

## **Presbytery of Geneva Sexual Misconduct Policy approved November 17, 2018**

### **1.000 Statement of Policy**

#### **1.100 The Purpose of this Policy**

**1.101** The purpose of this policy is to provide a safe, just, compassionate, and caring environment within our Presbytery in accordance with our Biblical, confessional, and ecclesiastical heritage. This environment will be characterized by professional and personal ethical standards and free from sexual misconduct, sexual abuse, victimization, sexual harassment, or other sexualized forms of misbehavior. These standards apply to ministers, inquirers, candidates, staff, employees, officers, volunteers, retired ministers, and other persons serving in any capacity under the discipline of the Presbytery of Geneva. This policy provides guidance for creating that safe environment and describes procedures to follow should indications of misconduct become known. Through this policy we seek to demonstrate in our common life the love and justice of our Sovereign Jesus Christ.

**1.102** This policy is binding upon all persons serving in any capacity under the authority of the Presbytery of Geneva upon beginning service.

#### **1.200 Definitions**

**Sexual Misconduct** is the comprehensive term used in this policy to include:

**Child sexual abuse**; including, 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 of the adult person or of a third person. The behavior may or may not involve touching. Sexual behavior between a child and an adult is always considered forced whether or not consented to by the child. In the Presbyterian Church (U.S.A.), the sexual abuse definition of a child is anyone under age eighteen.

**Sexual abuse** as defined in the Book of Order: “Sexual abuse of another person is any offense involving sexual conduct in relation to (1) any person under the age of eighteen years or anyone over the age of eighteen years without the mental capacity to consent; or (2) any person when the conduct includes force, threat, coercion, intimidation, or misuse of ordered ministry or position” (Book of Order, D-10.0401c).

**Sexual harassment**; defined for this policy is as follows: unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: a. submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, or their continued status in an institution; b. submission to or rejection of such conduct is used as the basis for employment decisions affecting such an individual; c. such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance by creating an intimidating, hostile, or offensive working environment; or d. an individual is subjected to unwelcome sexual jokes, unwelcome or inappropriate touching, or display of sexual visuals that insult, degrade, and/or sexually exploit men, women, or children.

**Rape or sexual contact by force, threat, or intimidation**; Sexual conduct that is offensive, obsessive or suggestive language or behavior, unacceptable visual contact, unwelcome touching or fondling that is injurious to the physical or emotional health of another.

**Sexual Malfeasance** is defined by the broken trust resulting from sexual activities within a professional ministerial relationship that results in misuse of office or position arising from the professional ministerial relationship.

**Misuse of technology**; use of technology that results in sexually harassing or abusing another person, including texting or emailing suggestive messages and images to persons with whom one has a ministerial relationship. It is never appropriate to view pornography on church property. When this includes a person under the age of eighteen, it is considered child abuse. There is never an expectation of personal privacy when using technological equipment owned by a church or church entity or within the context of ministry.

## **The Policy**

Sexual misconduct, sexual abuse, sexual harassment, victimization, or other sexualized forms of misbehavior shall not be tolerated within the Presbytery of Geneva. Every effort shall be made to prevent sexual misconduct, and there are procedures to follow should sexual misconduct or the possibility of sexual misconduct be involved. Sexual misconduct is wrong, unethical, unacceptable, and is subject to ecclesiastical and disciplinary proceedings. Sexual misconduct is grounds for employment and other sanctions, up to and including termination of employment and/or relationship to the Presbytery of Geneva.

Knowingly making false or misleading accusations concerning sexual misconduct is likewise a violation of this policy and is subject to ecclesiastical and disciplinary proceedings.

It is the policy of Geneva Presbytery to report possible sexual misconduct involving minors or persons unable to give consent, immediately to law enforcement authorities, to cooperate fully with criminal investigations, and to immediately place ministers, staff, employees, or volunteers on administrative leave (with pay and benefits where applicable) pending investigation.

## **2.000 PRINCIPLES**

- 2.100 As God who called you is holy,  
be holy yourselves in all your conduct.  
Tend the flock of God that is your charge,  
not under compulsion but willingly,  
not for sordid gain but eagerly,  
not to lord it over those in your charge  
but to be examples of the flock. 1 Peter 1:15, 5:2 (NRSV)
- 2.200 You know that we who teach shall be judged with greater strictness. James 3:1 (NRSV)
- 2.300 We believe and proclaim that all people are created by God. God values all human life— men, women, and children— and intends that in all relationships everyone has dignity and worth. Human sexuality is an integral part of who we are as persons. However, it can become the basis for oppression, where trust relationships are breached and persons are abused.
- 2.400 Further we believe that God has shown love for all persons in Jesus Christ and intends that all people should relate to one another with justice. We believe, therefore, that sexual misconduct is an offense against God.
- 2.500 Scripture asserts that religious leadership involves a covenant relationship that assumes trustworthy exercise of power on behalf of those in our care. Sexual misconduct becomes an abuse of that power and trust and is therefore unjust.
- 2.600 Power in ministerial relationships is inevitably unbalanced because of the inherent authority associated with the office of ministry, both historically and culturally. In addition, those who are involved in ministry (clergy, ruling elders, and laypersons) have actual power because the people to whom they relate trust in the office of ministry and may be made vulnerable by their own life situations. Abuse that betrays this trust is not only a traumatic experience for the victim(s), but it also represents a tragic breakdown of the character and commitment of the abuser. This breakdown threatens not only those immediately affected but also the well-being and credibility of the church itself.

## **3.000 EDUCATION**

### **3.100 Purpose**

- 3.101 The most important use of this policy is to provide a healthy environment for mission and ministry in our presbytery free of the damaging effects of sexual misconduct. This policy and supporting material are best

studied and used to educate persons in our presbytery ahead of time. This increases sensitivity to issues of sexual misconduct and may prevent incidents of it. Ongoing education enhances justice and wholeness among us. Widespread familiarity with these issues may help us minister to persons we know within and beyond the church to escape situations of sexual misconduct. Adherence to professional and personal standards of conduct and positive procedures serve to witness to our commitment to justice, wholeness, and faithfulness in the midst of a culture tolerant of inappropriate and damaging behavior and attitudes.

### **Education at the Presbytery level**

The Committee on Leader Care will confirm and track that all required persons are familiar with the Sexual Misconduct Policy of this presbytery and demonstrate awareness of its content and intent.

Boundary Awareness training will be offered by the Presbytery every three years. The following leaders are required to take this training (or a similar alternative) every three years. \* Pastors serving Congregations \* Active Retired Pastors who offering pulpit supply or other services to congregations \* At-Large Minister Members \* Pastors in Validated Ministries \* Commissioned Ruling Elders, including those commissioned to pulpit supply \* Persons under care of the Committee on Preparation \* Members of the Permanent Judicial Commission \* Members of Committee on Ministry \* Presbytery Staff

The Presbytery shall display this policy prominently on the Presbytery's website and shall provide a link of this policy to each minister, Certified Christian Educator, Commissioned Ruling Elder, Commissioned Pastor, Inquirer or Candidate under care, volunteer, person serving on a Presbytery committee, or employee, upon that person's start of service within the Presbytery. Each such person shall be responsible for reviewing this policy. Not receiving or signing this policy does not permit any individual to be less obligated to conform to the Presbyterian Church (U.S.A.) Standards of Ethical Conduct or this policy.

Inquiries from the media regarding the content of this policy or of reported or alleged sexual misconduct shall be directed to the Presbytery Leader or Stated Clerk of the Presbytery. All others affected by this policy shall avoid contact with the media, including responses to inquiries.

### **3.300 Education at the Congregational level**

3.301 This policy should be shared and discussed at the congregational level for educational purposes, assisting to raise the issues surrounding sexual misconduct and helping to foster healthy, just, and appropriate relationships within the community of faith. It remains the responsibility of the Session of each congregation to determine and implement any specific policy statements and educational processes for that congregation. This policy may be used as a model and revised as appropriate for congregational policies.

### **Guidelines for Appropriate Relationships**

Living together in a community of faith means the ability to live free from unwelcomed touch, unwelcomed language, unwelcomed physical displays, and/or other forms sexual or verbal harassment or abuse. Living in faith means speaking the truth in what is unwelcomed behavior for each person's own wholeness and wellness.

The 210th General Assembly (1998) approved the *Standards of Ethical Conduct* for use by General Assembly entities and commended the standards to congregations, presbyteries, and synods as a model for study, approval and use. Among the principles and standards concerning many aspects of our common life, the standards speak of relationships within the church, including relationships of trust and authority, and relationships between individuals, including sexual and intimate relationships. These standards and the accompanying references examples in the integrated version provide excellent guidelines for appropriate relationships and behavior. The text of the *Standards of Ethical Conduct* is available at [https://www.pcusa.org/site\\_media/media/uploads/oga/publications/ethical-conduct.pdf](https://www.pcusa.org/site_media/media/uploads/oga/publications/ethical-conduct.pdf)

In honoring the sacred trust of relationships within the covenant community and observing appropriate boundaries, persons covered under this policy are obliged to be scrupulously attentive to maintaining appropriate behavior  
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and relationships in the presence of children and youth and persons unable to give consent.

Persons covered by this policy are obliged to refrain from exploiting relationships within the community of faith for personal gain or gratification.

## 4.000 PREVENTION AND RISK MANAGEMENT

4.100 A statement of policy is empty if not backed by sound employment and management practices, procedures, and accountability. The Presbytery and its subordinate entities including Camp Whitman shall utilize best practices and due diligence in employing, training, and supervising staff to prevent sexual misconduct. Such procedures should include adequate application forms, references, and background checks of those seeking to be employed by the presbytery. The Presbytery Personnel Committee shall review the requirements of this policy with applicants and shall obtain written permission to conduct background checks as part of the application process before employment, including that violation of this policy is grounds for termination of employment or of the relationship.

4.101 The Presbytery shall utilize best practices and due diligence in engaging, training, and supervising volunteers to prevent sexual misconduct including requiring background checks for all volunteers working with children, youth, and those unable to give consent at Presbytery-sponsored events. The Presbytery shall obtain written permission from these volunteers to conduct background checks. If misconduct is suspected, the entity shall respond immediately and appropriately according to this policy.

## 5.000 INTERVENTION

5.100 To foster our commitment a safe, just, compassionate, and caring environment, it may occasionally be necessary for the Presbytery through its Committee on Ministry to intervene in situations of possible sexual misconduct. Any such intervention should be made cautiously and respectfully toward all persons and governing bodies involved.

## 6.000 PROCEDURES Reporting

6.100 In accordance with G-4.0302, any member of the Church engaged in ordered ministry and any certified Christian Educator shall report to civil legal authorities knowledge of harm, or the risk of harm, related to the physical abuse, neglect, and/or sexual molestation or abuse of a minor or an adult who lacks mental capacity when (1) such information is gained outside of privileged communication as defined in G-4.0301 or (2) she or he is not bound by an obligation of privileged communication under law or (3) she or he reasonably believes that there is risk of future physical harm or abuse.

New York State provides on-line training for all mandated reporters free of charge at <http://www.nysmandatedreporter.org/TrainingCourses.aspx>

6.101 Any persons who have cause to believe that conduct inappropriate under this policy has occurred should report their belief to the Presbytery Leader and/or Stated Clerk of the Presbytery of Geneva. It is not necessary to be a member of the Presbyterian Church (U.S.A.) to make such a report.

6.102 When there is a report, including a report based on rumor or hearsay, of sexual misconduct (as defined above) by a person covered by this policy that comes to the attention of the Presbytery Leader or Stated Clerk, then the Presbytery Leader or Stated Clerk shall request the Chairperson of the Committee on Ministry to appoint a Response Team according to section <<<<<<<<<

6.103 To make a formal allegation, the allegation must be in written form and signed by a member in good standing of a Presbyterian Church (U.S.A.) congregation, given to the Stated Clerk. The procedures of the Rules of Discipline shall then be initiated.

## **7.000 PROCEDURES: Response Team**

### **7.100 Membership of Response Team**

- 7.101 The Misconduct Response Team will be drawn from persons trained in this policy, familiar with the dynamics of sexual misconduct, and able to maintain confidentiality. The chairperson of the Committee on Ministry, in consultation with the Presbytery Leader, shall appoint two persons from the Committee on Ministry. No person on the response team may be related to a complainant, an accused, a victim, or a congregation involved in the situation.
- 7.102 The chairperson of the Committee on Ministry will report to the Committee on Ministry only that a Response Team has been appointed without naming the individuals, parties, or congregation involved.

### **Purpose of Response Team**

The Response Team's primary role is quick response, not investigation. It shall assess a situation to determine if it fits under this Sexual Misconduct Policy and report its findings to the Committee on Ministry; it is not a judicial process. Its purpose is to offer pastoral concern to individuals and congregations on behalf of the Presbytery, to develop an initial assessment of a situation, to present this policy, to clarify procedures and options, to document that these policies and procedures have been presented, to empower individuals to appropriately utilize the steps outlined in this policy, and to witness to justice and compassion for all involved.

The work of the Response Team shall be conducted in a confidential manner (that is, on an authorized-to-know basis, in contrast to the maintenance of strict privacy). Its work shall not be investigatory in nature, nor shall it interfere with or replace the investigatory requirements of the Rules of Discipline (D-10.0200).

At the beginning of each meeting or interview, the Response Team shall inform the parties that it represents the Committee on Ministry, and, conducts its work as such, subject to the confidentiality and accountability rules of the Committee on Ministry. Matters shared with the Response Team must not be considered secret, "off the record," or somehow privileged and that the members of the Response Team retain the right to file an allegation beginning disciplinary proceedings and may be called as witnesses. If the Response Team becomes aware that alleged sexual misconduct involves minors or persons unable to give consent, the Response Team will be obligated to report the allegation to the civil authorities and WILL file formal allegations with the Stated Clerk of the Presbytery (see section 8.000 of this policy).

Response Team may meet with individuals and parties to assist them in understanding sexual misconduct, these policies and how to determine if misconduct may have occurred, and how to avoid at-risk behaviors or circumstances.

Response Team shall document their contacts, recording the types of information and procedures they have shared and with whom.

After describing forms of sexual misconduct as defined in this policy, the Response Team may tell the parties, "This is a definition of sexual misconduct. If anything has happened which fits this definition, then here is what you would do next." The Team should not seek out other reporters or other information.

The Response Team ordinarily shall make a written report to the Chairperson of the Committee on Ministry, the Presbytery Leader, and the Stated Clerk within seven to ten days of being appointed. This report shall include 1) a summary of information received and presented; 2) the status of activities to date; 3) the basic options available to the involved parties; 4) a recommended possible course(s) of action. This report shall be given to the parties involved and shall become part of the congregational and personnel files maintained by the Presbytery.

If a formal allegation is filed with the Stated Clerk, the Response Team shall be dismissed and the Stated Clerk will initiate the Judicial Process.

## **8.000 PROCEDURES: Formal Complaint**

- 8.100 If a formal complaint is made, disciplinary proceedings in accordance with the Rules of Discipline of the *Book of Order* will be initiated.
- 8.101 If the alleged misconduct results in civil proceedings, the Presbytery is obliged to defer to the guidance of the civil authorities including the temporary suspension of the investigation process. In such cases, the Rules of Discipline provide guidance on the extension of the required time limit for filing charges in D-10.40. The Chair of the Investigating Committee shall maintain regular contact with the civil authorities until the civil matter is resolved.

## **9.000 PROCEDURES: Congregational Support Team**

### **Membership of Support Team**

When a formal allegation against a person covered by this policy, who is serving a local congregation, has been filed with the Stated Clerk, the Committee on Ministry chairperson shall appoint a Congregational Support Team. The Support Team will be drawn from a pool of persons trained in this policy, familiar with the dynamics of sexual misconduct, and able to maintain confidentiality. The chairperson of the Committee on Ministry, in consultation with Presbytery Leader may appoint persons from the pool to be a Support Team. So far as possible, each team shall include at least one male, at least one female, at least one minister, and at least one elder. A member may be counted for more than one category. No person on the Support team may be related to a complainant, an accused, a victim, or a congregation involved in the situation.

Ordinarily, the Support Team will be constituted by the chairperson of the Committee on Ministry in consultation with the Presbytery Leader and will be coordinated through the Committee on Ministry.

### **Purpose of Support Team**

The Support Team's primary role is of pastoral support, not judicial process. Its purpose is to offer pastoral concern to individuals and congregations on behalf of the Presbytery, to provide an ongoing assessment of a situation, to offer information, to interpret this policy, to clarify procedures and options, to offer counsel or education to individuals and congregations on preventing misconduct, to strengthen accountability, to assist the parties in securing appropriate assistance or counseling and consulting services, and to witness to justice and compassion for all involved in the situation.

The work of the Support Team shall be conducted in a confidential manner (that is, on a need-to-know basis, in contrast to the maintenance of strict privacy). Its work shall not be investigatory in nature, nor shall it interfere with or replace the investigatory requirements of the Rules of Discipline (D-10.0200).

The Support Team may provide expertise in planning and leading informational meetings, suggest resources and referrals, interpret these policies and/or disciplinary procedures. The Support Team may work with a Session to coordinate longer-term, broader, or other responses to a situation covered under this policy.

At the beginning of any meeting, the Support Team shall inform the parties that it represents the Committee on Ministry, and, conducts its work as such, subject to the confidentiality and accountability rules of the Committee on Ministry.

The Support Team shall regularly report to the Committee on Ministry 1) ongoing assessment of the situation; 2) status of actions to date; 3) any recommendations. It shall make a final summary report, possibly with recommendations, when Committee on Ministry deems it appropriate to dismiss the Support Team. These reports shall be given to the parties involved and shall become part of the congregational and personnel files maintained by the Presbytery.

## **10.000 ADMINISTRATIVE LEAVE**

- 10.100 When a written statement of any alleged sexual misconduct, as defined in section 1.200, has been received against a minister of Word and Sacrament under the jurisdiction of the Presbytery, the procedure outlined in the Rules of Discipline D-10.0106 regarding Administrative Leave for sexual abuse will be followed.
- 10.101 If the allegation of misconduct involves an employee of the Presbytery, the Personnel Committee of Presbytery will immediately place the employee on administrative leave. Such leave will continue until resolution of the matter in one of the ways prescribed by the Book of Discipline.
- 10.102 If the allegation of misconduct involves a volunteer in the Presbytery, the General Council of Presbytery will immediately place the volunteer on a leave of absence from serving on committees, attending meetings, and participating in Presbytery activities.
- 10.103 If the allegation of misconduct involves a non-minister employee or volunteer of a local congregation, the Session will be counseled by General Council to place the employee on administrative leave or the volunteer on leave of absence. In the event the Session is unwilling or unable to act, Presbytery will form an Administrative Commission. The charge to the Administrative Commission will be to assume jurisdiction over personnel matters, including placing the individual on administrative leave/leave of absence. The charge may include other duties as specified by Presbytery.
- 10.104 There may be other circumstances when it may be wise to place a person on administrative leave or leave of absence. Such circumstances will be considered on a case-by-case basis.

## **11.000 SANCTIONS**

If a person covered by this policy is found guilty by a Permanent Judicial Commission, the commission has the authority to censure the individual as described in the Rules of Discipline D-12.0000.

In addition to the ecclesiastical provisions, a person covered by this policy who have been found in violation of this policy may be subject to further civil, criminal, and employment consequences which may include suspension or termination of employment.

Presbytery employees (including volunteers) who have been found in violation of this policy may be subject to further civil, criminal, and employment consequences which may include suspension or termination of employment. Volunteers found in violation shall not be able to serve as a volunteer in any capacity within the Presbytery

## **12.000 DISCLOSURE**

- 12.101 When information or allegations of new or recent incidents of sexual misconduct by a person covered by this policy has been received sufficient to inaugurate a Response Team, a formal disciplinary process, or the notification of civil authorities, the Session or the appropriate governing body of the entity shall make plans in cooperation with the Committee on Ministry, the Presbytery Leader, the Stated Clerk, and other parties to make a prompt public disclosure of the situation to the congregation or entity. The disclosure must be handled with sensitivity and honesty and due process protections for all, including the victims and their families, accusers and their families, the accused and their families, the congregation members, and the community. It is appropriate to seek the services of experts in the field to assist in the disclosure.
- 12.102 As part of such public disclosure it is appropriate for a Congregational Support Team to work with the congregation.

## **13.000      Presbyterian Church (U.S.A) Council Concerns**

### **13.100      Connectionalism**

**13.101**      Because our Presbytery is connected to the entire denomination as one community in Christ, our concern for a safe, just, compassionate, and caring environment leads us to recognize our responsibility to the Presbyterian Church (U.S.A.) to uphold the Standards of Ethical Conduct and the sexual misconduct policies of the other church councils. This Presbytery shall not condone or shelter sexual misconduct by silence or omission in the movement of persons covered by this policy from and into the bounds of this Presbytery.

### **13.200      Disclosure upon Transfer**

**13.201**      In the case of a minister of the Word and Sacrament, Certified Christian Educator, or a Commissioned Ruling Elder or Commissioned Pastor who seeks either to transfer membership to another presbytery or labor beyond the bounds of this Presbytery, the Presbytery Leader, Chairperson of COM, or designee, authorized to give a reference shall be obligated to provide complete information regarding civil, criminal, or ecclesiastical allegations, inquiries, and administrative or disciplinary action sustained or pending related to sexual misconduct and the applicant.

## **14.00      Glossary of Definitions**

**Accused** is the term used to represent the person against whom a claim of sexual misconduct is made.

**Accuser/Victim** is a term used to represent the person claiming knowledge of sexual misconduct by a person covered by this policy or a person claiming to have been abused by a person covered under this policy. The accuser/victim may or may not have been the victim of the alleged sexual misconduct. (See also Child Sexual Abuse.) A person such as a family member, friend, or colleague may be the accuser.

**Administrative Commission** See Book of Order G-3.0109b

**Administrative Leave** is an employee or pastor's authorized and/or mandated absence from duty without loss of pay and without charge to leave.

**Child sexual abuse:** see section 1.200

**Church** when spelled with the initial capitalized refers to the Presbyterian Church (U.S.A.). Church when spelled with the initial in lowercase refers to local churches. The word congregation is used loosely for members and congregants.

**Civil Authorities** are the governmental bodies, whether city, county, state, or federal, who are given the responsibility to investigate, criminally prosecute, and/or bring civil charges against individuals accused of sexual crimes or offenses against adults and children.

**Civil Law** is the body of municipal, state, and federal laws and is often referred to collectively as civil and criminal law. Prohibited behavior addressed by this policy may result in criminal and/or civil charges filed under secular law.

**Congregant** is a person, who, though not a formal member of a Presbyterian church, has participated in Presbyterian witness, mission, or ministry. This may be, for example, one who has attended worship services, sung in a church choir, received pastoral care or counseling, attended Christian Education programs, etc.

**Consent** Sexual Abuse of Person Unable to Give Consent 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 the sexual stimulation of the adult person or of a third person. Inability to give consent also includes any contact or interaction between two adults if the adult victim is mentally incapacitated, unconscious, or unaware that the sexual assault is occurring.



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.

**Employee** is the comprehensive term used to cover individuals who are hired or called to work for the Church for salary or wages.

**Entity** is the term used to refer to any program or office managed by the Presbytery.

**Mandated Reporter** is described as a person who is required to report any and all suspected incidents of child abuse, including child sexual abuse that come to their attention. In accordance with G-4.0302, any member of the Church engaged in ordered ministry and any certified Christian Educator shall report to civil legal authorities knowledge of harm, or the risk of harm, related to the physical abuse, neglect, and/or sexual molestation or abuse of a minor or an adult who lacks mental capacity when (1) such information is gained outside of privileged communication as defined in G-4.0301 or (2) she or he is not bound by an obligation of privileged communication under law or (3) she or he reasonably believes that there is risk of future physical harm or abuse.

**Member**, as used in reference to a congregation, pertains to all who belong to a particular congregation of the Presbyterian Church (U.S.A.) in accord with the requirements of the Book of Order G-1.03. As used in reference to a presbytery, the term pertains to all who belong to a particular presbytery of the Presbyterian Church (U.S.A.) in accord with the requirements of the Book of Order, G-2.0503

**Misuse of technology**: see section 1.200

**Offense**, [See](#) Book of Order, Rules of Discipline, D-2.0203b

**Persons Covered** by this policy include all persons serving in any capacity under the authority of the Presbytery of Geneva upon beginning service

**Rape or sexual contact by force, threat, or intimidation**: see section 1.200

**Reasonable Suspicion** is a subjective criterion that refers to a belief or opinion based on facts or circumstances of sexual misconduct that are sufficient enough for a prudent person to want to inquire further, to take protective action, or report to authorities. State child abuse reporting laws may include wording that indicates what degree of suspicion or knowledge gives rise to the duty to report.

**Response** is the action taken by the governing body or entity when a report of sexual misconduct is received. It may include (1) inquiry into facts and circumstances. (2) possible disciplinary action (administrative or judicial or both), (3) pastoral care for accuser/victims and their families and others, and (4) pastoral care and rehabilitation for the accused and care for their families.

**Sexual abuse**: see section 1.200

**Sexual Harassment**: see section 1.200

**Sexual Malfeasance**: see section 1.200

**Sexual Misconduct**: see section 1.200

**Staff** refers to a person who is either an employee or a volunteer sanctioned to perform a function on behalf of this Presbytery or one of its entities.

**Volunteer** is the term used for those who provide services for [Presbytery](#) and entities of the Church and receive no benefits or remuneration. Volunteers include persons elected or appointed to serve on boards, committees, and other groups. For purposes of this policy, volunteers are treated the same as employees. Liabilities of the governing body or entity may be the same for volunteers as for employees.