

Palo Duro Presbytery's Manual of Operations 2022-2023



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Vision Statement

Chapter 1 - Palo Duro Presbytery Guiding Vision: Living In Relationship

I Corinthians 12:12-27

For just as the body is one and has many members, and all the members of the body, though many, are one body, so it is with Christ! For in the one Spirit we were all baptized into one body--Jews or Greeks, slaves or free--and we were all made to drink of one Spirit. Indeed the body does not consist of one member but of many. If the foot would say, "Because I am not a hand, I do not belong to the body" that would not make it any less a part of the body. If the ear would say, "Because I am not an eye, I do not belong to the body" that would not make it any less a part of the body. If the whole body were an eye, where would the hearing be? If the whole body were hearing, where would the sense of smell be? But as it is, God arranged the members of the body, each one of them as he chose. If all were a single member, where would the body be? As it is there are many members, yet one body. The eye cannot say to the hand, "I have no need of you," nor again the head to the feet, "I have no need of you." On the contrary, the members of the body that seem to be weaker are indispensable, and those members of the body we think less honorable we clothe with greater honor, and our less respectable members are treated with greater respect; whereas our more respectable members do not need this. But God has so arranged the body, giving the greater honor to the inferior member that there may be no dissension within the body, but the members may have the same care for one another. If one member suffers, all suffer together; if one member is honored, all rejoice together with it. Now you are the body of Christ and individually members of it.

Micah 6:8

He has told you, O Mortal, what is good: and what does the Lord require of you but to do justice, and to love kindness, and to walk humbly with your God.

Palo Duro Presbytery is called to be the Reformed expression of the body of Christ in this time and place. This expression of the body, like the human body, is made up of many different members, each of which is in relationship with the others.

The one God is revealed in relationship--Father, Son, and Holy Spirit--and calls us into this covenant relationship as persons, congregations, and presbytery. It is this covenant relationship which brings life, hope, faith and salvation, and enables faithful living in Christ.

Called to Live in the Love of Christ.

Living in relationship means we focus our energy and efforts so singularly upon the love of Christ that an atmosphere of mutual love and respect permeates all of our activities, an atmosphere where matters of disagreement are always secondary.

Living in relationship with God means we are called to learn and practice the Christian disciplines of prayer, Bible study, worship, witness, and discernment in all aspects of our life together.

Living in relationship means that support and care for one another as congregations is our primary, mutual responsibility. In congregations we are called as leaders and members to support and care for each other. The same is true of us as a presbytery. "If one member suffers, all suffer together. If one member is honored, all rejoice together with it." As the body of Christ, it is the role of staff and structure of our presbytery to support and to enable such relationships of mutual care.

Living in relationship means we act out of compassion and love rather than out of fear and retribution. We seek to learn about each other in order to share one another's suffering and one another's joy. We search for opportunities for God to do something new through us as we foster faith-full relationships with one another.

Called to Seek and Do God's Will.

Living in relationship means we are constantly seeking God's will for our life together, and are willing to set ourselves aside so that God's will may be done on earth as it is in heaven.

Living in relationship means we value and need each other's unique gifts and skills, talents and points of view. "Indeed, the body does not consist of one part, but of many." Seeking God's will as good and faithful people, we will sometimes agree and other times differ with each other. We acknowledge that God's ways are often different from our own. Thus, seeking and doing God's will involves discerning, discussing, agreeing, and differing in the context of relationships, in which we commit ourselves together to the law of love.

Called to Faithful Witness.

Living in relationship means we are called to proclaim the Gospel of Grace known in Jesus Christ-God's amazing undeserved love for all people and all of creation. This Gospel is the unique message we are called both to embody and to share, in words and deeds.

Living in relationship means we are in partnership with persons, organizations and ministries which proclaim and share the love of Jesus Christ in their witness, whoever they may be.

Living in relationship means we are passionate about the health and growth of congregations and teaching elders (ministers) and commit ourselves to enable faithful and fruitful ministry in every setting.

Standing Rules
PALO DURO PRESBYTERY
Approved: January 2021

Chapter 1 - Definitions

- 1.1 This presbytery is known as Palo Duro Presbytery of the Presbyterian Church (U.S.A.).
- 1.2 The area of Palo Duro Presbytery includes the following Counties of the State of Texas: Archer, Armstrong, Bailey, Baylor, Borden, Briscoe, Brown, Callahan, Carson, Castro, Childress, Clay, Cochran, Coleman, Collingsworth, Comanche, Cottle, Crosby, Dallam, Dawson, Deaf Smith, Dickens, Donley, Eastland, Fisher, Floyd, Foard, Garza, Gray, Hale, Hall, Hansford, Hardeman, Hartley, Haskell, Hemphill, Hockley, Hutchinson, Jack, Jones, Kent, King, Knox, Lamb, Lipscomb, Lubbock, Lynn, Mitchell, Montague, Moore, Motley, Nolan, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Scurry, Shackelford, Sherman, Stephens, Stonewall, Swisher, Taylor, Terry, Throckmorton, Wheeler, Wichita, Wilbarger, Yoakum, Young.
- 1.3 Palo Duro Presbytery operates under the Constitution of the Presbyterian Church (U.S.A.) which consists of the *Book of Confessions* and the *Book of Order*.

Chapter 2 - Presbytery in Session (Meetings)

- 2.1 Officers and Quorum:
The officers of the presbytery shall be the moderator, vice-moderator, stated clerk, assistant clerk (optional), and treasurer. All officers shall be nominated only after their consent has been obtained.
- 2.2 A moderator shall be elected at the last stated meeting of each calendar year. The term of office shall be one (1) year, beginning at the opening of the first stated meeting following election. The moderator may be nominated for a second term of one year.
- 2.3 A vice-moderator shall be nominated to the presbytery by the moderator upon taking office.
- 2.4 An assistant clerk may be nominated by the stated clerk and elected by the presbytery.
- 2.5 A quorum for a meeting of the presbytery shall consist of at least three (3) ministers of Word and Sacrament and ruling elders from at least three (3) congregations.
- 2.6 Number of meetings:
Presbytery shall hold three (3) stated meetings per year and adjourned or special meetings as needed.

- 2.7 Date and Time of Meetings:
Stated meetings of Palo Duro Presbytery shall take place at the date and time determined and approved by the presbytery.
- 2.8 Place of Meetings:
The place for stated meetings shall be selected by the presbytery. Ordinarily, the presbytery shall meet in each of the four (4) areas by rotation. The presbytery may meet for Stated Meetings electronically at least one of these times.
- 2.9 Procedure:
The presbytery shall be governed in its meetings by the *Book of Order*, and the most recent revision of *Robert's Rules of Order*. In cases when the Book of Order and Robert's Rules seem to conflict, the body will follow the Book of Order.
- 2.10 Agenda and Schedule of Activity:
The presbytery shall adopt its agenda and schedule of activities at each meeting upon recommendation of the Presbytery's Common Life Ministry. The first stated meeting of each calendar year may include a meeting of the Corporation of the Presbyterian Home for Children in Amarillo, the election of Trustees of that Corporation and a report on the program of the Home.
- 2.11 Membership:
When the Presbytery meets, each resident teaching elder (minister) is expected to be present. Each session shall be represented by ruling elders commissioned by the session, according to membership as follows:
- Membership up to 150- 1 Commissioner
Membership of 151-250- 2 Commissioners
Membership of 251-500- 3 Commissioners
Membership of 501-1000-4 Commissioners
Membership of 1001+-5 Commissioners
- 2.12 Expenses of Commissioners:
Each church is responsible for the expenses of its commissioners, ministers of Word and Sacrament and ruling elders) to meetings of Presbytery.
- 2.13 Papers for Meetings:
All overtures, recommendations, resolutions, reports, etc. shall be in the stated clerk's hands at least one (1) week before the date of each stated meeting for distribution to commissioners five (5) days prior to the meeting. Because of the nature of their work, the Committee on Ministry and the Preparation Ministry are specifically exempted from this rule. By a two-thirds (2/3) vote at any stated meeting, the presbytery may receive an overture, recommendation, resolution or report which has not met this time requirement.
- 2.14 Committees:
Palo Duro Presbytery will do its work through a committee structure. Committees will consist of: Committee on Ministry, Committee on Preparation for Ministry,

Committee on Representation, Council of Ministries, Nominations and Representation Ministry, Presbytery's Common Life Ministry, Resource Ministry and any other committees or task forces determined by the presbytery and the Council of Ministries.

2.15 Other Commissions and Committees:

The presbytery shall name administrative commissions or judicial commissions as may be necessary and advisable to act for the Presbytery in the organization of churches, the ordination and installation of teaching elders (ministers,) and adjudication of disputes within particular congregations, and any other situations which may arise and may be constitutionally delegated to a commission. The presbytery shall be responsible for setting the size of each commission, mandating the scope of its powers, and electing the persons to serve.

Electronic Meetings

- 2.16 1. The presbytery, its Council of Ministries, and ministry teams are expected to meet regularly throughout the year to accomplish their tasks in the life of the presbytery. Ordinarily, these meetings are best conducted in person with opportunity for face-to-face interaction and discernment together.
2. The Council of Ministries, with the advice and consent of the Common Life Ministry, will determine if an upcoming presbytery stated meeting or called meeting will be held in person or electronically.
- 2.17 The presbytery will maintain a subscription to a remote electronic communications system (e.g., videoconferencing service like Zoom, Go To Meeting, etc.) that allows for participating members to see and hear each other at the same time. These types of electronic systems ensure the Parliamentary process:
Simultaneous aural communication is essential for the deliberative character of the meeting. Therefore, a group that attempts to conduct the deliberative process in writing...does not constitute a 'deliberative' assembly.
--Robert's Rules of Order Newly Revised* 11 the Edition, page 98.
Convening a meeting via telephonic conference call is permissible for each ministry. Each ministry will develop a protocol (i.e. how participants will signal their desire to speak and how the moderator will recognize them) for such meetings; the ministry's protocol will be reviewed at the beginning of each electronic meeting.
- 2.18 The presbytery, its Council of Ministries, ministries, and task groups may use a remote electronic communication system (including videoconferencing technology, the internet, and conference calls) to meet if:
The system provides access to the meeting in a manner or using a method by which each person participating in the meeting can communicate concurrently with each other participant; and
If voting is to take place at the meeting, the entity must implement reasonable measures to verify that every person voting at the meeting by remote communication is sufficiently identified; and keep a record of any vote or other action taken; and Items approved by electronic vote shall be reported to and affirmed by the whole group at their next regularly scheduled face-to-face meeting.
- 2.19 Email voting may be used for single items that have been previously debated in a duly called meeting or for items that are presumed to be noncontroversial. It is

understood that if one person objects to the email vote, the matter will be considered by the full council ministry at the next face-to face meeting. Deliberation via email is not permitted. Items approved by email vote will be reported to and affirmed by the whole group at the next regularly scheduled face-to-face meeting. (Please note that items that require action of the presbytery must be addressed in either a stated meeting or a called meeting of the presbytery.)

- 2.20 Ministry Council and ministry teams will set their own quorums, In the event that a ministry cannot achieve a quorum during a meeting, those who are able to meet may act as a task group to work through the agenda and present its work to the full ministry or Council as a recommendation for . approval via an email vote of the ministry or Council.
- 2.21 The Council of Ministries, Ministry teams, and other task groups shall develop their policies to determine the kind of work they will conduct in face-to-face and electronic meetings (e.g. the Preparation Ministry may wish to conduct annual consultations with persons under care via electronic means; enrollment as Inquirer or transitions to Candidacy may require a face-to-face interaction with the ministry; Pastoral Relationships Ministry may submit a church's MIF for a vote via email and allow for comment on editorial matters but not content). Ministries and task groups must ensure provisions and authorization (or not) for electronic participation by those who are absent from a face-to-face meeting.

Chapter 3 – Staff

- 3.1 There shall be an executive presbyter, called by the presbytery. The executive presbyter shall be responsible to the presbytery through the Resource Ministry for oversight of the presbytery's office and staff operations. The position is for an indefinite term.
- 3.2 There may be other professional staff as determined by the presbytery. All other staff shall be under the supervision of the executive presbyter and responsible to presbytery through the Resource Ministry.
- 3.3 The presbytery shall elect a stated clerk and treasurer. (See Appendix B, C for guidelines).
- 3.3 The executive presbyter position will be reviewed by the Resource Ministry and the Executive Presbyter will review staff annually and will share results with the Resource Ministry.

Chapter 4 - Presbytery's Office

- 4.1 The presbytery may have a central office location. It should deploy its program opportunities, resources and meetings across the geography of the presbytery.
- 4.2 Taking into account the factors of geographical centrality and accessibility of public transportation, especially air travel, the presbytery office shall be located in Lubbock, Texas.

4.3 Manuals of Operations:

An operations manual shall be written and submitted to Presbytery by each of the following: Palo Duro Presbytery, Committee on Ministry and Preparation Ministry. Upon approval, the manuals shall guide the operations of these presbytery units.

Chapter 5 - The Corporation of Palo Duro Presbytery

- 5.1 The presbytery shall cause a non-profit corporation to be formed according to the laws of the State of Texas.
- 5.2 The presbytery shall elect three (3) trustees of the corporation who shall serve for three (3) years and may be eligible for re-election for multiple terms. They shall take office upon election.
- 5.3 The stated clerk shall serve as secretary of the corporation.
- 5.4 The trustees shall receive, hold, encumber and transfer property and facilitate the civil affairs of the presbytery as the presbytery may from time to time direct, and are hereby vested with such authority as may be necessary to execute on behalf of the corporation deeds, contracts, leases and all other types of legal documents. The Trustees shall function as an ongoing task group of the Council of Ministries and shall report their actions through the Council of Ministries.

Chapter 6 – Suspension and Amendment

- 6.1 Any Standing Rule of the presbytery, except that providing for the amendment of the Standing Rules, may be suspended for a particular meeting upon the consent of two-thirds (2/3) of those present, provided the rule be specifically cited.
- 6.2 Any proposed amendment to the Standing Rules must be presented in writing to the Council of Ministries before being considered by presbytery. The Council of Ministries shall include the proposed amendment in its report to presbytery with a recommendation. The amendment must be approved by the presbytery before becoming effective.

Chapter 7 – Judicial Process

- 7.1 Judicial Process: Investigating Committee Appointed by the Presbytery. Ordinarily, Investigating Committees are designated by the council having jurisdiction over the accused. This designation may happen in a stated meeting or a called meeting of the council (D-10.0201).
- 7.2 Investigating Committees between Stated Meetings of the Presbytery: The presbytery's Moderator, with the full consent and agreement of the Stated Clerk and Moderator of the Committee on Ministry, has the authority to appoint an Investigating Committee of three to five people (D-10.0201b) to investigate an allegation and determine whether or not formal charges should be filed. The

Stated Clerk of presbytery will report to the presbytery only that an offense has been alleged without naming the accused or the nature of the alleged offense.

- 7.3 Process: Investigating Committees shall follow the process outlined in Chapter X(10) of the Rules of Discipline in the Constitution. Except for a charge of sexual abuse of another person, no charges shall be filed five (5) years from the date of the offense. In cases of sexual abuse, there is no time limit. If charges are filed, a trial must be held.
- 7.4 Rights of the Accused: The Investigating Committee shall inform the accused that an allegation has been received and is being investigated. In every conference with the accused, the Investigating Committee shall inform the accused of the right to remain silent, the right to counsel during the investigation, and the right to have counsel appointed if charges are filed. Reasonable expenses for defense shall be authorized and reimbursed by the presbytery.
- 7.5 Rights of the Accuser: The Investigating Committee shall inform the person making the accusation of the right to be accompanied by an advocate in every conference throughout the process (D-10.0203a).
- 7.6 Rights of the Person Alleging Harm: In the event that a statement of accusation is submitted on behalf of another who is alleged to have been harmed by the offense, the Investigating Committee shall inform that individual of the right to be accompanied by an advocate throughout the process (D-10.0203b).

Chapter 2 – Presbytery in Session

(Reference Standing Rules page 2 item 2.2)

2.1 Election of Moderator:

- 2.1a Any session or any area of the presbytery may submit the name of a nominee to the stated clerk of the Presbytery between January 1 and July 31. The moderator shall be a teaching elder (minister) or ruling elder.
- 2.1b If the stated clerk has received no such nominations by July 31, the presbytery Nominations and Representation Ministry shall be informed, and shall move to nominate one or more persons for the office of moderator.
- 2.1c The names of all persons nominated for the office under either procedure above, shall be circulated to the presbytery in the mailing which precedes the last stated meeting of the year.
- 2.1d Nominations may be made from the floor at the appropriate time in the last stated meeting of the year.
- 2.1e No person shall be nominated for the office of moderator by any of the above procedures, unless prior consent has been secured from the person to be nominated, and the person has indicated willingness to serve if elected.
- 2.1f In the event of multiple nominations a majority of those present and voting is required for election.

Chapter 3 – Presbytery’s Organization and Structure

3.1 Council of Ministries:

- 3.1a Membership and Election: The Council of Ministries will have ten (10) members (one (1) from each ministry, the moderator and vice-moderator of presbytery, and E.P. and Stated Clerk.
- 3.1b Officers and Quorum: The moderator of the presbytery shall serve as the moderator of the Council of Ministries. The stated clerk shall serve as clerk of the Council of Ministries.
- 3.1c Functions:
 - a. The Council of Ministries will be responsible for coordination, communication, and accountability between the ministries. In addition, the Council of Ministries will have the responsibility for progress assessment, keeping the vision alive and modifying it as the need arises.
- 3.1d Operations: Council of Ministries shall:
 - a. Organize its own internal operation to accomplish its functions, subject to the Standing Rules and the Manual of Operations adopted by the presbytery.
 - b. Meet as needed and upon the call of the Moderator when necessary.
 - c. Oversee the work of its committees.
 - d. Publish and distribute the actions and minutes of the Council of Ministries to its members, to teaching elders (ministers) and to session commissioners in the presbytery packet.

3.2 Presbytery’s Common Life Ministry:

- 3.2a Membership and Election: The Presbytery’s Common Life Ministry will have eight (8) members, ordinarily with two (2) from each of the four (4) areas of the presbytery.
- 3.2b Officers and Quorum: A moderator will be elected from among the members of the ministry. A quorum of four (4) will be required for action.
- 3.2c Functions:
 - a. This ministry will have responsibility for matters that affect relationships within the entire presbytery. This ministry will have responsibility for presbytery meetings, agenda and special events. This ministry will be creative in worship, community building, offering educational and inspirational opportunities, as well as providing occasions for members to share life and ministry with one another. This ministry includes the functioning of the four (4) geographical areas of the presbytery.
 - b. This ministry will set the docket for presbytery meetings.
- 3.2d Operations: Presbytery’s Common Life Ministry shall:
 - a. Organize its own internal operation to accomplish its functions, subject to the Standing Rules and the Manual of Operations adopted by the presbytery.
 - b. Oversee the work of its committees/task forces.

c. Publish and distribute the actions and minutes of the Presbytery's Common Life Ministry to its members, to teaching elders (ministers) and to Session commissioners in the presbytery packet.

3.3 Congregational Formation Ministry:

3.3a Membership and Election: The Congregational Formation Ministry will have eight (8) members, ordinarily with two (2) from each of the four (4) areas of the presbytery.

3.3b Officers and Quorum: A moderator will be elected from among the members of the ministry. A quorum of four (4) will be required for action.

3.3c Functions:

a. This ministry will have primary responsibility for consulting with congregations as to their ministry and mission including triennial visits. This ministry will focus on developing and empowering congregational leadership to discern and implement ministry, mission and evangelism in a particular setting. While Presbytery's Common Life Ministry focuses on the presbytery, this ministry focuses on congregations. Consultation with congregations individually is necessary to discern particular needs and challenges. Resources can then be sought within the presbytery to address the mission of a congregation. Coordination with the Resources Ministry will be crucial to the functioning of this ministry.

3.3d Operations: Congregational Formation Ministry shall:

- a. Organize its own internal operation to accomplish its functions, subject to the Standing Rules and the Manual of Operations adopted by the presbytery.
- b. Oversee the work of its committees/task forces.
- c. Publish and distribute the actions and minutes of the Congregational Formation Ministry to its members, to teaching elders (ministers) and to Session commissioners in the presbytery packet.
- d. The Pastoral Relationships and the Preparation Ministry shall relate to this ministry.

3.4 Resources Ministry:

3.4a Membership and Election: The Resources Ministry will have eight (8) members, ordinarily with two (2) from each of the four (4) areas of the presbytery.

3.4b Officers and Quorum: A moderator will be elected from among the members of the ministry. A quorum of four (4) will be required for action.

3.4c Functions:

a. This ministry has primary responsibility for assessing the resources of PDP and making them available to the members of the body. The ministry has primary fiscal responsibility of financial stewardship, budgeting, and reporting. This includes guiding PDP toward a sustainable budget. This body will coordinate and share the information in conjunction with the professional staff. It will develop partnerships with people and congregations who have resources to share, propose a presbytery budget, promote presbytery mission, and encourage financial support of presbytery ministries.

- 3.4d Operations: Resources Ministry shall:
- a. Organize its own internal operation to accomplish its functions, subject to the Standing Rules and the Manual of Operations adopted by presbytery.
 - b. Oversee the work of its committees/task forces.
 - c. Publish and distribute the actions and minutes of the Resources Ministry to its members, to teaching elders (ministers) and to session commissioners in the presbytery packet.

3.5 Nominations and Representation Ministry

- 3.5a Membership and Election: The Presbytery shall elect a Nominations and Representation Ministry and Representation Ministry and Representation Ministry consisting of eight (8) persons, four (4) female persons and four (4) male persons. When nominating persons to this ministry, the ministry shall endeavor to recommend persons who represent the racial ethnic constituency of the presbytery. The composition of the committee shall meet other requirements of G-3.0103. Members shall be elected for three (3) year terms and are eligible for re-election. Each area of the presbytery should be represented on the committee.
- 3.5b Officers and Quorum: A quorum of one-half of the membership of the committee plus one shall be necessary to conduct business. The moderator of the Nominations & Representation Ministry shall be elected annually by the presbytery from the membership of the committee and may serve up to three (3) years.
- 3.5c Functions: The Nominations and Representation Ministry and Representation Ministry shall fulfill the functions indicated in the Book of Order (G-3.0103), assisting the Nominations and Representation Ministry and other units of the presbytery in implementing principles of participation and inclusiveness and fair representation.
- a. Presbytery's Common Life Ministry (8 members).
 - b. Congregational Formation Ministry (8 members).
 - c. Resources Ministry (8 members).
 - d. Pastoral Relationships Ministry (12 members).
 - e. Preparation Ministry (8 members).
 - f. Nominations and Representation Ministry (8 members).
 - g. Trustees (3 members).
 - h. General Assembly commissioners and alternates (clergy and lay) and Young Adult Advisory Delegate (YAAD) every other year.
 - i. Synod Commissioners and other synod personnel.
 - j. Moderator of the presbytery.
 - k. Permanent Judicial Commission.
 - l. Other personnel as directed by the presbytery.
- 3.5d The Nominations and Representation Ministry shall take care to maintain representation from all four (4) areas among the persons it nominates for presbytery's work to assure implementation of principles of participation, inclusiveness and fair representation

- 3.5e The Nominations and Representation Ministry should devise ways to involve sessions in identifying capable leaders for the work of presbytery and maintain an active file of leadership in the presbytery's office, if possible.
- 3.5f Schedule of Nominations and Representation Ministry
 - a. The following positions will be elected at the last regular meeting of the calendar year - presbytery moderator; synod representatives, members of all committees, the Permanent Judicial Commission and trustees.
 - b. In the year prior to the year in which the General Assembly will be meeting, GA commissioners, including Young Adult Advisory Delegates, shall be elected at the last regular presbytery meeting of the year. Nominees shall rotate among the four (4) areas of the presbytery, and emphasis will be given to diversity and inclusiveness when selecting/electing GA commissioners. Alternate commissioners will not automatically become the commissioner at the next GA meeting. Nominations from the floor of presbytery will be accepted provided the nominee has agreed prior to the meeting, and a biography of the nominee is distributed to the body.
 - c. At any meeting - nominees to any other group as requested by the presbytery and vacancies caused by resignations.
 - d. All committee members begin their terms on January 1 and conclude their terms on December 31. The only exception to this is that GA commissioners serve until the next General Assembly.

3.6 Preparation Ministry

- 3.6a Membership and Election: The Preparation Ministry will have eight (8) members, ordinarily with two (2) from each of the four (4) areas of the presbytery.
- 3.6b Officers and Quorum: A moderator will be elected from among the members of the ministry. A quorum of four (4) will be required for action.
- 3.6c Functions: This ministry shall include the work outlined in Book of Order G-2.06.
- 3.6d Operations: Publish and distribute the actions and minutes of the Preparation Ministry to its members, to teaching elders (ministers) and to session commissioners in the presbytery packet.

3.7 Pastoral Relationships Ministry

- 3.7a Membership and Election: The Pastoral Relationships Ministry will have twelve (12) members, ordinarily from each of the four (4) areas of the presbytery.
- 3.7b Officers and Quorum: A moderator, vice-moderator and secretary will be elected from among the members of the ministry. A quorum of seven (7) will be required for action.
- 3.7c Function: This shall include most of the work of what used to be called the Committee on Ministry. The responsibilities of this ministry are itemized in the COM Manual.

3.8 Presbytery's Staff

- 3.8a There shall be an executive presbyter as per the "Standing Rules of Palo Duro Presbytery."
- 3.8b There shall also be a stated clerk. This position is for a two year term. Persons can be re-elected for unlimited subsequent terms.
- 3.8c The presbytery staff should have especially the following competencies:
 - a. Leadership development especially in creating an open style of decision-making, as used in the planning process for the Presbytery.
 - b. Pastoral concern for ministers as well as congregations.
 - c. Collegial approach to ministry.
 - d. Administrative ability.
 - e. Ecclesiastical experience.

Chapter 4 – Area Operations

- 4.1 The presbytery shall be divided into four (4) areas as follows:

AREA 1: Amarillo: St. Luke; Borger, First; Canadian, First; Canyon, First; Clarendon, First; Dumas, First; Hereford, First; Pampa, First; Perryton, Trinity; Spearman, Grace;.

AREA 2: Lamesa, First; Littlefield, First; Lubbock, First, Covenant, Plainview, First; Post, First; Snyder, First; Tulia, First

AREA 3: Bowie, First; Childress, First; Graham, First; Jacksboro, First; Nocona, First; Quanah, First; Seymour, First; Vernon, First; Wichita Falls, Christ United, New Hope, Trinity.

AREA 4: Abilene, First Central, Westminster; Baird, First; Breckenridge, First; Brownwood, Union; Cisco, First; Coleman, United; Colorado City, First; Cross Plains, First; Eastland, First; Haskell, First; Santa Anna, First; Stamford, Central; Sweetwater, First.

Chapter 5 – Suspension and Amendment

- 5.1a Any provision of the "Manual of Operations of Palo Duro Presbytery" may be suspended by the presbytery for a particular meeting upon majority vote of those present, provided the rule be specifically cited.
- 5.1b Any proposed amendment to the "Manual of Operations of Palo Duro Presbytery" must be presented in writing to the Council of Ministries before being considered by the presbytery. The Council of Ministries shall include the proposed amendment in its report to presbytery with a recommendation. *Changes in the Operations Manual of Palo Duro Presbytery do not require that the changes be read at two successive meetings.*
- 5.1c If any provisions of the Manual of Operations of a committee or ministry conflict with what is contained within this document, this document (Palo Duro Presbytery's Manual of Operations), shall take precedence.

Chapter 6 – Judicial Process

- 6.1 Judicial Process: Investigating Committee Appointed by the Presbytery. Ordinarily, Investigating Committees are designated by the council having jurisdiction over the accused. This designation may happen in a stated meeting or a called meeting of the council (D-10.0201).
- 6.2 Investigating Committees between Stated Meetings of the Presbytery: The presbytery's Moderator, with the full consent and agreement of the Stated Clerk and Moderator of the Pastoral Relationships Ministry, has the authority to appoint an Investigating Committee of three to five people (D-10.0201b) to investigate an allegation and determine whether or not formal charges should be filed. The Stated Clerk of presbytery will report any such actions at the Presbytery meeting that follows any such appointments.
- 6.3 Process: Investigating Committees shall follow the process outlined in D-10 of the Rules of Discipline in the Constitution.
- 6.4 Rights of the Accused: The Investigating Committee must inform the accused that an allegation has been received and is being investigated. In every conference with the accused, the Investigating Committee shall inform the accused of the right to remain silent, the right to counsel during the investigation, and the right to counsel if charges are filed. If he/she cannot afford counsel, the PJC will appoint counsel (D-10.0203c).
- 6.5 Rights of the Accuser: The Investigating Committee shall inform the person making the accusation of the right to be accompanied by an advocate in every conference throughout the process (D-10.0203a).
- 6.6 Rights of the Person Alleging Harm: In the event that a statement of accusation is submitted on behalf of another who is alleged to have been harmed by the offense, the Investigating Committee shall inform that individual of the right to be accompanied by an advocate throughout the process (D-10.0203b).

All Appendices

Guidelines for the Stated Clerk

Palo Duro Presbytery

Introduction

The Book of Order identifies a "clerk" as one of the officers of each council, and when the body is a presbytery, calls that person a "stated clerk." Among the duties of the stated clerk are to:

- record the transactions of the council;
- keep its rolls of membership and attendance;
- preserve its records carefully;
- furnish extracts from them when required by another council.
- make recommendations to that council for the permanent safekeeping of the council's records.
- call special meetings of the presbytery under certain conditions.
- submit records of the proceedings of the presbytery annually to the synod, for review and control; and to provide other reports the synod may require.
- submit annually to the General Assembly, lists of teaching elders (ministers) and churches as well as other statistical information as may be required.
- maintain rolls of ministers as follows:
 - active members
 - members-at-large
 - those deleted from the other rolls
- enroll newly ordained teaching elders (ministers) as members of the presbytery; and to notify the session of the particular church of which the candidate has been a member of such action.
- deliver calls to teaching elders (ministers) or candidates either to the clerk of the presbytery of which the candidate or minister is a member, or to the Committee on Ministry of the clerk's own presbytery, as appropriate. In disciplinary cases, D-7.0000 and D-8.0000 provide guidance for the stated clerk in:

receiving and reporting accusations
receiving and reporting charges
receiving and reporting judgments

The stated clerk of Palo Duro Presbytery is expected to fulfill the various constitutional requirements set out above.

III. Additional Duties

A. In Relation to the Council of Ministries

1. Assist the executive presbyter in proposing a docket for stated meetings of presbytery
2. Transmit official correspondence to the council as appropriate.
3. Transmit reports, recommendations and all other pertinent information from the council to teaching elders(ministers) and ruling elder commissioners, at least ten (10) days prior to stated meetings.

4. Serve as secretary for meetings of the Council of Ministries.
- B. In Relation to the Committee on Ministry (COM)
 1. Deliver to the committee all appropriate communications and papers related to its work.
 2. Deliver to other stated clerks and other appropriate parties, all papers from the COM regarding calls, ordinations, installations, dismissals, etc.
 3. Deliver to the presbytery all appropriate reports, actions, recommendations of the COM for presbytery action, prior to the opening session of stated meetings.
- C. In Relation to Presbytery meetings
 1. The stated clerk may nominate an assistant stated clerk who will record minutes of stated meetings.
 2. Record or arrange for the recording of minutes of special meetings.
 3. Deliver to the presbytery all official communications from other governing bodies, for referral or action.
 4. Transmit to other governing bodies as appropriate, all communications, overtures, actions, recommendations, and requests of the presbytery.
 5. Publish complete minutes of stated and called meetings of the presbytery, for limited distribution as required.
 6. Serve as parliamentarian during meetings of the presbytery.
- D. In Relation to the Presbytery
 1. Maintain a list of congregations which have (between 1983 and 1991) voted to hold their property under the provisions of the *Book of Church Order*, P.C.U.S., 1 982-83, rather than under the provisions of the *Book of Order*, G-4.0203.
 2. Coordinate the work of an assistant stated clerk, in relation to minutes of presbytery and the review of minutes of session.
 3. Assist the presbytery in its work of studying overtures and proposing presbytery action upon them; and report to the appropriate governing body, the action of the presbytery on such overtures.
 4. Publish and distribute an annual roster which provides statistical and personnel information to inform the work of the presbytery.
 5. Publish and distribute presbytery Standing Rules, Manuals of Operations, and other documents which guide the presbytery in its work.
 6. Inform the presbytery when information from congregations indicates that the requirements of G-2.0401 have not been met, regarding the election of "men and women" to the office of elder and deacon.

(Adopted 10/1 9/87 - Amended 1/94, 10/11)

Guidelines for the Treasurer

PALO DURO PRESBYTERY

I. INTRODUCTION

The *Book of Order* contains no provisions regarding the office of treasurer, beyond those relating to the treasurer of a congregation. Palo Duro Presbytery has adopted the following guidelines and requirements for its treasurer.

II. FIDELITY BOND

The treasurer, assistant treasurers and all other presbytery personnel who deal with financial matters, shall be covered under a fidelity bond during their tenure, at presbytery expense.

III. ANNUAL INDEPENDENT AUDITS

The treasurer shall arrange for and cooperate in the preparation of an annual independent audit of all receipts and disbursements, and all other assets of the presbytery. The audit shall be accomplished by an independent Certified Public Accountant, at presbytery expense. The audit shall be supplied to the Resources Ministry. It shall be available to other presbyters as needed. The Management letter provided in connection with the audit shall be made available to the Resources Ministry, which has responsibility for the oversight of presbytery financial matters. The treasurer shall work with the Presbytery's CPA in all matters pertaining to the finances of Palo Duro Presbytery.

IV. INTERNAL CONTROL

All vouchers shall have the signature of the moderator of the work unit to be charged for the expense, which authorize payment and assign the general ledger account to be charged. All vouchers shall be verified for accuracy by the bookkeeper, an employee of the presbytery's CPA, and approved for payment by the executive presbyter, stated clerk or treasurer either before or at the time the check is signed.

V. The Resources Ministry may provide an "internal audit" sub-group which shall:

Review bank reconciliations;
Review paid vouchers;
Prepare a report of the review for the auditor.

VI. RECEIPTS FROM CONGREGATIONS

It is the current practice of Palo Duro Presbytery that all receipts from congregations, whether for general mission, General Assembly per capita, special offerings, special gifts or designated contributions, are remitted through the presbytery office.

VII. OTHER RECEIPTS

The presbytery office receives, deposits and accounts for certain fees related to presbytery-sponsored events and activities, such as camps and conferences, retreats, schools for leadership development, Celebration

Scholarship, etc. The presbytery office also occasionally receives deposits and accounts for designated contributions from individuals or agencies, such as special gifts or reimbursement for expenses for travel, etc. These items are "outside the budget" and are accounted for as "other income" in reports to the presbytery. Another source of "other income" is the payment (or crediting) of interest income earned on capital funds or operating funds invested with financial institutions at interest.

VIII. AUTHORIZATION FOR DISBURSEMENT

The executive presbyter, stated clerk of the presbytery and one other person (to be determined) are authorized to write and sign checks of any amount, with only ONE signature required on all checks when any one of the following conditions is met:

- A. The check represents the payment of all or a part of a line item in the budget adopted by the presbytery and currently in force.
- B. The check represents the payment of a properly executed voucher for travel, meals, motel, other approved incidental expenses, for which the presbytery has provided funds in its adopted budget, and for which the payee is eligible for reimbursement, according to current "Palo Duro Presbytery Policy for Expenses, Fees, Gifts," as stated on the reverse side of current vouchers.
- C. The check represents payment of an item specifically authorized by the Council of Ministries or the Committee on Ministry, with the action reflected in appropriate minutes and representing expenditure of funds over which the authorizing body has discretionary control -- e.g., the Committee on Ministry's "Emergency Crisis Fund."
- D. The check represents payment specifically authorized by the presbytery and reflected in its minutes, and represents an expenditure from an identified fund, over which the presbytery has discretionary control, e.g., capital funds, operating balances on hand, special funds.
- E. The check represents payment authorized by a task group of the Council, from budgeted funds over which the task group has some discretionary control, e.g., the New Special Ministries line item in the budget of the Resources Ministry.
- F. The check represents the payment to a "second party" of budgeted funds, e.g., deposit of IRS/FICA funds withheld from employees' salaries.
- G. The check represents a "pass-through" payment of unbudgeted funds received from an individual or an agency and designated to a particular payee.
- H. The check represents a non-budget, non-group authorized payment in the case of an emergency need of a member or the presbytery or a lay member of one of its work units, is to be reimbursed, and is authorized by the appropriate moderator of a presbytery work unit, and the amount is less than \$100.00, e.g., payment to a locksmith to open a car door of a person attending a meeting in the presbytery office, with the reimbursement taken from the travel voucher account immediately.

- I. The check represents an “advance payment” of a budgeted expense, e.g., a travel advance prior to receipt of a travel voucher, for persons on presbytery business; or e.g. a salary advance to an employee of the presbytery, limited to no more than one month’s salary, when in the judgment of the treasurer/assistant treasurer and with the concurrence of the moderator of the Resources Ministry, such advance payment is needed and justified.

IX. REPORTING BY THE TREASURER

- A. The treasurer shall report to each stated meeting of the presbytery all receipts and disbursements, to date; and shall provide an annual report of receipts and disbursements in the first stated meeting of the presbytery each year.
- B. The treasurer shall report to the Resources Ministry and to the Council of Ministries as requested, and shall regularly furnish a quarterly report of income.

Reports of disbursements shall be made as requested, to the groups named above, and to any other work unit of the presbytery for which funds are budgeted.

X. OVERSIGHT

The treasurer is accountable to the presbytery through the Resources Ministry, and the Council of Ministries, for the performance of duties as treasurer. As a member of the staff, the treasurer is also accountable to the executive presbyter and the Resources Ministry, in matters of the administrative budget and in relation to other members of the staff.

(Adopted 10/1 9/87 - Amended 1/94)
updated 12/00, 10/11

Guidelines for Worship at Meetings of Presbytery

Palo Duro Presbytery

Approved 10/24/98

Updated 12/00, 10/11

Councils shall worship regularly and shall order that worship in accordance with the principles of this directory. Each council should establish a group charged with responsibility for and oversight of its worship. It may also adopt guidelines for the planning and conduct of worship at its meetings.

I. Introduction

"Worship is at the heart of the church's life and mission. In worship we return to the wellsprings of the faith and are engaged in communion with God who calls us. We discover new relationships of love and peace with each other and are sent to enter in the world in the name of Christ." (Supplemental Liturgical Resource 1: Service for the Lord's Day, 1984: 1)

Worship should always offer opportunities for disciples to renew the commitment of their lives to Jesus Christ and his mission in the world. As the Holy Spirit has graced each member with particular gifts for strengthening the body of Christ for mission, so worship should provide opportunities to recognize these gifts and offer them to serve Christ in the church and in the world. (W-2.5002)

We worship God the Father, God the Son, and God the Holy Spirit, because God has created us for worship, and it is at the heart of our reason for being. Reformed worship is characteristically "according to God's Word." This means our worship shall be faithful to God's Word revealed in scripture. When we worship, our minds are enlightened by the Spirit, our lives are cleansed by the Christ, and our hearts are warmed by the love of God. Worship is then transformed from mere human work into divine work. It is part of God's saving work among us. It is God's work of building up the church of Jesus Christ. (adapted from Supplemental Liturgical Resource 1 - Service for the Lord's Day.)

II. Guidelines

1. For each presbytery meeting the Service for the Lord's Day worship including the Sacrament of Holy Communion shall be planned by the Presbytery's Common Life Ministry of the presbytery. In planning the worship service, the group shall include representatives of the host church incorporating the church musician(s), layperson(s), and minister(s). A variety of worship forms and styles appropriate to evening, morning, and mid-day prayer may be used. Eucharistic worship may be celebrated at a variety of places within the context of a presbytery meeting. Centering our decision making within the context of worship leads us to seek God's will.

Worshipful-work helps us listen for God's call and what God would have us be and do.

2. Care should be taken to be inclusive of language in matters of God in worship. The liturgy in general should be scriptural and firmly rooted in the Presbyterian Reformed tradition. The leadership of worship shall be representative of presbytery. Care should be taken to include differing races, genders, and ages.
3. The primary resources for the order of worship are found in the Book of Order's Directory for Worship and the Book of Common Worship. Other worship planning materials are available at the presbytery resource center.
4. All music in worship shall serve the purposes of worship and represent the best that God's people have to offer. In worship, music is not to be for mere entertainment or artistic display. "music ... should be a worthy offering to God on behalf of the people." (Book of Order W-2.1004.)
5. The Presbytery's Common Life Ministry is responsible for inviting and securing a preacher for worship.

MINISTERIAL GUIDELINES FOR LEAVING A CONGREGATION

1. WHEN SHOULD I ANNOUNCE MY RESIGNATION?

Under normal conditions of leaving a congregation, four to six weeks notice is adequate. This will allow sufficient time for tying up loose ends and for saying goodbye.

Giving notice of more than six weeks can make for an inordinately long period for everyone concerned having to hold onto grief feelings prior to the final termination, not unlike a prolonged period between a death and the funeral or memorial service. However, too short a time between the announcement and the departure is unfair to all affected, but especially to the congregation. The time after a teaching elder (minister) has announced her or his intention to move is a period of extremely important pastoral care: that which is extended by the departing pastor to the congregation and its members, and that which is extended to the departing pastor and family by the congregation.

A teaching elder (minister) anticipating a move would do well to read the following Alban Institute resources: *Running Through the Thistles*, Roy Oswald, copies in Presbytery's Resource Center.

Ending Well, Starting Well, Roy Oswald

Saying Goodbye, Ed White

2. WHOM SHOULD I TELL, WHEN, AND IN WHAT ORDER?

a. You should promptly notify the stated clerk or executive presbyter of presbytery and/or the moderator of the Committee on Ministry of your intention to resign.

b. You should share the news with your session before sharing it with others in the church or community. Ask them to call a congregational meeting to concur with your resignation.

c. You should announce your resignation officially and personally at a public worship service. Be positive and open in your announcement.

d. You should notify the Committee on Ministry and/or the office of presbytery in writing of your resignation and the congregational action concurring with your request.

e. If possible, you should arrange for an exit interview with the area Committee on Ministry representatives.

f. It is your responsibility to see that your congregation understands that you will no longer be their pastor. You need to make it very clear to them that you are no longer available to preach or perform any pastoral tasks for them. See: "Standards of Ethical Conduct" (1998) 210th- GA.

g. You need to be supportive of the presbytery's pastor search process and encourage the congregation to work closely with the presbytery during their search for a new pastor. The Committee on Ministry will appoint one of its members to be a liaison to the church prior to the vacancy, as well as designating another teaching elder (minister) as moderator of the session, once you have left.

h. It is your responsibility to assure yourself that everything pertaining to receiving the call through the hand of your own presbytery has been followed to your satisfaction.

i. You should make sure that the manse property is left in good condition, with all dirt, rubbish, etc., removed.

j. You should put all files and records of the church in order and left intact so that your successor may easily find necessary records and equipment.

k. When you leave a congregation you should affirm the good that has been accomplished. DO NOT LEAVE ON A NEGATIVE NOTE.

3. **GUIDELINES FOR RELATING TO YOUR FORMER CONGREGATION FROM A DIFFERENT LOCATION**

a. Even though former pastors and their families may continue to have friendships in the congregation, former pastors ordinarily should not perform weddings, conduct funerals, or counsel members of the congregation unless asked to do so by the session and moderator of session.

b. A former pastor should not participate in any way with the function of the pastor Nominations and Representation Ministry.

c. The former pastor should make every effort to be supportive of his/her successor. Encourage persons who might contact you with concerns about your successor to address them to their new pastor or the session or the Committee on Ministry. Avoid drawing conclusions about your successor or interpreting his/her behavior and words. Encourage openness and opportunities for growth.

d. Should you and your family return for a visit or for vacation, make a friendly phone call to the pastor soon after your arrival.

4. **GUIDELINES FOR RETIRING PASTORS**

The Board of Pensions suggests that the process of retiring begin six to nine months before the anticipated date of retirement, and so six months notice to the congregation would be appropriate.

Teaching Elders (ministers) anticipating retirement should request the booklet, *Information for Members Planning to Retire*, from the Board of Pensions.

Up to five years before retirement, you should send a request for a pension quote to the Board of Pensions as well as a request for social security benefits quote to

the local social security office.

Presbytery must certify retirement to the Board of Pensions, taking such action at one of the stated meetings. Be sure enough time is allowed to assure the application can be acted on in a timely manner. The Board of Pensions suggests requesting a retirement application at least ninety days prior to retirement, but a longer time may be wiser. Also, if you elect one of the joint survivor options, the appropriate form must be submitted to the board at least three months prior to the retirement date.

Six to nine months before the anticipated retirement date, you should contact the local social security office to begin the application process for benefits.

5. GUIDELINES FOR PASTORS AND FAMILIES WHO REMAIN IN THE AREA AFTER LEAVING A PASTORATE

a. A former pastor who chooses to remain in or return to the area in which he/she has served as pastor needs to deal realistically with his/her own needs for fellowship and church life apart from the former congregation.

b. You and your family can be most helpful to your successor and family in being accepted in their new situation. You and your family can also be the most difficult problem your successor and family must face. Be sensitive to them, encourage them, help them any way you can, even if it means physically withdrawing yourselves from the congregation for a period of time.

c. A former pastor should refrain from pastoral functions and not accept any position of leadership in his/her former church, nor attend meetings of the session, deacons, or trustees unless invited by the session and moderator of session.

d. A former pastor should not officiate at any sacraments, weddings, funerals, or other functions involving members of his/her former church, or within its properties, unless invited by the session and moderator of session.

e. An invitation to officiate or perform pastoral functions in a former church is an opportunity to demonstrate your support and loyalty to your successor. Offer to assist rather than officiate. Avoid any functions or requests that will isolate or exclude your successor from the people God has called him/her to serve. Spouses and families of former pastors also need to demonstrate their support of the new pastor and family in the manner suggested for former pastors.

f. A former pastor should avoid formal or informal participation in or comment on the work of the Pastor Nominations and Representation Ministry.

g. Regarding continued worship in the church from which a pastor retires, the Committee on Ministry encourages clergy and families to seek alternate worship sites and opportunities, especially during the first several months after the new pastor and family arrive. This will enable you to return as a longtime friend and will help avoid the inevitable comparisons that can cause so much pain whenever old relationships are severed and new ones are being formed.

These guidelines are intended to serve as a help to pastors and churches as they go through difficult times of adjustment. They are provided as an attempt to avoid having a long and devoted pastoral relationship between a pastor and church become a source of dissension within a congregation and a source of pain for a succeeding pastor and family. The Committee on Ministry is available to counsel pastors, their families, and congregations regarding these guidelines as needed in their particular situations. If you have questions, please contact the moderator of the Committee on Ministry.

October, 2001, updated October, 2011

POLICY STATEMENT

Presbytery of Palo Duro

Background Check Policy

Palo Duro Presbytery

Approved: February 25, 2006

Updated August, 2011

Rationale: For the safety of all persons of Palo Duro Presbytery, the presbytery will require background checks on each new and existing member of presbytery as well as those who work in any way with children and youth in presbytery related events.

Persons New to the Presbytery or Those called to serve within a congregation of PDP:

1. For every teaching elder (clergyperson) beginning work with a particular congregation in Palo Duro Presbytery, a national, state, and county criminal and sexual offender registry list background check will be required as well as a credit check.
2. For every commissioned ruling elder, parish associate, interim/transitional pastor, or those in temporary positions, beginning work with a particular congregation in Palo Duro Presbytery, a national, state, and county criminal and sexual offender registry list background check will be required.
3. Required background checks must be completed and evaluated before a PNC can present a name to its congregation for consideration to be called to a pastoral position in the presbytery, or before any session can offer any kind of pastoral relationship to an individual (temporary or stated supply, CRE, interim, parish associate).
4. Evaluation of the required records will be the responsibility of the executive presbyter. In the event that a check discloses anything other than a clear record, the executive presbyter will consult with representatives of the Committee on Ministry area team and the individual involved before clearing the report or denying approval.

Existing Members of Presbytery:

1. For all existing teaching elders (Clergypersons), supplies, CRE's, interims/ transitional, or parish associates relating in any way to a specific congregation in Palo Duro Presbytery at the time this policy becomes effective, a national, state, and county background check will be required, including the sexual offender registry list.
2. For teaching elders (ministers) serving in validated ministries of Palo Duro Presbytery a national, state and county criminal and sexual offender registry list background check will be required.
3. For teaching elders (ministers) in at large positions, a national, state and county criminal and sexual offender registry list background check may be

required if they are in leadership positions with congregations, sessions or congregation members.

4. If a clergyperson refuses to submit to such checks, PDP may dissolve the pastoral relationship with the congregation, provided that due process is followed in such a decision. Those in other relationships for which the presbytery has oversight and control, such as parish associate, temporary or stated supply, interim, or CRE, or any other formal relationship to a congregation, may be removed from those relationships if they refuse to submit to such checks, provided that due process is followed in such a decision.
5. Evaluation of the required records will be the responsibility of the executive presbyter.

Presbytery Staff

1. For all persons working as paid or volunteer staff of Palo Duro Presbytery, a national, state and county criminal and sexual offender registry list background check will be required.

Persons Working in Presbytery Related Events:

1. All persons who work with youth or children in presbytery related events must submit to a national, state, and county criminal and sexual offender registry list background check.
2. No one will be permitted to be a part of the leadership of presbytery organized events involving children or youth who has not been cleared by Palo Duro Presbytery to serve in such capacity.
3. Events covered under this policy shall include, but not be limited to, the Buffalo Gap camping program, annual youth retreat, Cursillo youth programs, Youth Triennium, presbytery youth mission trips, and other occasional youth and children's events.

Maintenance of Files:

1. After the initial evaluation, copies of the reports will be maintained in the presbytery office under lock and key and will be made available only to the person for whom the check was made or to someone who has a signed release from the person whose record is requested. No record will be released to anyone without written permission from the individual whose record is requested.

General:

1. For each clergyperson, temporary or stated supply, CRE, interim/transitional, parish associate, and persons who work with youth or children in presbytery related events for whom such checks are required,

- the sponsoring organization/governing body will be asked to pay the costs of the check (currently as of October 2017) \$14.93 for national, state, and county criminal & sexual offender registry list), with an additional charge for the credit check, if required. Those serving in presbytery related events shall provide a copy of their background check to Palo Duro Presbytery. If such a check needs to be done, individuals should contract with their local congregation (if they are representing their congregation in such an event) or they may contract with the presbytery for such a check at their own expense.
2. Records may be transferred from council to council as required, but only with signed permission from the individual whose record is requested.
 3. Individual congregations may request background checks as approved in their policies for lay persons within their congregation. These records will be evaluated and maintained by the local congregation, according to their own policies, and at the expense of the congregation. Teaching elder records will be maintained by the presbytery.
 4. The presbytery recommends the use of IntelliCorp for the process, and will use that company for background checks it authorizes. However, a congregation has the option of using any company it chooses to meet the requirements indicated in this policy.

Disqualifiers:

- A. Active indictments alleging the following offenses, or any conviction of the following offenses, will disallow a teaching elder (minister), temporary or stated supply, CRE, interim, parish associate or adult leader from serving in Palo Duro Presbytery.
 1. Murder
 2. Aggravated assault
 3. Sexual abuse
 4. Sexual assault
 5. Aggravated sexual assault (rape)
6. Crimes against children (e.g. injury to a child; inducing sexual conduct or sexual performance of a child; possession or promotion of child pornography; the sale, distribution or display of harmful material to a minor)
 7. Family violence assault
 8. Cruelty to animals
 9. Arson
 10. Hate crime
 11. Lewd behavior
 12. Possession with intent to distribute illegal drugs within the past 10 years
- B. All other felony and Class A & B misdemeanor convictions, deferred adjudications, charges, criminal investigations or indictments for crimes not listed above will be reviewed by the executive presbyter. Review should

encompass such issues as circumstances, rehabilitation, time lapse since the offense, ministry of the individual, and any unresolved personal issues that might lead to misconduct.

- C. Instances of sexual harassment will be reviewed by the executive presbyter. Review should encompass such issues as circumstances, rehabilitation, time lapse since the offense, ministry of the individual, and any unresolved personal issues that might lead to misconduct. The provisions of the Palo Duro Presbytery Sexual Misconduct Policy will be used in this review.

- C. Appeals of the decision of the executive presbyter may be brought to the stated clerk, the Committee on Ministry, and the presbytery.

A COVENANT BETWEEN AMARILLO CHILDREN'S HOME AND PALO DURO PRESBYTERY

I. The Nature of the Covenant

A. Definition

This covenant is a voluntary agreement between the Presbyterian Home for Children in Amarillo (hereafter called "Amarillo Children's Home" or "ACH") and Palo Duro Presbytery (here called the "Presbytery") to make explicit a historic and continuing relatedness between the two bodies. We choose the term "covenant" as a way of indicating that Amarillo Children's Home and the Presbytery are related to each other in a unique way and as a way of stating the seriousness of our intentions and hopes. Both Amarillo Children's Home and the Presbytery recognize that upon adoption and ratification, this will become the written affirmation of our relationship.

A. The purposes of this covenant are:

1. To clarify the relationship between Amarillo Children's Home and the Presbytery.
2. To maintain the relationship through regular review and renewal.
3. To provide a means of resolving practical and legal questions in the future about the relationship.
4. To affirm mutual trust, concern, and mission.

A. Parties to the Covenant and Their History

Amarillo Children's Home began with the gift by Mr. and Mrs. Allen Early, Sr. of what had been the Lowry-Phillips School properties, additional lots, and \$10,000 as an initial endowment to the Central Presbyterian Church of Amarillo (now First Presbyterian Church). That congregation offered the property to Amarillo Presbytery on April 5, 1923. The Amarillo Presbytery of the Presbyterian Church in the United States of America accepted the gift on April 10, 1923, and appointed a Board of Directors to run the school on June 5, 1923. Presbyterian Home for Children in Amarillo was chartered on November 20, 1924. W. N. Stokes in 1953 wrote:

"... the Amarillo Presbytery appointed the Board of Directors and assumed a benevolent interest in the welfare of the children's home (sic) being operated by said corporation under said trust, and has continued to appoint the directors and advise, direct and visit the home and consulted with its Board of Directors at will and on numerous occasions throughout the period of its existence..."

Thus, Amarillo Children's Home and the Presbytery have been related since the inception of the home. It is also worthy of note that while the charter is styled, "The Presbyterian Home for Children in Amarillo," the Board is currently moving toward use of the name "Amarillo Children's Home,".

The original intent of the charter for Amarillo Children's Home was for operating a charitable institution "for orphan and otherwise needy children."

Palo Duro Presbytery is a governing body of the Presbyterian Church (U.S.A.). It is the legal successor organization of the Amarillo Presbytery and the later Plains Presbytery of the same denomination. It is an ecclesiastical organization covering 72 counties in West Texas.

The Covenant with the Palo Duro Presbytery continues the charitable public trust that was established with the Amarillo Presbytery after it became the Palo Duro Presbytery in the 1983 reunion which established the Presbyterian Church (USA). The Presbytery accepted the responsibilities of operating and maintaining the property as a charitable public trust when it accepted the gift that originated with Mr. and Mrs. Early. Since Amarillo Children's Home's inception, the Presbytery has elected the ACH Board of Trustees and continues to do so today, and Palo Duro Presbytery commissioners constitute the only members of the corporation. The ownership/property of Amarillo Children's Home is in the full control of the Board of Trustees of the Amarillo Children's Home. In the unlikely event, and only if the organization can no longer fulfill its basic mission of caring for children, the assets of the organization shall revert to the corporation of which Palo Duro Presbytery is currently the trustee.

The Role and Mission of Amarillo Children's Home

Amarillo Children's Home offers admittance and provides residential facilities for dependent, neglected, abused and orphaned children from age 5 into young adulthood. The aim of ACH is to provide for the basic needs of children and to help each child feel secure and know himself or herself to be a person of value in a healthy, home-like atmosphere. While there are explicit entrance requirements, ACH is operated as a non-sectarian facility, providing services as a licensed child-care facility under the Texas Department of Human Services.

The Presbytery reviews its work annually and adopts Mission Intentions, work areas and work assignments at the October meeting of the Presbytery. The Presbytery has declared:

"Palo Duro Presbytery is the body of Christ, a broken but redeemed community of faith in the Reformed tradition, called by God to live and serve in covenant relationship with God, God's people and God's creation. In response to God's call, guided by the Holy Spirit, prayer and Bible study, the faith communities of Palo Duro Presbytery proclaim the Gospel of grace and love in word and deed. Micah 6:8 "He has told you, O mortal, what is good; and what does the Lord require of you, but to do justice, and to love kindness, and to walk humbly with your God?" and Mark 12:28-31 "One of the scribes came near and heard them disputing with one another, and seeing that he answered them well, he asked him, 'Which commandment is the first of all?' Jesus answered, 'The first is, 'Hear, O Israel: the Lord our God, the Lord is one; you shall love the Lord your God with all your heart, and with all your soul, and with all your mind, and with all your strength.' The second is this, 'You shall love your neighbor as yourself.' There is no other commandment greater than these." Connected by grace and love, we who are Palo Duro Presbytery seek to nurture and support our communities of faith as we discern God's call to mutual care and opportunities for growth and service."

It is clear that Palo Duro Presbytery's mission embraces the specific institutional mission of Amarillo Children's Home.

I. Responsibilities

A. The Parties and Their Relationships to Each Other

On the grounds of history and common mission, ACH and the Presbytery establish this covenant relationship as the basis for fulfilling a common ministry to children in the name of Christ and his Church, and continuing to trust in each other in improvement of this work. In establishing this covenant, ACH acts through its Board of Trustees, and the Presbytery acts through its commissioners. These commissioners constitute the membership of the nonprofit corporation known as the Presbyterian Home for Children (as herein defined) in Amarillo. Presbytery's delegated committee for management of Presbytery work is the Council of Ministries through whom ACH or its Trustees may communicate conveniently with Presbytery.

Both parties agree that the life of each will be enriched and made more dynamic by recognizing that each party has its distinctive role, which can be strengthened through contacts with each other in appropriate ways. The Board of Trustees of ACH and Presbytery recognize the need for mutual counsel, support and encouragement. While each group has its unique role, both affirm that they share common ground.

A. The Common Ground: The Affirmation

This Covenant affirms that:

1. The two parties acknowledge that faith in Christ provides the context for each to move into the future with new hope rooted in Christ.
2. Amarillo Children's Home is non-sectarian in service, yet Presbyterian in heritage. Not devoted to one sect in service - yet Presbyterian – Reformed in Heritage.

A. Corporate Integrity of Each Party

Both ACH and the Presbytery are chartered under the laws of the State of Texas. The bylaws of ACH provide that the corporation has members, and these are the commissioners at a stated Meeting of Palo Duro Presbytery. One stated meeting each year shall serve as the annual meeting of the members of the Corporation. The members of the Corporation may hear reports, ask for information, and elect members of the Board of Trustees as long as the nominees are divided into classes divisible by three. Trustees need not be members of the Corporation.

The Presbytery will appoint a Liaison through the Council of Ministries to communicate concerns between the Council of Ministries and the Board of Trustees of the Amarillo Children's Home when necessary.

It is our understanding that if ACH should be dissolved for any reason, it would devolve on the members of the Corporation (the Presbytery) to determine what disposition would be made of the residual assets of ACH, mindful that the original donation was for the care of "orphan and needy children."

The Board of Trustees of ACH agrees to place in the office of Palo Duro Presbytery a copy of its charter and articles of incorporation. Minutes of Amarillo Children's Home's Board of Trustees meetings will be made available to the Presbytery office upon request.

A. Operational Relationships

Two sorts of linkage embody the Covenant. As provided in the Amarillo Children's Home's by-laws, the Presbytery, shall at a Stated Meeting of the year, docket a corporate meeting of ACH

for the purpose of hearing a report of conditions and the election of Trustees. ACH will have appropriate personnel to present this report since this is an opportunity for ACH to “tell its story” to the Presbytery in ways which will foster the “sense of belonging” envisaged by this covenant. (For other linkage see III A). There will also be a time set aside for questions and answers between ACH and the Commissioners at such meetings of the Presbytery.

A. Review and Renewal Cycle

There shall be a review of the Covenant every four years to consider modification of the Covenant made appropriate by changes in circumstances in the intervening years. The Board of Trustees and the Council of Ministries will each name two people to participate in the review, together with a Chairperson selected by ACH and Presbytery. The President of ACH and the Executive Presbyter may be ex-officio members of the Review Team. ACH will provide to the Review Team appropriate Trustees' Minutes and copies of any audits of financial records performed in the interim.

The Covenant Review Team shall evaluate the health of the covenant relationship, address emerging issues related to the Covenant Relationship, and propose to both ACH and the Presbytery amendments to the covenant appropriate to these ends. Other non-covenant issues should be addressed in a timely fashion through the Liaison (See II C) and the Council of Ministries of Palo Duro Presbytery.

I. Mutual Understanding and Resourcing

A. Mutual Concern and Support

Both Amarillo Children's Home and the Presbytery shall show mutual concern and support for each other. ACH shall be a resource for the Presbytery regarding residential care for at risk children, interpreting as requested the challenges of ministry in this specialized area of social witness and ministry. ACH may also be a means for educating the Presbytery to the changing dynamics and practices in the field of residential childcare, maintaining a witness to the need for sensitivity in serving this special population.

The Presbytery will be a resource to ACH by providing specific channels of communication and counsel on specific matters as ACH may request, providing ACH with regular mailings of publications regarding the life and work of the Presbytery, including current editions of the “Presbytery Directory.” Through the processes of budget development, the Council of Ministries is the place where ACH may, if its Board chooses, initiate requests for direct financial support.

It is understood that ACH will continue to seek funds from Presbyterians and others who wish to support this ministry.

The Presbytery and ACH express concern regarding the policy and practices of ACH regarding the Christian nurture of its residents. It is the Presbytery's view that children admitted to ACH should experience the Christian faith and attend a church as a cottage family unit. Currently the children in each cottage regularly attend one of the following Amarillo churches: St. Luke Presbyterian (PCUSA), First Presbyterian (ECO), and Westminster Presbyterian (ECO). It is the desire of ACH and The Presbytery that the children from at least one cottage always attend these churches. It is the hope of ACH and The Presbytery that other churches in Amarillo become in-

volved in the life of ACH and the children. ACH and The Presbytery agree that the Board and The Presbytery will approve any changes in relationships between an individual cottage and a local church.

I. Formal Approval

This document establishes and contains all the terms of the Covenant Relationship between the Palo Duro Presbytery and The Presbyterian Home for Children in Amarillo. By formal action, the Board of Trustees, acting for Amarillo Children's Home, and the Presbytery, on recommendation of the Council of Ministries, may adopt this Covenant and pledge themselves to carry out its provisions.

The formal ratification of the Covenant shall be done at a meeting of the Corporation following approval by the above bodies. A brief ceremony of Covenant Making may be conducted to celebrate this new relationship between these two groups.

Revised January 1986

Updated August 1993

Updated January 2011

Updated January 2017

Updated December 2020

Updated January 2021

PALO DURO PRESBYTERY SEXUAL MISCONDUCT PREVENTION POLICY AND PROCEDURES

I. Policy Statement

It is the policy of Palo Duro Presbytery (hereinafter referred to as the Presbytery) that all church members, church officers, non-member employees, and volunteers of congregations, councils, and entities of the Church within the jurisdiction of the Presbytery are to maintain the integrity of the ministerial, employment, and professional relationship at all times. Persons who engage in sexual misconduct are in violation of the principles in Scripture, and of the ministerial, pastoral, employment, and professional relationship. It is never permissible or acceptable for a church member, officer, employee, or volunteer to engage in sexual misconduct.

II. Standards of Conduct

The ethical conduct of all who minister in the name of Jesus Christ is of vital importance to the church because through these representatives an understanding of God and the gospel's good news is conveyed. "Their manner of life should be a demonstration of the Christian gospel in the church and in the world."¹

The basic principles of conduct guiding this policy are as follows:²

1. Sexual misconduct is a violation of the role of pastors, employees, volunteers, counselors, supervisors, teachers, and advisors of any kind who are called upon to exercise integrity, sensitivity, and caring in a trust relationship. It breaks the covenant to act in the best interests of parishioners, clients, co-workers, and students.

2. Sexual misconduct is a misuse of authority and power that breaches Christian ethical principles by misusing a trust relation to gain advantage over another for personal pleasure in an abusive, exploitative, and unjust manner. If the parishioner, student, client, or employee initiates or invites sexual content in the relationship, it is the pastor's, counselor's, officer's, or supervisor's responsibility to maintain the appropriate role and prohibit a sexual relationship.

3. Sexual misconduct takes advantage of the vulnerability of persons who are less powerful to act for their own welfare, including children. It is antithetical to the gospel call to work as God's servant in the struggle to bring wholeness to a broken world. It violates the mandate to protect the vulnerable from harm.

III. Definitions

A. Sexual Misconduct is the comprehensive term used in this policy to include:

¹ (Book of Order, G-2.0104a).

² ... As [God] who called you is holy, be holy yourselves in all your conduct; [1 Peter 1:15]

... Tend the flock of God that is in your charge, . . . not under compulsion but willingly, ... not for sordid gain but eagerly. Do not lord it over those in your charge but be examples to the flock. [1 Peter 5:2-3]

... You know that we who teach will be judged with greater strictness. [James. 3:1] (Source: NRSV)

1. Child sexual abuse; including, but is not limited to, any contact or interaction between a child and an adult when the child is being used for the sexual stimulation of the adult person or of a third person. The behavior may or may not involve touching. Sexual behavior between a child and an adult is always considered forced whether consented to by the child. In the Presbyterian Church (U.S.A.), the sexual abuse definition of a child is anyone under age eighteen.

2. Sexual abuse as defined in the Book of Order: “Sexual abuse of another person is any offense involving sexual conduct in relation to (1) any person under the age of eighteen years or anyone over the age of eighteen years without the mental capacity to consent; or (2) any person when the conduct includes force, threat, coercion, intimidation, or misuse of ordered ministry or position”³

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

- a. submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, or their continued status in an institution;
- b. submission to or rejection of such conduct is used as the basis for employment decisions affecting such an individual;
- c. 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; or
- d. an individual is subjected to unwelcome sexual jokes, unwelcome or inappropriate touching, or display of sexual visuals that insult, degrade, and/or sexually exploit men, women, or children.

4. Sexual conduct is offensive, obsessive, 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 is defined by the broken trust resulting from sexual activities within a professional ministerial relationship that results in misuse of office or position arising from the professional ministerial relationship.

6. Misuse of technology is use of technology that results in sexually harassing or abusing another person, including texting, or emailing suggestive messages and images to persons with whom one has a ministerial relationship. It is never appropriate to view pornography on church property. When this includes a person under the age of eighteen, it is considered child abuse. There is never an expectation of personal privacy when using technological equipment owned by a church or church entity or within the context of ministry.

B. Other Definitions

1. Accused is the term used to represent the person against whom a claim of sexual misconduct is made.

³ Book of Order, D-10.0401c.

2. **Accuser** is a term used to represent the person claiming knowledge of sexual misconduct by a person covered by this policy. The accuser may or may not have been the victim of the alleged sexual misconduct. A person such as a family member, friend, or colleague may be the accuser.

3. **Church** when spelled with the initial capitalized refers to the Presbyterian Church (U.S.A.). Church when spelled with the initial in lowercase refers to local churches. The word congregation is used loosely for members and participants.

4. **Employee** is the comprehensive term used to cover individuals who are hired or called to work for the for the Church, the Presbytery, or churches for salary or wages.

5. **Entity** is the term used to refer to any program or office managed by a board, committee, council, or other body whose membership is elected by a council.

6. **Council** is a representative body composed of ruling elders and Ministers of the Word and Sacrament: sessions, presbyteries, synods, and the General Assembly. A council may establish entities such as day-care centers, conference centers, camps, or homes for the aged. A council may have both church members and nonmembers as employees.

7. **Inquiry** is the term used in the Rules of Discipline to determine whether charges should be filed based upon allegations of an offense received by a council.⁴

8. **Mandated Reporter** includes a person under the PCUSA constitution who is mandated to report to the civil authorities any reasonably held belief that there will be future harm and is also described by some states' laws as a person who is required to report any and all suspected incidents of child abuse, including child sexual abuse that come to their attention. State laws vary from defining "all persons having knowledge" as mandated reporters to specifying very limited lists of professions whose members are required to report.

9. **Persons Covered** by this policy includes church members, church officers, Ministers of the Word and Sacrament, and nonmembers who are employees or volunteers of the Presbytery. All other councils or entities of the General Assembly are urged to create a sexual misconduct policy using the guidelines set out in this policy.

10. **Response** is the action taken pursuant to this policy when a report of sexual misconduct is received. It may include (1) inquiry into facts and circumstances, (2) possible disciplinary action (administrative or judicial or both), (3) pastoral care for victims and their families and others, and (4) pastoral care and rehabilitation for the accused and care for their families.

11. **Civil Authorities** are the governmental bodies, whether city, county, state, or federal, who are given the responsibility to investigate, criminally prosecute, and/or bring civil charges against individuals accused of sexual crimes or offenses against adults and children.

12. **Victim** is a person claiming to have been harmed and/or abused by a person covered under this policy.

13. **Volunteer** is the term used for those who provide services for the Presbytery. Volunteers include persons elected or appointed to serve on boards, committees, and other groups. For purposes of this policy, volunteers are treated the same as employees.

⁴ Book of Order, D-10.0000.

IV. Responding to Allegations of Sexual Misconduct

A. Principles

1. In responding to allegations of sexual misconduct, members, officers, and employees of the Presbytery should seek healing and assure the protection of all persons. Where possible, the privacy of persons should be respected, and confidentiality of communications should be maintained.

2. In responding to allegations of sexual misconduct, members, officers, and employees of the Presbytery should seek to uphold the dignity of all persons involved, including persons who are alleging harm, persons who are accused of sexual misconduct, and the families and communities of each.

3. The Presbytery has jurisdiction over its members, officers, and employees such that if a member, officer, or employee is alleged to have committed an offense against Scripture or the Book of Order it has the duty to inquire into the allegations and, if the allegations are proven, to correct the behavior of the member, officer, or employee and ensure the safety of others in the community. Allegations of sexual misconduct are always considered allegations of offense against Scripture or the Book of Order that trigger the disciplinary processes of the Presbytery in the Book of Order. In the case of an active non-member who is employed or volunteers with the church, the procedures of the written personnel policies of the council or entity will cover the individual.

4. If the person accused of sexual misconduct is no longer a member, officer, or employee of the Presbytery, but the conduct occurred while the person was acting on behalf of the Presbytery, the Presbytery or church does not have jurisdiction to correct the behavior, but it does have a duty to hear the allegations of offense and to take measures to prevent future occurrences of harm. The Presbytery may appoint an administrative committee or commission to hear the allegations of sexual misconduct. The Presbytery may also take measures to prevent future occurrences of harm through education and policy.

5. Prohibited behavior addressed by this policy may result in criminal and/or civil charges filed under secular law.

B. Reporting Requirements

1. Reporting Sexual Misconduct.

a. A person needing to report that a member, officer, employee, or volunteer subject to this policy has committed sexual misconduct is encouraged to seek guidance from a PC(USA) minister of the Word and Sacrament or ruling elder regarding filing the report.

b. Congregation: If the person who is accused of committing sexual misconduct is a member, ruling elder, deacon, volunteer, or employee of a congregation, the report of allegations should be made to the Minister of the Word and Sacrament, the clerk of session, or the chair of the personnel committee. If the accused is a member or officer of the church, the church will respond by using the procedures in the Rules of Discipline of the Book of Order. If the accused is a nonmember employee or volunteer, the church will respond by using procedures set forth by the session of the congregation.

c. Presbytery: If the person who is accused of committing sexual misconduct is a Minister of the Word and Sacrament member, the report of allegations should be made to the stated clerk of the Presbytery. If the report of allegations is placed in writing, the Presbytery will respond by using the procedures in the Rules of Discipline of the

Book of Order. If the person who is accused of committing sexual misconduct is a volunteer or nonmember employee of the Presbytery, the report of allegations may be made to any of the staff or volunteers of the Presbytery. The Presbytery will respond by using procedures set forth by policy or bylaws of the Presbytery.

d. A report should be made regardless of the application of disciplinary or secular statutes of limitation.

2. Receiving Reports of Sexual Misconduct

a. Because a council or entity cannot control to whom the victim of sexual misconduct will speak first, it is important that officers, employees, and persons highly visible to church members and visitors understand how reports of incidents are channeled to the proper person. The allegations may come from persons who have or who do not have a formal relationship with the Presbytery and may be made to a variety of officers or leaders within the Presbytery. It is the duty of these officers to see that any allegation of sexual misconduct is reported appropriately keeping in mind the mandatory reporting requirements for allegations of child abuse.

b. Reports of allegations of sexual misconduct should never be taken lightly or disregarded and allowed to circulate without concern for the integrity and reputation of the victim, the accused, and the church. Reports of allegations should be dealt with as matters of highest confidentiality, both before and after they have been submitted to appropriate authorities as outlined below.

c. The first person to learn of an incident of sexual misconduct should not undertake an inquiry alone or question either the victim or the accused unless the incident is divulged in the process of pastoral care, counseling, or a therapy session. If the victim is hesitant to talk to “higher authorities,” the person who has received the initial report has a special pastoral responsibility to build trust and willingness to speak with the accuser, lest the church be unable to respond because no one is able to give firsthand information.

d. The person receiving the initial report of allegations of sexual misconduct shall analyze the relationship of the person accused of sexual misconduct with PDP and shall make sure that the allegations of offense are filed with the council with jurisdiction over the person accused. This may be done by the person alleging harm or by any member of the Presbytery.

e. If the report is made orally, the person receiving the report of allegations should request that the person making the report of allegations place it in writing. A report of allegations of sexual misconduct in writing from a member of the Presbytery alleging another member or officer of the Presbytery committed an offense must be acted on according to the Rules of Discipline of the Book of Order. If a clerk or stated clerk receives a report of allegations in writing from a nonmember of the Presbytery alleging another member or officer of the Presbytery committed sexual misconduct, the report also should be acted on according to the Rules of Discipline of the Book of Order. If the person who makes the report is unwilling or unable to place it in writing, any member of the Presbytery may make the written statement that will automatically trigger the Rules of Discipline of the Book of Order.

3. Mandatory Reporting of Child Abuse

a. Requirements of the Book of Order. All ruling elders, deacons, Certified Christian Educators, and Ministers of the Word and Sacrament must report knowledge of child abuse to the civil and ecclesiastical authorities according to the Book of Order. The Book of Order requires that

“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 communication as defined in G-4.0301, (2) she or he is not bound by an obligation of privileged communication under law, or (3) she or he reasonably believes that there is risk of future physical harm or abuse” (G-4.0302)

Further:

“In the exercise of pastoral care, Ministers of the Word and Sacrament (also called ministers of the Word and Sacrament) and ruling elders who have been commissioned by a presbytery to limited pastoral service (G-2.10), shall maintain a relationship of trust and confidentiality, and shall hold in confidence all information revealed to them in the course of providing care and all information relating to the exercise of such care.

When the person whose confidences are at issue gives express consent to reveal confidential information, then a Minister of the Word and Sacrament or a ruling elder commissioned to pastoral service may, but cannot be compelled to, reveal confidential information.

A Minister of the Word and Sacrament or a ruling elder commissioned to pastoral service may reveal confidential information when she or he believes that there is risk of imminent bodily harm to any person ⁵. **Texas law imposes an additional responsibility to report suspected child abuse and neglect regardless of the existence of a pastoral relationship. See subparagraph B immediately following.** All persons covered by this policy have an additional duty to report knowledge of child sexual abuse to the employing entity, supervisor, or council representative. These reports should be made within a reasonable time of receiving the information.

b. Reporting Requirements of Civil Authorities.

The preceding provisions of the Book of Order attempt to balance conflicting moral duties for officers of the Presbyterian Church (U.S.A.). **However, Texas law requires the reporting of suspected child abuse or neglect without regard to any privilege between the minister and the person receiving pastoral care.**⁶

C. Responding to a Report of Sexual Misconduct

The proper council or entity response will vary according to the relationship of the Presbytery with the person who is accused of sexual misconduct. Church members and officers are subject

⁵ G-4.0301.

⁶ Texas Family Code Sec. 261.101.

to inquiry and discipline (censure and correction) under the Book of Order. Non-church member employees and volunteers are subject to oversight and correction by the council or entity that employs them.

1. Cooperation with Secular Authorities. Councils and entities must cooperate with civil authorities in an investigation of child sexual abuse or other criminal sexual misconduct. Church disciplinary proceedings cannot interfere with a criminal investigation by civil authorities and may have to be suspended until these are completed.

2. Accused Covered by Book of Order

a. When an allegation of offense of sexual misconduct has been received by the clerk of session or stated clerk of the Presbytery, the clerk of the council will report to the council that an offense has been alleged and that the council will proceed according to the procedures set forth in the Rules of Discipline of the Book of Order. The council should appoint an investigating committee to inquire into the allegations. The investigating committee must promptly begin its inquiry into the allegations. Delay may cause further harm to the victim and/or the accused.

b. **Session original jurisdiction.** The session has original jurisdiction in disciplinary cases involving members, ruling elders, and deacons of the church, each congregation having jurisdiction only over its own members.

c. **The Presbytery's original jurisdiction.** The Presbytery has original jurisdiction in disciplinary cases involving Ministers of the Word and Sacrament. A presbytery may dissolve a pastoral relationship when the "Word imperatively demands it."⁷ However, a presbytery may only place a Minister of the Word and Sacrament on administrative leave when allegations of child abuse have been received and the Presbytery has followed the Book of Order procedures to conduct its risk evaluation to determine whether or not a Minister of the Word and Sacrament member accused of child abuse should be placed on administrative leave (D-10.0106). Permanent judicial commission (PJC) members who will conduct this risk evaluation based upon the allegations and a hearing will seek secular legal advice, as necessary.

d. **Commissioned Ruling Elders/Commissioned Lay Pastors.** The Presbytery has original jurisdiction in disciplinary cases involving commissioned ruling elders and commissioned lay pastors.

e. **Renunciation of jurisdiction.** When a church officer renounces jurisdiction, the clerk or stated clerk shall report the renunciation at the next meeting of the council and shall record the renunciation in the minutes of the council. The status of any pending charges may be shared with the council at that time.

3. Accused Not Covered by Book of Order.

a. When an accusation of offense of sexual misconduct is made against a nonmember employee or volunteer, the council shall be responsible for the inquiry. If a council does not have a personnel committee, it may appoint either a committee or administrative commission for the review of the allegation.

⁷ (G2.0904).

b. The committee or commission that will respond to the allegation of offense of sexual misconduct will do the following:

i. Determine whether the allegation gives rise to a reasonable suspicion of sexual misconduct by the accused.

ii. If so, gather additional information necessary to decide about correcting the behavior.

iii. Determine any remedies, including limiting ministry, suspension, or termination necessary and advisable under the circumstances. If the accused is a member of another denomination, that denomination will be notified of the allegations and the response.

Appendix G: Palo Duro Presbytery Sexual Misconduct Prevention Policy and Procedures

iv. Inform the victim and the accused of the remedy.

v. In all cases, the committee shall prepare a written report, which shall be included in the accused's permanent personnel file. The accused shall be allowed to attach any written statements to said documents, also for permanent inclusion in the permanent file.

vi. All procedures shall follow the guidelines set forth by the council, employing agency, or entity of the General Assembly.

D. Council or Entity Record Keeping

1. The council or entity should keep detailed records of its actions and minutes of its deliberations and its conversations with the accuser, the accused, and other parties involved, correspondence, and copies of the reports received from committees or commissions. Such records will be kept confidential as far as possible.

2. In Case # 208-6, the General Assembly Permanent Judicial Commission (GAPJC) interpreted the Rules of Discipline to say that a council or entity may share the contents of inquiry reports with other councils or entities of the Presbytery when necessary.

3. The clerk of the council or director of the entity will maintain the records while the inquiry is in process.

IV. Prevention and Risk Management

A. Implementation

The Book of Order requires that all councils adopt and implement a sexual misconduct policy (G-3.0106). The General Assembly has urged all councils and related entities to establish policies, procedures, that make it a violation of the employer's work rules to engage in sexual misconduct and that encourage reporting of sexual misconduct. The Presbytery will take appropriate steps to inform members, employees, and volunteers of sexual misconduct policy and the standards of conduct and the procedures for effective response when receiving a report of sexual misconduct.

B. Employment Practices

1. **Record Keeping.** Accurate record keeping is an essential part of hiring and supervision practices of the Presbytery. The Presbytery shall maintain a personnel file on every employee, including Ministers of the Word and Sacraments. The file should contain the application for employment, any employment questionnaires, background checks, references responses, and all other documents related to an employee's employment, except records which may be required, by law, to be kept in separate files.

2. **Prescreening Applicants**

a. The Presbytery will follow thorough and consistent hiring practices. If an applicant is unknown to the employer, the employer should confirm the applicant's identity by requiring photographic identification such as a driver's license. A background check, including a national criminal background check, shall be performed on all applicants that may interact with children and youth.

b. The pre-employment screening should include specific questions related to discovering previous complaints of sexual misconduct.

c. **References.**

i. The employing entity is responsible for contacting references for prospective.

ii. Ministers of the Word and Sacrament, employees, or volunteers. A written record of conversations or correspondence with references should be kept in the Minister of the Word and Sacrament or employee's personnel file.

iii. The Presbytery will delegate responsibility for previous employer reference checks to the Executive Presbyter or other appropriate person.

iv. The Executive Presbyter is authorized to give a reference, and is obligated to give truthful information regarding allegations, inquiries, and administrative or disciplinary action related to sexual misconduct of the applicant.

v. If false or misleading information is given by the applicant, or relevant information is withheld, the applicant should be eliminated from consideration.

d. Applicants should be informed of negative comments regarding sexual misconduct and shall be given an opportunity to submit additional references or to give other evidence to correct or respond to harmful information obtained from a reference.

V. **Educating and Training- Awareness**

A. **Distribution**

Copies of this policy and its procedures shall be made available to all council and entity offices. It is intended as guidance for this mid-council, churches, and related entities and if properly implemented by them can be used by church members, church officers, employees, and volunteers. This policy and its procedures should be made available to persons who accuse others of misconduct, including those who are or claim to be victims of sexual misconduct and their families.

B. **Training.**

1. Since the issue of sexual misconduct has become an ever more present reality, there is an emerging need to educate and train a wide variety of persons. Persons needing this specific education include: Ministers of the Word and Sacrament ; volunteers; officers; nonprofessional and professional staff; ministerial candidates; professionals who will be working with this issue within the denomination; members of the congregation; and council staff including supervisors, employees, and stated clerks.
2. Education for these persons and groups will be different on a group-by-group basis. A primary requirement for all persons should be common knowledge regarding professional and ministerial boundaries, the General Assembly Sexual Misconduct policy, and this policy.
3. Much of a congregation's education currently happens in response to an actual case of sexual misconduct. However, it is recommended that the congregation be as proactive in this area as offering education in a variety of settings. There are already numerous resource materials available that could be adapted to a congregation's setting.
4. Employing entities need to make sure all employees are well acquainted with, understand, and abide by their policy and procedures. Employing entities should offer additional training and resources, such as: a workshop during staff meeting; lunchtime discussion group; articles and books made available; etc.

B. Training.

1. Since the issue of sexual misconduct has become an ever more present reality, there is an emerging need to educate and train a wide variety of persons. Persons needing this specific education include: Ministers of the Word and Sacrament; volunteers; officers; nonprofessional and professional staff; ministerial candidates; professionals who will be working with this issue within the denomination; members of the congregation; and council staff including supervisors, employees, and stated clerks.
2. Education for these persons and groups will be different on a group-by-group basis. A primary requirement for all persons should be common knowledge regarding professional and ministerial boundaries, the General Assembly Sexual Misconduct policy, and this policy.
3. Much of a congregation's education currently happens in response to an actual case of sexual misconduct. However, it is recommended that the congregation be as proactive in this area as offering education in a variety of settings. There are already numerous resource materials available that could be adapted to a congregation's setting.
4. Employing entities need to make sure all employees are well acquainted with, understand, and abide by their policy and procedures. Employing entities should offer additional training and resources, such as: a workshop during staff meeting; lunchtime discussion group; articles and books made available; etc.

PRESBYTERIAN CHURCH (U.S.A.) CHILD/YOUTH/VULNERABLE ADULT PROTECTION POLICY AND ITS PROCEDURES

POLICY APPLICATION STATEMENT

It is the policy of the General Assembly of the Presbyterian Church (U.S.A.) (“PCUSA”) and all entities of the General Assembly (“Entities”) that all church members, church officers, nonmember employees and/or contractors, and volunteers of congregations, councils, and Entities of the church are to maintain the strongest sense of integrity, safety, nurturing, and care involving all interactions with children, youth, and vulnerable adults. This Policy applies to all General Assembly Entity sponsored activities that involve children, youth, and vulnerable adults.

DISTRIBUTION

Copies of this Child/Youth/Vulnerable Adult Protection Policy and its Procedures (“Policy”) shall be made available to all agency, council, and Entity offices in hard copy or electronically or via the internet. It is intended as guidance for churches, mid-councils, and related entities. This is a policy of the General Assembly of the PCUSA and is a policy of General Assembly agencies and Entities, including the Office of the General Assembly, the Presbyterian Mission Agency, the Administrative Services Group, and the other four agencies of the General Assembly and General Assembly Entities. Other councils and organizations of the PCUSA may use this Policy as a guide to develop their own policies and procedures related to the protection of children, youth, and vulnerable adults. Wherever this Policy indicates that Entities shall do something, if a council adopts all or part of this Policy, the council should do likewise.

POLICY RATIONALE

The implementation and documentation of a Child/Youth/Vulnerable Protection Policy strives to reduce the risk of abuse and neglect for the following reasons:

- Children, youth, and vulnerable adults are a gift from God and the Church has a divine mandate to provide for their safety and nurturing. The Church is called to be a place that reflects the open arms of Jesus. In Matthew 19:14, Jesus says, “Let the little children come to me.” The Church is to be, at all levels of council and in all entities, a place of safety and nurture reflective of the arms of Christ.
- Any type of abuse involving children, youth, or vulnerable adults has lasting and devastating effects on the life of the victim/survivor. It is the call of the Church to be a life-giving entity of Christ’s healing and hope for community and individuals, not an entity that brings harm and hurt.
- The larger Church suffers with the victim/survivor and his or her family when abuse and neglect occurs. The Church is unable to do the full work of Christ, due to the hurt, pain, and distrust that accompanies abuse. Not only does the Church lose its credibility at all levels, it also suffers considerable financial loss and loss of integrity. More importantly, in instances of child, youth, or vulnerable adult abuse within the Church, there is immeasurable spiritual, psychological, emotional, and physical harm perpetrated that woefully hinders God’s call on the Church.

- The *Book of Order* states, “The congregation as a whole, on behalf of the Church universal, assumes responsibility for nurturing the baptized person in the Christian life,” and Presbyterians believe this baptismal commitment to be a serious one, understanding it to apply to all in the church’s care, including children, youth, and vulnerable adults (*Book of Order* W-2.3013).
- Children, youth, and vulnerable adults are not only persons of care and service in the church, but they are also co-recipients of the graces and love of God. Jesus exemplified this in the Gospel of Mark 10:15–16 when he urged his followers to receive the kingdom of God as a little child. And he specifically takes up the children into his arms and blesses them. So also the Church, as the body of Christ, is to be the presence of Christ’s love, in the same way taking up all children, youth, and vulnerable adults into its arms and blessing them; providing for them a safe, thriving, and nurturing environments in which to grow in every way.

PROCEDURES TO FOLLOW WHEN ENTITIES ARE PROVIDING CARE FOR MINORS

When Entities provide care and supervision for Minors at one of its meetings, events or conferences (this excludes meetings, event or conferences for which an Entity reimburses parents or guardians to pay for care for minors), the following procedures shall be utilized.

DEFINITIONS

Each state has its own statutes regarding what is defined as child/youth/vulnerable adult abuse. This Policy advises all Entities of the General Assembly of the Presbyterian Church (U.S.A.) to consider and be familiar with state statutes pertaining to the location of each event/activity.

The following is a comprehensive list of definitions of terms and their intended use in this particular Policy. For the purpose of this Policy:

Child: A child is defined as a person between the ages of 0–11.

Youth: A youth is will be defined as a person between the ages of 12–17.

Minor: A minor is defined as any Child or Youth 0–17 years-old.

Child/Youth Worker: Any person, volunteer, paid staff or contractor who participates at any level at General Assembly Entity sponsored events or activities involving Children and/or Youth. This includes chaperones who accompany Minors to and during meetings, events, and activities covered by this Policy.

Vulnerable Adult: Any person eighteen-years-old or older without the developmental or cognitive capacity to consent.

Vulnerable Adult Abuse: Any act or failure to act that results in physical abuse, neglect, and/or sexual molestation or abuse, sexual, psychological, or emotional mistreatment or exploitation of a Vulnerable Adult.

Child/Youth Abuse: Any act or failure to act that results in physical abuse, neglect, and or sexual molestation or abuse, sexual, psychological, or emotional mistreatment, , or exploitation of a Child or Youth.

Sexual Abuse: In the *Book of Order*, sexual abuse is defined as, “Sexual abuse of another person is any offense involving sexual conduct in relation to (1) any person under the age of eighteen years or anyone over the age of eighteen years without the mental capacity to consent; or (2) any person when the conduct includes force, threat, coercion, intimidation, or misuse of ordered ministry or position” (*Book of Order*, D-10.0401c).

Misuse of Technology: The use of technology that results in Vulnerable Adult Abuse, Child/Youth Abuse, or in the harassing or abusing of a Child/Youth.

PMA: Presbyterian Mission Agency.

OGA: Office of General Assembly.

Safe Child Response Team: The Safe Child Response Team is a team comprised of a minimum of at least three members of or appointed by an Entity of the General Assembly who are specifically trained to respond to allegations and reports of Child, Youth, or Vulnerable Adult Abuse at General Assembly Entity sponsored activities. These teams must be readily available to be contacted and used at all General Assembly Entity sponsored events.

Sexual Misconduct: as that is defined in the Sexual Misconduct Policy and its Procedures (219th General Assembly (2010)) and revised by the Committee on the Office of the General Assembly (2013).

Sexual Misconduct is the comprehensive term used in this Policy to include:

Child sexual abuse; including, but is not limited to, any contact or interaction between a child and an adult when the child is being used for the sexual stimulation of the adult person or of a third person. The behavior may or may not involve touching. Sexual behavior between a child and an adult is always considered forced whether or not consented to by the child. In the Presbyterian Church (U.S.A.), the sexual abuse definition of a child is anyone under age eighteen.

Sexual abuse as defined in the *Book of Order*: “Sexual abuse of another person is any offense involving sexual conduct in relation to (1) any person under the age of eighteen years or anyone over the age of eighteen years without the mental capacity to consent; or (2) any person when the conduct includes force, threat, coercion, intimidation, or misuse of ordered ministry or position” (*Book of Order*, D-10.0401c).

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

- a. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or their continued status in an institution;
- b. submission to or rejection of such conduct is used as the basis for employment decisions affecting such an individual;
- c. 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; or
- d. an individual is subjected to unwelcome sexual jokes, unwelcome or inappropriate touching, or display of sexual visuals that insult, degrade, and/or sexually exploit men, women, or children.

Rape or sexual contact by force, threat, or intimidation.

Sexual conduct is offensive, obsessive or suggestive language or behavior, unacceptable visual contact, unwelcome touching or fondling that is injurious to the physical or emotional health of another.

Sexual Malfeasance; is defined by the broken trust resulting from sexual activities within a professional ministerial relationship that results in misuse of office or position arising from the professional ministerial relationship.

Misuse of technology; use of technology that results in sexually harassing or abusing another person, including texting or emailing suggestive messages and images to persons with whom one has a ministerial relationship. It is never appropriate to view pornography on church property. When this includes a person under the age of eighteen, it is considered child abuse. There is never an expectation of personal privacy when using technological equipment owned by a church or church entity or within the context of ministry.

SCREENING, TRAINING, AND BACKGROUND CHECKS

A Child/Youth Worker, whether on a paid staff, contractor, or volunteer basis, shall be subject to:

1. The organizing Entity's receipt of a completed, signed, and approved application and background check authorization forms, including a signed form verifying the event policy has been read. The application should include a minimum of two references.
2. All Child/Youth Workers must be at least eighteen years-old and four years older than the oldest Youth whom they are serving.
3. The applicant's consent to a comprehensive background check, including a criminal background check. The Entity must consult with the insurance company through which they have coverage to determine what background checks are appropriate for their particular event. The Entity should cover the costs of the background checks for all Child/Youth Workers. These checks shall be run no more than

six (6) months prior to the event. (This time restraint is also at the discretion of the organizing Entity's insurance company's requests. Child/Youth Workers who participate annually in events may only be required to have one (1) background check per calendar year, depending on insurance company standards.)

4. All Child/Youth Workers, paid, contracted, or volunteer, must participate in training sometime within the year prior to the event. The training is to be provided by the Entity and shall cover the event Child/Youth protection policy thoroughly as well as methods of abuse prevention and a detailed plan of reporting. The Entity may contract with others to provide these trainings. These trainings shall further cover:

- What constitutes Child/Youth/Vulnerable Adult Abuse and neglect.
- How to recognize signs and symptoms of abuse and neglect.
- State laws concerning definitions of abuse and reporting.
- Mandatory criminal background checks and the security of those files.
- Explanation of the importance of the application and screening processes.
- Appropriate boundaries with Minors, especially regarding adult/Child/Youth ratios, transportation, and use of technology.
- If an overnight event is planned, discussions of boundaries involving appropriate sleeping arrangements and restroom/shower facilities use shall be discussed.
- The presence of a Safe Child Response Team at each event and how to contact them.
- All paid employees working directly with children or Youth at any General Assembly Entity sponsored events must be certified in first aid and CPR.
- Other related topics.

5. No person may serve as a Child/Youth Worker who has a conviction on his/her record of certain felonies or misdemeanors, including, but not limited to, any of the following:

- Criminal homicide;
- Aggravated assault;
- Crimes related to the possession, use, or sale of drugs or controlled substances;
- Sexual Abuse;
- Sexual assault;
- Injury to a Youth;

- Incest;
- Indecency with a Youth;
- Inducing sexual conduct or sexual performance of a Youth;
- Possession or promotion of child pornography;
- The sale, distribution, or display of harmful material to a Minor;
- Employment harmful to Youth;
- Abandonment or endangerment of a Youth;
- Kidnapping or unlawful restraint;
- Public lewdness or indecent exposure; and enticement of a Youth;
- Any crime that involves Sexual Misconduct or Sexual Abuse, particularly if it involves misconduct or abuse with a Minor;
- Any crime that involves Misuse of Technology for sexual purposes, such as collecting or distributing photographs of Minors who are naked or in sexual or inappropriate poses (child pornography);
- Any crime that involves the use of force, such as assault or endangerment;
- Any crime that involves abduction and kidnapping;
- Any crime that involves drinking and driving, such as driving while intoxicated.

In addition, if any council or General Assembly Entity is aware that a Child/Youth Worker has a prior conviction for one of the aforementioned crimes or a related crime, the Child/Youth Worker shall automatically be ineligible to attend a Child/Youth event in any capacity.

6. No person may act as or be engaged as a Child/Youth Worker if that person has been found guilty of an offense, in local, state or federal court or in an ecclesiastical proceeding, that includes actions that fall under definitions or prohibitions set forth in this Policy.

7. Whenever a General Assembly Entity organizes an event for Minors for which the Entity will invite Minors from other church councils who will be supervised by Child/Youth Workers, the Councils who selects the Youth workers shall:

a. Not send a person to act as a Child/Youth Worker whom the council knows has violated the provisions of the *Book of Order* or policy of a local congregation or presbytery pertaining to Sexual Misconduct or Child/Youth protection.

b. Not send a person to act as a Child/Youth Worker for Minors when that person is also scheduled to work at the event.

c. Require Councils at all levels of church life who are assisting in organizing General Assembly Entity events for Minors or sending Child/Youth Workers to these events to abide by the same screening, training, and background check standards mandated in this Policy for the General Assembly and its Entities.

8. Whenever a General Assembly Entity organizes an event for Minors that invites Minors from Councils who will be supervised by Child/Youth Workers, the General Assembly Entity shall:

a. Provide guidance to the Councils that are sending Child/Youth Workers about best practices for securing Child/Youth Workers and eligibility requirements.

b. Provide guidance to the Councils that are sending Child/Youth Workers concerning the requirement that the Council perform and pay for background checks for potential Child/Youth Workers and how to evaluate the background check for offenses that would disqualify a person from being a Child/Youth Worker with Minors.

c. Provide guidance to the Councils on when to perform the background checks and with what background check provider.

d. Identify someone on the organizing committee or staff of the General Assembly Entity to be the designated recipient of background checks from Councils and train that person:

i. To review every background check received;

ii. To identify criminal convictions on background checks that should disqualify a person from being a Child/Youth Worker;

iii. To notify a Council if the staffer believes the Council has erred in selecting a Child/Youth Worker whose background check indicates that the person should not act as a Child/Youth Worker;

iv. Report to the General Assembly-Entity of the event of each potentially disqualifying background check and related concerns so that a formal decision can be made to inform the Council that the person whose background check is in question is not eligible to attend the event as Child/Youth Worker.

CONFIDENTIALITY OF RECORDS

The Entity shall maintain all Child/Youth Worker applications, results of background checks, and related information in confidential, secured files.

REPORTING

Each sponsoring-General Assembly Entity will publicize a procedure for reporting any prohibited actions and have copies available at all times in a public place at the event. Anyone suspecting or having knowledge of a violation of child abuse may report such violation to any leader of the General Assembly

Entity sponsored event. Any Child or Youth who suspects or has knowledge of any type of Minor abuse is invited to share the knowledge with any adult leader of the General Assembly Entity sponsored event. Anyone who has knowledge or suspicion of Child/Youth abuse should be made aware that state law requires the immediate reporting of such abuse to the civil authorities. Any adult leader should report such violation to any Stated Clerk or Associate or Assistant Stated Clerk of the General Assembly or any other leader designated by the sponsoring General Assembly Entity of the event. Any person receiving information under this paragraph shall share that information immediately with the designated response team.

SAFE CHILD RESPONSE TEAM

At every meeting, conference, event or activity for Minors planned by an Entity of the General Assembly, a Safe Child Response Team must be trained by the sponsoring Entity and be present and available throughout the entire duration of the event. This team should be comprised of at least three members, staff or appointed, selected and sent by the sponsoring Entity. An attorney chosen and secured by the General Assembly Entity shall be on-call for all conferences, events, and activities. The response team will familiarize itself with the terms of this Policy as well as established procedures under the Rules of Discipline, *Book of Order of the Presbyterian Church (U.S.A.)* for responding to complaint(s) of alleged Child/Youth abuse against any teaching elder, ruling elder, employee, or volunteer in a leadership position(s) with the sponsoring Entity and any events they may sponsor.

The Safe Child Response Team shall have the following responsibilities in response to allegations of Child/Youth or Vulnerable Adult Abuse or neglect incurred against any Child/Youth Worker or event participant:

1. Immediately provide for the safety of the alleged victim(s) involved.
2. If the report alleges abuse or harassment of a Minor, the response team will:
 - a. immediately ensure the allegation is reported to the civil authorities under state law;
 - b. immediately notify the parents or guardian of the Minor;
 - c. notify the insurance company of the allegation and that no investigation has yet occurred.
3. Make immediate decisions concerning the temporary removal of the individual accused from any contact with Minors pending an investigation and/or removal of the accused from the event until a resolution of the allegations has occurred.
4. Notify designated people at the General Assembly Entity immediately of the report of alleged abuse/neglect including the attorney who is on-call throughout the duration of each event, who has been previously secured by the General Assembly Entity in case of such allegations during each sponsored event. Any possible media requests will be handled by a designated person or office with advice from the on-call attorney, taking care to safeguard the privacy and confidentiality of all involved.

5. Consult the OGA and PMA about resources available for victims of the alleged abuse prior to each event and have those resources readily available at every event. This will provide victims and their families immediate resources that may aid in the particular spiritual, psychological, or emotional needs and trauma that arise from the devastation of abuse.
6. If the report is against a teaching elder, the response team shall send a written statement of allegation to the stated clerk of the presbytery that holds the teaching elder's membership. This written statement of allegation shall trigger the formation of an investigating committee under the Rules of Discipline of the *Book of Order: The Constitution of the Presbyterian Church (U.S.A.) Part II*.
7. If the report is against a ruling elder, the response team will notify the clerk of session of membership that an allegation of offense has been received against an elder that triggers the formation of an investigating committee under the Rules of Discipline of the *Book of Order: The Constitution of the Presbyterian Church (U.S.A.), Part II*.
8. If the report is against an employee of the Presbyterian Church (U.S.A.), A Corporation, the response team will notify the person(s) or committee responsible for supervision of the employee, Human Resources, and Legal Services. The response team will request a follow-up report from the supervisory body of the outcome of any subsequent investigation or discipline.
9. If the report is against an employee of a sponsoring Entity other than Presbyterian Church (U.S.A.), A Corporation, the response team will notify the person(s) or committee responsible for supervision of the employee. The response team will request a follow-up report from the supervisory body of the outcome of any subsequent investigation or discipline.
10. If the report is against a volunteer, or nonmember of the PCUSA, the response team will request that the General Assembly Entity appoint an investigating committee of three persons to initiate an investigation of the allegations in order to:
 - a. gather any statements of abuse from those making the report, including any information from the Safety Response Team, and any party to the abuse;
 - b. gather any information from the person who was accused of abuse;
 - c. make written determinations and take actions appropriate to resolve the matter including, but not limited to, making recommendations for prevention as well as response.
11. Provide for pastoral counseling for the principal parties involved (accuser(s), possible victim(s), accused, family members).
12. A written summary of any proceedings in such cases will be maintained by the General Assembly Entities.

13. Any person bringing a report of abuse or assisting in investigating will not be adversely affected in terms and conditions of employment, church membership or affiliation, or otherwise discriminated against or discharged.

EVENT RULES FOR WORKING WITH MINORS AND VULNERABLE ADULTS

The sponsoring Entity of the General Assembly shall ensure that the following measures be in place and actions taken for each event or activity involving Minors and Vulnerable Adults:

1. Child/Youth Workers shall:

- a. respond to Minors and Vulnerable Adults with respect and consideration and treat all of them equally, regardless of race/ethnicity, color, national origin, gender, age (40 and over), marital status, sexual orientation, gender identity/expression, creed, protected disability status, citizenship status, genetic information, uniformed service or veteran status or religious affiliation; and
- b. act as a positive role model for Minors and Vulnerable Adults by maintaining an attitude of respect, patience, and maturity.
- c. maintain appropriate boundaries when in positions of power with Minors or Vulnerable Adults.
- d. Not give money or gifts to Minors, except within the context of a group gift given to all participants in the celebration of special events or recognitions.

2. Two-adult rule: Two non-related adults must always be present in groups of Minors or Vulnerable Adults. The only exception is if an emergency situation deems this not immediately possible for both in person and online gatherings. All Child and Youth Workers and volunteers must be a minimum of four years older than the age group they lead or supervise.

3. Ratios: The adult to Child ratio for all Child-related events/activities is 2:10 for both in person and online gatherings. The adult to Youth ratio for all Youth-related events/activities is 2:17 for both in person and online gatherings. There shall also be one adult of each gender when there is one or more Minors of each gender in a group. Only in emergency situations may the ratios and gender diversity be compromised.

4. View Windows and Open Doors: When Minors and adult workers or volunteers are in a room, if the door is closed, the door must have a view window installed. If no view window is installed in the door, the door must remain open at all times.

5. Adult workers/caregivers should respect the privacy of the Minors and Vulnerable Adults to whom they provide care. Responsible use of digital devices and cell phones is required in all situations (ex. Taking age-appropriate photographs and movies, not taking photographs of Minors who are not fully clothed). Adults and Minors are required at all times to wear appropriate attire. Child/Youth

Workers are not permitted to take photographs of Minors or Vulnerable Adults under their care or at the meeting or event and share them in any way, including on the internet, without the written permission of a parent or guardian of the Minor or Vulnerable Adult.

6. Age appropriate training to Minors should be provided regarding behavior that should be reported to caregiver or leader of the event.

7. Transportation: All adult drivers at Child/Youth events must have proper licensure and insurance on file with the organizing Entity. All vehicles used must have seat belts for the driver and each passenger. No Minor under eighty-five pounds may sit in the front seat of any vehicle. All drivers transporting Minors and Vulnerable Adults must be over the age of twenty-five and must be informed that if their vehicle is used, their insurance would be primary if an accident occurs. If a charter bus is rented, or any outside carrier is contracted, the company hired must ensure criminal background checks on their drivers. Each vehicle must follow the ratio rules noted in point 2 in this section. Lastly, no minor may be a driver at any event or activity (this includes golf carts at events).

8. Forms: The legal guardians of each Minor must provide the appropriate information and medical forms for each activity/event. The information form should include all contacts for legal guardians and the medical form must include a copy of the Minor's health insurance card. Further consent forms must be signed by legal guardians for any off-campus events. Any photos at the event that are used in social media or published material by the organizing Entity must be released by a signed consent form from a participant's legal guardian as well as the Minor. All such forms must be stored at the event site, in a secure place with restricted access.

9. Each event/activity must ensure that rules are gone over with participants at each event/activity. These rules shall include but are not limited to a code of conduct specific to the event/activity, as well as a list prohibited and expected behaviors for the specific event/activity. The code of conduct and prohibited and expected behaviors list should be given in written form to each participant and legal guardians, as well as discussed thoroughly at the beginning of the event/activity.

10. Minors and adults must maintain different showering and grooming hours at events in which bathrooms and shower rooms are shared in housing. These hours must be posted on site.

11. Adults should never share sleeping quarters with Minors. The exception to this rule is for the occasional legal caregiver/child situation or parent/child situation. If a Minor requires a caregiver/parent, written permission must be given and kept on record from the Minor's parent/legal guardian.

12. All volunteers and employees at any General Assembly Entity sponsored meetings and events who are responsible to supervise Minors and Vulnerable Adults must also abide by a code of conduct that emphasizes the following prohibited behaviors. Some of these prohibited behaviors include but are not restricted to:

a. Display of sexual affection toward a Minor.

- b. Use of profanity or off-color jokes.
- c. Discussion of sexual encounters with or around Minors or Vulnerable Adults or in any way involving Minors in personal problems or issues.
- d. Dating or becoming “romantically” involved with Minors or Vulnerable Adults.
- e. Using or being under the influence of alcohol or illegal drugs in the presence of Minors and Vulnerable Adults.
- f. Possessing sexually oriented materials—including printed or online pornography—on church property or property being utilized for a church event.
- g. Having secrets with Minors or Vulnerable Adults.
- h. Staring at or commenting on the bodies of Minors or Vulnerable Adults.
- i. Engaging in inappropriate or unapproved electronic communication with Minors or Vulnerable Adults.
- j. Working one-on-one with Minors or Vulnerable Adults in a private setting.
- k. Abusing Minors or Vulnerable Adults in anyway, including (but not limited to) the following:
 - Physical abuse: hit, spank, shake, slap, unnecessarily restraint.
 - Verbal abuse: degrade, threaten, or curse.
 - Sexual abuse: inappropriately touch, expose oneself, or engage in sexually oriented conversations.
 - Mental abuse: shame, humiliate, act cruelly.
 - Neglect: withhold food, water, shelter.
 - Permit Minors or Vulnerable Adults to engage in the following: hazing, bullying, derogatory name-calling, ridicule, humiliation, or sexual activity.

Social Media—Electronic Communications

General Social Media Policy—No minister, employee, contractor, or volunteer of the General Assembly and its Entities shall create or use a media site (Web, Facebook, YouTube, or similar) in the name of or purporting to represent the Presbyterian Church (U.S.A.) without the explicit written permission of the, General Assembly Entity, or event leadership. When clergy or staff, acting in their capacity as a representative of the General Assembly or its Entities, lead or coordinate a group activity using social media, each may use only official General Assembly Entity sites/channels when they have been made available by the Entity of the General Assembly. These may include Web pages, Facebook, e-mail, and similar means.

Social Media Communications

Persons who shall create public pages on behalf of General Assembly Entity programs are responsible to monitor communications and to assure that employees and volunteers do not have private (and possibly inappropriate) conversations with Minors and Vulnerable Adults.

Persons having Facebook privileges on behalf of the General Assembly Entity shall treat unsolicited communication or “friending” from Minors and Vulnerable Adults as an unauthorized text message. No reply may be given except to indicate by a posting that accepting a “friend” invitation by Minors and Vulnerable Adults is a violation of the code of conduct.

If a Minors and Vulnerable Adults reveal abuse or inappropriate interactions with an adult, the person must report this information in the manner of any “suspected abuse.”

When using Facebook to communicate with Minors and Vulnerable Adults, the authorized minister shall inform parents/guardians of each Minor and Vulnerable Adult that the latter is communicating with the person via Facebook, providing the parent/guardian the opportunity to disapprove or to participate in a group.

Social Networking Code of Conduct

Each person who leads using the resources of social media shall apply this Social Networking Code of Conduct:

- Prohibit comments that are, or could be construed by any observer, to be harsh, coercive, threatening, intimidating, shaming, derogatory, demeaning, or humiliating.
- Prohibit sexually oriented conversations or discussions about sexual activities.
- Prohibit private messages between employees and volunteers and Minors and Vulnerable Adults.
- Prohibit posting inappropriate pictures (for example, sexually suggestive, exploitive, or voyeuristic) or inappropriate comments on pictures.
- Provide Minors and Vulnerable Adults, and their parents and guardians with this Social Networking Code of Conduct.
- Encourage parents and guardians to play a role in monitoring their Minor’s and Vulnerable Adult’s interactions with employees and volunteers.
- Continuously remind Minors and Vulnerable Adults how to interact appropriately through social networking sites.
- Deny participation by individuals who repeatedly violate the code of conduct.

At the institution of the use of social media, the authorized minister shall present this Social Networking Code of Conduct to Minors and Vulnerable Adults and parents/guardians.

Misuse of Technology

No minister, employee, contractor, or volunteer of the General Assembly and its Entities shall misuse technology in the following ways:

- Using technology to send suggestive messages and/or images to a Minor.
- Having contacts by Misuse of Technology to contact a Minor or Vulnerable Adult that is not preapproved by the Minor's or Vulnerable Adult's legal guardian with a signed waiver, unless the contact is on an open public medium, such as a church or Entity website or church or Entity social media program.
- To view pornography or sites (ex. dating websites) which include pornography or naked bodies on the premises of a General Assembly Entity event, activity or meeting, no matter where it is held or by which Entity it is organized.

SIGNING OF POLICY AND APPLICATION TO SERVE

Each adult engaged in the leadership of a General Assembly Entity event shall acknowledge receipt of the Presbyterian Church (U.S.A.) Child/Youth/Vulnerable Adult Protection Policy and Its Procedures by signing a form verifying they read the Policy. In addition, each person engaged in the leadership of a General Assembly Entity event shall consent to all comprehensive background checks required and shall comply with any consequences of a reported violation of this Policy.

PROCEDURES TO FOLLOW WHEN AN ENTITY IS PROVIDING CARE FOR MINORS OUTSIDE THE U.S.

There are times when a General Assembly Entity may offer care for Minors at a meeting, conference or event to be held outside the United States (ex. a regional meeting of World Mission liaisons and/or mission co-workers). The organizing Entity will take all appropriate actions to comply with this Policy to the extent they can be complied with, considering the venue of the meeting, the resources and facilities available, and the laws of the country of the venue. Exceptions should be discussed and addressed with leadership of the Entity and its legal advisors.

PROCESS TO REVISE THIS POLICY AND ITS PROCEDURES

Between meetings of the General Assembly proposed changes to this Policy and its procedures shall be submitted to the Mid Council Ministries office in the OGA and the Legal Services Office of the Administrative Services Group who will review and present any proposed changes to the Presbyterian Church (U.S.A.), A Corporation Board of Directors ("A Corp.") for review and approval, after consultation with the Coordinating Committees of the Board of the Presbyterian Mission Agency and Committee on the Office of the General Assembly. Changes will become effective when approved by the Board of the A Corp. Changes approved by A Corp. that are substantive, and more than mere editorial changes, should

be reported by A Corp. Board to the next meetings of the General Assembly after the changes are approved. The General Assembly can receive and accept those changes, but any Assembly may revise this Policy with or without a report of changes from the A Corp.