

DOCUMENT #1

CODE OF CONDUCT

FOR CLERGY, CHURCH STAFF

AND VOLUNTEERS

University Presbyterian Church
4540 15th Ave. N.E.
Seattle, WA 98105
(206) 524-7300
www.upc.org

Adopted by Session:
February 26, 2008

INTRODUCTION

Persons engaged in ministry at University Presbyterian Church (UPC), including clergy, staff, and lay volunteers, are called to high standards of ethical conduct and personal integrity. Power and authority is inherent in the role of ministry. The burden of responsibility for maintaining appropriate boundaries rests upon those persons engaged in ministry. It is important that those engaged in ministry respect the individuals whom they serve.

In order to assure that those who are in ministry act in a manner consistent with Biblical teaching and ethical standards, it is expected that clergy, staff, and lay volunteers will:

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

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

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

APPROPRIATE INTERACTIONS

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

Examples of Appropriate Physical Contact:

- Short hugs (especially side to side hugs);
- Pats on the shoulder or back;
- Handshakes;
- High-fives;
- Holding hands while walking with young children;
- Sitting beside young children;
- Kneeling or bending down for hugs with young children (usually initiated by the child); and
- Holding hands during prayer.

Examples of Appropriate Behavior:

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

Examples of Appropriate Verbal Interactions:

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

LEADERSHIP PRACTICES

- **Two-deep leadership with children.** It is the practice at UPC that a minimum of two adults are present at all times during any Church-sponsored activity that involves children.
- **Three or more persons.** The following practices are preferred, although not always practical or possible: Three or more persons (i.e. two adults and one youth/vulnerable adult, or one adult and two youths/vulnerable adults) will be present when:
 - Transporting a youth or vulnerable adult; and
 - Working with youth, or vulnerable adults, e.g. Bible study, class, activity.
- **One-on-one contact.** If there is only one adult and one youth or vulnerable adult present, contact shall be in a public setting.

INAPPROPRIATE INTERACTIONS

Adults and others have used some forms of physical interactions with children, youth, and adults to initiate inappropriate contact. Generally, physical contact should be initiated by children, youth, and adults, rather than by a person engaged in ministry. However, to maintain a safe environment for children, youth, and adults, the following are examples of activities that should be avoided.

Examples of Inappropriate Physical Interactions:

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

Examples of Inappropriate Behavior:

- Being alone with a child, youth, or vulnerable adult in a private setting;
- Allowing children, youth, or vulnerable adults to break rules or violate the law;
- Offering alcohol to children, youth, or vulnerable adults;
- Using, possessing, or being under the influence of alcohol in the presence of minors or vulnerable adults to whom the clergy, staff or volunteer ministers;
- Offering illegal drugs to anyone;
- Using, possessing, or being under the influence of illegal drugs in the presence of anyone;
- Showering or bathing with or in the immediate presence of a child, youth, or vulnerable adult; and
- Exposing a child, youth, or adult to sexually oriented or morally inappropriate materials.

Examples of Inappropriate Verbal Interactions:

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

- Derogatory remarks about a child's, youth's, or vulnerable adult's family.

ELECTRONIC CONDUCT

This Code of Conduct applies to the use of phones, text messages, Internet and emails when communicating as a clergy, staff, or lay volunteer with children, youth, and adults.

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

Portions of the above material have been obtained from the Archdiocese of Seattle and are used with permission.

DOCUMENT #2

**POLICY FOR THE PREVENTION OF
AND RESPONSE TO
SEXUAL MISCONDUCT**

**University Presbyterian Church
4540 15th Ave. N.E.
Seattle, WA 98105
(206) 524-7300
www.upc.org**

**Adopted by Session:
February 26, 2008**

I. POLICY

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

A. Principles of the Policy

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

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

B. Goals of the Policy

The goals of this policy are:

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

II. TERMS AND DEFINITIONS

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

UPC when capitalized refers to the University Presbyterian Church, Seattle, Washington, a particular church of the Presbyterian Church (U.S.A.).

Congregant is a person who, though not a formal member of University Presbyterian Church, has participated in the church's worship, witness, mission, or ministry.

Criminal background check refers to the Washington State Patrol background check that searches for any criminal background in the State of Washington.

Member as used in reference to the church pertains to all who belong to the church in accord with the requirements of the *Book of Order*, G-10.0300.

Ministry supervisor is a department head or the department head's designee.

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

Response Team consists of a group of people within UPC to respond to reports of sexual misconduct and abuse. (See Section V,)

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

- **Sexual abuse of another person** is a Presbyterian Church (U.S.A.) disciplinary offense that is defined by the *Book of Order*, D-10.0401b (2). This includes such actions as: rape; sexual conduct in relation to a minor; sexual conduct in relation to an adult who lacks the mental capacity to exercise informed consent; the misuse of an office or position by committing acts of sexual misconduct.
 - **Child sexual abuse** includes, but is not limited to, any inappropriate contact or interaction between an adult and a child or minor, as defined by State of Washington penal law, and when the child or minor is used for the sexual stimulation of the adult or of a third person.
- **Sexual harassment** is a term that refers to unwelcome and offensive, obscene, or suggestive sexual advances, or requests or demands for sexual favors. Sexual harassment is defined in the UPC Employment

Handbook at 1.03 as: “verbal or physical conduct that threatens, intimidates or coerces. It includes verbal conduct or comments, which, in the employee’s opinion, impairs his or her ability to perform the job.”

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

Staff refers to a person who is a minister of Word and Sacrament or an employee of the church. A parish associate, whether paid or unpaid, is deemed a staff person.

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

Vulnerable adults refers to persons over 60 years of age who are unable to care for themselves; certain individuals with developmental disabilities; persons over the age of 18 who have a legal guardian; and individuals receiving in-home care.

III. PREVENTING SEXUAL MISCONDUCT

A. Individuals Prohibited from Contact with Minors and Vulnerable Adults

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

B. Employees and Staff

1. Screening:

- The church will complete a criminal background check for each person who is to be offered a position before the person is employed.
- Thereafter, each UPC employee is required to undergo a criminal background check every three years.

- As a condition of employment, each employee will be provided copies of “The Code of Conduct” and “The Policy for the Prevention of, and Response to, Sexual Abuse and Sexual Misconduct.” Each employee will sign a receipt stating the person has received, read, and agrees to abide by the terms in each of these documents. This receipt will be retained as documentation in the employee’s personnel file.
- In addition, each clergy and each supervisory employee will be provided a copy of “The Policy and Procedures for the Prevention and Intervention of Sexual Abuse and Sexual Misconduct.” Each of these employees will sign a receipt stating that the person has received, read, and agrees to abide by the terms in this document. This receipt will be retained as documentation in the employee’s personnel file.

2. Training

- All staff, including clergy, are required to complete a training and education in the prevention of and response to sexual misconduct within one hundred twenty (120) days of starting the position.
- All staff, including clergy, are required to complete a refresher training and educational event in the prevention of and response to sexual misconduct every three years.

C. Volunteers

1. Screening and Selecting Volunteers Who Will Work with Children, Youth, or Vulnerable Adults

- The church will complete a criminal background check prior to an individual’s participation as a volunteer.
- Any person who has been found to engage in inappropriate or illegal behavior involving sexual misconduct shall not be eligible to serve as a volunteer with children, youth or vulnerable adults.
- UPC recognizes there is a wide range of responsibility and time commitment to our ministry. Many volunteers, prior to participation as a volunteer, will be asked to submit to a criminal background check and to read the “UPC Code of Conduct” and “The Policy for the Prevention of and Response to Sexual Abuse and Sexual Misconduct,” and to sign a receipt stating that they have received, read, and agree to abide by these documents. The receipt will be retained as documentation in the volunteer’s file. The volunteers who will be asked to complete these requirements include as follows:
 - Any individual who is working with children, youth, or vulnerable adults on an ongoing basis or who is acting in a ministry supervisor capacity;

- Any individual who is involved in a week-end long or week long activity.

2. Training

- Volunteers who work directly with children, youth or vulnerable adults are required to complete age-appropriate training and education in the prevention of sexual abuse and sexual misconduct within 120 days of starting the position.
- Volunteers who work directly with children, youth and vulnerable adults, are required to complete refresher training in sexual misconduct prevention every three years.

D. Church Officers

1. Selection

The church shall complete a criminal background check for each deacon and elder nominee prior to their election.

2. Training

It is the policy of this church that preparation for deacons and elders will receive at the beginning of each term two or more hours of training in the prevention of sexual abuse and sexual misconduct in ministry relationships. It is recommended that refresher training in sexual misconduct prevention be provided every three years to all elders and deacons whether or not they are actively serving.

E. Church Ministry

In addition to the practices stated in the “UPC Code of Conduct”, the following are practices we seek to observe to limit the risk of sexual misconduct.

1. Practices Specific to Children and/or Youth

- **Room windows.** Each room designated for use by children or youth, e.g. a classroom, will contain a clear glass window that permits a view of the room. As a substitute to a window, a Dutch door with an open upper section is acceptable, so long as the top half of the Dutch door remains open when minors are present. *(This protects minors and protects against false allegations.)*
- **Majority age.** Anyone who works with minors in a church program must be at least 18 years old or under the supervision of a person 18 years of age or older.
- **Time-limited counseling.** Counseling sessions shall not exceed six sessions. If further sessions are required, a referral to a qualified, trained professional shall be provided, unless this restriction is waived after consultation with the Executive Pastor or the Executive Pastor’s designee.

- **Two-deep leadership with children.** It is the practice at UPC that a minimum of two adults are present at all times during any church-sponsored activity that involves children.
- **Three or more persons.** The following practices are preferred, although not always practical or possible. Three or more persons (i.e. two adults and one youth/vulnerable adult; or one adult and two youths/vulnerable adults) will be present when transporting a youth or vulnerable adult and working with youth or vulnerable adults, e.g. in a Bible study, class or activity.
- **One-on-one contact.** If there is only one adult and one youth present, such contact should occur in a public setting.

2. Practices Specific to Pastors, Senior Directors, Parish Associates, and Volunteers Who Conduct One-on-one Meetings as a Part of the Ministry Design.

- **Office windows.** Each office or room will have an interior clear glass window that permits a clear view of the room.
- **Avoidance of dual relationships.** Each pastor, senior director, parish associate, and volunteer who conducts one-on-one meetings as part of the ministry design is urged to avoid entering into dual relationships with members of the congregation, congregants, employees and staff when such relationships entail the person in ministry possessing an unequal balance of power, status, or influence due to the ministry role that could adversely affect the other party. An example of a dual relationship includes the minister dating a congregant. It is the responsibility of the minister to avoid entering into inappropriate dual relationships. Ministers of Word and Sacrament must inform their supervisor of all potential dating, romantic, or sexualized dual relationships, if any.
 - If a parishioner, client, co-worker, employee, or student, appears to initiate or invite sexual behavior in a relationship with a person in ministry, it is the responsibility of the person in ministry to maintain the appropriate behavior by observing sexual boundaries to insure that sexual misconduct does not occur. Sexual misconduct cannot be justified by a claim of mutual consent.
- **Time-limited counseling.** Counseling sessions conducted by persons whose role is not designated as a counselor as part of their call or job description shall not exceed six sessions. If further sessions are required, a referral to a qualified, trained professional shall be provided, unless this restriction is waived after consultation with the Executive Pastor or the Executive Pastor's designee.

IV. REPORTING

A. Reporting Suspected Sexual Abuse

When there is cause to suspect sexual abuse of a minor or vulnerable adult, it shall be reported immediately to the ministry supervisor. The ministry supervisor is considered by UPC to be a “mandated reporter”. A report by a supervisor is to be made within 48 hours of the first report of suspected sexual abuse to the Washington State Department of Social and Health Services (DSHS) hotline.

If the alleged abuse involves church staff or volunteers, the allegation or discovery shall be reported to the Executive Pastor, the Clerk of Session, and the Chair of the Response Team, in addition to the report that has been made to Washington State DSHS.

B. Reporting Suspected Sexual Misconduct

Church staff or volunteers who have cause to suspect sexual misconduct on the part of another church staff member or volunteer are required to report the suspected misconduct to the Executive Pastor, or the Executive Pastor’s designee, or the UPC Human Resources office.

DOCUMENT #3

POLICY AND PROCEDURES

FOR THE

PREVENTION AND INTERVENTION

OF SEXUAL MISCONDUCT

University Presbyterian Church
4540 15th Ave. N.E.
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Adopted by Session:
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I. POLICY

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A. Principles of the Policy

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

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

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

B. Goals of the Policy

The goals of this policy are:

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

II. TERMS AND DEFINITIONS

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

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

Member as used in reference to the church pertains to all who belong to the church in accord with the requirements of the *Book of Order*, G-10.0300.

Ministry Supervisor is a department head or the department head's designee.

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

Response Team consists of a group of people within UPC to respond to reports of sexual misconduct and abuse. (See Section V.)

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

- **Sexual abuse of another person** is a Presbyterian Church (U.S.A.) disciplinary offense that is defined by the *Book of Order*, D-10.0401b.(2). This includes such actions as: rape; sexual conduct in relation to a minor; sexual conduct in relation to an adult who lacks the mental capacity to exercise informed consent; the misuse of an office or position by committing acts of sexual misconduct.
 - **Child sexual abuse** includes, but is not limited to, any inappropriate contact or interaction between an adult and a child or minor, as defined by State of Washington penal law, and when the child or minor is used for the sexual stimulation of the adult or of a third person.
- **Sexual harassment** is a term that refers to unwelcome and offensive, obscene, or suggestive sexual advances, or requests or demands for sexual favors. Sexual harassment is defined in the UPC Employment

Handbook at 1.03 as: “verbal or physical conduct that threatens, intimidates or coerces. It includes verbal conduct or comments, which, in the employee’s opinion, impairs his or her ability to perform the job.”

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

Staff refers to a person who is a minister of Word and Sacrament or an employee of the church. A parish associate, whether paid or unpaid, is deemed a staff person.

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

Vulnerable adults refers to persons over 60 years of age who are unable to care for themselves; certain individuals with developmental disabilities; persons over the age of 18 who have a legal guardian; and individuals receiving in-home care.

III. PREVENTING SEXUAL MISCONDUCT

A. Individuals Prohibited from Contact with Minors and Vulnerable Adults

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

B. Employees and Staff

1. Recruiting, Screening, Hiring and Training

- An application form will be used as part of the standard hiring procedure each time the church seeks to fill an employee or staff position. The UPC Application for Employment must be completed, dated, and signed, attesting to the truthfulness of the

information provided and authorizing reference and background checks.

- The church will complete a criminal background check for each person who is to be offered a position before the person is employed.
- Thereafter, each UPC employee is required to undergo a criminal background check every three years.
- Reasonable efforts will be made to contact all references of a candidate before that person is hired, and a record to document the contact will be maintained.
- A personnel file for each person hired will be maintained.
- As a condition of employment, each employee will be provided a copy of the “*Policy for the Prevention of and Response to Sexual Misconduct*” and the “*Code of Conduct for Clergy, Church Staff, and Volunteers*”, and will sign a receipt stating the person has received, read, and agrees to abide by the policies. This receipt will be retained as documentation in the employee’s personnel file.
- In addition, each clergy and each supervisory employee will be provided a copy of “The Policy and Procedures for the Prevention and Intervention of Sexual Abuse and Sexual Misconduct.” Each of these employees will sign a receipt stating that the person has received, read, and agrees to abide by the terms in this document. This receipt will be retained as documentation in the employee’s personnel file.

2. Training

- All staff, including clergy, are required to complete a training and educational event in sexual misconduct within one hundred twenty (120) days of starting the position.
- All staff, including clergy, are required to complete a refresher training and educational event in sexual misconduct every three years.

C. Church Officers

According to the Book of Order, as officers of the church deacons and elders are mandated reporters. To fulfill the role of mandated reporter, all deacons and elders are subject to the following requirements:

- Criminal background check. Each deacon and elder nominee shall be subjected to a criminal background check, prior to their election, to verify that no criminal history would compromise the deacon’s or elder’s exercise of good judgment in acting as a mandated reporter or in reporting suspected sexual abuse or harassment.
- Training on Sexual Abuse Prevention in Ministry Relationships. It is the policy of this church that preparation for deacons and elders, as

required by the Book of Order G-14.020, will receive at the beginning of each term, two or more hours of training on sexual abuse in ministry relationships, including the recognition of symptoms and reporting procedures within the State of Washington.

- It is recommended that refresher training in sexual misconduct prevention be provided every three years to all elders and deacons whether or not they are actively serving.

D. Volunteers

1. Recruiting, Screening, and Selecting Volunteers, Who Will Work with Children, Youth, or Vulnerable Adults

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

2. Volunteers Acting in a Ministry Supervisor Capacity

- Applicants for such a volunteer position will be asked to provide at least two references.
- A file on each such volunteer will be maintained.
- Applicants being considered for such a volunteer position will be interviewed, and a brief, written record to document the interview will be maintained.
- Each person prior to participation as a ministry supervisor volunteer will be provided a copy of the church's "Code of Conduct for Clergy, Church Staff and Volunteers" and of the "Policy for the Prevention of and Response to Sexual Misconduct" and will sign a receipt stating the person has received, read, and agrees to abide by the policy if selected. The receipt will be retained as documentation in the successful applicant file.

3. Volunteers Acting in a Non-Supervisory Capacity

- At the discretion of the staff person or volunteer ministry supervisor, applicants being considered for a volunteer position will be interviewed by telephone or in person.

- If the volunteer is an adult, each person, within one month, will be asked to read the Church's "Code of Conduct for Clergy, Church Staff, and Volunteers" and the "Policy for the Prevention of and Response to Sexual Misconduct", and sign a receipt stating that the person has received, read, and agrees to abide by the policy if selected. The receipt will be retained as documentation in a file maintained for the volunteers.
- If the volunteer is a minor, each person within one month of participation as a volunteer will be provided an age-appropriate summary of the UPC sexual misconduct policy.

4. Training

- All volunteers who work directly with children, youth or vulnerable adults are required to complete age-appropriate training and education in sexual misconduct within 120 days of starting the position. During that training, each volunteer will be provided a copy of the Church's sexual misconduct policy and will sign a receipt stating that the person has received, read, and agrees to abide by the policy.
- All volunteers who work directly with children and/or youth are required to complete refresher training in sexual misconduct prevention every three years.

E. Church Ministry

The following are practices we seek to observe to limit the risk of sexual misconduct.

1. Practices Specific to Children and/or Youth

- **Room windows.** Each room designated for use by children or youth, e.g. a classroom, will contain a clear glass window that permits a view of the room. As a substitute to a window, a Dutch door with an open upper section is acceptable, so long as the top half of the Dutch door remains open when minors are present. (This protects minors and protects against false allegations.)
- **Majority age.** Anyone who works with minors in a church program must be at least 18 years old or under the supervision of a person 18 years of age or older.
- **Time-limited counseling.** Counseling sessions shall not exceed six sessions. If further sessions are required, a referral to a qualified, trained professional shall be provided, unless this restriction is waived after consultation with the Executive Pastor or the Executive Pastor's designee.
- **Two-deep leadership.** A minimum of two adults shall be present at all times during any UPC-sponsored activity that

involves children. During Sunday school, supervisory personnel will periodically walk through hallways and classrooms.

- **One-on-One Contact.** One-on-one contact, that is, one adult and one youth, shall occur in a public place or public setting.

2. Practices Specific to Pastors, Senior Directors, Parish Associates and Volunteers Who Conduct One-on-one Meetings as a Part of the Ministry Design.

- **Office windows.** Each office or room will have an interior clear glass window that permits a clear view of the room.
- **Avoidance of dual relationships.** Ministers of Word and Sacrament, Senior Directors, Parish Associates and Volunteers who conduct one-on-one meetings as a part of the ministry design are urged to avoid entering into dual relationships with members of the congregation, congregants, employees and staff when such relationships entail the person in ministry possessing an unequal balance of power, status, or influence due to the ministry role that could adversely affect the other party. An example of a dual relationship includes the minister dating a congregant. It is the responsibility of the minister to avoid entering into inappropriate dual relationships. Ministers of Word and Sacrament must inform their supervisor of all potential dating, romantic, or sexualized dual relationships, if any.
 - *If a parishioner, client, co-worker, employee, or student, appears to initiate or invite sexual behavior in a relationship with a person in ministry, it is the responsibility of the person in ministry to maintain the appropriate behavior by observing sexual boundaries to insure that sexual misconduct does not occur. Such behavior cannot be justified by a claim of mutual consent. The person in ministry shall report such behavior to the Executive Pastor or the Executive Pastor's designee.*
- **Time-limited counseling.** Counseling sessions conducted by persons whose role is not designated as a counselor as part of their call or job description shall not exceed six sessions. If further sessions are required, a referral to a qualified, trained professional shall be provided, unless in consultation with the Executive Pastor or the Executive Pastor's designee, this restriction is waived.

3. Covenant of Accountability for Convicted Sex Offenders.

The Response Team, with consultation, will individually review each request for fellowship by a convicted sex offender and reserves the right, in its sole discretion, to grant, deny or restrict access to the church community.

- **Probation.** If the convicted sex offender is on probation, the convicted sex offender will provide the church with the name and contact information for his or her probation officer, so that the church can verify whether:
 - Church attendance would violate the sex offender's probation; or
 - The probation officer has placed limitations upon the sex offender's church attendance.
- **Covenant.** If granted access to the church community, a sex offender shall have conditions placed upon his or her participation through the development of a written covenant signed by the person and the Executive Pastor or the Executive Pastor's designee. Among other things, the covenant shall provide that whenever the convicted sex offender is present in the church facilities they will be supervised by a designated responsible adult who is aware of the offending behaviors and of the conditions placed upon the sex offender's participation.
- **Conviction or Violation.** Anyone who has been convicted of an illegal offense against children or has been found to have violated this sexual misconduct policy is prohibited from any position or role, including a volunteer position, which allows access to minors.

4. Practices Specific to Electronic Conduct.

This Code of Conduct applies to the use of phones, text messages, internet and emails when communicating as a clergy, staff, or lay volunteer with children, youth, and adults.

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

IV. WHEN SEXUAL MISCONDUCT IS ALLEGED

A. Reporting Allegations or the Discovery of Apparent Sexual Misconduct

1. When sexual misconduct is alleged or apparent sexual misconduct is discovered, the purpose of intervention shall be a fair and appropriate resolution of the allegations in a manner that safeguards the rights,

health and wellbeing of both persons who have alleged sexual misconduct and of persons who have been accused.

2. Reports of sexual misconduct will be taken seriously. Reports will be dealt with as matters of confidentiality both before and after they have been submitted to appropriate authorities, with disclosure only to follow careful consideration as outlined below.
3. UPC shall distribute a brochure on sexual misconduct and sexual abuse. The brochure shall provide names and phone numbers for contact persons to receive reports of sexual abuse or sexual misconduct. The brochure shall state that the following documents are available on the UPC website: the church's "Code of Conduct for Clergy, Church Staff, and Volunteers", the "Policy for the Prevention of and Response to Sexual Misconduct," and the "Policy and Procedures for the Prevention and Intervention of Sexual Abuse and Sexual Misconduct."
4. The allegation or discovery shall be reported to the Executive Pastor, the Clerk of Session, and the Chair of the Response Team. The Clerk of Session or the Chair of the Response Team shall convene a Task Force, within seven (7) days, consisting of:
 - The Executive Pastor or the Executive Pastor's designee;
 - The Chair of the Response Team or the Chair of the Response Team's designee; and
 - Three elders.The Task Force shall:
 - Consider the obligations of church personnel under the reporting laws of the State of Washington and the Book of Order;
 - Seek legal counsel if appropriate; and
 - Comply with the law and the Book of Order with regard to reporting to law enforcement or other public officials.

B. When the Matter Concerns Potential Child Sexual Abuse or an Adult Who Lacks Capacity to Consent

1. In a case of alleged child sexual abuse, safeguarding the alleged victim and others who may be at risk is the church's initial primary concern.
2. UPC considers the following persons to be "mandated reporters" of sexual abuse concerning children or adults who lack capacity to consent:
 - Ministers of Word and Sacrament, per G-6.0204,
 - Elders, per G-6.0304, deacons, per G-.0402,
 - Certified Christian educators, per G-14.0701, and

- All ministry supervisors at UPC.

Under Washington State law, such a report of sexual abuse shall be made within 48 hours of learning of the allegation or discovery or apparent sexual abuse.

3. When reporting, persons in supervisory authority may request assistance from the Response Team or a mental health professional designated by the Response Team for that purpose.
4. The first person to learn of an incident of sexual misconduct should not undertake an inquiry alone or question either the complainant or the accused. If the complainant is hesitant to talk to "higher authorities" or designated persons, the person who has received the initial report should work to build trust that will enable the church to receive firsthand information.
5. The Ministry Supervisor should not attempt any investigation. Any effort at an independent investigation at this point can jeopardize the safety of the child and the integrity of the investigation. Consistent with the Book of Order and reporting laws, if the child is in immediate danger, the Ministry Supervisor should first call law enforcement and then make a report to Child Protective Services in the Department of Social and Health Services (DSHS). If the child is not in immediate danger, the Ministry Supervisor should timely report any allegations of child abuse immediately to DSHS's Child Protective Services. A written record of the report shall be provided to the:
 - Executive Pastor
 - Clerk of Session; and
 - Chair of the Response Team
6. Further reporting and investigation shall be handled in the same manner as other allegations of sexual misconduct as outlined below.

C. When the Person Accused of Sexual Misconduct is a Presbyterian Minister of Word and Sacrament, in Addition to the Procedures Outlined in IV. A. above:

1. Allegations of sexual misconduct shall be deal with consistent with Section D010.0106 of the Rules of Discipline in the Book of Order.
2. Presbyterian ministers are members of the Seattle Presbytery and are subject to its discipline. The allegation or discovery of forms of sexual misconduct shall be reported to the Executive Pastor and Clerk of Session who shall then report the allegations to the stated clerk of the Presbytery.

3. The UPC HR Committee and the Task Force shall together determine the interim work status of a Minister of the Word and Sacrament pending initial investigation of allegations. If desired, the HR Committee and the Task Force may consult with a representative of the Presbytery's Committee on Ministry before determining the work status of a Minister of Word and Sacrament.
4. The UPC HR Committee shall also determine whether and when to place UPC's insurance carrier on notice of a claim.

D. When the Person Accused of Sexual Misconduct is a Staff Member Other than a Presbyterian Minister of Word and Sacrament, in Addition to the Procedures Outlined in IV. A. above:

1. The allegation shall be reported to the UPC HR Director and the senior staff member who supervises the staff member.
2. The UPC HR Committee shall determine the work status of a staff member pending investigation of allegations, in consultation with senior staff member (if any) under whose supervision the staff member is employed.
3. The HR Committee shall determine whether and when to place UPC's insurance carrier on notice of a claim.

E. When the Person Accused of Sexual Misconduct is a Member of the Congregation a Congregant who is not a Member, or a Volunteer;

1. In the case of a volunteer, the allegation should be reported to the Senior Staff person within whose department the volunteer works. In addition, the Senior Staff person shall inform the Executive Pastor or the Executive Pastor's designee within 72 hours. Thereafter, the Executive Pastor or the Executive Pastor's designee shall inform the Clerk of Session and the Chair of the Response Team.
2. If the accused is a member of the congregation or a congregant who is not a member, the Executive Pastor or the Executive Pastor's designee shall be informed of the allegation.
3. The Executive Pastor shall determine, with consultation as needed, whether or to what extent the accused shall be allowed to continue to participate in the life of the congregation pending investigation of the charges.

4. The Executive Pastor shall also determine whether and when to place UPC's insurance carrier on notice of a claim.

F. Investigating the Report.

1. When the Person Accused of Sexual Misconduct is a Presbyterian Minister of Word and Sacrament:

- The matter shall proceed under the Presbytery's disciplinary process. The Clerk of Session shall serve as a liaison to the Presbytery to facilitate the investigation. The Clerk of Session shall keep the Session informed regarding the progress and timeline of the process.

2. When the Person Accused of Sexual Misconduct is a Staff Member other than a Presbyterian Minister of Word and Sacrament:

- Investigation of allegations of sexual misconduct shall be dealt with as provided in the UPC Employment Handbook at part 5.04.
- The UPC HR Department in consultation with the HR Committee shall:
 - Investigate the complaint;
 - Determine whether or not the evidence demonstrates that sexual misconduct did occur.
 - If a determination is made that misconduct did take place, the UPC HR Department in consultation with the HR Committee will determine the appropriate remedy and implement it through the HR Director and Executive Pastor.
 - Inform the complainant/victim of the resolution.
 - Inform the Session of the resolution of a formal complaint and prepare a written report which shall be included in the accused person's permanent personnel file. The accused shall be allowed to attach any written statements to said documents, also for permanent inclusion in the permanent personnel file.
 - When there has been an unwritten, informal complaint, the Response Team and the HR Committee shall be informed of the complaint and its resolution.

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

- The Session has original jurisdiction in disciplinary cases involving members of the church, Book of Order, D-3.0101a. A church member who is accused of sexual misconduct may only

be removed from membership by the Session. However, if the complaint is against a member or non-member volunteer and it is found that misconduct was committed, the Executive Pastor, in his/her own discretion or in consultation with the Session, may restrict that person's activity within church programs and may also restrict that person's attendance at any and all church functions in order to protect the safety of the congregation.

- If a formal investigative process is initiated involving a member, the Investigating Committee appointed by the Clerk of Session shall follow the disciplinary process set forth in the Rules of Discipline, which is similar to that followed by the Presbytery for ministers of word and sacrament. The Investigating Committee will decide whether to make charges and prosecute. If the prosecution goes forward, the Session or a subset thereof (as determined by the Session) will sit as a Permanent Judicial Commission and try the case, D-11.0101. The person accused has a right to counsel, to present witnesses, and to cross-examine witnesses. If at any point in the proceedings the accused presents a letter of resignation from the church ("Renounces Jurisdiction"), the jurisdiction of the Session ends (D-7.0700). Should the accused renounce the jurisdiction of the church as provided in G-600501, the clerk shall report to the Session the renunciation and the status of the matter at the time (D-3.0106). The Session records that the case was closed and the Prosecuting Committee dissolved.
- When the complaint is adjudicated, if the accused either acknowledges the misconduct or is found responsible for the misconduct, the Session may 1) remove that person from church leadership, 2) limit their activity within the congregation, and/or 3) remove them from church membership. If the accused is found innocent of the alleged misconduct, the Session shall take appropriate steps to restore the person to credibility within the congregation.

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

G. Reporting to Congregation

1. **Ministers of Word and Sacrament.** When the Presbytery convenes an Investigating Commission to investigate a complaint against a Minister of Word and Sacrament:
 - The Clerk of Session will coordinate with Presbytery's Investigating Commission and the UPC Response Team to

recommend to Session whether, when and how the congregation should be notified of the complaint, the process which will follow the projected timeline, and the process by which anyone with relevant information should provide that information to the Investigating Commission.

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

2. UPC Staff. When the HR Department investigates a complaint of sexual misconduct against a member of UPC Staff:

- The HR Department will recommend to Session whether, when and how the congregation should be notified of the complaint, the process which the HR Department will follow, the projected timeline, and the process by which anyone with relevant information should provide that information to the HR Department.
- Once the complaint has been adjudicated and possible action taken, the HR Department shall recommend to the Session whether and how the congregation shall be notified of the resolution and any remedial action taken.

3. Member, Congregant, or Volunteer. When the Session and/or the Executive Pastor investigates a complaint of sexual misconduct against a member of the congregation, a congregant who is not a member, or a volunteer:

- The Investigating Committee or the Executive Pastor may, in its discretion, recommend to Session whether, when and how the congregation should be notified of the complaint, the process which the Committee will follow, the projected timeline, and the process by which anyone with relevant information should provide that information to the Committee.
- Once the complaint has been adjudicated and possible action taken, the Session or the Executive Pastor shall determine whether and how the congregation shall be notified of the resolution and any remedial action taken.

H. Response to Complainant(s) / Accused

1. For other alleged forms of sexual misconduct, the complainant(s) and victim(s), if different from the complainants, shall be kept informed by the Chair of the Response Team or his/her designee of the progress of the complaint and adjudication process. The complainant(s) and victim(s) shall be accorded due respect and appreciation for alerting the congregation to a potential problem which compromises the

church's ministry. If requested, the Response Team may offer the complainant(s) and victim(s) an advocate from outside the congregation, preferably someone who is familiar with Presbyterian polity. To the extent permitted under the Book of Order Disciplinary Rules, the victim's identity shall be kept confidential until or unless they choose to speak publicly. The complainant and victim shall have the opportunity to review the accused's response to their complaint. They shall be given the opportunity to speak to the body who is adjudicating their complaint.

2. The Response Team will be responsible for informing the accused of the progress of the complaint. The accused shall be regarded with respect and assumed innocent until proven otherwise. The accused shall receive the complaint and have an opportunity to respond to it.

V. RESPONSE TEAM

- A.** The Response Team is a group of people organized within UPC to quickly and objectively respond to reports of sexual misconduct and abuse. The Response Team will work with and be available to the complainant, the accused, the victim (if not the same person as the complainant), the families involved, the congregation, co-workers of the parties involved, and the church for support, education and guidance.
- B.** The Session shall appoint or dismiss the Response Team members and specify a coordinator for the team. The Response Team will be made up of no fewer than 4 persons selected from the congregation. The Team should include a trained mental health professional and, if possible, a trained legal professional. Racial/ethnic diversity is strongly encouraged. Gender balance of the Response Team should recognize that, historically, most victims of sexual misconduct have been women; thus women may make up a majority of team members.
- C.** The Response Team shall:
 1. Be informed of the written complaint of sexual misconduct from the church supervisor, officer or administrator, or any other person who may have received the complaint.
 2. Be available to the parties involved to hear their concerns throughout the inquiry; be proactive in keeping the complainant and/or victim and the accused informed of the progress of the investigation.
 3. Provide advice to the Clerk of Session, Task Force, HR Committee, Investigating Commission or other adjudicative bodies concerning education and information-sharing as appropriate.

4. Assist all parties involved of their right to have an advocate and help them locate one if they need help.
5. Assist all parties in seeking professional mental health counseling, to the extent it is appropriate or requested.
6. Advise all parties involved that the victim, complainant and/or the accused may choose to have an advocate accompany them throughout the inquiry process.
7. After the complaint has been adjudicated, recommend actions to be taken to begin the healing process within the congregation.
8. Recommend actions for the pastoral care of the complainant/the victim, the accused, and the families of all parties involved.

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

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

VI. MEDIA CONTACT

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

VII. EXHIBITS/APPENDICES INCORPORATED BY REFERENCE

The appendices attached hereto are incorporated into the "The Policy and Procedures for the Prevention and Intervention of Sexual Misconduct", and are part of the Sexual Misconduct Policy to the same extent and in the same manner as the foregoing materials.

VIII. CONFLICTS

To the extent that the provisions of this document, “The Policy and Procedures for the Prevention and Intervention of Sexual Misconduct”, conflict with the provisions of the UPC Employment Handbook, this document shall control.

IX. TRAINING

The initial phase of training, following the adoption of these three documents: “The Code of Conduct for Clergy, Church Staff, and Volunteers”, “The Policy for the Prevention of and Response to Sexual Misconduct”, and “The Policy and Procedures for the Prevention and Intervention of Sexual Misconduct”, will be done in coordination with the Task Force for the Prevention of Sexual Misconduct, which has prepared these documents.

Thereafter, the training for the volunteers in each department will be coordinated by the Pastor or Senior Staff for the Department, or his/her designee, and the Response Team. The training for the Clergy, Senior Staff and Church Staff will be coordinated by the Executive Pastor, or the Executive Pastor’s designee, the Response Team and Human Resources Department.

X. REVISIONS

These documents may be amended by a two-thirds vote of the Session of University Presbyterian Church.

XI. AVAILABILITY

These three documents shall be available for viewing and downloading on the UPC website.

XII. ADDITIONAL RESTRICTIONS

Any Department within UPC may establish a more restrictive policy, but not a less restrictive policy, for that Department.

XIII. COMPLIANCE

From the date of Session’s approval, UPC has one year (twelve months) to be in full compliance with the provisions of these three documents: “The Code of Conduct for Clergy, Church Staff, and Volunteers”, “The Policy for the Prevention of and Response to Sexual Misconduct”, and “The Policy and Procedures for the Prevention and Intervention of Sexual Misconduct.”

APPENDIX I -- Principles of the Policy

1. The first principle of this policy is the responsibility of our baptismal covenant. We as a community of faith in Jesus Christ bear a covenant responsibility to ensure that our congregation is a place of safety as befits a people who, through the sacrament of baptism, proclaim that God's redeeming grace is offered to all and that we are commissioned for ministry to the world (W-2.3006, Directory for Worship, Book of Order). We root this covenant in the knowledge that our "congregation as a whole, on behalf of the church universal, assumes responsibility for nurturing the baptized person in the Christian life." (W-2.3013, Directory for Worship, Book of Order).
2. The second principle is our accountability as disciples. As followers of Jesus Christ and as members of this congregation, we are accountable to fulfill our baptismal covenant by accepting Jesus' call "to be involved responsibly in the ministry of his church [which] includes... living responsibly in the personal, family, vocational, political, cultural, and social relationships of life..." (G-5.0102h, Form of Government, Book of Order). We affirm that acting to prevent and reduce risk of sexual misconduct requires us to commit our selves, our vigilance, and our resources.
3. The third principle is our affirmative obligation to minister in ways that :
 - Use one's power, position, and authority to serve others. [Isaiah 40:10-11; Mark 10:42-45; Luke 4:16-21; Luke 22:24-227; John 13:1-16; Ephesians 4:11-13; I Timothy 3; Titus 1:5-9; I Peter 5:1-3]
 - Care for those who are vulnerable. [Deuteronomy 10:17-21; ; Matthew 25:31-46]
4. The fourth principle is our prohibitive obligation not to betray the ministry entrusted to us. Scriptures teach us:
 - When we do harm to those who are vulnerable, we betray our faith. [; Matthew 18:6-7; 1 Peter 5:2-10; Hebrews 12:11-12]
 - When we do harm to those who are vulnerable and for whom we are entrusted to care, we betray trust. [Ezekiel 34:1-16; Zechariah 11:15-17]
 - When we misuse our power for our own purposes at the expense of another, we betray the power, trust, and responsibility of God's call. [2 Samuel 11-12]