

***PRESBYTERY OF WESTERN NEW YORK  
POLICY PROHIBITING SEXUAL ABUSE/MISCONDUCT  
BY VOLUNTEERS***

**Introduction:**

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

Human sexuality is an integral part of who we are as persons. However, it can become the basis for injury or oppression, where trust relationships are breached and persons are abused. Sexual abuse/misconduct by volunteers of this Presbytery is prohibited.

**The purposes of this policy are:**

1. To prevent and eliminate sexual abuse/misconduct within the Presbytery of Western New York.
2. To safeguard the Church's members and staff from abuse through any form of sexual misconduct.
3. To seek justice by assuring effectiveness of the church's disciplinary, administrative, and judicial process in determining truth, protecting the innocent, and dealing appropriately with those who victimize others and those who are victimized.
4. To promote healing of all persons and congregations where sexual abuse/misconduct has occurred.

**Definitions:**

1. Sexual abuse/misconduct of another person is any offense involving sexual conduct in relation to:
  - a. Any person under the age of eighteen years or anyone over the age of eighteen years without capacity to consent, or,
  - b. Any person when the conduct includes force, threat, coercion, intimidation, or misuse of office or position. (D-10.0401a)
2. For purposes of this policy, volunteer means any person who serves as a member of, resource to or adjunct to any committee, department, board, council, permanent judicial

commission, or any other entity of this Presbytery. However, this policy does not apply to volunteers working at the Duffield Presbyterian Center during camps for children or youth, volunteers serving on the Committee on Preparation for Ministry or adult volunteers serving on the Youth Council.

**Prevention:**

1. In September of each year, the General Presbyter shall cause a copy of this policy to be sent to each volunteer covered by this policy along with a written acknowledgement stating that the volunteer has read this policy, understands its meaning and agrees to act in accord with the policy. (Appendix A)
2. The volunteer shall bring a signed and dated acknowledgement to the first meeting of the Presbytery unit on which the volunteer serves after the volunteer receives a copy of this policy, even though the volunteer may have signed such an acknowledgement previously. Failure of the volunteer to turn in an acknowledgement shall mean that the volunteer shall have no voice or vote in the Presbytery unit where the volunteer serves, until an acknowledgement is turned in.
3. It is the responsibility of the moderator, chairperson or other convener of the Presbytery entity to receive such acknowledgements and to turn them into the Presbytery office. The Presbytery office shall retain such acknowledgements in a single file for at least two years from the date of signing.
4. The General Presbyter shall provide all volunteers with an annual opportunity to attend an orientation to this policy.
5. A copy of this policy shall be given to all persons who accuse others of abuse/misconduct as well as those accused of abuse/misconduct. Each will be required to sign and date a written acknowledgement stating that a copy of the policy has been received, that an accusation has been made, and that the process has been explained. (Appendices B and C)

**Reporting:**

1. The Stated Clerk will report all allegations to the Presbytery's insurance carrier as soon as the Stated Clerk is made aware of them, taking care in every instance to preserve the anonymity of all parties.
2. The General Presbyter will report allegations to appropriate local, state and federal authorities if the allegations involve the abuse of a minor child or other criminal behavior.

3. When accusations are filed, the media will not be notified. Should information about a case surface in the media, an accurate response will be issued by the General Presbyter in consultation with the Stated Clerk.

**Process:**

1. Only written, dated and signed allegations from the accuser will be processed for discipline.
2. All such allegations of sexual abuse/misconduct will be forwarded by the Stated Clerk to the Clerk of the session of the church of which the volunteer is a member for investigation and disposition pursuant to the Rules of Discipline.
3. Whenever an allegation of sexual abuse/misconduct is received by any member of staff or presbytery, the convener of the Response Advisory Task Force appointed by the Committee on Ministry shall be contacted and informed by the person who received the allegation.
4. After the above procedures have been carried out, the administrative team shall coordinate an evaluation, seeking feedback from the persons and groups involved in response to the allegation of abuse/misconduct.

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**Appendix A**

**ACKNOWLEDGMENT OF RECEIPT**

I hereby acknowledge that I received a copy of the Policy Prohibiting Sexual Abuse/Misconduct by Volunteers on \_\_\_\_\_ (date).

I have read the policy, understand its meaning, and agree to conduct myself in accordance with the policy.

Signature: \_\_\_\_\_ DATE: \_\_\_\_\_

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**Appendix B**

**ACKNOWLEDGMENT OF ACCUSATION**

(To be signed by the accused)

I hereby acknowledge that I received a copy of the Policy Prohibiting Sexual Abuse/Misconduct by Volunteers on \_\_\_\_\_ (date).

I have been notified of an accusation made against me, and the process has been explained to me.

Signature: \_\_\_\_\_ DATE: \_\_\_\_\_

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**Appendix C**

**ACKNOWLEDGMENT OF ACCUSATION**

(To be signed by the accuser)

I hereby acknowledge that I received a copy of the Policy Prohibiting Sexual Abuse/Misconduct by Volunteers on \_\_\_\_\_ (date).

I have made an accusation, and the process has been explained to me.

Signature: \_\_\_\_\_ DATE: \_\_\_\_\_

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Approved 1/29/2000