

## **I. STATEMENT OF BELIEF**

We believe and proclaim that all people are created by God and made in the image and likeness of God. God values human life and intends that men, women and children have worth and dignity in all relationships. Scripture asserts that religious leadership involves a covenant relationship that presumes the trustworthy exercise of power (i.e. scripture exerts Ezekiel 34, Mark 9, 1 Timothy 3; likewise see *Book of Confession* 7.241).

## **II. FOUNDATIONS OF HEALTHY BOUNDARIES AND SAFE CHURCH PRACTICES**

While the language in this document refers specifically to pastors, anyone serving at a Presbytery sponsored event is subject to the policies and practices of this Sacred Trust Agreement of the Maumee Valley Presbytery. The exception is that this covenant is guided by the following assumptions regarding the sacred trust of leadership:

- A purpose of this covenant is to serve as guide for authentic and appropriate relationships that model sacred trust.
- Sacred trust is present in all pastoral and staff relationships.
- By virtue of their office, pastors hold a unique power with those whom they have a pastoral relationship. In many settings the power relationship between a pastor and a parishioner, regardless of age, is disparate with the pastor holding more power.
- Adults have more power than children and youth.
- The mutuality of friendship is challenged when there is a disparity of power.
- When sacred trust has been broken, one task of the wider church is to promote healing of individuals as well as congregations.

The following acts are prohibited by this policy and will not be tolerated or accepted:

- Possession of obscene or pornographic materials at any function of the congregation or while using any property of the church
- Possession of, advocacy of the use of, or being under the influence of an illegal drug
- Consumption of or being under the influence of alcohol while leading or engaging in ministry specific to children, youth or at risk adults

## **III. GUIDELINES**

### **A. Sexual Misconduct and Inappropriate Physical Relationships**

Sexual misconduct of any kind between a pastor and a parishioner will not be tolerated. Upon receipt of a written allegation of sexual misconduct by a Minister of Word and Sacrament or a Commissioned Ruling Elder, the Presbytery will initiate a swift investigative process according to the “Rules of Discipline” in the *Book of Order*. If such an accusation is found to be true, the procedures set forth in the “Rules of Discipline” in the *Book of Order* will be followed. Actions may be taken that include, but are not limited to, prescribed counseling, termination of call, suspension of ordination, financial remediation to the victim.

Retaliatory actions towards reporters of allegations of the breaking of sacred trust will not be tolerated.

## B. Definitions

1. **Sexual Misconduct** is the comprehensive term used in this policy to include:
  - a. **Sexual abuse** as outlined 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 office or position” (*Book of Order*, D-10.0401c).
  - b. **Child sexual abuse**: 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.
  - c. **Sexual harassment**: The unwelcome sexual advances, or requests for sexual favors, or other verbal or physical conduct of a sexual nature when one or more of the following is alleged to have happened:
    - 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.
    - Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual.
    - 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.
    - 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.
    - Physical contact that is excessive, unwelcome or sexually stimulating.
  - d. **Sexual assault**: contact by force, threat, or intimidation; unwelcome touching or fondling that is injurious to the physical or emotional health of another.
  - e. **Sexual language that is** offensive, obsessive or suggestive.
  - f. **Voyeurism** is unwelcome visual fixation on a person of any age
2. **Sexual malfeasance is defined as** sexual activities within a professional ministerial relationship that involves misuse of office or position arising from the professional ministerial relationship, regardless of the age of the parishioner.
3. **Physical abuse is defined as** bodily harm which is deliberate and intentional.
4. **Neglect is defined as** reasonable suspicion or reasonable cause to suspect the failure of parents or other caregivers to provide for the basic needs of a child, youth or at risk adult. Basic needs include food, clothing appropriate to the weather, and shelter. Neglect may also include lack of education, medical, physical or emotional support.

5. **Misuse of technology is defined as** use of technology that results in sexually harassing or abusing another person, including, but not limited to texting or emailing suggestive messages and images sent to or from persons with whom one has a ministerial relationship. 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 whether from person to person or posted or made public.

### C. Child and Youth Protection

The following guidelines are provided for modeling relationships of sacred trust:

- **Rule of Three** - Situations in which one unrelated adult and one child/youth are alone should be avoided. Whenever practical, there should be at least three people (one adult and two children/youth or two adults and one child/youth) present.
- **Transparency of Interactions Between Adults and Children** - During counseling of children or youth, an unobstructed view into the space is required. If there is no window, the door to the room must remain open for the entire counseling session. Adults who minister with children and youth are strongly encouraged to set very stringent privacy settings on any social networking profile. All church sponsored networks should have at least two adult administrators who monitor the content and appropriate conversations.
- **Windows in all Classroom Doors** - It is recommended that all rooms used for children or youth have a window in the door, or a means that provides an unobstructed view of the entire room at all times.
- **Advance Notice to Parents** - Parents will be given advance notice and full information regarding events in which their children will participate. In the event that a leader will be alone with a child or a youth, a parent will be notified and will be required to give written permission in advance for their child's participation.

### D. Dating relationships Between Pastor and Parishioner

Should there be a mutual interest in pursuing a romantic relationship between a single pastor and a single parishioner, the best course of action is for one or the other, either the pastor or the parishioner, to choose a different faith community during their courtship.

### E. Beginnings and Endings of Professional Relationships

Pastoral relationships are based upon sacred trust. The pastor of a local church shares in the congregation's moments of joy, grief, struggle, victory, birth, life, and death by virtue of his or her office. While relationships of an enduring nature may evolve over the course of time, the specific sacramental, ecclesiastical and pastoral responsibilities are time specified by mutual agreement between the leader, the congregation and the Presbytery. The beginning and ending dates are mutually approved by the congregation, or Council (Session) of the Congregation, the individual providing pastoral functions, and the Presbytery of Maumee Valley.

Therefore, after the ending of a pastoral relationship, the Minister of Word and Sacrament or Commissioned Ruling Elder may not, at the request of a member of the former congregation, officiate at any wedding, funeral, baptism, Bible study or prayer gathering except upon invitation from the Moderator of the Session or from the clerk of session if unable to contact the moderator. The departed pastoral leader is expected to refuse invitations from individuals to perform pastoral responsibilities. The departed Minister of Word and Sacrament, Commissioned Ruling Elder, may not offer professional services to former parishioners, offer

insights concerning congregational life, or perform any pastoral function related to the congregation, regardless of the distance from the congregation.

## F. Financial Situations

- Pastors should not use their knowledge of a parishioner's financial position for personal gain.
- Pastors should not seek money for personal use from members of the congregation they serve.
- Pastors should not borrow money from nor loan money to members of the congregation.
- Pastors should not borrow money from the congregation they serve without making sure that the loan is a secured loan and that proper legal documents are signed. Such loans ordinarily will be for the purchase of a home and would ordinarily, be part of the call to the congregation. Full disclosure to the congregation must be part of this process. The status of the loan needs to be reported annually to the congregation and to the Committee on Ministry. When this loan is paid off, it should be reported to the General Presbyter and/or the Committee on Ministry.
- Pastors should make sure that all money they handle for the congregation be recorded properly and used as the donor instructed.
- All clergy need to be aware of the power associated with money and should not use their position to manipulate others for their personal gain whether within the church, their personal lives, or within the workforce.
- Pastors shall not take on the role of executor for an estate of a non-relative, or to have financial power of attorney for a non-relative, or to be placed in a position to handle financial matters involving non-relatives. (This particular point applies to pastors only, and not to other members or friends of the Presbytery.)
- Upon leaving a particular pastoral service, arrangements need to be made by the departing pastor for the full repayment of any loans or financial commitments within the church.

## G. Use of Internet and Social Networking

As an ever increasing number of people use and prefer digital communication over other forms, it is essential that the church be present in this mission field. Social networking sites, on-the-spot communication devices and email can enhance communication, faith sharing and deepen relationships.

- **An assumption is made within these standards that all virtual communication is public.** All communication sent digitally (email, social networking sites, texts, notes, posts, and other forms of digital communications) is not considered to be confidential. Virtual communication is sometimes shared and reposted to others.
- **Definitions of "Friend" may differ in the virtual and physical worlds.** In the "virtual world", friend can mean anyone with whom you are willing to communicate in that medium. In the physical world, expectations of intimacy, self-disclosure, and mutuality differ. Adults who minister to children and youth are strongly encouraged to set very stringent privacy settings on any social networking profile. Adults should not submit "friend requests" to minors or youth as youth may not be comfortable declining such requests due to the disparity of power. If an adult chooses to accept friend requests from minors or youth associated with their community of faith, other adult leaders must have full access to all aspects of that adult's profile and correspondence.

- **Boundaries between personal life and sacred trust relationships need to be carefully managed.** Ministers of Word and Sacrament and Commissioned Ruling Elders who want to connect via a social networking website or apps with members of their church are strongly encouraged to set up a group account that all parishioners may join. When one ministry ends, the minister should no longer be involved in any comments about the life of the church.
- No church should post pictures of children on social media without written permission of parents or guardian.
- When possible, social media groups should be password protected.

#### **IV. PROCEDURES FOR REPORTING AND RESPONDING TO VIOLATIONS AND ALLEGATIONS**

At all times, the privacy and security rights of individuals are to be protected with utmost care. The Stated Clerk shall assure that physical means and processes are in place to protect individual rights.

- A. Initial reports of violations of sacred trust will occur in a variety of ways. Neither an individual church nor the Presbytery can control who will be contacted initially. Therefore, it is important that all church leaders and employees be informed about the appropriate processes.
- B. In response to allegations of sexual misconduct, members, persons in ordered ministry, and employees of the church should seek healing and ensure the protection of all persons. The privacy of persons should be respected and confidentiality of communications should be maintained.
- C. Pastors, elders and deacons are considered mandated reporters of child abuse and shall report to the civil authorities, and to the General Presbyter or Stated Clerk, any suspected incidents of physical, emotional, or sexual abuse of children and youth. Everyone has a particular duty to report allegations involving children within 3 days of knowledge of the alleged incident.
- D. Allegations involving misconduct of Ministers of the Word and Sacrament or Commissioned Ruling Elders shall be reported to the Stated Clerk or General Presbyter. Allegations regarding ruling elders or church members shall be reported to the Clerk of Session or the Moderator of the Session for the purposes of investigation. The appropriate processes are described in the “Rules of Discipline” in the *Book of Order*.
- E. The person receiving the initial report of violation of sacred trust from the accuser shall encourage and/or assist the accuser in submitting a written report concerning the incident to the General Presbyter, the Moderator of the Committee on Ministry, or the Stated Clerk of the Presbytery of Maumee Valley. The disciplinary process does not begin until the Stated Clerk has received the allegation in writing. If the initial report involves a minor, the Stated Clerk of Maumee Valley Presbytery and the Moderator of the Permanent Judicial Commission will be notified within 3 days of the receipt of the information.
- F. The Legal procedures of the specific state, be it Michigan or Ohio, must be followed.

**V. PROCEDURES FOR IMPLEMENTATION OF THE COVENANT OF SACRED TRUST**

- A. Acknowledgement of the reading of the Covenant of Sacred Trust is a requirement of all Ministers of Word and Sacrament and Commissioned Ruling Elders before a new call or new contract can be approved.
- B. Maumee Valley Presbytery will provide boundaries training which includes child protection training every year. Every Minister of Word and Sacrament and Commissioned Ruling Elder is expected to attend a boundaries training event once every three years. If someone chooses not to attend, the Committee on Ministry will take appropriate action.
- C. The Stated Clerk will keep a record of those who attended.

Approved by the Presbytery February 19, 2019