

# Sexual Misconduct Prevention and Response Policy

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*Presbytery of Coastal Carolina*

*Approved by the Presbytery, DATE*

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2 SECTION 1

3 POLICY STATEMENT

4 The Presbytery of Coastal Carolina declares that sexual activity within the ministerial  
5 relationship is misconduct and abuse of sacred office. Sexual misconduct is a violation of both the  
6 ministerial office and God’s intentions for healthy expression of human sexuality. Sexual misconduct by  
7 pastors (either teaching elders or commissioned ruling elders) is a betrayal of trust and an abuse of  
8 power that preys on the vulnerability of those entrusted to their care. Because allegations of sexual  
9 misconduct are so serious, they are to be dealt with swiftly, fairly and with compassion for all parties.  
10 We do not want to treat the wounds of God’s people carelessly, saying “‘peace, peace’ when there is no  
11 peace.” (Jeremiah 6:14)

12 BACKGROUND

13 Power touches us all. We cannot get away from it even if we wanted to. All human  
14 relations involve the use of power. Therefore, rather than seek to run from it or to deny  
15 that we use it, we would do well to discover the Christian meaning of power and learn  
16 how to use it for the good of others. All who follow Christ are called to the “ministry of  
17 power.”

18 — Richard J. Foster, from *Money, Sex and Power*

19 As God who called you is holy, be holy yourselves in all your conduct. Tend the flock of  
20 God that is in your charge, exercising the oversight, not under compulsion but willingly,  
21 as God would have you do it — not for sordid gain but eagerly.... And all of you must  
22 clothe yourselves with humility in your dealings with one another, for God opposes the  
23 proud but gives grace to the humble.

24 — 1 Peter 1:15; 5:2; 5:5b

25 “Not many of you should become teachers, my brothers and sisters for you know that we  
26 who teach will be judged with greater strictness.”

27 — James 3:1

28 All living persons have power and all human relationships involve the interplay of power. Power is  
29 simply the capacity to act, to produce an effect, and to achieve ends with resources. In human  
30 relationships personal resources, and therefore personal power, tend to be distributed unevenly. One  
31 person’s powers are enhanced as s/he comes to have (or is given) more influence, or more resources for  
32 influence, in a given situation. Such things as education, the authority of office or position, feelings of  
33 self-esteem, experience and confidence in one’s capacity to perform or to act, and many other factors  
34 affect the degree of power one person enjoys in a relationship.

35 All relationships that are primarily ministerial (i.e., one person is in a position to give aid or comfort,  
36 training, or help to another and is looked to for that ministry) are characterized by an imbalance of  
37 power that is due to the greater resources of the minister and the fewer resources of the recipient, at  
38 least in the arena of that ministerial relationship. A youth in the care of a youth worker, a student in the  
39 care of a teacher, a counselee in the care of a counselor, a congregant in the spiritual care of a minister<sup>1</sup>  
40 — all are in relationships that are primarily ministerial. The minister or caregiver has resources that the  
41 recipient needs; resources which are meant to be placed in service for the recipient's growth and well-  
42 being.

43 Ministers have, within the faith community, an added measure of ministerial power that is the result of  
44 a greater theological education, perceived facility with public speaking, and in articulating thoughts,  
45 feelings and ideas. Furthermore, Ministers carry an added dimension of power derived from their  
46 priestly role as they officiate at the celebration of the sacraments, in liturgical roles as worship leaders,  
47 as ministers in times of special crisis and joy, and in counseling and spiritual guidance situations. This  
48 power dynamic is seldom consciously perceived but is pervasively felt. All of this power adds greatly to  
49 the responsibility of minister to be conscious of how they are perceived by those who look to them for  
50 care. This power must be used wisely and well for the good of people and not for personal ends.

51 The common temptation all persons face, however, including ministers, is to use their power in self-  
52 centered ways. Ministers who use their power this way abuse the ministerial role.

53 Because the Church embraces the servant model of ministry, it is often difficult to recognize and  
54 acknowledge the power of the ministerial office. Some may feel uncomfortable attributing this power  
55 either to themselves or to others. To ignore or downplay this power, as if it did not exist, leads inevitably  
56 to misconduct and the wounding of God's people. Ministers are called to be servants and stewards of  
57 the mystery of grace. They are not called to foster the dependence of others or to abuse others by their  
58 failure to understand the power of the pastoral role.

59 The abuse of power too often occurs where the human relationship is most vulnerable: within the realm  
60 of sexuality. Sexuality is a creation of, and a gift from, God. As with all God's gifts to us, it must be used  
61 wisely and well. An integral component of healthy sexuality is mutuality.

62 Because of the inherent power gap between ministers and congregants<sup>2</sup>, there cannot be mutuality.

63 Sexual intimacy is never appropriate within the ministerial relationship. People trust their ministers to  
64 know and set appropriate boundaries for these relationships. It is always the minister's responsibility to  
65 maintain the boundaries.

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<sup>1</sup> Minister is an inclusive term, referring to all persons serving as the pastor of a congregation whether Teaching Elders [Ministers of the Word and Sacrament] or Commissioned Ruling Elders.

<sup>2</sup> Congregants is a general term for members and participants of a local church but may also include those persons in the wider community who are served by the minister in his/her role as a spiritual leader or advisor, whether or not they are part of the worshipping community of the church.

66 SECTION II

67 RISK AND CONSEQUENCES

68 When a minister behaves unethically, much stands to be lost by many people. The first section (A) notes  
69 the times or situations when the respective parties are most vulnerable to (1) entering unethical  
70 behavior, (2) being the victim of sexual misconduct by ministers and (3) being part of a structure that  
71 enables such misconduct, however unconsciously. The second section (B) details the losses the minister,  
72 congregant, and congregation face when the minister enters into unethical sexual behaviors.

73 A. **RISKS: The following create risk for the various parties.**

- 74 1. MINISTER: Risks becoming an abuser when  
75 a. The power of the office is denied or not recognized.  
76 b. The need for boundaries is not learned, understood, accepted, or enforced. Boundaries  
77 should be clearly established according to our Safe Gatherings training.  
78 c. The minister is isolated from peer relationships.  
79 d. The care of self and appropriate intimate relationships are neglected.  
80 e. The minister accepts inappropriate exaltation of his or her powers.  
81 f. The minister meets with persons alone.
- 82 2. CONGREGANT: Risks being abused when  
83 a. He or she exalts the power of the minister.  
84 b. He or she is in shock or grief or other distress, even if temporarily.  
85 c. He or she has a history of psychological issues or sexual invasion.  
86 d. He or she has diminished capacity either mentally or physically.
- 87 3. CONGREGATION: Congregations risk being abused and/or becoming an abuser when  
88 a. The possibility that misconduct can or does happen is denied.  
89 b. Members refuse to admit that someone they know and respect could be an offender.  
90 c. The consequences to/for the victim(s) are minimized.  
91 d. The institutional patterns that enable abuse are not considered.  
92 e. The workaholic behavior of the minister is allowed or encouraged.  
93 f. The minister is revered, idealized, or otherwise exalted.  
94 g. The victim is blamed for the minister's misconduct.  
95 h. A culture of silence pervades.

96

97 B. **CONSEQUENCES: What stands to be lost**

- 98 1. MINISTER: Stands to Lose
- a. Position and/or career.
  - b. Ordination vows.
  - c. Community with family, friends and colleagues.
  - d. Credibility.
  - e. Sense of personal identity.
  - f. Sense of professional identity.
  - g. Relationship with God.
  - h. Ability to minister effectively in future situations.
2. CONGREGANT: Stands to Lose
- a. Understanding of the nature of God.
  - b. Relationship to God.
  - c. Effective services of the minister.
  - d. Healthy sense of self.
  - e. Ability to trust.
  - f. Sense of the church as a community.
  - g. Community with family and friends.
  - h. Ability to function.
  - i. Mental and physical health.
3. CONGREGATION: Stands to Lose
- a. Understanding of the nature of God.
  - b. Relationship to God.
  - c. Effective services of the minister.
  - d. Membership.
  - e. Financial support.
  - f. Ability to trust.
  - g. Ability to accept or work with other ministers.
  - h. Joy in community.
- i. Personal holiness (falling into sin).
  - j. Honesty.
  - k. Humility.
  - l. Trustworthiness.
  - m. Moral standing
  - n. Integrity
  - o. Family
  - p. Money (lawsuits)
- j. Feeling of safety.
  - k. Ability to withstand future victimization.
  - l. Credibility.
  - m. Wholesome sense of sexual self.
  - n. Position, job and/or career.
  - o. Ability to accept or work with other ministers.
  - p. Sense of innocence.
- i. Sense of the Body of Christ.
  - j. Sense of identity.
  - k. Sense of mission.
  - l. Community standing.
  - m. Credibility.
  - n. Faithfulness.
  - o. Unity
  - p. Assets (lawsuits)

99 SECTION III

100 JUSTICE MAKING

101 *“God has told you, O mortal, what is good; and what does the Lord require of you but to do*  
102 *justice, and to love kindness, and to walk humbly with your God?”*

103 — Micah 6:5

104 Every Christian is called to love justice and to walk in its ways. Therefore, the Church is particularly called  
105 to work for justice on behalf of those whom its officers and members have injured, for the sake of  
106 charity as well as its own faithfulness to its call.

107 When the boundaries of ethical conduct are crossed, there is someone who is injured and in pain.  
108 Justice is not simply a matter of calling the violator to account. It is responding to the need of the  
109 violated in a manner, which helps to start the healing process and restore the person to wholeness.  
110 Elements of justice making for both the injured person and the accused include the following:

- 111 1. Speak the truth.
- 112 2. Name and condemn the misconduct.
- 113 3. Respond to the victim with compassion.
- 114 4. Protect the vulnerable.
- 115 5. Call the perpetrator of the misconduct to account.
- 116 6. Make restitution
- 117 7. Provide vindication for the victims.<sup>3</sup>

118 SECTION IV

119 DEFINITIONS

120 1. SEXUAL MISCONDUCT is the comprehensive term used in this policy. It is a violation of the pastoral  
121 role of ministers and other caregivers who are called upon to exercise integrity, sensitivity, and  
122 responsibility and caring in a relationship of trust in the name and spirit of Christ. Sexual misconduct  
123 includes but is not limited to:

- |     |                    |   |
|-----|--------------------|---|
| 124 | Child sexual abuse | Sexual harassment                                     |
| 125 | Sexual malfeasance | Sexual exploitation                                   |
| 126 | Sexual impropriety | Rape or sexual abuse by force, threat or intimidation |

127 2. CHILD SEXUAL ABUSE is any improper contact or sexual interaction between an adult and a child,  
128 whether verbal or physical. It includes, but is not limited to, any interaction or contact in which the  
129 child is used for the sexual stimulation of the adult or of a third person. Any sexualized behavior  
130 between a child and an adult is always wrong. Such behavior is always considered forced since the  
131 child is unable to give appropriate adult consent. Child sexual abuse is a criminal act and must be

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<sup>3</sup> Source: The Rev. Marie Fortune, founder and director of the Center for the Prevention of Sexual and Domestic Violence, Seattle, Washington.

132 reported under the laws of the state of North Carolina and criminal statutes. All Ministers should be  
133 aware of the statutory laws relating to sexual offenses as set forth in Chapter 14, Article 7A of the  
134 General Statutes of North Carolina.

135 3. SEXUAL MALFEASANCE: In general “Malfeasance” is the intentional act of doing something wrong,  
136 either legally or morally. It is an act done with improper purposes and with the knowledge that the  
137 act being committed exceeds the authority of the wrongdoer. Sexual Malfeasance occurs when a  
138 married minister has sexual relations with persons other than his/her spouse; or the minister  
139 engages in personal sexual behavior that is illegal or contrary to church mores and would be  
140 regarded by church members or colleagues as a sign of mental or emotional illness, obsession, or  
141 gross immaturity; or any behavior which violates or endangers the nurturing intimate nature of the  
142 marriage covenant.<sup>4</sup>

143 4. SEXUAL IMPROPRIETY is behavior which has the potential to lead toward sexual malfeasance, and  
144 includes sexual advances toward persons for whose spiritual welfare one is responsible by virtue of  
145 ordination or position in the Church. Such behavior can be verbal or physical. Mutual seduction of a  
146 minister and persons within his or her realm of care is also improper, leading to victimization of  
147 persons and abuse of the ministerial role. Consent or encouragement does not remove  
148 responsibility for the behavior from the minister according to law and to this policy.

149 5. SEXUAL HARASSMENT is the unwelcome sexually-oriented behavior or language that ridicules,  
150 demeans, insults, and/or impedes a person’s free participation in the life of the community because  
151 of that person’s gender or non-responsiveness to sexual advances. Activities which violates this  
152 policy include, but are not limited to:

- 153 a. Coercing or attempting to coerce a person into a sexual and/or dating relationship.
- 154 b. Punishing or threatening to punish a person for rejecting sexual attention, requests, and/or  
155 demands.
- 156 c. Using spiritual or appointed authority to coerce or attempt to coerce, persuade, or mislead a  
157 person into sexual behavior.
- 158 d. Basing or influencing employment or work-appointment decisions on a person’s rejection or  
159 acceptance of sexual behavior.
- 160 e. Making sexual jokes, comments, suggestions, questions, or innuendoes.
- 161 f. Unwelcome touching, gesturing, staring, or leering.
- 162 g. Standing too close and/or blocking another’s path, and/or displaying visual materials that insult,  
163 degrade, and/or exploit human sexuality.
- 164 h. Creating a hostile, offensive, or intimidating environment through sexual bias or sexualized  
165 behavior.

166 6. SEXUAL EXPLOITATION is the sexual abuse of children, youth, or adults through the exchange of sex  
167 or sexual acts for drugs, food, shelter, protection, other basics of life, and/or money. Sexual  
168 exploitation includes involving children and youth in creating pornography and sexually explicit  
169 websites.

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<sup>4</sup> Shupe, Anson D., *Pastoral Misconduct*



1707. CHURCH, when spelled with the initial capital [Church], refers to the Presbyterian Church (USA);  
171 when spelled with the initial lower case [church], refers to local congregations.
1728. CONGREGATION(S)/CONGREGANT is a general term for members and participants of a local church  
173 but may also include those persons in the wider community who are served by the minister in  
174 his/her role as a spiritual leader or advisor, whether or not they are part of the worshipping  
175 community of the church.
1769. MINISTER is an inclusive term, referring to all persons serving as the pastor of a congregation  
177 whether teaching elders [Ministers of the Word and Sacrament] or Commissioned Ruling Elders.
17810. ALSO COVERED IN THIS POLICY: All Presbytery staff persons.
17911. ACCUSED is the person against whom an allegation of sexual misconduct has been filed with the  
180 session of a church session or with the Presbytery.<sup>5</sup>
18112. ACCUSER is the person making the allegation of sexual misconduct by a person covered by this  
182 policy. The accuser may be the recipient of the alleged misconduct or a third party making the  
183 allegation on behalf of the recipient.
- 184

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<sup>5</sup> Accused and accuser are terms used in the context of the legal process of the Church and they reflect the appropriate concerns for due process without assigning guilt. Innocence is presumed until proven otherwise.

## 186 SECTION V

## 187 PRINCIPLES FOR FAITHFUL MINISTRY

188 Faithful ministers are aware of the sacred nature of their vocation as servants of God and responsibility  
189 before the Lord to care for the people entrusted to them.

- 190 1. Faithful ministers are aware that sexual abuse of congregants, employees or others violates the  
191 trust, power, and authority of their ministerial positions. Such exploitation constitutes betrayal of  
192 their calling to be agents of healing and healthy formation.
- 193 2. Faithful ministers will accept responsibility for establishing and keeping appropriate boundaries,  
194 using the power of their position or office in selfless, servant ways, and protecting the vulnerable  
195 and the weak, as far as they are able, from abuse, exploitation or harm, even from themselves.
- 196 3. Faithful ministers know that lust for wealth or for power, adultery, and other forms of unfaithful-  
197 ness to marriage vows ~~and crimes of theft or fraud~~ are incompatible with the call to pastoral  
198 leadership and ministerial caregiving. When such sins are persistent in a minister, s/he has  
199 disqualified him/herself from such service and needs to repent and to reevaluate his/her vocation.  
200 See *Book of Order*, G-2.0101.
- 201 4. Faithful ministers know that the only right response to confrontation for his/her sins is humble  
202 confession and ready repentance. Attempts to cover up the sin, or expressions of anger in response  
203 to those confronting it, betrays a self-centered orientation that is incompatible with the call to  
204 servant leadership and to modeling the Christian life. See *Book of Order*, G-2.0507.
- 205 5. Faithful ministers know that exploitation of the people they are called to serve is a sinful act against  
206 God, the victimized person(s), and the faith community; and that deliberate sexual exploitation,  
207 affecting our most intimate and vulnerable selves, is especially offensive.
- 208 6. Faithful ministers are aware of the severe spiritual, emotional, psychological, and relational damage  
209 done to those who are sexually exploited or abused by persons they trusted. Faithful ministers are  
210 committed to caring pastorally for such persons and to managing their own needs in such a way that  
211 they themselves do not become exploiters and/or abusers.
- 212 7. Faithful ministers will face their own sexual sins with an attitude of humility, honest confession, and  
213 genuine practical repentance. They are willing to abide by the disciplines and policies of their  
214 denomination when their sexual sins have caused harm to another person and to seek to made  
215 reparations when that is possible.
- 216 8. Faithful ministers will do everything in their power to guard the trust of those in their care and will  
217 accept the obligation of keeping strict standards of confidentiality except when withholding  
218 information would directly cause harm to vulnerable people or where the law requires otherwise  
219 (i.e., as in cases of known child abuse).

- 220 9. Faithful ministers of this Presbytery will fulfill their obligations to take the boundary training and  
221 submit to the background checks as required by the Commission on Ministry. *Currently this is done*  
222 *every two years through **SafeGatherings.com**.*
- 223 10. Faithful ministers of this Presbytery shall be aware of the statutory laws relating to sexual offenses  
224 as set forth in Chapter 14, Article 7A of the General Statutes of North Carolina.  
225

## 226 SECTION VI

### 227 PRESERVING MINISTERIAL BOUNDARIES

#### 228 A. MINISTER'S PERSONAL AND PROFESSIONAL HEALTH

229 Ministers who actively maintain their own physical, spiritual, emotional, and psychological health are  
230 less likely to violate ministerial boundaries. If they are aware of the problems and risks they face, and  
231 are ensuring that their personal needs are being met in appropriate ways outside the ministerial  
232 relationship, they can more readily prevent the kinds of behavior that lead to misconduct.

- 233 1. Make prayer and meditation a priority in life.
- 234 2. Negotiate adequate compensation in order to maintain self-worth and reduce stress.
- 235 3. Make provisions for ADEQUATE rest, relaxation, and privacy as well as educational and spiritual  
236 renewal.
- 237 4. Take time for professional and personal growth opportunities.
- 238 5. Utilize available resources (i.e. counseling) for self and for family.
- 239 6. Participate in a self-assessment checklist which includes personal history, psychosexual  
240 integration, and personal professional reflections. NOTE: This assessment can best be used in  
241 consultation or supervision with experienced therapists or outside consultants.
- 242 7. Be aware of sexual feelings. Acknowledge them to self and to a counselor or supervisor.
- 243 8. In the case of sexualized behavior on the part of the congregant coming for counseling, maintain  
244 the ministerial role; reaffirm that role and consult with a colleague/consultant and/or the session.
- 245 9. Learn stress management and how to provide for self-care.
- 246 10. Avoid dual relationships. (For example, a relationship where you have both a ministerial and a  
247 romantic involvement with a congregant, student, staff member, etc.). See the Presbytery's *Code*  
248 *of Ethics*.
- 249 11. Attend to personal relationships; maintain and nourish them.
- 250 12. Avoid WORKAHOLISM and BURNOUT. Be clear about the position description and its expectations.  
251 Use all of your allocated vacation time!
- 252 13. Seek supervision and evaluation for periodic review.
- 253 14. Maintain contacts with colleagues/consultants; avoid isolation.
- 254 15. Enter into an ongoing, systematic relationship with a spiritual director, guide, or mentor to insure  
255 theological reflection, accountability, and consistency in one's ministry.
- 256 16. Develop and nurture close relationships with colleagues in ministry. When possible, participate in  
257 support groups.

258 B. RESPONSIBILITIES OF THE CHURCH TO INDIVIDUAL MINISTERS

259 The church at all its levels can assist its ministers with strategies of its own to help prevent  
260 misconduct. Here are some ways:

261 1. General Assembly and/or Synod

- 262 a. Recommend strongly that all ministers receive consultation or supervision.
- 263 b. Provide financial support for consultation through the Board of Pensions.
- 264 c. Provide and maintain current referral lists of appropriate resources for counseling. Super-  
265 vision, etc.
- 266 d. Provide preparation regarding professional ethics to seminarians.
- 267 e. Provide continuing education in the field of professional ethics.

268  
269 2. Presbytery

- 270 a. Require the completion of boundary training and background checks in compliance with the  
271 current Commission on Ministry policies. (Currently this is done every two years through  
272 ***Safe Gatherings.***)
- 273 b. Insist that Presbytery officers, staff, pastors, and church workers set a personal example by  
274 not engaging in sexual misconduct.
- 275 c. Develop, implement, and publicize clear policies and ethical guidelines, expectations, and  
276 procedures regarding sexual misconduct.
- 277 d. Provide continuing education in the area of professional ethics.
- 278 e. Offer mechanisms for supervision, consultation, and collegial interaction to avoid ministerial  
279 isolation.
- 280 f. Maintain an open system for clear access to the complaint process at the Presbytery level.
- 281 g. Provide opportunities to make church officers aware of issues related to sexual misconduct  
282 and/or this policy.

283  
284 3. Local Church

- 285 a. Continue close support with the pastor regarding his/her professional concerns, i.e., salary,  
286 working conditions, schedule, etc.
- 287 b. Promote shared leadership among ministers and other church members.
- 288 c. Publicize clear policies and provide guidance regarding the difference between confi-  
289 dentiality and secrecy within the ministerial relationship.
- 290 d. Maintain specific position descriptions for all persons, including paid personnel and  
291 volunteers.
- 292 e. Encourage minister self-care, particularly via the Self Assessment Checklist (See Section VI  
293 below).
- 294 f. Offer support mechanisms for supervision, consultation and collegial interaction.
- 295 g. Review and evaluate minister's work regularly.
- 296 h. Encourage the pastor to fully use vacation and study leave time.
- 297 i. Develop and implement a sabbatical policy.

298

299 SECTION VII

300 CHILDREN & YOUTH PROTECTION POLICY – COMPANION POLICY

301 The Presbytery has established and maintains a separate Children and Youth Protection Policy. As stated  
302 in that policy,

303 the Children and Youth Protection policy “applies to meetings, events or activities that are  
304 explicitly coordinated by the staff of the Presbytery of Coastal Carolina and its committees when  
305 such events include or involve children or youth under the age of 18, either as the focus of the  
306 event or in a separate child care setting during an adult event.”

307 This Sexual Misconduct Prevention and Protection Policy and the Children and Youth Protection Policy  
308 are companion policies for which the Sexual Misconduct Prevention and Protection gives the steps and  
309 structure for investigation, pastoral care and discipline, in all instances if needed.

310 As stated in the Children and Youth Protection Policy,

311 “5 RESPONDING PROCEDURES The response to allegations of misconduct shall be undertaken  
312 in accordance with the Sexual Misconduct Policy of the Presbytery of Coastal Carolina as are  
313 established and maintained by the Presbytery and the Book of Order of the Presbyterian  
314 Church USA and in compliance with the Laws of the State of North Carolina.”

315 All members of presbytery are encouraged to be familiar with both policies.

316 SECTION VIII

317 MINISTERS IN DATING RELATIONSHIPS

318 Due to the issues of power and trust involved, it is recommended that single pastors or professional  
319 church workers not date members of their congregations. The same is true for Presbytery staff  
320 members regarding the members of committees or other groups they staff.

321 If, however, such a relationship does develop, the minister shall follow these steps:

- 322 1. The minister shall discuss with the congregant the ramifications of the intended change in their  
323 relationship.
- 324 2. The pastoral relationship between the individuals will cease.
- 325 3. When the minister is in a solo pastorate or head of staff, he/she shall notify Commission on Ministry  
326 (COM) in writing of the changed relationship. In consultation with COM, s/he should also notify  
327 some responsible body within the congregation, which the minister serves (such as the Session or a  
328 personnel committee). When the minister is an associate pastor, COM and the head of staff shall be  
329 notified of the changed relationship, and in consultation with them, will determine what group  
330 within the congregation it is appropriate to inform.
- 331 4. The minister or other appropriate person or group will connect the congregant with another  
332 minister for pastoral care.

- 333 5. A reasonable and suitable period of time should be allowed for the personal relationship to make  
334 the transition from the professional/ministerial to the personal/intimate and for the congregant to  
335 establish a new ministerial relationship.
- 336 6. If the dating relationship ends, the minister shall also notify the COM of this fact.

337

## 338 SECTION IX

### 339 A SELF-ASSESSMENT CHECKLIST

340

341 As ministers, all of us are at risk of crossing boundaries in our ministerial relationships, thereby violating  
342 our role and abusing those who are vulnerable. But this risk of doing harm to those whom we serve or  
343 supervise can be considerably reduced through self-knowledge and self-care. If we understand our  
344 personal history and its effects on us, our behavior and perceptions are less likely to be shaped by that  
345 history. If we are aware of our personal needs and are taking care of those needs in appropriate ways,  
346 we are less likely to act upon those needs inappropriately in our ministerial relationships and if we are  
347 aware of the power implicit in our role and how that power affects those whom we serve and supervise,  
348 we are less likely to misuse that power.

349 Use the checklist on the following page to assess your risk of violating ministerial boundaries.

- 350
- If you answer “no” to the first question in Personal History, skip to the questions under  
351 Psychosexual Integration.
  - An answer of “no” to any questions except the first indicates an area where self-awareness and  
352 self-monitoring are crucial.
  - *If you have a personal history as a survivor of abuse, the Presbytery urges that you avail yourself  
353 of professional counseling.*
- 354
- 355

356

357 **PERSONAL HISTORY**

358 Yes No Am I a survivor of sexual abuse, rape, incest or does my family history include  
359 alcohol or drug abuse?

360 Yes No Am I coming to terms with the issues and feelings involved in my personal  
361 history? Am I able to identify areas in my history where I need healing?

362 Yes No Am I taking steps to address the areas where I need healing?

363 **PSYCHOSEXUAL INTEGRATION**

364 Yes No Am I taking steps to address the areas where I need healing?

365 Yes No Have I discussed my sexual history with someone (a professional or a friend)?

366 Yes No Am I comfortable with my sexual orientation?

367 Yes No Do I monitor my sexual fantasies for inappropriate objects such as children,  
368 clients, congregants, employees, colleagues, etc.?

369 Yes No Are my personal friendships and intimate relationships appropriate, namely age-  
370 appropriate and not involving anyone with whom I have a ministerial  
371 relationship?

372 Yes No Am I able to identify my emotional/sexual needs and meet them appropriately?

373 Yes No Am I currently finding myself struggling with sexual temptation in a personal  
374 relationship?

375 **PERSONAL/PROFESSIONAL SELF**

376 Yes No Am I meeting my personal needs outside of my work setting?

377 Yes No Do I acknowledge the power inherent in my professional role?

378 Yes No Am I aware of the consequences to me of violating the boundaries of my  
379 ministerial relationships?

380 Yes No Do I have a consultant or supervision setting in which I can discuss these issues?

381 Yes No Do I use the vacation time allotted to me each year?

382 Yes No Do I have interests and activities that do not involve church members?  
383

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*Part Three – Procedures to Follow in Case of an  
Allegation of Sexual Misconduct*

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386 SECTION X  
387 PROCEDURES

388 A. RESPONSIBILITIES FOR REPORTING

389 Since allegations of sexual misconduct are reported in a variety of ways, an individual church or  
390 Presbytery cannot know in advance to whom an accuser will first report his/her concerns. Therefore, all  
391 church and Presbytery leaders and employees should know how to handle reports of suspected sexual  
392 misconduct so that they are directed to the proper authority.

393 Reports of sexual misconduct should never be taken lightly, disregarded, or allowed to circulate without  
394 concern for the integrity and reputation of the accuser, the subject of the allegation (if not the accuser),  
395 the accused, and the Church. Reports of misconduct should be handled with the highest confidentiality  
396 before and after they have been referred to the appropriate authorities.

397 All persons covered by this policy<sup>6</sup> have a particular duty to report suspected child abuse. The person  
398 receiving the initial report is considered a mandated reporter and shall report the allegation to civil or  
399 criminal authorities as required by state or local law. Considerations of reputation or impact on the  
400 Church or individual should never be an impediment to this reporting.

401 **All formal allegations of sexual misconduct as defined in this policy, no matter whether the Presbytery  
402 or the local church has jurisdiction, shall be reported to the Stated Clerk of the Presbytery of Coastal  
403 Carolina.**

404 In the event that the accused is the Stated Clerk or the Stated Clerk is not available, the report will be  
405 made to one of the Presbytery officers in the following order:

- 406 1. Chair of the Full Commission on Ministry  
407 2. Chair of the appropriate Community COM  
408 3. Appropriate Mission Coordinator

409 The importance of properly reporting allegations of sexual misconduct cannot be over emphasized.  
410 Attempts to resolve accusations or allegations informally at the lowest level, while understandable, can  
411 often result in nothing more than covering up the problem, ignoring the problem or trying to make it  
412 “go away.” This is not acceptable nor is it effective.

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<sup>6</sup> This policy covers all ministers (Teaching Elders and Ruling Elders Commissioned to Pastoral Ministry) and all staff persons of the Presbytery.



413 B. PROCESS

414 The process followed by the Presbytery of Coastal Carolina will vary according to the status of the  
415 accused. Members of a particular church and members of Presbytery are subject to inquiry and  
416 discipline as provided in the *Book of Order*, D-3.0101. The Presbytery has jurisdiction over its ministers.  
417 Notwithstanding the jurisdiction of the local church, ALL allegations of sexual misconduct shall be  
418 reported to the Stated Clerk of the Presbytery. If the local church fails to act on the report within ninety  
419 (90) days after it is initiated, the Presbytery may assume jurisdiction of the case per *Book of Order*, D-  
420 3.0103.

421 **PRESBYTERY**

- 422 1. The Presbytery has original jurisdiction over its ministers and serves an appellate function for  
423 the local church. When the Stated Clerk receives, in writing, an allegation of sexual misconduct  
424 by a member of the Presbytery, s/he will advise the Moderator of the Presbytery and the Chair  
425 of the Full Commission on Ministry and the Chair(s) of the appropriate Community COM that a  
426 charge has been made without revealing the name of the accused or the accuser. If the Stated  
427 Clerk, Moderator or Chair of the Full Commission on Ministry is named as the accused, their  
428 function in this process will be carried out by another officer from the list in Section X,  
429 Subsection A above.
- 430 2. At the same time the Stated Clerk will 1) begin the process of discipline required by the *Book of*  
431 *Order, Rules of Discipline*, Chapters 10 and 11 and 2) initiate the pastoral care process.
- 432 3. The process of discipline requires that the Stated Clerk, after receiving, in writing, an allegation  
433 of sexual misconduct by a member of Presbytery, shall report to the Presbytery that an offense  
434 has been alleged and refer the statement of allegation to an Investigating Committee (IC). See  
435 *Book of Order; Rules of Discipline D-10.0103*.
- 436 4. The Investigating Committee (IC) will be named in consultation among the Stated Clerk, the  
437 Chair of Full COM; the Chair of Permanent Judicial Commission (PJC), and the Moderator of  
438 Presbytery. If one of these persons is not available, the Chair of the Presbytery's Mission Cabinet  
439 will be included in the consultation. See *Book of Order; Rules of Discipline D-10.0200* for details  
440 about ICs.
- 441 5. Implementation and Use of Administrative Leave:  
442  
443 Administrative leave for the accused serves to protect the Church and its ministry during the  
444 time that allegations of misconduct are under investigation. It is an exercise of prudent care,  
445 which serves the needs of both the accused and the Church. Administrative leave does not  
446 imply any judgment about the guilt or innocence of the accused. Its application is tied solely to  
447 the presence of unproven but substantive allegations and the necessity to investigate them.
  - 448 A. Whenever Administrative Leave is imposed, full pensionable compensation (salary, housing,  
449 deferred income), Social Security reimbursement, and the Presbytery-required additional  
450 medical coverage will be paid by the church or other compensating body under the juris-  
451 diction of the presbytery.
  - 452 B. During administrative leave the minister shall not perform any ministerial functions.

- 453 C. Administrative Leave, if warranted, will normally commence if, after the Investigating  
454 Committee (IC) has 1) reviewed the preliminary evidence and 2) interviewed both the  
455 accuser and accused, the IC determines that further investigation will be needed or that  
456 charges will be filed.
- 457 i. The IC, when it has reached this stage in its investigation and it has determined the  
458 necessity of proceeding with its work, shall inform the Permanent Judicial Commission  
459 (PJC) that they believe that administrative leave is warranted. The PJC shall follow the  
460 procedures laid out in the *Book of Order* D-10.0106 in determining whether to impose an  
461 administrative leave.
- 462 ii. If, however, after the IC has followed all the procedures set out in *The Book of Order:*  
463 *Rules of Discipline*, Chapter 10, it is clear that no further investigation is needed and no  
464 charges will be filed, then the PJC need not be notified and administrative leave will not  
465 commence. In addition, those consulted in the preceding paragraph (3) above will also be  
466 informed that the IC has determined that no further investigation is needed and no  
467 charges will be filled. (See C. Records)
- 468 D. There may be situations when administrative leave is requested prior to the ordinary course  
469 of the process. The request may come from the person accused, his/her employing body or  
470 the Community COM. The request for administrative leave in these cases will also be  
471 reviewed by the PJC which shall decide whether the circumstances warrant administrative  
472 leave as requested. If it is warranted, the PJC shall have the authority to impose admin-  
473 istrative leave as provided in the *Book of Order; Rules of Discipline* D-10.0106. Notification  
474 of this action shall be made to the presbytery at its next meeting.
- 475 6. In the event the accused is a member of Presbytery serving at large, in a validated ministry,  
476 honorably retired or inactive, the Presbytery will follow the process above to the extent  
477 possible, relying on the intent of the process when the words do not cover the exact situation.  
478 When the accused is in a validated ministry beyond Church jurisdiction, a notification will be  
479 sent to the employing organization of the fact that allegations of ministerial misconduct have  
480 been made if the IC determines that further investigation will be needed or charges will be filed.

481 C. RECORDS

- 482 1. In addition to the records and procedures required by the *Book of Order*, D-11.0600, written  
483 records should be kept by persons involved in each aspect of the process above to memorialize  
484 conversations, actions, rationales and other data that may be pertinent. All records must be  
485 kept confidential. When the inquiry process has concluded either by the filing of charges or the  
486 dismissal of the allegations, all records are to be sealed and forwarded to the Clerk of Session or  
487 the Stated Clerk, as appropriate.
- 488 2. The Stated Clerk will maintain a record of allegations received, noting the accuser, the accused,  
489 and the action taken (i.e. allegation withdrawn, no charges filed, charges filed, etc.). This file will  
490 be confidential with access restricted to the General Presbyter/Stated Clerk and the Chair of the  
491 Full COM. The Stated Clerk may take the contents of these records into account when discussing  
492 a minister with another presbytery.

494 PASTORAL RESPONSE TEAM

495 Whether or not allegations of offense are ultimately sustained or not, the person bringing such  
496 allegations is doing so from a deep sense of being wounded by a minister of the Church. Such wounds  
497 need to be addressed pastorally and immediately. The confidentiality required by our process of  
498 discipline in the stage of inquiry, the sensitivity of the matters usually brought for remediation through  
499 this process, the length of time needed to conduct inquiry and the isolation and alienation the accuser  
500 often feels from the usual networks of care within the church while this process is ongoing, all require  
501 that an independent source of care, support, and advocacy for his or her special needs be provided from  
502 outside the ordinary channels of Church government. Likewise the accused, once advised of the  
503 accusations, is also in need of special care, even more so after the accusations are public knowledge.  
504 Congregations or other constituent groups will all be affected by cases of alleged misconduct by a  
505 member of their group and, since they are a part of the Church family, will need and are entitled to the  
506 care of the Church.

507 A. POLICY

508 It is the policy of the Presbytery of Coastal Carolina to extend the care of the Church to parties  
509 involved in allegations of sexual misconduct during and, if necessary, after the process of discipline.

510 B. PROCEDURE

- 511 1. Whenever allegations of sexual misconduct are made in writing to the Stated Clerk against a  
512 member of the Presbytery of Coastal Carolina, in addition to and separate from the process of  
513 discipline required by the *Book of Order*, the following process shall be initiated to provide  
514 pastoral and other appropriate kinds of care for the accuser, accused, subject(s) of the  
515 accusation (when the accusation is made on behalf of a third party), and the congregation.
- 516 2. The Stated Clerk is responsible for advising the accuser(s)/subject(s) of the accusation(s) of the  
517 policy to extend the care of the Church to them.
  - 518 a. If the offer of pastoral care is accepted, the Stated Clerk shall notify the Moderator of the  
519 Presbytery and the Chair of the Pastoral Response Team that allegations have been made,  
520 including a summary of their nature.
  - 521 b. The Chair of the Pastoral Response Team shall name persons to serve as pastors/colleagues  
522 for the accuser(s), the subject(s) of the accusation(s), and, if they are not the accuser, the  
523 accused as well. These persons should be persons of compassion, faith, and skill appropriate  
524 to the needs of the person(s) under care and unbiased by involvement with the accuser(s),  
525 subject(s) of the accusation(s), or the accused.
  - 526 c. When the care givers are named and after the accused has been notified (#4 below), the  
527 Stated Clerk shall provide each of them with a confidential letter stating the name(s),  
528 address(es) and phone number(s) of the person(s) to whom care is to be given so that  
529 contact can be initiated.
- 530 4. When the Investigating Committee (IC) has been selected and trained, the Chairperson of the IC  
531 shall inform the Stated Clerk that the IC is ready to notify the accused of allegations against him

532 or her. When the accused has been informed of the allegations, the Stated Clerk shall notify the  
533 member of the Pastoral Response Team for the accused of the name of that person so that the  
534 care of the Church may be offered. To avoid interfering with the ordinary process of discipline,  
535 no information about the nature of the allegations or the name of the accuser(s)/subject(s) of  
536 the accusation(s) shall be provided.

537 5. The Community Commission on Ministry (COM) shall have the responsibility of providing  
538 pastoral care to the session(s) and/or organization(s) that may be collaterally affected by the  
539 allegation(s). The Stated Clerk, at the time the member of the Pastoral Response Team for the  
540 accused is notified, shall also notify the Chairperson of Community COM that a member of  
541 Presbytery has been accused of sexual misconduct so that they may exercise their responsibility  
542 for care of that person's session. Persons providing pastoral care to the session(s) shall not be  
543 the same persons providing pastoral care to the accuser(s), subject(s) of the accusation, or the  
544 accused and shall not be members of that congregation/organization.

545 6. No persons involved in rendering pastoral care to any affected person(s) or group(s) listed  
546 above are to be involved in any way with the investigation or any process of discipline as set  
547 forth in the *Book of Order, Rules of Discipline*. They shall not be concerned with determining the  
548 truth of allegation(s).

549 7. All information given to those rendering pastoral care by any party shall be strictly confidential  
550 and such confidentiality shall be carefully maintained unless reporting is mandated by North  
551 Carolina State law.

552 8. The reimbursable costs of the Pastoral Care Response Team(s) shall be a Presbytery expense as  
553 if it were part of the process of discipline.

554 9. Extraordinary costs (such as for professional counseling), if requested, will be negotiated with  
555 the Presbytery, through the Property and Finance Committee, before they are approved.

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### 556 *Document History*

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557 This document was drafted by representatives of the Commission on Ministry and the Response  
558 Coordinating Team during the summer of 2018 and is based heavily on a document prepared by the  
559 Presbytery of Monmouth with their kind permission. It will be presented to the Full Commission on  
560 Ministry on September 27, 2018 and to Presbytery for first reading on October 20, 2018. The plan is for  
561 it to be adopted at the March 2, 2019 meeting of the Presbytery.

562

563 CHURCH COVENANT STATEMENT

564 Presbytery of Coastal Carolina

565 Commission on Ministry

566 Church Name: \_\_\_\_\_

567 (PLEASE PRINT)

568 "As God who called you is holy, be holy yourselves in all your conduct..."

569 1 Peter 1:15

570 We believe that Jesus Christ calls us to standards of responsible conduct in all areas of life. We affirm on  
571 the basis of both Scripture and the Presbyterian Constitution that the behavior of church leaders must  
572 be exemplary.

573 The purpose of the *Sexual Misconduct Prevention and Response Policy* of the Presbytery of Coastal  
574 Carolina is to:

- 575 1. declare and maintain a high standard for the professional ministry in accord with G-6.0106 of the  
576 *Book of Order*;
- 577 2. prevent sexual misconduct and abuse;
- 578 3. safeguard the church, the church's members and staff from any form of sexual misconduct;
- 579 4. seek justice by assuring effectiveness of the church's administrative, investigative and judicial  
580 processes in determining truth, protecting the innocent, and dealing appropriately with those who  
581 victimize others;
- 582 5. promote healing of all persons and congregations where sexual misconduct has occurred, working  
583 to restore relationships broken by the sexual misconduct; and
- 584 6. address questions and concerns by establishing a process which will be responsive, confidential, and  
585 compassionate when situations or accusations of sexual misconduct arise.

586 The Session and Pastor (or Moderator) have read, understand, and hereby agree to abide by the intent  
587 of the *Sexual Misconduct Policy* of the Presbytery of Coastal Carolina, as well as its terms and conditions.  
588 We will also make certain that this congregation has a Sexual Misconduct Policy and that its pastor(s)  
589 maintain their training and background checks as required by the Commission on Ministry. (This is  
590 currently done every two years through ***Safe Gatherings.***)

591 Signed: \_\_\_\_\_ Date: \_\_\_\_\_

592 Pastor/Moderator of Session

593 \_\_\_\_\_ Date: \_\_\_\_\_

594 Clerk of Session

595 ***Churches: Please keep a copy of this signed document for your files, and return the original in a timely***  
596 ***manner to: Stated Clerk, Presbytery of Coastal Carolina, 807 W. King St., Elizabethtown, NC 28337.***

597

MINISTER COVENANT STATEMENT

Presbytery of Coastal Carolina

Commission on Ministry

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Minister (CRE) Name: \_\_\_\_\_

(PLEASE PRINT)

*“As God who called you is holy, be holy yourselves in all your conduct...”*

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3. safeguard the church, the church's members and staff from any form of sexual misconduct;
4. seek justice by assuring effectiveness of the church's administrative, investigative and judicial processes in determining truth, protecting the innocent, and dealing appropriately with those who victimize others;
5. promote healing of all persons and congregations where sexual misconduct has occurred, working to restore relationships broken by the sexual misconduct; and
6. address questions and concerns by establishing a process which will be responsive, confidential, and compassionate when situations or accusations of sexual misconduct arise.

I hereby verify that I have read, understand, and agree to abide by the intent of the *Sexual Misconduct Policy* of the Presbytery of Coastal Carolina, as well as its terms and conditions. I will also take the training and submit to the background checks required by the Commission on Ministry (currently every two years through **Safe Gatherings**).

Signed: \_\_\_\_\_

Ministers/Commissioned Lay Pastors

Date: \_\_\_\_\_

\_\_\_\_\_  
Clerk of Session

Date: \_\_\_\_\_

***Ministers/Commissioned Ruling Elders: Please keep a copy of this signed document for your files, and return the original in a timely manner to: Stated Clerk, Presbytery of Coastal Carolina, 807 W. King St., Elizabethtown, NC 28337.***

633 **STAFF COVENANT STATEMENT**

634 **Presbytery of Coastal Carolina**

635 **Commission on Ministry**

636 Staff Person Name: \_\_\_\_\_

637 (PLEASE PRINT)

638 *“As God who called you is holy, be holy yourselves in all your conduct...”*

639 1 Peter 1:15

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641 the basis of both Scripture and the Presbyterian Constitution that the behavior of church leaders must  
642 be exemplary.

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650 processes in determining truth, protecting the innocent, and dealing appropriately with those who  
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653 to restore relationships broken by the sexual misconduct; and
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655 compassionate when situations or accusations of sexual misconduct arise.

656 I hereby verify that I have read, understand, and agree to abide by the intent of the *Sexual Misconduct*  
657 *Policy* of the Presbytery of Coastal Carolina, as well as its terms and conditions. I will also take the  
658 training and submit to the background checks required by the Commission on Ministry. (This is  
659 currently done every two years through **Safe Gatherings**).

660 Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
661 Staff Member

662 \_\_\_\_\_ Date: \_\_\_\_\_  
663 Stated Clerk

664 ***Staff Members: Please keep a copy of this signed document for your files, and return the original in a***  
665 ***timely manner to: Stated Clerk, Presbytery of Coastal Carolina, 807 W. King St., Elizabethtown, NC***  
666 ***28337.***