

■ Sexual Misconduct Policy Form

(To be signed by leaders and participants)

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 include the following:

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.

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.

Signature: _____ Date: _____

(*Note:* If you are unable to make the above certification, you may instead provide a description of the complaint, termination, or the outcome of the situation and any explanatory comments you care to add.)