Wayne Presbyterian Church

POLICY ON SEXUAL BOUNDARIES

I. INTRODUCTION

Wayne Presbyterian Church, in an effort to further the peace, unity and purity of the church through the prevention and remediation of sexual misconduct within the church, has adopted the following policy. This policy applies to all the following: church staff, volunteers, and members. The structures and procedures for responding to allegations of sexual misconduct are mandated by the Book of Order.

II. THE PURPOSE OF THIS POLICY

Wayne Presbyterian Church prohibits sexual misconduct or abuse of any kind.

1. Defining sexual misconduct and /or harassment
2. Providing a policy for the enforcement of ethical behavior consistent with the Reformed tradition and civil law, and the prevention of sexual misconduct and abuse
3. Describing the judicial and pastoral process, for reporting, addressing, and responding to sexual misconduct
4. Implementing this policy

III. THE DEFINITION OF SEXUAL MISCONDUCT and Harassment

Sexual misconduct and / or harassment are an abuse of authority and power, breaching Christian ethical principles by sexually misusing a trust relationship. It is the comprehensive term used in this policy to include, but not be limited to, Sexual Abuse of adults (including any incapable of meaningful consent) rape or sexual assault, sexual harassment, . Categories of sexual misconduct and/ or harassment are described below.

1. Sexual harassment occurs whenever a person in a position of trust, including, but not limited to, those described in the Introduction above, engages, with or without consent, in a sexual act or sexual contact, verbal and nonverbal harassment. with another person to whom they owe a professional and pastoral responsibility. Any harassment where there is a professional relationship, including consensual physical relationships and when an inherent imbalance of power undermines consent.
2. Such abuse shall include, but not be limited to, the following:
   A. Verbal sexual harassment:
   Jokes of a sexual nature, unwanted sexual advances, excessive or unwelcome flirting, suggestive or obscene email, Derogatory comments in a sexual context, spreading harmful rumors, name calling, bullying, demeaning causing emotional harm or being frightened on a regular basis by a predator.

2B Nonverbal sexual harassment:

Not oral communication or physical contact. Lewd or suggestive gesturing, winking, or leering, staring, sending unsolicited pictures, rolling eyes, smirking, ignoring person, violation of personal space.

Stalking maybe a form of sexual harassment. Stalking is a pattern of repeated unwanted attention and contact by a person that causes fear or concern for someone's own safety or harm to a family member.

Psychological aggression as a form of sexual harassment is the use of communication with the intent to harm another person mentally or emotionally and/or to exert control over another person. This includes use of all electronic media.

2C Physical sexual contact

Sexual assault, abuse, rape, inappropriately touching or grabbing someone using intimidating gestures. Brushing or rubbing body against someone, kissing or hugging inappropriately, blocking someone's movement. Any other act defined as "Sexual Abuse" (or equivalent) under criminal and civil laws, as they may exist from time to time, of the jurisdiction where the act occurs.

Sexual harassment reflects unwelcome and uninvited behavior that is injurious to the physical or emotional health of another, including sexual bargaining relating to the conditions of a person's employment or participation.

3. Inappropriate Electronic and Social Media Communications
    a. The Church has a robust website that helps it disseminate its message to members and the general public. Day-to-day communications often involve use of personal communication tools such as emails, text messages, social media (e.g., Facebook, Twitter, YouTube, etc.), among others. These communications include public, private, personal and professional messages. The following requirements apply to all such communications among the Church's pastors, staff, volunteers, and members when those communications relate to the Church's programs, services and activities
        i. No person shall engage in electronic and social media communications that violate any church policies or any local, state, or federal law.
        ii. All communications related to WPC activities/events must maintain a professional and appropriate style.

iii. In all communications related to church programs, services, and activities, or made during church activities and events, all employees, volunteers and members should avoid the use of statements or content that reasonably could be viewed as sexually:
- Derogatory
- Lewd, pornographic, or obscene
- Threatening, harassing, or bullying
- Discriminatory
- Facilitating illegal activities
- Crossing the line between professional and personal boundaries Any questions of what these boundaries may be should be discussed with Head of Staff and or with Clerk of Session.

b. Online interactions need to be as transparent as those conducted in person.
c. Laws regarding mandated reporting of suspected abuse, neglect, harassment, bullying or exploitation of children, youth, elders, and vulnerable adults apply in the online world as they do in the physical world.
d. Community environment and experience can be enhanced by establishing guidelines around respectful and appropriate use of social media and electronic communication devices during worship and church meetings and activities.
   - Adults who seek religious or spiritual advice from church staff via digital means must understand that their communication is NOT CONFIDENTAL.
   - Use of digital means to communicate nullifies Confidentiality.
   - Participants should consider what will be shown in video communications, such as their surroundings, their clothing and state of dress, etc.
e. Violations of the Electronic and Social Media Section of this policy may be considered sexual misconduct or abuse. Any and all behavior prohibited in-person, is also prohibited through Electronic and Social Media communications as well.

IV. POLICY FOR THE PREVENTION OF SEXUAL MISCONDUCT

1. Sexual misconduct or harassment is never permissible. It is a violation of the principles set forth in Scripture of the Reformed confessions. Sexual misconduct by church staff, volunteers, visitors or members is a serious violation.
2. All staff, volunteers and officers shall satisfy the requirements of the boundary training offered by the church.
3. The church shall periodically obtain from their insurance agent's confirmation that their insurance policy covers sexual misconduct liability for its programs and activities.
4. For the protection of all concerned, when staff members or staff members & church members are considering exploring a dating relationship, governing bodies concerned with the individuals (ordinarily, the session and the COM), and the Head

of Staff, shall be informed and consulted. Dating relationships between staff members and staff members and church members is discouraged for the health and well-being of the entire community. No interaction should take place if it is an abuse of power or authority.

5. The conviction in civil courts of any staff member of sexual misconduct may be grounds for termination.
6. Concealing or failing to report sexual misconduct tends to perpetuate misconduct. All persons governed by this policy have a duty to report sexual misconduct to the Clerk of Session and the Head of Staff Pastor.

V. REPORTING ABUSE OR SUSPECTED ABUSE or Harassment

All Church employees and volunteers who, in the course of employment or volunteer work, come to learn of any occurrence of abuse or a situation that presents reasonable cause to suspect that abuse may have occurred are required to make a report as set forth in this Policy. Such report shall be made promptly after the occurrence in question becomes known first to the authorities, if required by law, and immediately thereafter to the Head of Staff Pastor and/or the Clerk of Session. All such reports, including the identities of all person making such reports shall be kept confidential to the extent permitted by law. Support will be given to the victim to assist them when reporting such incidents.

VI. POLICY IMPLEMENTATION

1. Availability of Policy and Procedures
    a. The Clerk of Session shall make copies of this policy available to all persons subject to it, and each recipient shall acknowledge in writing within policy time frames that they have received it and agree to comply. A copy of this policy shall be maintained on the church website, and signed copies of acknowledgement kept on file by the Clerk.
    b. All staff, volunteers and officers shall be trained in the nature and prevention of sexual misconduct. The Clerk shall keep a record of all who have completed the training and all who have failed to complete the training.
    c. Staff, volunteers and officers shall be required to take refresher training no less than once every 3 years.

2. Pre-Employment Screening
    a. Background Checks.
        i) All staff and volunteers shall be required to sign a written consent and release form authorizing a criminal Background Check.
        ii) The Clerk, and/or designee shall ensure the Confidentiality and appropriate retention of background reports. A candidate who claims that the information in a report is inaccurate, false or incomplete shall have the right to dispute it with the investigative firm.

3. Response to Allegations
    a. The submission of an allegation of sexual misconduct triggers various responses. These responses include the initiation of both a judicial process

and a pastoral care process. The judicial process is initiated by the Clerk of Session. The pastoral care process is initiated by the Head of Staff Pastor.

b. Initiating the Judicial and Pastoral Processes
    i. The judicial and pastoral processes begin with a written report to the Clerk of Session and Senior Pastor. Allegations cannot be done verbally—they must be in writing. Support will be given to the victim to help them be able to address this in writing.
    ii. Sexual acts involving minors (under age 18), allegations of rape, sexual assault or other misconduct that violates criminal law shall be immediately reported to the civil authorities and the Presbytery of Philadelphia.
    iii. There is no statute of limitations for Sexual Abuse allegations (D-10.0401b). Note: There is limitation in Pa. law on reporting sexual abuse.
    iv. If the accusation is made against a member of the pastoral staff, the Clerk of Session shall immediately contact the Presbytery of Philadelphia, including the Committee on Ministry (COM) and the Executive Presbyter.
    v. If the accusation is made against a staff member or volunteer, the Clerk of Session shall immediately contact the Personnel Committee, who will investigate and act on the complaint.
    vi. If the accusation is made against a church member, the Clerk of Session, the Head of Staff Pastor, and two other members of session, shall investigate the complaint.
    vii. If the Head of Staff Pastor and/or Clerk determines that the complaint is the subject of civil or criminal litigation, they shall consult legal counsel. This could put a pause in the ecclesial process until the civil/criminal litigation is resolved.
    viii. Concerns about the provision of any staff or volunteer's service related to a complaint should be directed to the Clerk. The Clerk will notify the appropriate person or committee and the Head of Staff Pastor of all concerns received so they may make good faith efforts to address all concerns quickly and sensitively.
    ix. Misconduct shall be referred to the Clerk, who shall confer with legal counsel and the Head of Staff Pastor prior to responding to the media.

d. The Judicial Process
    i. The Church shall provide training to all persons assigned to participate in the judicial process to function appropriately in their assigned tasks.
    ii. At least two members of any group investigating a complaint should be present when meeting with an alleged victim, accused, accuser or witness. Such meetings should include at least one person who is of the same gender as the person being interviewed.
    iii. Administrative leave shall be administered in accordance with the Book of Order and/or the Employee Handbook, should it be deemed necessary.

iv. The Victim and/or accuser has the right to an advocate.
v. The church extends the same right to the accused.
vi. The Clerk of Session shall treat the names of the accuser(s) and the victim(s) with strict confidentiality.

e. The Pastoral Process

The pastoral care response is carried out by a member of the pastoral staff. That person will work in parallel with the judicial process. They will not investigate an allegation or in any way usurp the roles of any investigatory committee. Their work will be pastoral in nature and their responsibilities include:

i. Coordinating a process of care that addresses the specific needs of the Accuser(s), alleged victims and their families, those accused and their families, and members of the congregation throughout the process of accusation, review and healing.
ii. Providing pastoral support for all those impacted by written allegations.
iii. Reporting to the Session and Executive Presbyter the status and conclusion of coordinated care surrounding each incident of response.

VII. DEFINITIONS

ACCUSED is the person against whom a complaint of sexual misconduct or harassment is made.

ACCUSER is the person claiming knowledge of sexual misconduct or harassment by a person whose conduct is covered by this policy. The accuser may or may not be the person aggrieved by the alleged sexual misconduct.

ADVOCATE is a person available to the accuser, Victim, accused or any affected family member, that accompanies the same at any or all stages of the process of complaint review. In this policy, "advocate" does not denote legal representation. If the accuser, Victim, accused or any affected family member cannot or does not have an advocate readily available The Presbytery has a support group to help victims. There is also SNAP Survivors Network of those Abused by Priests that meets at Bryn Mawr Church. This is open for any religious group.

CONFIDENTIALITY is the assurance of and respect for the privacy, reputation and records required on the part of all those dealing with any allegation of sexual misconduct or harassment Information related to any accusation will only be available to those persons officially related to the ongoing process described in this policy. Information might be shared with the police as requested,

SEXUAL ABUSE and / or Harassment occurs whenever a person in a position of trust engages, with or without consent, in a sexual manner or sexual contact with another person to whom s/he owes a professional and pastoral responsibility.

VICTIM is the person alleged who has had an incident as defined above by a person covered under this policy.

Revised Nov 1,2022