misconduct is a Member of the Congregation, a Congregant Who is not a Member, or a Volunteer:

- If the complaint is against a member or a nonmember and it is found that misconduct was committed, the Response Team shall determine the remedy. The Session has original jurisdiction in disciplinary cases involving members of the church, Book of Order, D-3.0101a. A church member who is accused of sexual misconduct may only be removed from membership by the Session
- However, if the complaint is against a member or non-member volunteer and it is found that misconduct was committed, the Response Team may restrict that person's activity within church programs and may also restrict that person's attendance at any and all church functions in order to protect the safety of the congregation.
- When the complaint is adjudicated, if the accused either acknowledges the misconduct or is found responsible for the misconduct, the Session may
 - 1) remove that person from church leadership,
 - 2) limit their activity within the congregation, and/or
 - 3) remove them from church membership.

The Session will consider the goal of facilitating rehabilitation while ensuring safety of the congregants in making its determination.

- If the accused is found innocent of the alleged misconduct, the Session shall take appropriate steps to restore the person to credibility within the congregation.

4. **The findings of any investigation and the church's response thereto shall be documented in a written record that shall be maintained and preserved in the St. Andrew Personnel files, giving due regard to the privacy interests of the persons involved.**

C. Reporting to Congregation

1. **When the Person Accused of Sexual Misconduct is a Teaching Elder.** When the Presbytery convenes an Investigating Commission to investigate a complaint against a Teaching Elder:
 - The Clerk of Session will coordinate with Presbytery's Investigating Commission and the St. Andrew Response Team.
 - The Response Team will determine whether, when and how the congregation should be notified of the complaint, the process which the Investigating Commission will follow, the projected timeline, and the process by which anyone with relevant information should provide that information to the Investigating Commission.
 - Once the complaint has been adjudicated, the Response Team shall determine whether and how the congregation shall be notified of the resolution and any remedial action taken.
2. **When the Person Accused of Sexual Misconduct is a St. Andrew Staff member.** When the Investigating Task Force examines a complaint of sexual misconduct against a member of the St. Andrew Staff:
 - The Response Team will determine whether, when and how the congregation should be notified of the complaint, the process which the Investigating Task Force will follow, the projected timeline, and the process by which anyone with relevant information should provide that information to the Investigating Task Force.
 - Once the complaint has been adjudicated and possible action taken, the Response Team shall determine whether and how the congregation shall be notified of the resolution and any remedial action taken.
3. **When the Person Accused of Sexual Misconduct is a Member, Congregant, or Volunteer.** When a complaint of sexual misconduct is investigated against a member of the congregation, a congregant who is not a member, or a volunteer:
 - The Response Team will determine whether, when and how the congregation should be notified of the complaint, the process which the Investigating Task Force will follow, the projected timeline, and the process by which anyone with relevant information should provide that information to the Investigating Task Force.

- Once the complaint has been adjudicated and possible action taken, the Response Team shall determine whether and how the congregation shall be notified of the resolution and any remedial action taken.

D. Response to Complainant(s) / Accused

1. For alleged sexual misconduct, the complainant(s) and victim(s), if different from the complainants, shall be kept informed by the Response Team of the progress of the complaint and adjudication process. The complainant(s) and victim(s) shall be accorded due respect and appreciation for alerting the congregation to a potential problem which compromises the church's ministry. If requested, the Response Team may offer the complainant(s) and victim(s) an advocate from outside the congregation, preferably someone who is familiar with Presbyterian polity. To the extent permitted under the Book of Order Disciplinary Rules, the victim's identity shall be kept confidential until or unless they choose to speak publicly. The complainant and victim shall have the opportunity to review the accused's response to their complaint. They shall be given the opportunity to speak to the body who is adjudicating their complaint.
2. The Response Team will be responsible for informing the accused of the progress of the complaint. The accused shall be regarded with respect and assumed innocent until proven otherwise. The accused shall receive the complaint and have an opportunity to respond to it.

VI. RESPONSE TEAM (RT)

- A.** The Response Team is a group of people organized within St. Andrew to quickly and objectively respond to reports of sexual misconduct and abuse. The Response Team will work with and be available to the complainant, the accused, the victim (if not the same person as the complainant), the families involved, the congregation, co-workers of the parties involved, and the church for support, education and guidance.
- B.** The Response Team for St. Andrew shall be the Moderator of Session (Pastor), Session members, and the Clerk of Session. If trained mental health professionals and/or trained legal professionals are available in the congregation, the membership of the team may be expanded to include representation from these professional experts. The Pastor shall chair the Response Team and have the authority to take action on behalf of the Response Team if a rapid response is warranted.
- C.** If a member of the Response Team is accused of misconduct, then that person will be excused from the Response Team while the alleged incident is being investigated and adjudicated.
- D.** The Response Team shall:
 1. Be informed of all complaints of sexual misconduct.
 2. Contact authorities as appropriate.
 - Consider the obligations of church personnel under the reporting laws of the State of Washington and the Book of Order;
 - Seek legal counsel if appropriate; and

- Comply with the law and the Book of Order with regard to reporting to law enforcement or other public officials.
3. Charter an Investigating Task Force
 4. Be available to the parties involved to hear their concerns throughout the inquiry; be proactive in keeping the complainant and/or victim and the accused informed of the progress of the investigation.
 5. Provide advice to the Clerk of Session, Investigating Task Force, Personnel Committee or other adjudicative bodies concerning education and information-sharing as appropriate.
 6. Assist all parties involved of their right to have an advocate and help them locate one if they need help.
 7. Assist all parties in seeking professional mental health counseling, to the extent it is appropriate or requested.
 8. Advise all parties involved that the victim, complainant and/or the accused may choose to have an advocate accompany them throughout the inquiry process.
 9. After the complaint has been adjudicated, recommend actions to be taken to begin the healing process within the congregation.
 10. Recommend actions for the pastoral care of the complainant, the victim, the accused, and the families of all parties involved.

E. The Response Team is NOT intended to do the following:

1. Advocate for any party involved.
2. Act as legal counsel for any party involved.
3. Determine the guilt or innocence of the accused.
4. Act as a professional counselor to any involved party.

VII. MEDIA CONTACT

Any inquiries from the media regarding an incident of sexual misconduct must be directed to the Chair of the Response Team. St. Andrew's policy will be to provide the media, upon request, factual information regarding the timelines and outcome of the adjudication and disciplinary processes in a manner consistent with the privacy rights of the complainant, victim and accused. Questions from the media shall not be addressed by any other member of the Response Team or the adjudicative body.

VIII. CONFLICTS

To the extent that the provisions of the "*Policy for Sexual Misconduct Prevention*", and the "*Child Protection Policy*" conflict with the provisions of the St. Andrew Personnel Manual, this document shall control.

IX. REVISIONS

These documents may be amended by a majority vote of the Session of St. Andrew.

X. AVAILABILITY

These documents, "*Policy for Sexual Misconduct Prevention*", and the "*Child Protection Policy*" shall be available for viewing and downloading on the St. Andrew website and also paper copies shall be available in the Adult Library where all St. Andrew policies are maintained.

XII. ACKNOWLEDGEMENT

This policy has been modeled after the documents developed by the University Presbyterian Church and significant portions of the University documents have been used directly. St. Andrew is very appreciative of the work of University Presbyterian Church.

APPENDIX I Principles of the Policy

1. The first principle of this policy is the responsibility of our baptismal covenant. We as a community of faith in Jesus Christ bear a covenant responsibility to ensure that our congregation is a place of safety as befits a people who, through the sacrament of baptism, proclaim that God's redeeming grace is offered to all and that we are commissioned for ministry to the world (W-2.3006, Directory for Worship, Book of Order). We root this covenant in the knowledge that our "congregation as a whole, on behalf of the church universal, assumes responsibility for nurturing the baptized person in the Christian life." (W-2.3013, Directory for Worship, Book of Order).
2. The second principle is our accountability as disciples. As followers of Jesus Christ and as members of this congregation, we are accountable to fulfill our baptismal covenant by accepting Jesus' call "to be involved responsibly in the ministry of his church [which] includes... living responsibly in the personal, family, vocational, political, cultural, and social relationships of life..." (G-1.0304, Form of Government, Book of Order). We affirm that acting to prevent and reduce the risk of sexual misconduct requires us to commit ourselves, our vigilance, and our resources.
3. The third principle is our affirmative obligation to minister in ways that :
 - Use one's power, position, and authority to serve others. [Isaiah 40:10-11; Mark 10:42-45; Luke 4:16-21; Luke 22:24-227; John 13:1-16; Ephesians 4:11-13; I Timothy 3; Titus 1:5-9; I Peter 5:1-3]
 - Care for those who are vulnerable. [Deuteronomy 10:17-21; ; Matthew 25:31-46]
4. The fourth principle is our prohibitive obligation not to betray the ministry entrusted to us. Scriptures teach us:
 - When we do harm to those who are vulnerable, we betray our faith. [; Matthew 18:6-7; 1 Peter 5:2-10; Hebrews 12:11-12]]
 - When we do harm to those who are vulnerable and for whom we are entrusted to care, we betray trust. [Ezekiel 34:1-16; Zechariah 11:15-17]
 - When we misuse our power for our own purposes at the expense of another, we betray the power, trust, and responsibility of God's call. [2 Samuel 11-12]

APPENDIX II Forms

Background Check Release Form - Form by which the applicant authorizes St. Andrew to conduct a background investigation. The Form can be found in the File Cabinet on the St. Andrew web site in the Forms section of the Policies & Procedures drawer.

Incident Report Form - Form for reporting an occurrence in violation of this Sexual Misconduct Prevention Policy. The Form can be found in the File Cabinet on the St. Andrew web site in the Behavior Policy section of the Policies & Procedures drawer.

Revision Log				
Effective Date	Revision Date	File Date	Expiration Date	Revision Comments
Feb 9, 1998	- - -	- - -	- - -	Original Release
√	Nov 11, 2009	2009 11 07	Dec 31, 2012	Adapted to St Andrew policy format
√	Dec 10, 2012	2012 12 10	Dec 31, 2015	Major revision
√	Nov 09, 2015	2015 11 09	Dec 31, 2018	Minor revision plus extend expiration date
√	Jan 09, 2017	2017 01 09	Oct 01 2019	Minor update to match Child Protection
√	Oct 14, 2019	2019 10 14	Oct 01 2022	Minor update