

1 **PRESBYTERY OF LAKE HURON**  
2 **SEXUAL MISCONDUCT POLICY**

3 Adopted August 7, 2001

4 Amended June 4, 2002

5 Amended September 15, 2020  
6

7 **INTRODUCTION**  
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9 The ethical conduct of all who follow Jesus Christ is of vital importance because their lives  
10 should demonstrate an understanding of God and the gospel. Sexual misconduct is both a  
11 violation of principles set forth in Scripture and a violation of relationships of trust. Sexual  
12 misconduct is never permissible or acceptable. This policy is subject to the laws of the State of  
13 Michigan and the Constitution of the Presbyterian Church (U.S.A.), which shall take precedence  
14 over this policy wherever they may conflict with it.  
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16 **STATEMENT OF PURPOSE**  
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18 The purpose of this policy is to ensure that the Presbytery of Lake Huron responds promptly and  
19 accountably to allegations of sexual misconduct by persons covered by this policy. The policy  
20 expresses the Presbytery's commitment to seek justice in such situations and to minister to all  
21 those affected, but particularly to possible victim(s) of the alleged misconduct. This policy  
22 guides actions which are compassionate while promoting goals of truth, responsibility, and  
23 accountability. The policy further provides opportunity for education and training to help prevent  
24 acts of sexual misconduct and serves as a model for use in the personnel policies of the churches  
25 in our Presbytery.  
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27 **PERSONS COVERED BY THIS POLICY**  
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29 Persons covered by this policy and who are expected by the Presbytery to adhere to this policy  
30 are those persons who are under the immediate jurisdiction of the Presbytery, or under the  
31 oversight of the Presbytery, or serving the Presbytery in any way. Persons covered by this policy  
32 therefore include:

- 33 • Ministers of the Word and Sacrament who are members of the Presbytery,
- 34 • Commissioned Pastors (also known as Commissioned Ruling Elders) serving in a work  
35 commissioned by the Presbytery,
- 36 • Pastors of immigrant fellowships recognized by the Presbytery,
- 37 • Inquirers and Candidates in covenant relationship to the Presbytery,
- 38 • Certified Christian Educators and Certified Associate Christian Educators on the rolls of  
39 the Presbytery,
- 40 • Presbytery officers and staff, and
- 41 • all persons elected or appointed to serve the Presbytery whether or not those persons are  
42 members of a Presbyterian Church.  
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44 All persons covered by this policy shall submit to and successfully complete a criminal  
45 background check performed by the Presbytery before being hired, enrolled, commissioned,  
46 appointed, or otherwise placed in a position of trust under the immediate jurisdiction or oversight

47 of the Presbytery. The policy does not cover members, employees, or volunteers of  
48 congregations except as noted above. The session of each congregation shall adopt a sexual  
49 misconduct policy as required by the Presbyterian Church (U.S.A.) *Book of Order*.

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51 **BASIC PRINCIPLES OF CONDUCT**

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53 The basic principles of conduct guiding this policy are as follows:

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55 1. Sexual misconduct is a violation of the role of pastors, employees, volunteers, counselors,  
56 supervisors, teachers, and advisors in a position of authority who are called upon to exercise  
57 integrity, sensitivity, and caring in a trust relationship.

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59 2. Sexual misconduct is a misuse of authority and power which breaches Christian ethical  
60 principles by misusing a trust relationship to gain advantage over another for personal  
61 pleasure in an abusive, exploitative, or unjust manner. Even if the church member, student,  
62 client, or employee initiates or invites sexual content in the relationship, the pastor,  
63 counselor, officer, or supervisor is always responsible to maintain the appropriate role and to  
64 prohibit a sexual relationship.

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66 3. Sexual misconduct against children, adults without the capacity to consent, and other  
67 vulnerable persons takes advantage of their lack of power to protect themselves.

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69 4. Sexual misconduct as outlined in these principles always occurs without meaningful consent  
70 since equality of power does not exist in these relationships.

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72 5. Whenever a ministerial or professional relationship exists, it is always the responsibility of  
73 the minister or professional to maintain appropriate boundaries and to decline to engage in a  
74 sexual relationship

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76 **DEFINITIONS**

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<b>Term</b>	<b>Definition</b>
Sexual Misconduct	The comprehensive term used in this policy and its procedures to include: <ul style="list-style-type: none"><li>• Rape or sexual assault.</li><li>• Sexual abuse of children or adults.</li><li>• Viewing, storing, or transmitting pornographic material for any purpose on church or Presbytery property and/or with church or Presbytery-owned devices such as, but not limited to computers, tablets, or cellular telephones.</li><li>• Inappropriate sexualized behavior.</li></ul> Sexual misconduct does not include non-abusive relationships between spouses, and this policy is not intended to restrict church professionals from having normal, mutual, intimate relationships outside of the ministerial or professional context.

<p>Sexual Abuse</p>	<p>Any offense involving sexual conduct in relation to any person under the age of eighteen years, or anyone without the capacity to consent, or any person when the conduct includes force, threat, coercion, intimidation, or misuse of office or position. It occurs:</p> <ul style="list-style-type: none"> <li>• Whenever a person in a position of trust engages in a sexual act, has sexual contact, or creates a sexualized environment with any person to whom that person owes a professional responsibility.</li> <li>• When a person in a position of trust ignores a request to cease sexualized behavior by any person to whom that person owes a professional responsibility.</li> </ul>
<p>Examples of Sexual Abuse</p>	<p>Examples of sexual abuse may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• Sexual touch and repeated “accidental” touch of sexual areas of the body.</li> <li>• Tickling or playful aggression that seems uncomfortable to the recipient.</li> <li>• A prolonged hug when a brief hug is customary behavior</li> <li>• Kissing on or near the lips when a kiss on the cheek (or no kiss) would be appropriate.</li> <li>• Pressing up against the body when hugging.</li> <li>• A gift of a sexually inappropriate nature.</li> <li>• Sexual intercourse in a relationship of trust.</li> <li>• Verbal or non-verbal behavior, in person or by technological means, initiated by a person in a position of trust when such behavior sexualizes a relationship, including but not limited to:             <ul style="list-style-type: none"> <li>○ Innuendo or sexual talk:</li> <li>○ Sexually suggestive comments, including tales of one’s sexual experiences:</li> <li>○ Questions about the intimate details of another’s relationships:</li> <li>○ Currying sympathy about one’s or one’s partner’s sexual inadequacies:</li> <li>○ Sexually explicit or suggestive texts, emails, or social media posts.</li> </ul> </li> </ul>
<p>Sexual Abuse of a Minor or One Lacking Mental Capacity to Consent</p>	<p>Sexual abuse of a minor or one lacking mental capacity to consent:</p> <ul style="list-style-type: none"> <li>• Consists of any sexual contact between an adult and an individual under the age of eighteen or one who lacks the mental capacity to consent, including accessing, promoting, or pandering of child pornography on church or Presbytery property and/or with church or Presbytery-owned devices such as computers, tablets, or cellular telephones.</li> </ul>

	<ul style="list-style-type: none"> <li>• Includes but is not limited to, any contact or interaction between a child or person lacking capacity to consent and an adult when the child is being used for the sexual stimulation of the adult person or a third party. The behavior may or may not include touching.</li> <li>• Is a crime in all states and must be reported to civil authorities. Anyone who knows or has reason to suspect that child abuse has occurred or is occurring may be a mandated reporter. Detailed explanations and definitions may be found in the Presbytery Child and Youth Protection Policy.</li> </ul>
<p>Sexual Harassment</p>	<p>Sexual harassment:</p> <ul style="list-style-type: none"> <li>• Includes behavior in the workplace which may affect an individual’s employment, unreasonably interfere with an individual’s work performance, or creates an intimidating, hostile, or offensive work environment.</li> <li>• Includes any sexual conduct that is made either explicitly or implicitly a condition of an individual’s employment or their continued status in the church or Presbytery, or when submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual.</li> <li>• Includes sexualized behavior which may affect a congregant or counseling client’s ability to feel safe in the worship environment and/or pastoral relationship.</li> </ul>
<p>Examples of Sexual Harassment</p>	<p>Examples of sexual harassment may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• Unwelcome sexual advances.</li> <li>• Requests for sexual favors.</li> <li>• Sexually oriented jokes or humor.</li> <li>• Sexually demeaning comments.</li> <li>• Verbal suggestions of sexual involvement or sexual activity.</li> <li>• Questions or comments about sexual behavior.</li> <li>• Unwelcome or inappropriate physical contact.</li> <li>• Graphic or degrading comments about an individual’s physical appearance.</li> <li>• Any verbal or physical conduct of a sexual nature.</li> <li>• Display or transmission of sexually suggestive objects or pictures.</li> <li>• Repeated requests for social engagements after an individual refuses.</li> <li>• Stalking behavior.</li> </ul>

<p>Meaningful Consent</p>	<p>Meaningful consent:</p> <ul style="list-style-type: none"> <li>• Requires both parties be adults over 18 years of age.</li> <li>• Cannot occur within a professional relationship of trust or where one person exercises unequal power over the other.</li> <li>• Cannot occur when the judgment of one or both parties is impaired or incapacitated temporarily due to the influence of a narcotic or intoxicating substance, or due to psychological, emotional, or spiritual vulnerability (such as grief).</li> </ul> <p>An unmarried person in a position of trust in a congregation seeking a romantic relationship may do so outside their own congregation or staff. If a person in a pastoral or professional role becomes interested in a dating or romantic relationship with a member of his or her congregation or staff, the pastoral or professional relationship between the two must be severed before ethically pursuing such a relationship.</p>
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**DEFINITIONS USED IN REPORTING AND RESPONSE PROCEDURES**

<p><b>Term</b></p>	<p><b>Definition</b></p>
<p><b>Accused</b></p>	<p>The person covered by this policy against whom a claim of sexual misconduct is made.</p>
<p><b>Reporter</b></p>	<p>A person claiming knowledge of sexual misconduct by a person covered by this policy. The Reporter may or may not be a Victim of the alleged sexual misconduct.</p>
<p><b>Victim</b></p>	<p>A person (whether or not a member of a Presbyterian Church) who allegedly has been directly injured or harmed by the alleged sexual misconduct of a person covered by this policy.</p>
<p><b>Response Team</b></p>	<p>A team of persons designated by the Presbytery of Lake Huron to coordinate the non-judicial response to allegations of sexual misconduct under this policy.</p>
<p><b>Mandated Reporter</b></p>	<ul style="list-style-type: none"> <li>• According to the statutes of the State of Michigan, mandated reporters include: <ul style="list-style-type: none"> <li>○ Any person exercising a pastoral role, including ministers, commissioned pastors (CREs), and other spiritual leaders who learn of abuse of a minor under 18 years of age, or of an adult lacking mental capacity to consent, except when such information is obtained in the context of confidential ministerial service such as spiritual confession or under attorney-client privilege.</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>○ Any person, paid or unpaid, who on the basis of the individual’s role as an integral part of a regularly scheduled program, activity or service, accepts responsibility for a child. This includes persons serving at youth camps or programs, sports or athletic programs, outreach programs, enrichment programs, troops, clubs or similar organizations.</li> <li>● The <i>Book of Order</i> identifies all persons engaged in ordered ministry (i.e., deacons, ruling elders, ministers of the Word and Sacrament) and any certified Christian educator employed by the church as mandated reporters.</li> <li>● <u>All suspected child abuse must be reported to civil authorities and shall be reported to the Stated Clerk of the Presbytery.</u> The only exceptions are when a minister of the Word or Sacrament or commissioned pastor (CRE) obtains the information in a confidential communication as defined in the <i>Book of Order</i>, or the person is bound by an obligation of privileged communication under the law. The exceptions do not apply when there is a reasonable belief that there is a risk of future harm or abuse.</li> <li>● Rape or sexual assault is a crime in every state and shall be reported to civil authorities and to the Stated Clerk of the Presbytery.</li> </ul>
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**PROCEDURES IN SITUATIONS OF POSSIBLE SEXUAL MISCONDUCT**

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**PROCESS**

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All allegations of sexual misconduct will be investigated through the appropriate process.

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- For members of the PC(USA) who are under the jurisdiction of the Presbytery of Lake Huron: the Rules of Discipline as found in the most recent version of the *Book of Order* of the Presbyterian Church (U.S.A.) and its judicial process shall apply.

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- For Presbytery employees: Presbytery Personnel Policy will apply.

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- Employees who are Presbytery members: both the Rules of Discipline and Personnel Policy will apply, with the Rules of Discipline taking precedence.

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- Non-member volunteers: Supervisor of volunteer will consult with the or the Stated Clerk on the appropriate process to use.

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**REPORTING SEXUAL ABUSE**

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Any member of this church engaged in ordered ministry and any certified Christian educator employed by this church or its congregations, shall report to ecclesiastical and civil legal authorities knowledge of harm, or the risk of harm, related to the physical abuse, neglect, and/or sexual molestation or abuse of a minor or an adult who lacks mental capacity when (1) such information is gained outside of a confidential

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103 communication as defined in G-4.0301, (2) she or he is not bound by an obligation of  
104 privileged communication under law, or (3) she or he reasonably believes that there is  
105 risk of future physical harm or abuse. (*Book of Order*, G-4.0302).

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107 In this Presbytery, all reports of sexual abuse shall be directed to the Stated Clerk, or if  
108 the Accused is the Stated Clerk, to the Executive Presbyter.

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#### 110 REPORTING OTHER FORMS OF SEXUAL MISCONDUCT

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112 Reports of sexual misconduct are serious and must be acted upon promptly by those who receive  
113 them. All suspected cases of sexual misconduct of a child or of an adult lacking capacity for  
114 consent must be reported. All persons covered by this policy have a duty to report sexual abuse  
115 as soon as possible to the proper legal authorities in the jurisdiction where the abuse occurred.  
116 Anyone receiving a report of sexual misconduct committed by anyone covered by this policy  
117 must direct the Reporter to the Executive Presbyter, the Stated Clerk, or the moderator of the  
118 Commission on Ministry. When any of these persons receives a report of sexual misconduct,  
119 they shall inform the others that a report has been received. No one who receives or has a  
120 knowledge of a report of sexual misconduct should undertake an inquiry. If the Reporter is  
121 unwilling to go further, persons receiving the report shall themselves report to the Executive  
122 Presbyter, the Stated Clerk, or the moderator of the Commission on Ministry.

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#### 124 RESPONSE

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126 The Presbytery of Lake Huron is committed to providing a safe space for those who have been  
127 subjected to sexual abuse, sexual misconduct, and/or sexual harassment. Confidentiality and  
128 safeguards against retaliation will be provided in all circumstances.

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130 When there is a written statement of alleged offense of sexual misconduct or abuse toward any  
131 person has been received by the Stated Clerk against a Minister of the Word and Sacrament or  
132 Commissioned Pastor, the procedures provided in the most current edition of the *Book of Order*,  
133 through its Rules of Discipline, shall be followed.

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135 In addition, when a report of an alleged offense involving rape or sexual assault, sexual abuse of  
136 a child under the age of 18, or sexual abuse of someone who lacks the capacity to consent, the  
137 Stated Clerk shall immediately transmit the report to civil authorities. This is mandated reporting  
138 under the laws of the State of Michigan and the *Book of Order*.

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140 In addition to the procedures mandated in the *Book of Order*, the Executive Presbyter, the Stated  
141 Clerk, and the moderator of the Commission on Ministry shall appoint a Response Team of no  
142 more than five members. The RT shall be as diverse as possible in gender, clergy/lay, and ethnic  
143 background as needed. No member of a RT shall be a member of or be an employee of the  
144 congregation in which the allegation of misconduct arises. The Stated Clerk shall maintain a list  
145 of potential Response Team members.

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147 The responsibilities of the Response Team are to provide pastoral care to Reporter(s) and alleged  
148 Victim(s) of the alleged misconduct; to assess the needs Reporter(s), alleged Victims, and

149 congregations affected by the alleged misconduct; and to coordinate efforts to provide resources  
150 to meet those needs. At the appropriate time, the Response Team shall offer pastoral care to the  
151 Accused. The Response Team shall neither conduct an investigation nor be a finder of fact.

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153 Once formed, the Response Team will be trained by and responsible to the Presbytery through  
154 the Stated Clerk, unless the Stated Clerk is the object of the investigation. The Response Team  
155 may report as needed to the Commission on Ministry.

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157 The Response Team shall not initiate any contact with persons other than the Reporter or the  
158 alleged Victim(s) until the Investigating Committee of the Presbytery required by the Rules of  
159 Discipline shall have informed the Stated Clerk that they may do so..

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161 The Presbytery of Lake Huron will respect the rights of all parties involved: Reporters, Victims,  
162 the Accused, and involved congregation(s). These parties have the right:

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- To be heard and taken seriously. From the time of reporting, all persons shall receive prompt attention and serious consideration from those representing the Presbytery.

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- To be informed about the progress of procedures regarding the accusation to the greatest degree possible without compromising any investigation.

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- To obtain legal counsel.

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- To be offered an advocate. It is part of the Presbytery's response to provide each party involved moral support from a separate individual for each party involved. An advocate may serve more than one person but not more than one type of party (Reporter, Victim, Accused).

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- To be assured that justice will be pursued through the procedures set forth in the *Book of Order*, this policy, and appropriate additional policies and guidelines of the Commission on Ministry and the Presbytery.

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176 If, following contact with the Accused, the Response Team believes that pastoral care or  
177 advocacy should be extended to the family of the Accused, the Response Team may provide this.  
178 The Advocate should not be the same as for the Accused. Care shall be taken to protect the  
179 confidentiality of the family, the Accused, and the investigation.

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## 181 **TRAINING**

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183 All Ministers of the Word and Sacrament who are members of the Presbytery, or who have  
184 permission to labor within its bounds; Certified Christian Educators and Certified Associate  
185 Christian Educators; Commissioned Pastors (CREs) commissioned to serve by the Presbytery;  
186 all employees of the Presbytery; elected members of the Commission on Ministry, the Permanent  
187 Judicial Commission, and the Commission on Preparation for Ministry; all officers of the  
188 Presbytery; and all volunteers who have supervisory responsibility shall attend a sexual  
189 misconduct prevention workshop within one year of the adoption of this Policy or within one  
190 year of beginning service in one of the above positions, and once every three years thereafter.

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192 Failure to participate in training as required in this Policy shall have the following consequences:



- 193 • Ministers of the Word and Sacrament: withdrawal of good standing for the purpose of  
194 seeking a new call. Repeated failure to do so following notification of delinquency may  
195 subject the pastor to discipline for persisting in a disapproved work.
- 196 • Employees of the Presbytery: Personnel disciplinary action up to and including dismissal.
- 197 • Commissioned Pastors or other persons covered by the policy: removal from positions of  
198 trust, and from elected or appointed office.

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200 The mandated training requirement may be met by certification of completion of equivalent  
201 alternative training. Equivalent training must be approved by the Commission on Ministry in  
202 advance.

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204 The Commission on Ministry is charged with the responsibility of scheduling such prevention  
205 workshops and approving alternative training requests. These workshops will provide  
206 opportunities for discussion and reflection on such topics as clergy self-care, ministry and power,  
207 temptations of sexual misconduct, recognizing and reporting forms of sexual misconduct, and  
208 other issues such as the theological, emotional, legal, and insurance dimensions to the problem of  
209 sexual misconduct.

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211 These prevention workshops may be open to other persons from congregations and the  
212 Presbytery who may benefit by participation, e.g., an elder or youth worker, or church personnel  
213 committee members on a space-available basis.

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215 The Commission on Preparation for Ministry is charged with the responsibility to ensure that  
216 Inquirers and Candidates for the Ministry of Word and Sacrament, those seeking Commissioning  
217 as Commissioned Pastors (CREs), and those seeking certification as Christian Educators and  
218 Certified Associate Christian Educators who are enrolled with this Presbytery receive training in  
219 regard to sexual misconduct.

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221 Persons responsible for recruiting and supervising volunteers shall inform their volunteers of the  
222 existence of this policy and their responsibilities under it.

## 223 **RISK MANAGEMENT/INSURANCE**

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226 The Board of Trustees shall ensure that the Presbytery maintains adequate liability insurance to  
227 cover sexual misconduct liability for its programs and activities and shall ascertain the  
228 procedures which the Insurance Company would follow in case of either a report or claim of  
229 sexual misconduct. The Board of Trustees shall convey to the Insurance Company a copy of this  
230 policy upon request.

## 231 **THE ROLE OF THE EXECUTIVE PRESBYTER**

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234 The role of the Executive Presbyter in sexual misconduct cases shall be:

- 235 • to receive reports of alleged sexual misconduct.
- 236 • to inform the Stated Clerk, and the moderator of the Commission on Ministry that a  
237 report has been received.
- 238 • to contact the Presbytery's Insurance Company when it becomes necessary to inform the  
239 Insurance Company of a report or claim.

- 240 • to consult the Presbytery's attorney when such consultation is necessary, and
- 241 • to deal with inquiries from the media if inquiries are received.

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243 If the Executive Presbyter receives a report of alleged sexual misconduct by a minister member  
244 of the Presbytery or a Commissioned Pastor (CRE), the Executive Presbyter shall immediately  
245 file the report as an allegation of offense with the Stated Clerk. If the report alleges sexual  
246 misconduct by a member of a congregation, a ruling elder, or an inquirer or candidate, the report  
247 shall be filed immediately as an allegation of offense with the Clerk of Session of the  
248 congregation of membership of the Accused. Any investigation must be done by the  
249 Investigating Committee formed under the Rules of Discipline and not by administrative means.

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251 Other involvement of the Executive Presbyter in a particular situation shall be determined in  
252 consultation with the Response Team.

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### 254 **MEDIA CONTACT**

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256 Any inquiries from the media regarding an incident of sexual misconduct must be directed to the  
257 Executive Presbyter and should be addressed only by the Executive Presbyter or the Executive  
258 Presbyter's designee. Members of the Response Team shall not respond to questions from the  
259 media except to refer the questioner to the Executive Presbyter.

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### 261 **DISTRIBUTION OF POLICY**

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263 This policy shall be distributed as follows:

- 264 • Through the Commission on Ministry and its subordinate parts: to Inquirers; Candidates  
265 for Ministry of Word and Sacrament; Certified Christian Educators and those seeking  
266 certification; Ministers of the Word and Sacrament – both members and those with  
267 permission to labor within the Presbytery's bounds; and Commissioned Pastors of the  
268 Presbytery.
- 269 • Through the Presbytery Personnel Team: to the employees of the Presbytery.

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271 Each of the above-mentioned persons who receives a copy of this policy will be required to  
272 sign a written acknowledgment indicating s/he has received the policy and agrees to conduct  
273 her/himself in accordance with this policy. The signed acknowledgements shall be retained in  
274 the office of the Stated Clerk.

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276 This policy shall be given to all Reporters and alleged Victims of alleged sexual misconduct and  
277 to all person against whom allegations are made.

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### 279 **REVIEW**

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281 he Presbytery Council and/or the Commission on Ministry shall review this policy periodically  
282 to determine whether changes need to be made in light of experience and recommend changes to  
283 the Presbytery.

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**APPENDIX**

**GUIDELINES FOR THE WORK OF THE RESPONSE TEAM**

The responsibilities of the Response Team are to provide pastoral care to Reporter(s) and alleged Victim(s) of the alleged misconduct; to assess the needs Reporter(s), alleged Victims, and congregations affected by the alleged misconduct; and to coordinate efforts to provide resources to meet those needs. At the appropriate time, the Response Team shall offer pastoral care to the Accused. The Response Team shall neither conduct an investigation nor be a finder of fact.

The following procedures are provided to guide the Response Team in carrying out its responsibilities under this policy. Because the fact patterns may vary considerably, it is impossible to list all of the steps a Response Team should take. Also, it is acknowledged that the ability to assess needs and provide resources to care for persons affected is dependent on the cooperation of the individuals involved. In all cases, the Response Team should use its best efforts to help the Presbytery provide an objective, effective, expeditious, and caring response to an allegation of sexual misconduct.

**ORGANIZATION, TRAINING, AND PRELIMINARY COMMUNICATIONS**

Upon appointment of the Response Team, the Response Team will establish, and continue to maintain, communication with the Stated Clerk, the Executive Presbyter, and the moderator of the Commission on Ministry or that moderator's designated representative, consistent with the confidential nature of the work of the Response Team and the Commission on Ministry. There may be some situations where the Commission on Ministry is not the Presbytery entity directly working with the misconduct allegations, e.g., a situation involving a non-clergy employee of Presbytery which would be handled by the Personnel Team. In those cases, the Response Team should work directly with that entity.

When there is both a Response Team and an Investigating Committee responding to the same allegation, the Stated Clerk shall inform each of them of the other's existence. It is recognized that the Rules of Discipline restrict communication between the Response Team and the Investigating Committee. It is understood the Response Team will not undertake any of the responsibilities of the Investigating Committee and that the work of the Response Team will be done in a way that will not interfere with the work of the Investigating Committee.

Within seven (7) days of its appointment and before it meets with the Reporter, the alleged Victim(s), or the Accused, the Response Team will hold an organizational meeting. The Executive Presbyter and the Stated Clerk will normally be part of this organizational meeting. The organizational meeting may include boundary training and an orientation to the Presbytery's Sexual Misconduct Policy, the disciplinary process of the Rules of Discipline, and the Presbytery's Personnel Policy, if applicable.

**CONTACT WITH THE REPORTER, THE VICTIM, AND THE ACCUSED**

332 The Response Team shall subsequently contact the following parties for the purposes stated. It  
333 shall not conduct any investigation into the alleged misconduct.

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335 • **The Reporter:** If possible, on the same day as the Response Team holds its  
336 organizational meeting, the Response Team will meet with the Reporter to hear the report  
337 of the alleged sexual misconduct, to advise the Reporter of this Policy, and to review with  
338 the Reporter what non-disciplinary responses and disciplinary procedures may or must be  
339 utilized. Following the meeting with the Reporter the Response Team will plan how best  
340 to assess the needs of the persons involved and to secure resources.

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342 • **Alleged Victim(s):** The Response Team will meet with the alleged Victim(s) or make  
343 every possible effort to make contact with them to advise them of this Policy, review both  
344 the non-disciplinary responses and the disciplinary procedures which may be used by the  
345 alleged Victim(s), assess support needs, and offer resources of support and care for them  
346 and their family. If the Response Team is unable to meet with the alleged Victim(s) the  
347 Response Team must determine what steps it will take.

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349 • **The Accused:** When the Investigating Committee has notified the Stated Clerk that it  
350 may do so, and with the alleged Victim's knowledge and in coordination with the work of  
351 the Commission on Ministry in this matter, the Response Team will make sure that the  
352 appropriate persons or groups meet with the Accused to advise the Accused of this  
353 Policy, to review both the non-disciplinary responses and the disciplinary procedures  
354 which may or must be used, to assess support needs, and to offer resources of support and  
355 care for the Accused and family. At the start of this and all subsequent meetings with the  
356 Accused, the Response Team shall inform the Accused that while this is not for the  
357 purpose of investigation, any information shared with the Response Team may not be  
358 protected by the privilege of confidentiality, and that the Accused has both a right to  
359 remain silent and to have counsel present.

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#### 361 OTHER STEPS

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363 When the Investigating Committee has notified the Stated Clerk that it may do so, the Response  
364 Team may work with the Session, congregation, employer, staff, volunteers, or others that may  
365 be affected by the alleged misconduct, with the permission of the Commission on Ministry.  
366 In carrying out its responsibilities, the Response Team may consult with the Executive Presbyter  
367 and/or Stated Clerk and may enlist the assistance of other presbyters to meet specific needs.

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369 The Response Team shall keep appropriate records of its meetings, contacts with the individuals  
370 involved, and arrangements made with resource persons providing support. The Response Team  
371 shall forward to the Stated Clerk all records of its meetings, contacts with the individuals  
372 involved and arrangements made with those providing support. The records shall be maintained  
373 in the same manner and for the same duration as records of disciplinary cases. The Stated Clerk  
374 shall share appropriate information with the Commission on Ministry.

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**ACKNOWLEDGEMENT**

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I acknowledge that on \_\_\_\_\_, I received a copy of the Sexual Misconduct Policy of the Presbytery of Lake Huron dated September 15, 2020, and that I agree to conduct myself in accordance with the policy in any involvement with or service to the Presbytery. I understand that this acknowledgement will be retained in a file in the office of the Stated Clerk.

_____	_____
(signature)	(date)
_____	_____
(name)	
_____	_____
(email)	(home address)
_____	
(phone)	

Relationship to Presbytery (check all that apply):

- \_\_\_ Inquirer
- \_\_\_ Candidate
- \_\_\_ Minister member
- \_\_\_ Minister with permission to labor within the Presbytery
- \_\_\_ Commissioned Lay Pastor
- \_\_\_ Certified Christian Educator or Certified Associate Christian Educator
- \_\_\_ Presbytery Employee
- \_\_\_ Presbytery Officer (moderator, vice-moderator, treasurer, Stated Clerk)
- \_\_\_ Volunteer
- \_\_\_ Elder/Deacon of \_\_\_\_\_ Presbyterian Church, \_\_\_\_\_
- \_\_\_ Member of \_\_\_\_\_ Presbyterian Church, \_\_\_\_\_
- \_\_\_ Other (specify) \_\_\_\_\_