
Sexual Misconduct

Name: _____

The Presbyterian Church (U.S.A.) has a strong policy opposing sexual harassment or abuse.

Definitions related to Sexual Misconduct

Sexual Harassment is defined for this policy as follows: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when

1. Submission to such conduct is made either explicitly or implicitly a term or a condition of an individual's employment or their continued status in an institution;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, or offensive working environment.

Sexual Misconduct is the comprehensive term used in this policy and its procedures to include:

1. Child sexual abuse.
2. Sexual harassment, as defined above.
3. Rape or sexual contact by force, threat, or intimidation.
4. Sexual conduct (such as offensive, obscene or suggestive language or behavior, unacceptable visual contact, unwelcome touching or fondling) that is injurious to the physical or emotional health of another.
5. *Sexual Malfeasance* defined as sexual conduct within ministerial (e.g. clergy with a member of the congregation) or professional relationship (e.g. counselor with a client; lay employee with a church member; presbytery executive with a committee member who may be a layperson, a minister, or an elder). Sexual conduct includes unwelcome sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature. This definition is not meant to cover relationships between spouses, nor is it meant to restrict church professionals from having normal, mutual, social, intimate, or marital relationships.
6. *Volunteer* is the term used for persons who provide services and receive some benefits (e.g. food, shelter, transportation, risk management insurance or the like) but no remuneration. For purposes of this policy, volunteers are treated the same as employees.

Please complete the following certification: I certify that (a) no civil, criminal, or ecclesiastical complaint has ever been sustained or is pending against me for sexual misconduct; and (b) I have never resigned or been terminated from a position for reasons related to sexual misconduct.

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(Signature)

(Date)

Release

The information contained in this questionnaire is accurate to the best of my knowledge and may be verified by the employing entity. I hereby authorize the Presbyterian Church (U.S.A.) to make any and all contacts necessary to verify my prior employment history, and to inquire concerning any criminal records or any judicial proceedings involving me as a defendant. By means of this release I also authorize any previous employer and any law enforcement agencies or judicial authorities to release any and all requested relevant information to staff in the Presbyterian Mission Agency, Presbyterian Church (U.S.A.).

I have read this release and understand fully that the information obtained may be used to deny me employment or any other type of position from the employing entity. I also agree that I will hold harmless the employing entity or judicial authority from any and all claims, liabilities, and cause of action for the legitimate release or use of any information.

(Signature)

(Date)