

**SEXUAL MISCONDUCT POLICY AND PROCEDURES
FOR USE BY
THE PRESBYTERY OF ST. AUGUSTINE**

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**SEXUAL MISCONDUCT POLICY AND PROCEDURES
Presbytery of St. Augustine**

INTRODUCTORY STATEMENT

We believe that Scripture and our faith in Jesus Christ call us to standards of responsible conduct in all of life, including sexual behavior.

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.

It is essential that the church recognize that sexual misconduct occurs and that charges of misconduct be dealt with in a forthright and frank manner. The purposes of this policy are to provide:

- (i) Defined standards of ethical sexual behavior to include clear definitions of sexual abuse and misconduct.
- (ii) Procedures for effective response to accusations of sexual misconduct, assuring that the needs and rights of all are met, including the requirements and protection guaranteed in the Book of Order.
- (iii) Consistent practices and procedures directed toward the prevention of sexual abuse and misconduct which include education of clergy, church professionals, church employees, and church leaders, and recommending policies for congregations.

Section 1.130 of the Policy Statement, "Sexual Misconduct Policy and Procedures", adopted by the 205th (1993) General Assembly states: "The need for a denominational policy on sexual misconduct by ministers or other persons in positions of religious leadership is painfully apparent. The incidence of reported cases is sobering. Some presbyteries have multiple cases pending. Some statistical evidence suggests between 10 and 23 percent of clergy of all faiths nationwide have engaged in inappropriate sexual behavior or inappropriate sexual contact with parishioners, clients, or employees with whom they have a professional relationship. The toll of suffering resulting from such behavior is staggering. The legal consequences for the denomination are enormous. We face a crisis terrible in its proportions and devastating in its implications. We recognize that a primary barrier to responding appropriately to sexual misconduct arises when religious leaders are not able to recognize and believe that such behavior happens. In a context of pastoral or religious trust, it is hard to recognize abusive behavior because we do not expect to see it. Rather, just as in families where incest occurs, we often find that we choose not to see."

The ethical conduct of all who minister in the name of Jesus Christ is of vital importance to the church because through these representatives an understanding of God and the gospel's good news is conveyed. It is incumbent upon the church, when sexual misconduct occurs to find ways to care for everyone involved with compassion and justice. (Book of Order G-6.0101 and G-6. 0106)

I. POLICY STATEMENT

It is the policy of the Presbytery of St. Augustine that all of its clergy members, certified Christian educators, employees, and volunteers of the presbytery are to maintain the integrity of ministerial, employment, and professional relationships at all times. Sexual misconduct is not only a violation of the principles set forth in Scripture (I Peter 1:15, 5:2, I James 3:1), but also of ministerial, pastoral, employment, and professional relationships. Sexual misconduct is never permissible or acceptable.

The basic principles guiding this policy are as follows:

- A. Sexual misconduct is a violation of the role of all members, employees and volunteers of the presbytery. Both those ordained and non-ordained are called upon to exercise integrity, sensitivity, and caring in a trust relationship. Sexual misconduct breaks the trust relationship because it constitutes a failure to act in the best interests of parishioners, clients, co-workers, campers, students, and others.
- B. Sexual misconduct is a misuse of authority and power that breaches Christian ethical principles by misusing a trust relationship to gain advantage over another for personal pleasure in an abusive, exploitative, and unjust manner. If the parishioner, student, client, or employee initiates or invites sexual conduct in the relationship; it is the pastor's, counselor's, or supervisor's responsibility to maintain the appropriate role and prohibit a sexual relationship.
- C. Sexual misconduct takes advantage of the vulnerability of children and persons who are less powerful to act for their own welfare. It is antithetical to the gospel call to work as God's servant in the struggle to bring wholeness to a broken world. Sexual misconduct violates the mandate to protect the vulnerable from harm.

This policy is intended to apply to victims of sexual misconduct who may be: (i) individual members of a congregation; (ii) individuals who relate to a minister as "pastor" in non-member counseling or a conference setting; (iii) individuals who relate to a minister in specialized ministries, such as a chaplain, pastoral counselor or campus minister, etc. Those covered by this policy include ministers, Christian educators and seminary students, as well as church members, church officers and non-members who serve as employees or volunteers under the supervision of the presbytery or its entities. Individual congregations are not covered by this policy; however, churches within the presbytery are encouraged to adopt and implement their own sexual misconduct policies.

Definitions of certain terms used in this policy are contained in Appendix below.

II. DEFINITION OF SEXUAL MISCONDUCT

For the purposes of this policy "Sexual Misconduct" is intended to include the following three categories of sexual conduct:

- A. **Sexual Abuse**: which shall mean any of the following:
rape, sexual battery, or other sexual contact by force, threat, or intimidation with a person of any age; or

child sexual abuse, which is any contact, interaction, or other behavior between a child (under 18 years of age) and an adult under circumstances in which the child is used for sexual stimulation of the adult or of a third person. The behavior may or may not involve touching. Sexual conduct or other behavior between or involving a child and an adult is always considered to be forced, regardless of whether there is consent or purported consent by the child.

B. **Sexual Harassment:** which shall mean unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature under circumstances which:

1. submission to such conduct is made either implicitly or explicitly a term or condition of a person's employment or continued employment, a person's pastoral care or counseling, or a person's continued membership status or participation in an institution or entity of the Church; or
2. such conduct has the purpose or effect of interfering with a person's work performance or continued participation as a volunteer with an institution or entity of the Church, or of creating an intimidating, hostile, or offensive working or volunteer service environment; or

submission to or rejection of such conduct by a person is used as a basis for employment decisions affecting such person.

C. **Sexual Malfeasance:** which shall mean sexual conduct within a ministerial (e.g., clergy with a member of a congregation) or professional (e.g., counselor with client, professional or employee with a member of the congregation, presbytery executive with a committee member) relationship. Sexual malfeasance is intended to include sexual advances, requests for sexual favors and verbal or physical conduct of a sexual nature which occurs in a ministerial or professional relationship. Sexual malfeasance does not include relationships between spouses or restrict church professionals from having normal, mutual, or intimate relationships outside of a ministerial or professional context.

III. REPORTING REQUIREMENTS

Accusations of sexual misconduct may occur in a variety of ways. This may include a report by an alleged victim, by an accuser other than the alleged victim or by a non-accusing third party. Because a governing body or entity cannot control to whom the accuser/alleged victim will speak first, it is important that officers, employees, and persons highly visible to church members and visitors understand to whom such reports should be referred.

A. **The Duty to Report:** Accusations of sexual misconduct shall never be taken lightly or disregarded and allowed to circulate without concern for the integrity and reputation of the accuser/alleged victim, the accused, and the presbytery. Reports should be dealt with as matters of highest confidentiality, both before and after they have been submitted to appropriate authorities as outlined below.

The person receiving the initial accusation of sexual misconduct from the accuser/alleged victim shall immediately inform the chair or vice chair of the Response Coordinating Committee (see Section V). The chair or vice chair shall report the incident to civil or criminal authorities when required by local or state law.

No one, except an investigating committee properly constituted by the presbytery, is authorized to conduct an inquiry into an accusation of sexual misconduct. Persons to whom the initial allegation or report of possible sexual misconduct is made should refrain from independently undertaking any investigation into such report. This includes questioning the accuser/alleged victim or the accused unless the incident is divulged in the process of pastoral care, counseling, or a therapy session. If the accuser/alleged victim is reluctant to report to civil authorities or participate in judicial process (including the disciplinary process available under the Rules of Discipline of the Book or Order) the person who receives the initial report has a special responsibility to encourage the accuser/alleged victim to cooperate with civil and church authorities.

B. **In Cases of Child Sexual Abuse:** Within the presbytery, all persons covered by this policy have a duty and the legal responsibility to report suspected child sexual abuse to the employing entity, supervisor, or governing body representative. All persons should be informed of and must comply with state and local laws that mandate incidents of actual or suspected child sexual abuse and must be reported to civil authorities. Florida law defines "child" as under age 18.

C. **Reports to Higher Governing Bodies:** Those who regularly function in governing bodies or entities should understand the organizational reporting structure. If the accused is in a high-level position, the subsequent accusation should be given to a person of higher level in the same body or the next higher

governing body. For example, if the accused is the Stated Clerk of the presbytery, the accusation should be forwarded to the Stated Clerk of the Synod of South Atlantic.

IV. PRINCIPLES IN RESPONDING TO ACCUSATIONS

In responding to accusations of sexual misconduct, the church should seek healing and assure the protection of all persons. Where possible and within the limits of the process contemplated under this policy, the privacy of persons should be respected. The *Book of Order* assures all persons of fair procedures in the disciplinary process, and all persons involved should be informed of these procedures at the outset.

A fundamental principle in responding to an accusation of sexual misconduct is to ensure that the actions of the Response Coordination Team (see Section VI) promote and enhance the process of reconciliation and healing by effectively supporting those affected, without compromising or disrupting (i) any investigation and due process of civil authorities or (ii) any inquiry or judicial process which may be undertaken by the governing body.

Those persons affected by accusations of sexual misconduct (including both the accuser/alleged victim and the accused) often need counsel of various kinds, including therapeutic, pastoral, and legal. The Response Coordination Team will act to assure that such assistance is available as needed.

Certain kinds of cases may require special handling, for example:

- A. When there is an accusation of child abuse, Florida, like most states, has mandatory reporting requirements that must be followed. In addition, an accusation of child abuse puts a special burden on employers to assure that the possibility of additional abuse is foreclosed, which may call for voluntary suspension while the accusations are investigated.
- B. Similarly, when accusations are made that multiple child or adult victims have suffered sexual abuse, voluntary suspension may be necessary, and more extensive counseling resources (legal and therapeutic) may be required.
- C. Some cases may involve more than one governing body of the church (for example, when a minister against whom accusations are brought has transferred to another presbytery). In these instances, it is incumbent upon officers of the various governing bodies to cooperate fully in the handling of the complaint.

Essentially, there is no statute of limitations under the *Book of Order* on a claim of sexual abuse. Such a claim may be made at any time after the event; however, once an investigating committee is formed to inquire into a claim of sexual abuse, the committee must file charges (if at all) within one year of the date the committee was formed (D-10.0401a). This does not affect any applicable statute of limitations under civil or criminal law.

V. RESPONSE COORDINATION COMMITTEE

The Response Coordination Committee (RCC) is a Resource Team of the Presbytery of St. Augustine, elected by the Presbytery Council upon nomination by the Committee on Ministry (COM). The RCC is charged with responsibility to assure that an objective, effective, expeditious, confidential, and caring response is made to accusations of sexual misconduct that involve ministers, certified Christian educators, employees, and volunteers of the presbytery. The RCC meets this responsibility by assigning a specific Response Coordination Team (RCT) to respond to each accusation of sexual misconduct.

- A. Composition of the RCC: Because there may be more than one accusation of sexual misconduct at a given time, the COM shall appoint and maintain a pool of up to 21 persons to constitute the RCC. The RCC, its chair, and vice chair shall be nominated by the COM. The chair of the RCC shall be the liaison with the COM. Expertise and/or extensive experience in at least the following areas should be reflected in the membership of the RCC:
 1. psychological counseling with particular experience in the area of sexual abuse and its aftermath, as well as pastoral care;
 2. child advocacy;
 3. law with particular experience in sexual harassment or abuse, civil tort proceedings, criminal proceedings involving matters of due process, and domestic law;
 4. conflict management and resolution particularly in the religious community setting;

5. insurance and risk management; and
6. personnel management and training.

All members of the RCC are to be members of the Presbyterian Church (U.S.A.) and familiar with its policies and procedures. Presbytery staff shall not be members of the RCC.

- B. Role and Functions of RCC: The primary functions of the RCC shall be as follows:
1. to serve as a committee from which Response Coordinating Teams will be selected;
 2. to serve as a pool from which the presbytery may select members of investigating committees for written claims of alleged offenses involving sexual misconduct (D-10.0103).
 3. to serve as a pool of resource persons who will be available to assist Response Coordinating Teams.
 4. to arrange and conduct training of its members, at least annually. Such training will include: (i) techniques and procedures for effective response to crisis situations involving accusations of sexual misconduct; (ii) the sharing information and experiences of RCC members in dealing with sexual misconduct issues.

For each accusation of sexual misconduct the RCC shall appoint at least three RCC members to form the RCT for that case. If the chair is unavailable or is directly involved in the particular case, the vice chair shall make such appointments. The RCC chair shall report to the RCT the nature of the allegation and all pertinent information, including the identity of the affected parties.

Because of the skills and training to be developed by the RCC in issues of sexual misconduct, at least a majority of the membership of each investigating committee formed to inquire into alleged offenses involving such issues shall be appointed by the presbytery from otherwise eligible members of the RCC; provided, however, that no member who has served on an RCT in connection with an accusation of sexual misconduct may serve on an investigating committee dealing with the same or a related accusation.

VI. RESPONSE COORDINATION TEAM

- A. Composition of RCT: Each RCT shall be composed of three or more members selected from the membership of the RCC.
- B. Role and Functions of the RCT: The role of the RCT is to coordinate a prompt and effective response by the presbytery to an accusation of sexual misconduct. In carrying out such role, the RCT should:
1. Notify affected persons and entities of the formation of the RCT and the RCT's role in the matter and provide them with copies of this policy. The RCT will have discrete authority to determine when notifications are given. Delays should be avoided whenever and wherever possible in this process. When appropriate, notice to the accused may include advice to the accused to have no further contact of any sort with the accuser, the alleged victim or the alleged victim's family.
 2. Confirm that civil authorities have been notified if applicable and that any other provisions are in compliance with civil or criminal law.
 3. Assess the needs of the affected persons, congregations, entities, agencies, and governing bodies. If inquiries as to needs are directed to those specifically affected, the role of the RCT should be carefully explained. The RCT shall not itself provide therapeutic or legal counsel, nor function as an investigation committee.
 4. If appropriate, assign from the remaining RCC membership not otherwise involved in the matter, or from other active members of the presbytery who are approved by the RCT, advocates for the accuser/victim and the accused. Such advocates shall assist those whom they are assigned to understand and comply with the process set out under this policy and under any process undertaken pursuant to the Rules of Discipline. A primary function of an advocate assigned by the RCT to an accused will be to advise the latter of his or her rights under the Rules of Discipline (D-10.0203), including, specifically, the right to counsel. The advocates will be expected to communicate

regularly with those affected parties to whom they have been assigned and to keep such parties advised of the status of the process.

5. If one has not already been submitted, secure a written statement of offense from the accuser/victim so that, if appropriate, the Stated Clerk may request the appointment of an investigating committee.
 6. Determine the availability of resources (including persons, funding, and support services) to meet the appropriate needs of the affected persons. If necessary, these resources should be sought by the RCT outside presbytery if such resources are not immediately available. Presbytery shall compile and frequently update a list of available psychological counselors, pastoral counselors, attorneys, conflict managers, and insurance advisors who will be available for assistance to the affected parties in a given case. The members of the RCT will also be available to these professionals for advice and counsel.
 7. Take such action as is deemed by the RCT to be reasonably necessary and prudent to assure that the needs of those affected are being met. Concerns or complaints about the provision of services should be directed to the RCT chair.
 8. Assure that effective steps to respond to the accusation have been initiated within 14 days of its appointment. The RCT shall submit a report on the progress of its work to the COM through the chair of the RCC within 30 days of such notice. It is contemplated that additional reports will be made by the RCT periodically thereafter, with a final report to be made upon completion of its work.
- C. Limitations on Scope of RCT Functions: The RCT shall not engage in any of the following:
1. disclose confidential information obtained in the course of its work, including, without limitation, the identity of the parties, the substance of an accusation or evidence pertinent to an accusation, except as provided by the process described herein;
 2. advocate for any party involved;
 3. act as legal counsel for any party involved;
 4. provide pastoral care or counseling to any party involved;
 5. perform functions of the Committee on Ministry or an investigating committee;
 6. make any determination of the guilt or innocence of the accused; or
 7. become involved in any specific remedy or disciplinary action.
- D. Form of Written Reports: The written reports submitted by the RCT to the chair of the COM through the chair of the RCC shall include all relevant non-confidential information gathered by the RCT in the course of its process. These reports do not constitute formal statements of offense nor shall it preclude or in any way prejudice the initiation of a formal statement of offense by the accuser/alleged victim or a request for vindication by the accused (see Rules of Discipline, 10-10.0100, et seq.) Specifically, the written reports should include:
1. name and address of the parties involved;
 2. a summary of the accusations;
 3. a summary of the RCT's action to date and the current status of the matter to which the RCT is assigned;
 4. any specific remedy described or sought by the accuser/alleged victim; and
 5. any suggestions for further actions to be taken by the governing body or entity.
- E. Tenure of the RCT: The RCT should, to the extent permitted under the Rules of Discipline, remain active in the matter until its conclusion and be available to those involved in order to hear their concerns throughout the inquiry and disciplinary process.

- F. No Media Contact with the RCT: Any inquiries from the media regarding an incident of sexual misconduct must be directed to the Stated Clerk. Questions from the media shall not be addressed by any member of the RCT.
- G. RCT Record Keeping: The RCT shall keep careful records of its meetings, copies of all correspondence and copies of the reports to the chair of the COM. The RCT shall maintain the records until the matter has been resolved. At that time, the records shall be sealed, marked "confidential", clearly labeled as to who may open, and forwarded to the Stated Clerk or designated personnel official of the governing body or entity where they will be securely stored. Members of the RCT shall keep no separate or duplicate records of material that has been turned over to the governing body as a result of its work.
- H. Due Process Rights of The Accused: Accused persons are entitled to respect and protection. The RCT shall take all necessary steps to assure that the rights of the accused are protected, as detailed in the Rules of Discipline: the right to remain silent, to be represented by counsel and, if charges are later filed, to have counsel appointed if unable to secure counsel.

VII. MEETING THE NEEDS OF ALL INVOLVED

When there is an accusation of sexual misconduct there are needs that have to be met for the good of all persons, groups, and entities.

- A. **The Needs of the Accuser/Alleged Victim:** It is the responsibility of the governing body, employing entity, and the RCT to assure that adequate treatment and care are available for alleged victims of sexual misconduct and their families. The governing body, entity, and the RCT should be sensitive to the alleged victim's pain and need for healing. The following are some of the needs of the accuser/alleged victim:
 1. To be heard and taken seriously. From the time that the accuser/alleged victim makes the claim that sexual misconduct has occurred, that person should receive immediate attention and serious consideration from all church representatives.
 2. To receive pastoral and therapeutic support. The accuser/alleged victim may require spiritual and professional assistance. The RCT should offer to help arrange for such support from a pastor and therapist, if the accuser/alleged victim desires.
 3. To be informed in a timely way about the process and progress with regard to the accusation. The RCT will provide to the accuser/alleged victim current information as to what is happening as a result of the accusation.
 4. To receive legal advice. The RCT should suggest that the accuser/alleged victim might benefit from independent legal advice. If requested, the RCT should suggest ways in which independent legal advice can be obtained.
 5. To be assured that justice will be pursued. The accuser/alleged victim needs to be told by the RCT, and shown by the processes followed, that justice is being pursued through fact finding, truth telling, and confrontation.
 6. To receive healing and reconciliation if the accusation is sustained. In addition to specific forms of restitution mentioned above, the accuser/alleged victim needs to receive a sense of healing and reconciliation with all concerned - the individual, the family, the church, and ideally the accused.

The above needs are legitimate needs, but it should be recognized that all of these needs may not be met through a reasonable handling of a specific case, and may only occur over a lengthier period of time. All of these needs should be taken seriously and compassionately, and the rights of the persons should be respected.

- B. **The Needs of the Accused** shall offer care and treatment for the accused as well as alleged victims and families. The following are some of the needs of the accused:
 1. To receive information about the charges. When an accusation of sexual misconduct has been received by the RCT, the accused must be notified in writing. The accused shall be warned that any statements made to the RCT may be used against the accused in later proceedings.
 2. To be informed in a timely way about the process with regard to an accusation. The RCT shall explain the process used by the governing body when an accusation of sexual misconduct has been made and the options available to the accused. The RCT shall recommend that the accused seek

legal advice immediately since the accusation could result in church discipline or civil or criminal court action.

3. **To receive legal advice and assistance.** The accused may seek legal advice from any source, but it should be noted that in church disciplinary or remedial cases "no person shall act as counsel who is not a member of the Presbyterian Church (U.S.A.)" (D-11.301).

The accused is responsible for his or her attorney fees, but if an accusation proceeds to the initiation of disciplinary case and the accused is unable to employ counsel, the accused may request appointment of counsel under the provisions of Book of Order (D-11.0302).

4. **To receive personal and therapeutic support.** The accused may require spiritual and professional assistance. The RCT should offer to help arrange for such support from a pastor or therapist, if the accused desires.
 5. **To receive assistance with economic security and care for the family.** When an allegation of sexual misconduct has been made against a minister or staff of the presbytery the economic security of the accused is directly threatened along with reputation, career, and family relationships. The COM can be of assistance when the accused is a minister. The RCT may alert the COM to the possible spiritual, emotional, and financial needs of the family of an accused minister and recommend expert resources. The RCT shall not become personally involved with trying to meet these needs.
- C. **The Needs of a Congregation/Employing Entity:** The governing body, employing entity, and the RCT should be aware of the problems a congregation or employing entity may experience following an accusation of sexual misconduct. The accusation may polarize the congregation or organization, damage morale, create serious and internal problems. Efforts should be taken to recognize and identify the problems and heal any damage that may be done to the congregation or organization. The following are some of the needs.
1. **To receive pastoral care.** Members and staff will need pastoral care. If it is the pastor or head of staff who is involved in the sexual misconduct, care will need to be provided by another member of the ordained staff (if it is a multiple staff situation) or by a trained interim pastor or consultant. If the pastor leaves as a result of sexual misconduct, a trained interim pastor or consultant in sexual misconduct may need to work with the congregation/employing entity for an extended period of time.
 2. **To receive information about the case.** Members of the congregation/employing entity will need opportunities both to receive information and to vent feelings. When appropriate, meetings should be held which provide information about sexual misconduct in general and Presbyterian polity and judicial process. An appropriate opportunity should be provided for members to express themselves in search of healing.
 3. **To have available resource persons** such as a trained interim pastor, a COM representative knowledgeable in polity and the effects of sexual misconduct on the congregation/employing entity, a consultant or therapist with knowledge and experience in dealing with sexual misconduct, an attorney who can discuss legal aspects of a case, and an insurance agent who can advise the congregation/employing entity about any exposure to liability or coverage.
- D. **The Needs of Presbytery** responsibilities of the presbytery include the need:
1. **To receive legal advice.** The presbytery needs competent legal counsel, particularly if an accusation leads to judicial proceedings either under the Book of Order or in civil court. The attorney should be a Presbyterian (Book of Order requires that legal counsel before a Permanent Judicial Commission be a Presbyterian) who is familiar with Presbyterian polity, civil procedure, and the legal issues found in sexual tort, sexual harassment, and child abuse cases.
 2. **To provide training and education** about sexual misconduct and the policy and procedures of the presbytery. All minister members, certified Christian educators, and professional staff members of presbytery and all other persons who serve on the COM and the Judicial Business Committee shall be required:
 - a) to attend training on sexual misconduct as provided by presbytery; and

- b) to acknowledge in writing the receipt of a copy of this policy and their agreement to abide by its terms.
3. To secure risk management advice and liability insurance. Presbytery may face liability awards in cases of sexual misconduct occurring within its jurisdiction. Presbytery shall obtain adequate liability insurance to cover such occurrences, and representatives of presbytery should consult at least annually with insurance carriers regarding risk management procedures.

Adopted February 1996
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APPENDIX

DEFINITIONS

ACCUSATION is a statement or claim that an offense may have occurred. It must be put into writing by the alleged victim or accuser for it to be acted upon. (See "Statement of Offenses.")

ACCUSED is the term used to represent the person against whom an accusation of sexual misconduct is made.

ACCUSER is the term used to represent the person claiming knowledge of sexual misconduct by a person covered by this policy. The accuser may or may not be the alleged victim. A person such as a family member, friend, or colleague of the victim may be the accuser whose information initiates a response.

ADVOCATE is a designated person who may be assigned by the Response Coordination Team (RCT) to the accused, accuser, and/or alleged victim, who is to help the person to whom she/he is assigned understand and follow the process set out in this policy.

ALLEGED VICTIM is the term used to identify the person who may have been subjected to sexual misconduct.

CHARGE is a specific accusation made to the proper governing body.

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.

COM refers to the Committee on Ministry of the presbytery.

DEGREE OF EMPHASIS

may - action left to the discretion of the individual or governing body
must - a mandatory action
shall - a mandatory action
should - a recommended action

DISCIPLINE is the exercise of the pastoral and moral rule of a governing body. The purpose of discipline is not punitive but redemptive and reconciliatory with the goal of restoration. Restoration does not automatically imply reinstatement to a previously held office or position. Restoration primarily refers to the full membership and fellowship in the body of Christ, the church.

EMPLOYEE is the comprehensive term used to cover individuals who are hired or called to work by a governing body or one of its entities for salary or wages.

ENTITY is the term used to refer to any program or office managed by a board, committee, council, or other body whose total or partial membership is elected by a governing body.

GOVERNING BODY is a representative body composed of elders and ministers. These are sessions, presbyteries, synods, and the General Assembly. A governing body may establish entities such as day care centers, conference centers, camps, or homes for the aged. A governing body may have both church members and non-members as employees.

INQUIRY is the term used in the Rules of Discipline (D-10.0201) to refer to a function of an investigating committee to determine whether charges should be filed.

INVESTIGATING COMMITTEE is a committee designated by a governing body to conduct an inquiry into an alleged offense and to carry out those functions set forth in Chapter 10, Book of Order.

MINISTER OR PASTOR refers to one who is ordained to specific pastoral ministry within a congregation or to a specialized ministry.

PARISHIONER is an individual who is a member of a particular congregation or someone who is relating to the minister as "pastor" as in a non-member counseling or conference setting. For clergy serving in specialized ministries, "parishioner" is any person receiving the benefit of the exercise of the office of ministry (e.g., chaplain, pastoral counselor, campus minister, etc.)

PRESBYTERY refers to the Presbytery of St. Augustine, unless otherwise indicated.

PROFESSIONAL STAFF describes those staff members who lead specific programmatic ministries for a congregation or presbytery but are not ordained as Ministers. Such workers would include church musicians, directors of Christian education, youth directors, etc.

RESPONSE COORDINATION COMMITTEE (RCC) is a body constituted by presbytery to facilitate the process of responding to this policy.

RESPONSE COORDINATION TEAM (RCT) is a team of at least three members appointed by the RCC from its membership to respond to accusations of sexual misconduct.

STATEMENT OF OFFENSE is a written statement of an allegation of sexual misconduct (See D-10.0101 through D-10.0103). A written statement of offense directed to the stated clerk of the presbytery is necessary in order to refer such claim to an investigating committee.

VICTIM is the term used to designate someone who has been found, after due process, to have been subjected to sexual misconduct.

VOLUNTEER is the term used for one who provides services for presbytery or its entities and receives no benefits or remuneration. This policy treats volunteers in the same way as employees. Volunteers include persons elected or appointed to serve on boards, committees, and other groups.