

ETHICAL BOUNDARIES: SEXUAL MISCONDUCT, ABUSE, AND NEGLECT
Policy of the Presbytery of Milwaukee

Table of Contents

FOUNDATION	3
POLICY	4
Guiding Principles	4
PURPOSE OF POLICY	5
APPLICABILITY OF POLICY	6
A. Scope	6
B. Persons Governed by Policy	6
C. Congregations in the Presbytery of Milwaukee	6
D. Other Policies and Procedures	7
E. Selecting and Screening Volunteers and Staff	7
F. Adult Volunteers and Staff (at least 21 years of age)	7
G. Young Adult Volunteers (ages 18-20)	7
H. Supervision of Volunteers and Staff	7
1. Designation of a “Supervisor”	7
2. Two Adult Rule	8
3. Parental Permission	8
POLICY IMPLEMENTATION	8
Team	8
A. Formation	8
B. Responsibilities	8
Prevention	9
A. Training and Education	9
1. Detecting and Reporting Abuse	10
2. Workshops and Seminars	10
3. Other Resources	11
B. Strategies	11
1. Employment Practices	11
a. Record Keeping	11
b. Pre-Screening Applicants	11
c. Reference Checks	12
2. Pre-Employment Screening	13
3. Reference Checks and Background Checks	13
4. Additional Checks	14
5. Availability of Policy and Procedures	14
6. Distribution of Policy	15
7. Digital Communication	15

C. Standards	15
1. Two-deep leadership	15
2. Adult-Child Ratios	15
3. No One-on-One Contact	15
4. Separate Accommodations	15
5. Respect of Privacy	16
6. Alcohol, Tobacco, and Controlled Substances	16
7. Cameras, Imaging, and Digital Devices	16
8. No Secret Organizations	16
9. Hazing Prohibited	16
10. Bullying Prohibited	16
11. Constructive Discipline	16
12. Environmental Safety	17
13. Covenant of Christian Community	17
14. Transportation	17
15. Volunteer Congregation Members	17
16. Liability and Insurance	17
D. Responsibility	17
E. Non-Compliance Policy	17
F. Other Preventive Measures	18
Response	21
A. Procedures	21
B. Initial Actions	21
C. Occurring at Presbytery Events	24
D. Pastoral Response	26
1. Offended and Family	27
2. Congregation (or employing entity)	27
3. Accused and Family	27
E. Judicial Response	27
F. Media Contact	29
G. Resource Documents	29
 DEFINITIONS	 29
 APPENDIX A: Receipt and Acknowledgement Form for Ethical Boundaries Policy	 33
APPENDIX B: Ethics Policy	34
APPENDIX C: Receipt and Acknowledgement Form for Ethics Policy	36
APPENDIX D: Information Regarding Policy and Procedure	37
APPENDIX E: Reference, Disclosure, and Consent Form	40
APPENDIX F: Reference Check Form	42
APPENDIX G: Covenant of Christian Community	43
APPENDIX H: Mandated Reporting in Wisconsin	44
APPENDIX I: Incident Report Form	46

**ETHICAL BOUNDARIES: SEXUAL MISCONDUCT, ABUSE, AND NEGLECT
Policy of the Presbytery of Milwaukee**

FOUNDATION

God 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?

Micah 6:8

Not many of you should become teachers, my brothers and sisters, for you know that we who teach will be judged with greater strictness.

James 3:1

It will not be so among you; but whoever wishes to be great among you must be your servant, and whoever wishes to be first among you must be your slave; just as the Son of Man came not to be served but to serve, and to give his life a ransom for many.

Matthew 20:26-28

[T]end the flock of God that is in your charge...not under compulsion but willingly, as God would have you do it – 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

The ethical and responsible 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" (*Book of Order*, G-2.01014a).

Scripture addresses the issues of leadership, power, and ethical conduct in many different ways. For those who minister in the name of Jesus Christ, attention to these issues is of vital importance to the Church, for through these representatives an understanding of God and the good news of the gospels are conveyed. In mutual accountability and understanding, church leaders have the responsibility of governing their own behavior in accordance with scripture and the example of Jesus Christ. An understanding of appropriate professional boundaries, held in common between members and leaders, can help to prevent misconduct.

Human sexuality is an integral part of who we are as persons. It can become, however, the basis for oppression, where trust relationships are breached and persons abused. Sexual misconduct, abuse, and neglect are all forms of a betrayal of trust and a denial of the love of Christ, in which all relationships are rooted. As part of its Christian witness, the Church must make a clear and just response, so that the Church and its ministries may be seen as safe places in the community, places where it is known that these misconducts are not tolerated.

In all things, the Church has a clear calling to share the grace and mercy of God in Jesus Christ. Grace and mercy in the context of ethical boundaries policy and procedure show themselves in many ways, such as offering a safe place for nurture and growth, standing for justice when safety fails and hurt results, and administering a fair process in times when that grace is most needed in the lives of individuals and the faith community.

Forgiveness removes neither the wrong itself nor its consequences, but points the way to new life. Justice cannot take away the injury, but can contribute to its healing while deterring future misconduct and providing a clear statement of moral and ethical standards to the community. The grace of God is for all, and especially for those who are injured by breaches of trust.

POLICY

The policy of the Presbytery of Milwaukee is that all church officers (teaching elders, ruling elders and deacons), employees, and volunteers serving the presbytery and related agencies, shall maintain the integrity of ministerial, employment, and professional relationships at all times. Misconduct is a violation of the principles of ethical leadership set forth in scripture, and a violation of the trust of the presbytery, and is never permissible. The Presbytery of Milwaukee takes such violations seriously, working diligently to prevent misconduct, and seeking to respond justly and effectively to all those affected by it.

Guiding Principles

Our faith in Jesus Christ and Holy Scripture calls us to standards of responsible conduct in all of life, including sexual behavior.

This policy is to be interpreted and applied consistently with any and all other applicable policies of the Presbytery of Milwaukee, the Presbyterian Church (U.S.A.), and local, state, and federal law.

The Presbytery of Milwaukee endeavors to promote the peace, unity, and purity of the Church by preventing sexual misconduct through the promotion of professional and ethical behavior consistent with the Reformed tradition and by adjudging sexual misconduct according to the procedures of and in conformity with church law.

The first and best way to deal with sexual misconduct is to prevent its occurrence through appropriate employment practices, screening and supervision of volunteers, and education.

- A. Sexual misconduct, abuse, and neglect violate the rule that those who are called to leadership roles in the church are equally called upon to demonstrate integrity, sensitivity, and caring in a trust relationship. Misconduct breaks the covenant to act in the best interests of those whom the church serves.
- B. Sexual misconduct is a misuse of authority and power that breaches the Christian ethical principles of a trust relationship to gain advantage over another for personal pleasure in an abusive, exploitive, and unjust manner. If the person being served initiates or invites sexual

content in the relationship, it is the responsibility of the person providing service to maintain the appropriate role and prohibit a sexual relationship.

- C. Children and youth are vulnerable to more than the risk of sexual exploitation and abuse by adults or peers. Physical and emotional abuse and neglect are also grievous violations of the scriptural command to “Tend the flock of God that is in your charge” (*1 Peter 5:2*). The church must be safe for children before it can offer shalom to all persons entrusted to its care.
- D. Sexual misconduct is often perpetrated against persons who are less able to protect themselves, including children and vulnerable adults. It is antithetical to the gospel call to work as God’s servant in the struggle to bring wholeness to a broken world, and violates the mandate to protect children and others from harm.

An expeditious, professional, and caring response to all who are affected is provided by the Ethical Boundaries team of Committee on Ministry. The Presbytery of Milwaukee shall provide in its budget for the expenses of administering the Ethical Boundaries policy. The Ethical Boundaries team shall provide pastoral care and make appropriate referrals for other supportive services, such as counseling, for those who are affected by sexual misconduct.

Child abuse and neglect is a serious problem in our society and, unfortunately, within the Christian community. Abuse and neglect often occur in settings where children completely trust adults – homes, schools, camps, athletic and park programs, retreats, and the church. As people entrusted with the lives of children, we believe that we have a profound moral and legal obligation to reduce the possibility of abuse and neglect against the children who participate in activities of the Presbytery of Milwaukee. The purpose of the Ethical Boundaries policy is to help make presbytery activities a safer place for our children by instituting policies and procedures that guard against abuse and neglect.

Child sexual abuse includes, 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. Child sexual abuse between an adult and a child is always considered forced whether or not the child consents. Child sexual abuse is a crime in all states and must be reported to civil authorities. Anyone who knows or has reason to suspect that child abuse has occurred or is occurring generally may be a mandated reporter under the law. Presbytery expects that church professionals or volunteers will be aware of Wisconsin state statutes regarding mandatory reporting. (Appendix H)

PURPOSE OF POLICY

- A. To prevent and eliminate sexual misconduct, abuse, and neglect within the Presbytery of Milwaukee
- B. To safeguard the church’s members and staff from abuse through any form of misconduct

- C. To seek justice by assuring effectiveness of the church's administrative, investigative, and judicial process in determining truth, protecting the innocent, and in dealing appropriately with those who victimize others
- D. To promote proper healing of all persons and congregations where misconduct has occurred
- E. To serve as a companion document to the *Standards of Ethical Conduct*, approved by the 210th General Assembly (1998), Presbyterian Church (U.S.A.), and other such policy documents as are determined to be applicable by action of presbytery

APPLICABILITY OF POLICY

A. Scope. Except as otherwise expressly provided, this policy governs all activities, proceedings, meetings, camps, retreats, worship services, and other functions of any kind carried on by the Presbytery of Milwaukee or on presbytery property.

B. Persons Governed by Policy. This policy governs:

- all staff and volunteers who are employed by or engaged in any activity or function carried on by the Presbytery of Milwaukee;
- all teaching elders who are members of the Presbytery of Milwaukee, laboring within bounds or outside of bounds;
- all honorably retired teaching elders who continue in some active ministry;
- all teaching elders intending to do interim or pulpit supply work;
- all teaching elders laboring within our bounds who are members of other presbyteries;
- inquirers and candidates;
- youth leaders engaged in youth ministries under the direction and supervision of the presbytery;
- commissioned ruling elders serving under the jurisdiction of the Presbytery of Milwaukee;
- certified Christian educators;
- certified associate Christian educators; and
- members of any PJC or former members of a PJC who may be called to serve.

In addition, the policy applies to all members of user groups participating in Presbytery of Milwaukee events or utilizing facilities owned or operated by the Presbytery of Milwaukee.

C. Congregations in the Presbytery of Milwaukee. This policy shall not apply to the activities and functions carried on by congregations in the presbytery, except to the extent that such activities or functions are engaged in by a person who is governed by the policy as provided above. Sessions are required by the *Book of Order* to adopt and implement sexual misconduct policies that apply to persons and activities within their congregations (*Book of Order*, G- 3.0106).

D. Other Policies and Procedures. This policy is to be interpreted and applied consistently with any and all other applicable policies of the Presbytery of Milwaukee, the Presbyterian Church (U.S.A.), and local, state, and federal law.

E. Selecting and Screening Volunteers and Staff. It is the policy of the Presbytery of Milwaukee that all leaders working with or supervising minors during any presbytery-sponsored or -co-sponsored activities and programs must satisfactorily complete an application form and criminal background check.

F. Adult Volunteers and Staff (at least 21 years of age)

Procedures:

- Appropriate materials and forms will be provided to all potential staff and volunteers by the presbytery staff person responsible for administration of the program.
- Forms must be completed and returned by the deadline set by the planning team or committee responsible for the program or event at which the applicant seeks to serve.
- All forms will be reviewed by the staff member assigned to the event and at least one other person (usually a member of the planning team or committee responsible for the event). The reviewers, using the information at their disposal, will decide whether or not the applicant will be approved.
- Persons not approved will be so notified in writing.
- Completed forms and related confidential information will be kept in confidential files in the presbytery office.
- Approval will apply for the calendar year in which it was made, and for the next two calendar years. After that period, the applicant must reapply.
- No person shall be exempt from these procedures.

G. Young Adult Volunteers (ages 18-20)

- Young adult volunteers must be at least age 18.
- Young adult volunteers will be screened as specified above.
- Young adult volunteers must be under the supervision of an adult volunteer at all times.
- The Presbytery of Milwaukee reserves the right to determine who shall serve.

H. Supervision of Volunteers and Staff

In addition to careful screening procedures and training for all children/youth workers, the presbytery will provide for supervision of all persons with responsibility for children and/or youth at presbytery-sponsored or -co-sponsored events and activities. This is for the protection not only of the children and youth in our care, but also for the persons working with them. This supervision will take the following forms:

1. Designation of a “Supervisor”

At each event during which there are programs or activities for children or youth, the presbytery will recruit and/or designate an adult to supervise the children and youth activities and leadership. Ordinarily this person will be the one to whom reports of alleged abuse will be made and who will initiate the official reporting process. It is the responsibility of this supervisor to be familiar with the details of the program design and

plans and to know what is happening within classes, workshops, or other groupings of children and/or youth.

2. Two Adult Rule

There should be at least two adults working with each group of children or youth. In those cases when older youth are part of the care-giving team for children, an adult must always be present with the group. Insofar as possible, no one should be left alone, one-on-one, with a child or youth. The only exception to this two-adult policy would be in a situation in which the contact occurs in a public place and other persons are in and out of the areas where the adult is working with children or youth. The presbytery is committed to providing adequate personnel for all events so that this rule may be maintained.

3. Parental Permission

The presbytery will require parental permission for children and youth to participate in any presbytery-sponsored or -co-sponsored event during which the children or youth will be under the care of someone other than the parents.

POLICY IMPLEMENTATION

Team

The Committee on Ministry appoints the Ethical Boundaries team. The Ethical Boundaries team has the primary responsibility for the implementation, training, and enforcement of Ethical Boundaries.

The Ethical Boundaries team will receive training in dealing with sexual misconduct, with specific attention to sexual misconduct within a church environment.

Responsibilities

1. The Ethical Boundaries team shall evaluate its responsibilities under the Ethical Boundaries policy annually and shall recommend any necessary changes to the presbytery for approval by the Presbytery Assembly.
2. The Ethical Boundaries team shall coordinate the program of ongoing education and training of persons covered by the Ethical Boundaries policy and the provision of resources for the use of individual congregations.
3. The Ethical Boundaries team shall provide pastoral care and make appropriate referrals for other supportive services, such as counseling, for those who are affected by sexual misconduct.
4. The Ethical Boundaries team shall develop written guidelines and procedures to assist it in the performance of its duties.

Prevention

The purpose of the Presbytery of Milwaukee's Ethical Boundaries program is to provide an effective program of prevention and response relating to sexual misconduct, abuse, or neglect among participants in Presbytery of Milwaukee events and programs. The prevention part program includes education and training, and the provision of resources for the use of individual congregations and others. When an incident of misconduct is alleged, the Ethical Boundaries program provides for an expeditious, professional and caring response to all who are affected.

A. Training and Education

The Presbytery of Milwaukee will provide training in order to:

- demonstrate pastoral concern to all parties affected by any alleged incidence of sexual misconduct, abuse, or neglect;
- set standards of ethical behavior consistent with Scripture, the Presbytery of the Milwaukee Code of Ethics (Appendix B), and secular law, and to establish a process for the enforcement of those standards;
- provide for education about issues surrounding sexual misconduct and abuse and neglect and their prevention, as well as appropriate responses;
- serve as a guide for the prevention of misconduct;
- provide, both in principles and in particulars, guidance to congregations within the presbytery in forming their own misconduct policies and procedures;
- provide procedures for inquiry and effective response to allegations of sexual misconduct and/or harassment or abuse or neglect;
- serve as a guide for the application of the powers of the presbytery under the Form of Government and the Rules of Discipline of the Presbyterian Church (U.S.A.) (*Book of Order*, D-1.0101); and
- establish personnel employment practices and suggest standard forms for the administration of appropriate employer/employee relationships within the presbytery and related agencies.

The presbytery will provide training materials on the importance of protecting children, youth, and vulnerable adults from abuse and the specific provisions of the presbytery's policy. Training will include, but is not limited to, receiving the presbytery's policies and forms related to boundary protection and attending the appropriate training.

Additional training may be required for specific events. The presbytery reserves the right to require additional training for both volunteers and employees.

The Presbytery of Milwaukee has a responsibility to offer, provide resources for, and publicize educational opportunities to prevent misconduct in the church. Presbytery staff, teaching elders, inquirers and candidates, and all persons and committees working with the issue, including local congregations, will be invited to read the resources and attend misconduct prevention seminars.

1. Detecting and Reporting Abuse

Training (led by the Ethical Boundaries team) as to how to report suspected abuse or neglect is necessary for all staff and volunteers coming in contact with children.

Training will include, at a minimum:

- Those working with children will be trained to recognize the signs and symptoms of neglect and of physical and sexual abuse prior to working with children.
- Training will be given regarding procedures to follow when an incident of suspected abuse, neglect, or misconduct is to be reported.

2. Workshops and Seminars

Boundary training sponsored by the Ethical Boundaries team will:

- consist of at least two workshops, seminars or similar education and training events each year on the recognition and prevention of sexual misconduct; and
- last a minimum of five hours.

Boundary training may:

- include additional educational and training events, sponsored by the Ethical Boundaries team, whose duration and focus may be of a more limited or specialized nature; and
- be accepted by the Ethical Boundaries team as satisfying this requirement which was received by the person from another presbytery, synod, denomination or other source.

Persons governed by this policy, excepting volunteers, are required to attend approved boundary training:

- within the year they first become subject to this policy; and
- at least once every third year thereafter (training may be attended at any time during the third year).

For example, a person who trained at any time during 2014 will be required to attend training again during 2017. He/she can attend whichever 2017 training event best fits his or her schedule. The person will not need to attend training again until 2020.

If a teaching elder newly received by presbytery **has** attended boundary training within three years before becoming a member of presbytery and the training received is acceptable to the Ethical Boundaries team, he/she shall be required to attend training in the third year following the year of the person's previous training.

If a teaching elder newly received by presbytery **has not** attended boundary training within three years before becoming a member of presbytery, he/she shall be required to attend training during the year he/she is admitted to the presbytery. At the request of a newly received teaching elder, the Ethical Boundaries team may extend this deadline to allow the newly admitted teaching elder to attend boundary training within the year following his or her admission to the presbytery.

The Stated Clerk, with the assistance of the Ethical Boundaries staff member for this policy, shall keep records of:

- attendance at education and training events sponsored by the Ethical Boundaries team; and
- training received from other sources that have been accepted by the Ethical Boundaries team.

The Committee on Ministry shall report to Council those persons who have attended the minimum hours of education and training, and those who have not.

The procedures to be followed in the event a person governed by this policy fails to comply with the training requirements are set forth in the presbytery's Ethical Boundaries Non-Compliance Policy (see **Prevention - E**).

3. Other Resources

The Ethical Boundaries team shall make other resources available to local congregations and others on request. Such resources may consist of articles, books, electronic media, and other items. The Ethical Boundaries team shall maintain a collection of resources in the Presbytery of Milwaukee's Resource Center, and shall post appropriate items on the Presbytery of Milwaukee website. Such resources may include referrals to other sources of useful information, such as the Presbyterian Church (U.S.A.), other denominations, insurance companies, and recognized experts in the field of sexual misconduct and prevention of child abuse.

B. Strategies

1. Employment Practices

a. Record Keeping

Accurate record keeping is an essential part of responsible hiring and supervisory practice. Every session and presbytery shall maintain a permanent personnel file on every employee, including teaching elders, and any volunteer who works with minors or vulnerable adults. The file shall contain the application for employment, any employment questionnaires, reference responses, and other documents related to this policy and these procedures, including a signed receipt and acknowledgment for receiving the Ethical Boundaries Policy. (Appendix A)

b. Pre-screening Applicants

Pre-employment screening for ALL employees, including teaching elders and volunteers who work with minors or vulnerable adults is to include completion of certification which states:

"I certify that (a) no civil, criminal, ecclesiastical complaint has ever been sustained or is pending against me for sexual misconduct; (b) I have never

resigned or been terminated from a position for reasons related to sexual misconduct; or (c) I have never been required to receive professional treatment for reasons related to sexual misconduct on my part.”

If the applicant is unable to certify to the above, the applicant may instead provide a description of the relevant complaint, resignation, transfer, termination, or course of treatment giving dates, names, addresses, and telephone numbers of employers and/or physicians, the outcome of the situation, and any explanatory comments the applicant wishes to make.

c. Reference Checks

The employing entity, through its session, governing board, personnel committee, or Pastor Nominating Committee (PNC), as appropriate, is responsible for contacting references for all prospective employees, including teaching elders, and volunteers who work with minors or vulnerable adults.

The presbytery, through the Executive Director of Strategic Partnerships (EDSP), is also responsible for including questions regarding sexual harassment and other misconduct when making clearance checks of teaching elders, and for reporting to the COM and the appropriate PNC any information received as to those specific subjects, including a report that there is no reported difficulty.

The presbytery, through its Committee on Preparation for Ministry (CPM), is also responsible for including questions regarding sexual harassment and other misconduct when making clearance checks of candidates under care for the office of teaching elder.

If misconduct is revealed:

- i. Applicants shall be given opportunity to respond to harmful information obtained from a reference by submitting additional references or giving other evidence.
- ii. If false or misleading information regarding sexual harassment or other misconduct has been given by the applicant or relevant information withheld, the applicant shall be eliminated from consideration.
- iii. If a search is proceeding with a candidate with a history of misconduct, abuse, or neglect, the COM must be informed before continuing the search.

In response to reference requests, the EDSP and/or other persons authorized by the presbytery (either directly or through the COM) to give references, must give truthful information regarding allegations and administrative or disciplinary action related to misconduct of the applicant. The response, however, must be

limited to information contained within the written summary prepared by the Permanent Judicial Commission (PJC) or governing body.

2. Pre-Employment Screening

Pre-employment screening includes specific questions related to previous (formal) complaints of sexual misconduct. The Presbytery shall review the “Sexual Misconduct Self-Certification Statement” of the Presbyterian Church (U.S.A.) Personal Information Form when interviewing persons seeking teaching elder calls.

The presbytery office is responsible for making reference checks through:

- the Synod Executive;
- presbytery executive[s];
- seminary liaisons; or
- other authorized persons to ascertain whether the applicant/candidate has any history of sexual misconduct.

The EDSP reports to the COM or to the CPM either that there was no reported sexual misconduct, or that the committee should inquire into reported sexual misconduct.

Any written record of conversations and correspondence with references will be kept in the teaching elder's/employee's personnel file. The person within the presbytery authorized to give a reference is obligated to give information regarding formal complaints and administrative or disciplinary action related to sexual misconduct by the applicant.

3. Reference Checks and Background Checks

Except for volunteer congregation members who are certified by their particular congregation as described below, all persons governed by this policy shall list three personal references on the Reference, Disclosure and Consent Form attached as Appendix E. References will be checked using the Reference Check Form attached as Appendix F.

Except for volunteer congregation members who are certified by their particular congregation as provided below, criminal background checks and sex offender reviews will be performed on all persons governed by this policy. Other background checks, such as motor vehicle record reports and credit reports, will be performed as needed. Appendix E contains a consent to background checks. Persons governed by this policy shall provide such additional information and shall give such additional consents as may be necessary from time to time to carry out the purposes of this policy.

Responsibility for the performance of reference checks and background checks shall be as follows:

- a. The Personnel Committee shall be responsible for Presbytery of Milwaukee staff, volunteers in mission, consultants, and contract staff.
- b. The COM shall verify that the local congregations have performed reference checks and background checks on all prospective congregational staff members who are governed by this policy. The COM shall provide guidelines for local congregations to perform the background checks.
- c. The COM shall be responsible for teaching elders and commissioned ruling elders serving in validated ministries other than in congregations.
- d. The CPM shall be responsible for inquirers and candidates.
- e. The staff person for this policy shall be responsible for volunteers serving in Presbytery of Milwaukee activities, except volunteers who are members of the presbytery staff and are covered by other provisions of this policy and volunteer congregation members.

The Personnel Committee, the local congregations, the COM, and the CPM shall keep the reference checks and background checks on the persons for whom they have responsibility. The COM shall have copies of all reference checks, background checks and all Reference, Disclosure and Consent Forms, except for background checks performed on volunteer congregation members. All records shall be strictly confidential and may be shared only on a need-to-know basis.

4. Additional Checks

Any person attending an activity and/or any volunteer congregation member may, at the discretion of the person in charge of the activity or the EDSP, be asked to undergo any or all of the presbytery screening procedures outlined above, regardless of whether that person would normally be excluded.

5. Availability of Policy and Procedures

All teaching elders, inquirers, candidates, commissioned ruling elders, staff, others with pastoral duties, and volunteers working with minors and vulnerable adults shall be given copies of the policy and be required to sign an acknowledgment of receipt. (Appendix A)

This document shall also be available to all church members, councils of all congregations, and to the public, in print and on the presbytery's website.

A summary statement (available on pbymilwaukee.org) of the policies and procedures shall be posted in all congregations and related entities.

6. Distribution of Policy

The Presbytery of Milwaukee shall provide a copy of this policy to all persons who are governed by it, and those persons will sign the Receipt and Acknowledgment Form, attached as Appendix A. The Ethical Boundaries team shall retain the original Receipt and Acknowledgment Forms. The Presbytery of Milwaukee shall also furnish copies of the policy to others on request and shall post a copy of this policy on its website.

7. Digital Communication

It is recommended that digital communication between adults and minors be limited to communication that:

- a. pertains to events sponsored by the presbytery; and
- b. can be archived (such as email or chat session saved to an online account) or public (such as a social networking site where information can be viewed by more than one party).

C. Standards

1. Two-deep Leadership

At least two adults are required to provide leadership for all trips and outings. Appropriate adult leadership must be present for all overnight activities; coed overnight activities require male and female leadership, both of whom must be adults, and must have completed all required training and screening. User groups are responsible for ensuring that sufficient leadership is provided for all activities in which they are involved and for all activities on presbytery property.

2. Adult-Child Ratios

In addition to having a minimum of two adult leaders for each event, the following ratios of adults to children will be maintained:

<u>Youth Age</u>	<u>Adult</u>	<u>Overnight Events</u>	<u>Day Events</u>
4-5 years	1	5 children	6 children
6-8 years	1	6 children	8 children
9-14 years	1	8 children	10 children
15-18 years	1	10 children	10 children

3. No One-on-One Contact

One-on-one contact between adults and children is not permitted. In situations that require personal conferences, such as pastoral counseling, the meeting is to be conducted in view of other adults or youths.

4. Separate Accommodations

When engaged in overnight activities, adult supervision is required in the sleeping accommodations and the adult-child ratio as stated above will be followed. Separate

shower and bathroom facilities must be available for males and females. When separate facilities are not available, separate times for male and female use should be scheduled and posted for showers. Likewise, children and adults must shower at different times.

5. Respect of Privacy

Adults must respect the privacy of children in situations such as changing clothes and taking showers, and intrude only to the extent that health and safety require. Adults must protect their own privacy in similar situations. Respect for privacy includes wearing proper clothing. For example, skinny-dipping or revealing bathing suits are not appropriate.

6. Alcohol, Tobacco, and Controlled Substances

The use of controlled substances shall not be permitted by any person at any time during Presbytery of Milwaukee activities or on property owned by the Presbytery of Milwaukee. This rule applies regardless of the presence of children. Further, adults shall support the attitude that they, as well as children, are better off without tobacco or alcoholic beverages in any form. Therefore the use of tobacco or alcohol by adults shall not be permitted in the presence of children. The use of tobacco or alcohol by children shall not be permitted at any time.

7. Cameras, Imaging, and Digital Devices

While most persons use cameras and other imaging devices responsibly, it has become very easy to invade the privacy of individuals. It is inappropriate to use any device capable of recording or transmitting visual images in shower houses, restrooms, or other areas where privacy is expected by participants. Any transmission of sexually explicit photographs or videos electronically and any “sexting” by cell phones is prohibited.

8. No Secret Organizations

The Presbytery of Milwaukee does not recognize secret organizations. All aspects of presbytery-sponsored activities are to be open to observation by parents and adults.

9. Hazing Prohibited

Hazing and initiations are prohibited and shall not be included as part of any activity.

10. Bullying Prohibited

Verbal, physical, and cyber-bullying are prohibited.

11. Constructive Discipline

Discipline used in Presbytery of Milwaukee events shall be constructive and reflect Christian values. Corporal punishment is never permitted.

12. Environmental Safety

Presbytery of Milwaukee events shall be conducted so as to minimize the risk of accidental injury. Adult leaders should familiarize themselves with basic first aid, as well as applicable safety standards for food handling, aquatic activities, other outdoor environmental hazards such as poisonous plants and lightning, as well as possible indoor hazards such as electric wires and cleaning substances. Necessary protective gear, such as helmets, life jackets, and sturdy shoes shall be provided.

13. Covenant of Christian Community

A covenant agreement must be signed by all persons, adult or child, participating in any Presbytery of Milwaukee event or activity and also by the parents of any child participating in the event or activity. (Appendix G)

14. Transportation

Any person providing transportation must provide copies of his/her driver's license and insurance card to the person in charge of the activity.

Any professional transportation provider should be bonded and provide proof of insurance.

15. Volunteer Congregation Members

Prior to participating in any Presbytery of Milwaukee event or activity, background checks on a volunteer congregation member shall be performed by a staff member or ruling elder of that person's congregation. The congregation must certify that the volunteer congregation member has passed the congregation's background check, including adequate personal references. (Appendices E and F) As a minimum standard, volunteer congregation members shall be known to the congregation for at least one year. Congregations shall be responsible for compliance.

16. Liability and Insurance

The presbytery and its congregations shall determine that their liability insurance covers all aspects of this policy.

D. Responsibility

Presbytery officers and staff have responsibility for:

1. Mandated reporting:
 - to appropriate local, state, or federal authorities, if the allegations involve the abuse of a minor child or vulnerable adult, or other criminal sexual behavior; and
 - to insurance carriers
2. Contact with the **accuser** and/or alleged victims and family by a designated representative of the Ethical Boundaries team:
 - meeting reasonable needs for counseling; and
 - establishing a presbytery liaison person, if appropriate

3. Contact with the **accused** and family by a designated representative of the Ethical Boundaries team:
 - meeting reasonable needs for counseling; and
 - establishing a presbytery liaison person, if appropriate
4. Initiation of mediation and/or the judicial process under the provisions of the *Book of Order*: Rules of Discipline

Teaching elders, inquirers, candidates, commissioned ruling elders, and others with pastoral duties have responsibility for reporting to appropriate local, state, or federal authorities, and to presbytery, allegations that involve the abuse of a minor child or vulnerable adult, or other criminal sexual behavior.

E. Non-compliance Policy

The potential for sexual misconduct is an ever present danger within any human institution. As persons in ministry, we have a sacred trust to keep with God, our parishioners, counselees, students, and others to fulfill our shared responsibility to create and assure safe environments. As we deal with the confusion over dual roles, boundaries, power, and powerlessness, we do not need to be mystified about these things.

The Presbytery of Milwaukee has implemented a training program to help us all learn about and deal with these issues. As such:

1. All persons governed by this policy, excepting volunteers, are required to attend a training session within twelve months of reception of membership in this presbytery or permission to labor with the bounds of this presbytery. Under exceptional circumstances, the Ethical Boundaries team may authorize a brief extension of time. Such an extension will be done on an individual basis.
2. Every three years, at least one elder commissioner or other elder from each church in the presbytery is strongly encouraged to attend a full training session. Each session member of each church is strongly encouraged to attend at least once during elected term (or two consecutive terms).
3. The Ethical Boundaries team is authorized to approve other training opportunities as substitutes for this required training. If training was taken in another judicatory with the prior five years, the Ethical Boundaries team may consider that training as fulfilling the requirement of training. It is the responsibility of the incoming clergy or candidate to submit to the Ethical Boundaries team the documentation and information about the training they desire to have approved for equivalency. Further, the Ethical Boundaries team is authorized to work with other religious bodies to conduct and/or approve ecumenical training opportunities. The Ethical Boundaries team is also authorized to provide alternative training for people who are outside the

presbytery and unable to find training opportunities at the site of their ministry. This may include sending them written materials.

4. A record of attendance and participation shall be included in the Ethical Boundaries team's report to presbytery to be published in the presbytery meeting minutes for the purpose of keeping a record at the presbytery level, and until such time as those non-compliant persons have participated in the boundary training. The presbytery and the appropriate session, or other appropriate hiring body, will be notified of persons failing to comply with this resolution, and informed in detail of the process. Persons governed by this policy are responsible for maintaining a record of the training they have taken.

The following steps are considered to be sequential in an intentional process to bring individual teaching elders into compliance with this mandated boundary training.

The assumption is that these actions, unless specifically assigned otherwise, will be the administrative responsibility of the Ethical Boundaries team.

If a person governed by this policy, who is a member of the Presbytery of Milwaukee, has failed to ever participate in a boundary training opportunity provided by the Ethical Boundaries team, or when a person has not taken the training within the third year following the person's last training, the following steps are to be taken, in sequence.

1. A personal telephone call or in-person contact will be made with each non-compliant person by a member of the Ethical Boundaries team to determine the reason(s) for failure to participate in the boundary training and to urge participation in the next available training opportunity. Reasons given for non-compliance will be shared with the Ethical Boundaries team, and evaluated on a case-by-case basis, and decisions regarding the validity will be made by the Ethical Boundaries team. This personal contact will also serve to inform the person of the subsequent consequences for continued non-compliance.
2. After the next scheduled boundary training opportunity has come and gone, each person still not in compliance will receive a Certified Letter which will be sent by the Ethical Boundaries staff member, informing the non-compliant person that **a letter describing the unexcused non-compliance with this presbytery mandate will be placed in his/her individual file**, to be made available as information to congregations and presbyteries conducting inquiries in any relocation processes. Such letters will remain in the person's file until such time as he/she complies with the presbytery mandate by participating in a boundary training opportunity.

In addition, the Ethical Boundaries staff member **will send a letter to the session or employer of the non-compliant person** informing them of the person's continuing failure to participate in the boundary training, and requesting information from the session or employer advising the Ethical Boundaries team how the session's or

employer's current child protection / sexual misconduct policy and/or other established personnel guidelines provide appropriate mechanisms for the protection of vulnerable parties when the non-compliant person is in contact with them.

Further, **the session or employer of the non-compliant person will be asked to provide the Presbytery of Milwaukee with a letter signed by the clerk of session** or responsible representative of the employer that action has been taken to approve the non-compliant person's continued work in the same capacity, recognizing that the person has failed to establish compliance as mandated by the presbytery.

3. After the next scheduled boundary training opportunity has passed with continued non-compliance, the Ethical Boundaries team through COM **will recommend to the EDSP and the Stated Clerk that any requests for transfer of a non-compliant person by a council seeking to call and/or enroll this person as a member should not be honored** until such time as the person agrees to comply with the presbytery's mandate for boundary training. Following compliance, transfer requests will be honored without further delay.

Further, at the next Stated Meeting of the Assembly of the Presbytery of Milwaukee, the Committee of Ministry **will recommend that the non-compliant person have his/her current call invalidated and/or his/her pastoral relationship with any Presbytery of Milwaukee congregation dissolved**. These sanctions will continue until the non-compliant person has complied with the presbytery mandate by participating in a boundary training opportunity.

F. Other Preventive Measures

Congregations are encouraged to actively engage in education, open discussion, and policy implementation to ensure that the congregation is a safe place to worship and serve. To that end, the Presbytery of Milwaukee has approved and implemented the following specific measures for itself, and encourages its congregations to implement similar practices:

1. a policy on Sexual Misconduct Prevention Training, Appendix D.
2. a policy on Reference / Background Checks, Appendix E.

Maintaining healthy self-care, awareness and accountability, appropriate boundaries, appropriate use of power and other similar preventive measures may be subjects for prevention education sponsored by the Presbytery. Individuals engaged in ministry are responsible for maintaining appropriate behavior. (see Code of Ethics, Appendix B) The first priority of the Presbytery of Milwaukee in regard to sexual misconduct, abuse, and neglect is the prevention of such behavior. Only when such prevention fails and misconduct is alleged will the balance of these procedures be needed.

Response

Protection of privacy for the accuser / offended is a priority. Adherence to the process is critical to prevent further injury. Information shared outside the process may constitute additional violation of boundaries. In the context of this policy and these procedures, no information about:

- the identity;
- circumstances; or
- testimony of the accuser and/or the offended

shall be revealed except on a need-to-know basis, as defined within. All allegations of sexual abuse, sexual harassment, and sexual misconduct will be taken seriously. Every allegation will be received, investigated, and acted upon in accordance with the terms of this policy and these procedures, and the constitution of the Presbyterian Church (U.S.A.).

Response is the action taken by the appropriate Presbytery of Milwaukee staff or entity when a report of sexual misconduct or child abuse or neglect is received. It may include inquiry into facts and circumstances, or possible disciplinary action, up to and including termination of employment, or removal from office and/or membership. Police and social services are the only appropriate and qualified investigators for legal issues.

An accused person is always presumed innocent until proven guilty. In the context of this policy and these procedures, no adverse finding will be made public or revealed against an accused person except on a need-to-know basis until a full investigation is completed and it has been determined that the complaint has been properly substantiated.

The protection of minors and vulnerable adults is a priority. Persons having reasonable cause to suspect sexual abuse of a minor or vulnerable adult shall report it to the appropriate secular authority for immediate investigation. (see Appendix H for mandatory reporting requirements in Wisconsin)

Rape or sexual assault is a crime in every state and should be reported to civil authorities and to the Ethical Boundaries team.

A. Procedures

Allegation of child abuse or sexual misconduct should be made to the proper officers of the presbytery as promptly as possible. When a person governed by this policy becomes aware of alleged violations of this policy he/she will first determine if there are safety issues. If there is an immediate danger to any person, all necessary steps shall be taken to insure the person's safety. These may include calling for medical assistance and/or reporting the incident to the police.

The person observing and reporting an incident of alleged inappropriate conduct should then secure the safety of others and stabilize the environment in which the incident occurred. **Under no circumstances should a reporter who has responsibility for a group of children or youth leave them unsupervised in order to report an incident.** Seek help from other caregivers who are close at hand.

In the Presbyterian Church (U.S.A.) charges of sexual abuse may be brought regardless of the date on which an offense is alleged to have occurred (*Book of Order*, D-10.0401b).

B. Initial Actions

The first person to learn of alleged sexual misconduct must take the allegations seriously and confidentially. Allegations of sexual misconduct may be made in a variety of ways. It is important that:

- officers;
- employees; and
- persons highly visible to church members and visitors

understand how allegations of incidents are to be processed. Reports of sexual misconduct should never be taken lightly, disregarded, or allowed to circulate without concern for the integrity and reputation of the accuser, the offended, the accused, and of the church. Reports should be dealt with as matters of highest confidentiality by all parties, both before and after they have been submitted to appropriate authorities as outlined below. **When an individual reports an incident or allegation, that person should refrain from engaging in questioning the alleged victim so that the appropriate investigative procedures may be followed.**

Confidentiality guards the privacy and dignity of people affected by sexual misconduct. Assurance of confidentiality fosters help being sought by victims of misconduct. Information should be disclosed:

- only when the benefits of disclosure outweigh the benefits of keeping the confidence;
- when it is needed to arrange for pastoral care or advocates for individuals or families;
- when it is needed to administer judicial processes; and
- when it is needed to engage in protective or preventative action.

Confidentiality is neither secret-keeping nor satisfying the curiosity of people who care, but sharing information in ways that are beneficial to those affected by sexual misconduct. A confidential record will be kept on file in the presbytery office that a report of suspected abuse or neglect was made. A non-confidential notation will include the name of the event or activity and the staff person to whom the report was made, the date and time that the report was made, and the names of the persons making that report.

Because the accused is presumed innocent until proven guilty, care will be taken to protect confidentiality. While the incident is being investigated, all persons with knowledge of the incident shall maintain strict confidentiality and shall share information with others only as requested or permitted by the EDSP or as required by mandated reporting laws. The EDSP and the Investigating Committee, if any, shall be in exclusive possession of all reports and other written materials pertaining to the incident. No other person shall keep copies of reports or other records concerning the incident without authorization from the EDSP. The EDSP shall share information, on a strict need-to-know basis, with:

- the Stated Clerk;
- the Ethical Boundaries team;
- the Personnel Committee;

- the COM;
- the CPM; and
- others.

All third party requests for information shall be referred to the EDSP.

An accuser may report alleged sexual misconduct to any of the following:

1. the pastor of the accuser's congregation or the congregation of the accused;
2. a member of the Personnel Committee of the congregation or governing body;
3. a member of the Ethical Boundaries team;
4. the Committee on Ministry;
5. the Executive Director for Strategic Partnerships;
6. the Stated Clerk of the Presbytery;
7. and, additionally, in the case of a minor or vulnerable adult, to secular authorities.

The first person to learn of alleged sexual misconduct shall aid the accuser in completing the Report of Suspected Sexual Misconduct (Appendix I) or a similar report. The report shall immediately be delivered to and called to the attention of the Stated Clerk of the Presbytery. **The first person to learn of an incident of sexual misconduct should not undertake an inquiry alone or question either the accuser or the accused.** If the accuser is hesitant to talk to "higher authorities," the person receiving the initial report has a special pastoral responsibility to encourage willingness to speak with higher authority, lest the Church be unable to respond because no one is able to give firsthand information.

Any incident of suspected sexual abuse of a minor, by a person covered by this policy and these procedures, shall IMMEDIATELY be reported to the local law enforcement, appropriate county services, and/or the district attorney (see Appendix H for mandatory reporting requirements in Wisconsin) Any person having "reason to suspect" must make a report to avoid the penalty for not reporting; protection is provided for persons reporting with good faith.

As outlined in the *Book of Order*, D-10.0106, the Stated Clerk shall immediately forward allegations involving a minor or vulnerable adult to the PJC.

The moderator of the permanent judicial commission shall within three days designate two members, who may be from the roster of former members of the permanent judicial commission, to determine whether the accused shall be placed on a paid administrative leave during the resolution of the matter. The cost of such shall be borne by the employing entity whenever possible or be shared by the presbytery as necessary. While administrative leave is in effect, a teaching elder may not perform any pastoral, administrative, educational, or supervisory duties, and may not officiate at any functions such as Baptism, funerals, or weddings.

Following an accusation of misconduct against a staff member of the Presbytery of Milwaukee, the Personnel Committee shall first consult individually with the accuser, the

accused, and any other involved parties (e.g., staff, presbytery units, or other governing bodies) to determine if administrative leave for the accused is warranted.

- If the staff member is under the jurisdiction of the presbytery, the matter is then referred by the Personnel Committee (through the Stated Clerk) to an Investigating Committee.
- If the staff person is not under the jurisdiction of the presbytery, the Personnel Committee shall then investigate and may make a recommendation to presbytery for resolution of the issue and termination.

The presbytery may proceed in its judgment under the *Book of Order*, G-3.0301(c), or its Personnel Policy.

C. Occurring at Presbytery Events

The presbytery recognizes that it has an obligation to respond to a number of individuals and audiences, depending on the facts of the particular allegation/incident. The presbytery also affirms that any response decision is at the sole discretion of the event staff person in consultation with the committee responsible for the event and in the best interest of the event.

A determination of an unfounded accusation may nonetheless result in a leader being asked to relinquish their leadership responsibility and/or to leave the event if such separation is deemed in the best interests of the event and its participants.

The following guidelines shall apply as the event staff and committee or planning team determines the appropriate response:

Victim(s): Determine need for and provide appropriate care for and follow up on immediate needs of the victim(s).

Accused: Remove the accused from leadership, at least temporarily, until the investigation of facts is completed. Report of an allegation is not a presumption of guilt and, therefore, appropriate care will be exercised to provide the accused with an opportunity to be heard. The supervisor of the event shall determine the next steps regarding the accused's further participation in and presence at the event. The committee responsible for the event may recommend pursuance of any further investigative action needed (e.g. calling the police, appropriate civil services, the Ethical Boundaries team, or the accused's governing body of jurisdiction.)

Parents or responsible adults: Share the facts of the incident, the committee's actions, and provide care and follow up as appropriate.

Event: Event staff or committee/planning team member reports the facts of the incident to a plenary of event participants as necessary and appropriate, exercising appropriate pastoral care for the victim, the accused, and the other event participants.

A person having knowledge of suspected sexual misconduct or any other form of abuse or neglect shall report the incident immediately to the EDSP and to the person in charge of the activity. If the EDSP is not available, the initial report is made to the person in charge of the activity, who will inform the EDSP as soon as possible. If the alleged behavior involves possible criminal activity, the EDSP or the person in charge of the activity shall notify the police or, if the alleged behavior involves possible abuse or neglect of a child, the reporting procedure in the next paragraph shall be followed. If the EDSP is the accused or is unavailable to act, references to the EDSP shall be deemed to refer to the Stated Clerk or, if the Stated Clerk is the accused or unavailable to act, to the Moderator of the Presbytery Assembly.

The EDSP will determine if there is reasonable cause to believe that a child participating in a Presbytery of Milwaukee activity is an abused or neglected child. If such reasonable cause exists, the EDSP will immediately call the applicable authorities. (see Appendix H for mandatory reporting requirements in Wisconsin)

If the victim of the alleged abuse is a child, as soon as practical after receiving the initial report of the incident, the EDSP shall inform the child's parent or guardian of the incident. If the parent or guardian is suspected of abusing the child, the EDSP will cooperate with civil authorities regarding notification.

In many states, certain mandated reporters must report directly to the appropriate authorities even if the EDSP also makes a report. Staff and volunteers who are not mandated reporters may also report an incident to the appropriate civil authorities if they have reasonable cause to suspect that child abuse or neglect may have occurred.

If reasonable cause exists to believe that sexual misconduct may have occurred, the EDSP shall make the following additional reports:

- If the accused is a staff member of the Presbytery of Milwaukee, the incident shall be reported to the Personnel Committee.
- If the accused is a teaching elder who is a member of the Presbytery of Milwaukee, a commissioned ruling elder serving under the jurisdiction of the Presbytery of Milwaukee, a certified Christian educator, a certified associate Christian educator or a teaching elder serving in a validated ministry within the bounds of the Presbytery of Milwaukee, the incident shall be reported to the COM.
- If the accused is an inquirer or candidate, the incident shall be reported to the Commission on Preparation for Ministry.
- If the accused is a staff person of another governing body or a volunteer with another governing body the incident shall be reported to the other governing body.
- If the accused is a clergy member of another denomination, the incident shall be reported to the appropriate authorities of the denomination having jurisdiction over that person.

The EDSP shall also report the incident to the Presbytery of Milwaukee's insurance carrier.

If reasonable cause exists to believe that child abuse or sexual misconduct may have occurred, the accused person must be removed from being around children for the safety of the child.

Within 48 hours after the incident, each person with knowledge of the incident shall complete a Presbytery of Milwaukee Incident Report Form and deliver the form to the EDSP. (Appendix I)

D. Pastoral Response

Feelings of guilt, shame, anger, mistrust, lowered self-esteem, unworthiness, and feelings of alienation from God, self, the religious community, and family, are injuries frequently suffered by those impacted by sexual misconduct (these include among others: the offended(s), the accused, the accuser, the families and co-workers, the congregation, other employing and voluntary entities, and the presbytery). It is important for the presbytery to be sensitive to the pain of all those involved, and their need for healing, and to act as healing agents of God's grace by making appropriate pastoral care available.

The EDSP shall report any alleged incident of sexual misconduct to the Ethical Boundaries staff. The Ethical Boundaries team, in consultation with the COM, shall recommend pastoral care as needed for:

- the alleged victim;
- those reporting the incident;
- the accused;
- others affected by the allegations; and
- their respective families.

Educational resources and care for congregations affected by the alleged incident shall also be coordinated and provided by the Ethical Boundaries team. The Ethical Boundaries team shall identify the resources that are available for those purposes. If the victim, the accused or another affected person desires professional counseling, but is unable to afford it, the Ethical Boundaries team will recommend resources to the COM and/or the EDSP to provide professional counseling for the person for a reasonable time up to a maximum of one year, to be paid for by the Presbytery of Milwaukee.

1. Offended and Family

The presbytery may offer to provide for pastoral care to the offended and their families through the Ethical Boundaries team, who will offer resources for such care at the presbytery's expense. If the offended or family at first refuses care, the presbytery should continue to offer this assistance throughout the process. **Above all, the presbytery will NOT act in a self-protective manner by ignoring the offended and their families.** The Ethical Boundaries team will also appoint, in consultation with the offended, a presbytery liaison person to walk through the church's processes with the offended.

2. Congregation (or employing entity)

The COM, recognizing that allegations may polarize the congregation, damage morale, and create serious internal conflicts, will meet with the session to inform them of the allegations toward a religious leader related to that congregation. After a briefing on the judicial process, the COM may assist the session in planning their care for the congregation through this time. The COM or the Stated Clerk will keep the session apprised of all reports out of the judicial process before such reports are made to presbytery. The Ethical Boundaries team will offer therapeutic/consulting resources for the session to utilize at the session's expense.

3. Accused and Family

In addition to seeing that there is a presbytery liaison person to walk through the church's processes with the accused, the presbytery may offer to provide pastoral care for the accused, as well as his/her family. If the accused is a teaching elder, this is the responsibility of the COM, who can consult with the Ethical Boundaries team regarding needed resources. The responsibility for payment for such services belongs to the pastor and family, with the assistance of medical insurance that provides for counseling. A representative of the presbytery is not to make any presumption of guilt or innocence, and must be aware that the accused and the family of the accused also may experience woundedness in incidents of sexual misconduct.

E. Judicial Response

After receiving the initial report, the EDSP shall determine whether the alleged abuser's employment or volunteer service should be suspended or restricted pending further investigation of the incident.

- If the accused is a teaching elder, the procedures set forth in the Presbytery's Administrative Leave Policy as then in force shall be followed.
- If the accused is a staff member, he/she may be temporarily suspended or his or her activities restricted, with pay, pursuant to the Personnel Policy of the Presbytery of Milwaukee.
- If the accused is subject to the jurisdiction of the Presbyterian Church (U.S.A.) and reasonable cause exists to believe that an offense has occurred, the EDSP shall commence disciplinary proceedings against the accused under the Rules of Discipline by causing a written statement of alleged offense to be filed with the Stated Clerk.
- If the accused is subject to the jurisdiction of a governing body other than the Presbytery of Milwaukee, the Stated Clerk shall submit the written statement to the clerk of session or the Stated Clerk of the presbytery having jurisdiction over the accused.

In addition to the foregoing, any person may file a statement of alleged offense with the Stated Clerk in accordance with the Rules of Discipline.

The person or persons making the initial report to the EDSP shall not conduct an investigation of the incident, but shall take all necessary steps to insure the immediate safety of the alleged victim. Any further investigation shall be conducted by

the investigating committee in accordance with the Rules of Discipline, by the Presbytery of Milwaukee's insurance carrier, or by the civil authorities. The EDSP shall determine to what extent the incident needs to be further investigated separately by the Presbytery of Milwaukee for its own purposes or to provide adequate information to another governing body that may have an interest. Any such separate investigation by the Presbytery of Milwaukee shall be performed at the direction of and under the supervision of the EDSP.

Immediately upon receipt of the Report of Suspected Sexual Misconduct, the Stated Clerk of the Presbytery shall inform the EDSP and the Moderator of the Presbytery, and these three shall appoint an Investigating Committee as stipulated in the Rules of Discipline (*Book of Order*, D-10.0201). The Investigating Committee must promptly begin its inquiry into the allegations, having received orientation by the Stated Clerk and a member of the Ethical Boundaries team, as delay may cause further harm to all parties involved. The Investigating Committee will conduct a thorough investigation as called for in D-10.0200. The Investigating Committee will consider in its definition as "thorough" the fact that all material facts relative to possible restoration must be surfaced in the context of the investigation. The COM and the presbytery have only the results of the investigation on which to rely when making these decisions, often years later. Therefore the investigation must be thorough even in the face of a self-accusation or admission of guilt by the accused.

- If the Investigating Committee finds the allegations to be unsupportable, the report of that finding is forwarded to the Stated Clerk who shall then report that finding to the presbytery. Both accuser and offended have the right to participate in the judicial process. They will be kept informed of the progress of the process as outlined in the *Book of Order*, D-10.0202 and D-10.0203.
- If the Investigative Committee finds that the allegations may be sustainable, it shall proceed to an investigation of any past instances of sexual misconduct, including misconduct in other presbyteries and/or denominations.
- If the Investigative Committee determines to file charges, it is encouraged to consult with the Ethical Boundaries team regarding the degree of censure and terms for restoration appropriate to the offense. In the prosecution of the case, the Prosecuting Committee (made up of members of the Investigative Committee) shall provide for the testimony of the offended as well as any other persons that could speak to the desired degree of censure including possible conditions for restoration. The accused is also able to speak to these issues through the testimony of persons he/she may call. The degrees of censure are listed in the *Book of Order*, D-12.0100, and the terms for restoration in the *Book of Order*, D-12.0200. Both the offender and the offended/accuser have the right to initiate appeal (*Book of Order*, D-13.0102 and D-13.0106). In cases where the accused dies or renounces jurisdiction of the church before the case is completed, the offended have the right to a pastoral inquiry as provided in the *Book of Order*, G-3.0109b(6). The Moderator, in consultation with the Stated Clerk and EDSP, will immediately nominate an administrative commission. The Stated Clerk and/or EDSP will inform any community

organizations who need to know the outcome of the process in order to protect any further potential victims.

The Investigating Committee shall maintain regular contact with the person making the allegations, keeping her/him informed about the status of the investigation. Ordinarily, the Investigating Committee will not contact the person being accused without first advising the person making the allegations of the intention and date of that contact.

F. Media Contact

In order to minimize prejudice in any allegation yet to be decided, all inquiries from the media regarding an allegation of sexual misconduct must be directed to the EDSP. The alleged offended, the accuser, the accused, presbytery liaison persons for the accused or the alleged offended, members of the Ethical Boundaries team, the COM, the CPM, the PJC, the members of the church or employing entity, members of presbytery, or any others known to have information about the allegations shall not address questions from the media other than to refer the media to the EDSP or a spokesperson designated by the EDSP.

G. Resource Documents

The responsibilities, structures, and procedures for responding to allegations of sexual misconduct are mandated in part by the *Book of Order*, such as the role of the investigating committee (*Book of Order*, D-10.0202). Presbytery shall also provide to teaching elders, inquirers, candidates, commissioned ruling elders, staff, others with pastoral duties, and volunteers a copy of the *Standards of Ethical Conduct* of the Presbyterian Church (U.S.A.).

DEFINITIONS

- A. Accused.** The person against whom an accusation of sexual misconduct or abuse or neglect is being made.
- B. Accuser.** The person claiming knowledge of sexual misconduct or abuse or neglect by a person covered by this policy. The accuser may or may not be the victim of the alleged sexual misconduct, abuse, or neglect.
- C. Activity.** A program or event sponsored by or under the control of the Presbytery of Milwaukee.
- D. Child.** Any person under the age of eighteen years.
- E. Emotional Abuse.** Unusually harsh, offensive or insensitive conduct toward another person that causes or is likely to cause emotional distress. Examples can include undue criticism, badgering, teasing, ridicule, rejection, humiliation, blame, or unfavorable comparisons with other children or adults.

- F. Mandated Reporter.** Any person required by law to report to the appropriate state agency all suspected incidents of child abuse or neglect that come to his or her attention. Under most state child protection statutes, mandated reporters are professionals who may work with children in the course of their professional duties. Teaching elders and commissioned ruling elders are mandated reporters under the laws of most states, including Wisconsin. For purposes of this policy, the EDSP shall be considered a mandated reporter under state law, whether or not the EDSP is a teaching elder. The *Book of Order* further classifies teaching and ruling elders, deacons and certified Christian educators as mandated reporters for both child abuse, abuse of vulnerable adults, and neglect (*Book of Order*, G-404302).
- G. Misuse of Technology.** The use of technology that results in sexually harassing or abusing another person, or emotionally abusing any child, including texting or emailing suggestive messages and images to persons. It is never appropriate to view pornography on presbytery property. If pornography 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 the presbytery or a presbytery entity, or within the context of ministry.
- H. Neglect.** The failure of a parent or responsible caretaker to provide adequate supervision, food, clothing, shelter, medical care, education or other basic necessity to a child or a vulnerable adult.
- I. Parent.** A parent or legal guardian of a child who is participating in an activity.
- J. Physical Abuse.** Any act that results in non-accidental injury to another or involves harmful, potentially harmful, or offensive touching of another. It may involve physical violence in which the perpetrator is out of control and may include corporal punishment or hazing.
- K. Presbytery of Milwaukee or Presbytery.** A mid-level council of the Presbyterian Church (U.S.A.); for purposes of this policy, the term “Presbytery of Milwaukee” shall include any corporation controlled by the Presbytery of Milwaukee through which the Presbytery of Milwaukee employs staff and carries on its programs and activities.
- L. Presbytery Property.** Property owned or controlled by the presbytery.
- M. Response.** The action taken by the appropriate Presbytery of Milwaukee staff or entity when a report of sexual misconduct or abuse or neglect is received. It may include inquiry into facts and circumstances, or possible disciplinary action, up to and including termination of employment, or removal from office and/or membership.
- N. Sexual Abuse.** 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).

O. Sexual Harassment. Conduct that includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, tormenting based on gender, and other verbal, visual or physical conduct of a sexual nature. In particular, sexual harassment occurs if:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or of his or her participation in Presbytery of Milwaukee activities;
2. submission to or rejection of such conduct by an individual is the basis for employment decisions or other Presbytery of Milwaukee-related decisions affecting that individual;
3. such conduct has the purpose or effect of interfering with an individual's work performance or participation in Presbytery of Milwaukee activities by creating an intimidating, hostile, or offensive environment;
4. such conduct, regardless of its intention, is objected to by the person at whom it is directed; or
5. such conduct includes unsolicited and unwelcome contact such as the following:
 - a. written contact, such as sexually suggestive or obscene letters, notes, emails, text messages or invitations;
 - b. verbal contact, such as sexually suggestive or obscene comments, threats, slurs, epithets, jokes, or sexual propositions;
 - c. physical contact, such as intentional touching, pinching, brushing against another's body, impeding or blocking movement, assault, or sexual coercion; or
 - d. visual contact, such as leering or staring at another's body, gesturing, displaying sexually suggestive objects or pictures, cartoons, posters, or magazines.

P. Sexual Misconduct. Any sexual abuse of children or adults and/or any sexual harassment.

Q. Staff Member or Employee. A person employed by or contracted with the Presbytery of Milwaukee.

R. User Groups. Any group that participates in any activity or event sponsored by the Presbytery of Milwaukee or that utilizes presbytery property.

S. Victim. A person who has allegedly suffered an act of sexual misconduct or physical or emotional abuse or a child or a vulnerable adult who has allegedly suffered neglect.

- T. Volunteer.** A person who provides services for the presbytery and/or its entities and receives no benefit or remuneration. Volunteers include, but are not limited to, persons elected or appointed to serve on boards, committees, and other groups.
- U. Volunteer Congregation Member.** A member of a congregation, non-ordained employee of a congregation, or other congregational participant in a Presbytery of Milwaukee event or activity whose role may include leadership or representation of a congregation or its participant members.
- V. Vulnerable Adult.** Any person eighteen and over who, due to age, illness, or mental or physical disability, is without the means to protect him/herself.

Adapted with permission from the policies of the presbyteries of Chicago, Winnebago, and Twin Cities Area.

Appendix A
Receipt and Acknowledgment Form for Ethical Boundaries Policy

I have received the Presbytery of Milwaukee Ethical Boundaries Policy, have read the policy and procedures, understand its meaning, know that I am expected to conduct myself in accordance with them, and agree to abide by its standards.

Date _____

Signature _____

Name
(printed) _____

Appendix B Ethics Policy

I believe

- that God calls the whole Church and every member to participate and extend the ministry of Jesus Christ;
- that the privilege of witnessing to the gospel in Church and society belongs to every baptized Christian;
- that God empowers the ministry of the Church and its members by the Holy Spirit;
- that the Church nurtures faith, evokes gifts, and equips its members for service;
- that God calls certain of the Church's members to various forms of ministry in and on behalf of the church.

Because

- I have been called by God to be a teaching elder in the Presbyterian Church (U.S.A.), to preach and teach the gospel of our Lord Jesus Christ, to administer the sacraments and rites of the Church, and to exercise pastoral care and leadership,
- I wish to conduct my office as a witness to Jesus Christ,
- I recognize that how I live and work affects the wellness of the whole body of Christ, of particular congregations and ministries, and of the presbytery,

Therefore,

1. in relationships with others I will strive to:
 - a. be honest and truthful;
 - b. regard all persons with equal respect and concern;
 - c. recognize the gifts of others;
 - d. work with others cooperatively and collegially;
 - e. be diligent and dependable;
 - f. speak the truth in love and bear witness without fear or favor;
 - g. maintain an attitude of repentance, humility, and forgiveness; and
 - h. maintain critical self-awareness
2. in personal conduct I will strive to:
 - a. recognize my own needs for intimacy, dependence, and support;
 - b. recognize and seek help from others when needed;
 - c. engage in self-evaluation;
 - d. strive toward a balance in my life, including my family commitments;
 - e. be a responsible steward of my own gifts and resources;
 - f. attend to my physical and psychological well-being;
 - g. pursue a discipline of study prayer, and reflection; and
 - h. live joyfully
3. in the conduct of my professional responsibilities and relationships, I will strive to:
 - a. conduct my life with integrity so that it demonstrates consistently that I am a disciple of Jesus Christ;

- b. acknowledge the power of my office;
 - c. be judicious in the exercise of the power and privilege;
 - d. recognize the limits of my power and authority;
 - e. honor professional commitments and covenants;
 - f. accept the discipline and guidance of the church and the appropriate guidance of those to whom I am accountable for my ministry;
 - g. encourage regular evaluation of my ministry by others;
 - h. participate actively in the ministry and work of the presbytery and in the larger church;
 - i. conduct my ministry with impartiality;
 - j. be an advocate for fairness and justice; and
 - k. seek to grow in faith, knowledge, and the practice of ministry through continuing education and study
4. in the conduct of my professional responsibilities and relationships, I will:
- a. refrain from abusive, violent, addictive, or exploitive behaviors, including inappropriate conduct of a sexual nature and I affirm that sexual abuse in any form is never permissible;
 - b. be a faithful steward of and fully accountable for the resources entrusted to my community and not use my position for undue personal financial gain;
 - c. avoid conflicts of interest that might compromise the effectiveness of my ministry;
 - d. maintain the privacy of others, within the limits of the law;
 - e. claim only those competencies and qualifications I have attained and give appropriate credit to others where due;
 - f. deal honorably with the record of my predecessors; and
 - g. upon my termination or departure from a ministry position, respect the responsibilities of and refrain from interfering with or intruding upon the ministry of my successor.

Appendix C
Receipt and Acknowledgment Form for Ethics Policy

I have received the Presbytery of Milwaukee Ethics Policy. My signature below indicates my recognition of its ethical principles and rules and indicates my undertaking to live up to the standards of behavior and commitment it identifies.

Date _____

Signature _____

Name
(printed) _____

Appendix D

Information Regarding Policy and Procedure: Sexual Misconduct Prevention

In recognition of the public and spiritual trust given to the Presbyterian Church (U.S.A.), the Presbytery of Milwaukee has developed and adopted an Ethical Boundaries Policy. The purpose of this policy is to set and enforce standards of ethical sexual behavior by teaching elders, ruling elders, and lay leaders which are consistent with scripture and secular law. The policy includes procedures for inquiry and effective response to allegations of sexual misconduct. Copies of the entire document may be obtained from your pastor, clerk of session, the presbytery office, and the presbytery website (www.pbymilwaukee.org).

FOUNDATION

God 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?

Micah 6:8

Not many of you should become teachers, my brothers and sisters, for you know that we who teach will be judged with greater strictness.

James 3:1

It will not be so among you; but whoever wishes to be great among you must be your servant, and whoever wishes to be first among you must be your slave; just as the Son of Man came not to be served but to serve, and to give his life a ransom for many.

Matthew 20:26-28

[T]end the flock of God that is in your charge...not under compulsion but willingly, as God would have you do it – 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

POLICY

The policy of the Presbytery of Milwaukee is that all church officers (teaching elders, ruling elders and deacons), employees, and volunteers serving the presbytery and related agencies, shall maintain the integrity of ministerial, employment, and professional relationships at all times. Misconduct is a violation of the principles of ethical leadership set forth in scripture, and a violation of the trust of the presbytery, and is never permissible. The Presbytery of Milwaukee takes such violations seriously, working diligently to prevent misconduct, and seeking to respond justly and effectively to all those affected by it.

GUIDING PRINCIPLES

1. Sexual misconduct, abuse, and neglect are all forms of a betrayal of trust and a denial of the love of Christ, in which all relationships are rooted. As part of its Christian witness, the

Church must make a clear and just response, so that the Church and its ministries may be seen as safe places in the community, places where it is known that these misconducts are not tolerated.

2. The first and best way to deal with sexual misconduct is to prevent its occurrence through appropriate employment practices, screening and supervision of volunteers, and education.
3. Sexual misconduct is a misuse of authority and power that breaches the Christian ethical principles of a trust relationship to gain advantage over another for personal pleasure in an abusive, exploitive, and unjust manner. If the person being served initiates or invites sexual content in the relationship, it is the responsibility of the person providing service to maintain the appropriate role and prohibit a sexual relationship.
4. In all things, the Church has a clear calling to share the grace and mercy of God in Jesus Christ. Grace and mercy in the context of ethical boundaries policy and procedure show themselves in many ways, such as offering a safe place for nurture and growth, standing for justice when safety fails and hurt results, and administering a fair process in times when that grace is most needed in the lives of individuals and the faith community.

DEFINITIONS

Sexual Abuse is defined as:

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 is defined as:

Conduct that includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, tormenting based on gender, and other verbal, visual or physical conduct of a sexual nature. In particular, sexual harassment occurs if:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or of his or her participation in Presbytery of Milwaukee activities;
2. submission to or rejection of such conduct by an individual is the basis for employment decisions or other Presbytery of Milwaukee-related decisions affecting that individual;
3. such conduct has the purpose or effect of interfering with an individual's work performance or participation in Presbytery of Milwaukee activities by creating an intimidating, hostile, or offensive environment;
4. such conduct, regardless of its intention, is objected to by the person at whom it is directed; or
5. such conduct includes unsolicited and unwelcome contact such as the following:
 - a. written contact, such as sexually suggestive or obscene letters, notes, emails, text messages or invitations;

- b. verbal contact, such as sexually suggestive or obscene comments, threats, slurs, epithets, jokes, or sexual propositions;
- c. physical contact, such as intentional touching, pinching, brushing against another's body, impeding or blocking movement, assault, or sexual coercion; or
- d. visual contact, such as leering or staring at another's body, gesturing, displaying sexually suggestive objects or pictures, cartoons, posters, or magazines.

Sexual misconduct is defined as:

Any sexual abuse of children or adults and/or any sexual harassment.

PRESBYTERY WILL SEEK TO PREVENT AND RESPOND TO MISCONDUCT BY:

- 1. providing education and other procedures aimed at preventing sexual misconduct;
- 2. investigating, immediately and thoroughly, all allegations of sexual misconduct;
- 3. offering advocates to walk through the process with both the offended and the accused;
- 4. working with congregations to heal pain and conflicts within the congregation resulting from such misconduct; and
- 5. taking disciplinary action against the accused if the investigation reveals that misconduct occurred.

YOU CAN HELP TO ENSURE THE EFFECTIVENESS OF THIS POLICY BY:

- 1. monitoring your own conduct toward others;
- 2. promptly informing any person or persons involved that they should stop engaging in conduct offensive or objectionable to you or others; and
- 3. bringing the matter to the attention of your pastor, supervisor (if you are a church employee or volunteer), member of the personnel committee, ruling elder, moderator of the presbytery's Committee on Ministry (COM), or the Executive Director of Strategic Partnerships.

THE COM MODERATOR FOR THE YEAR _____ IS:

Moderator's Name

Phone

YOUR EXECUTIVE DIRECTOR OF STRATEGIC PARTNERSHIPS IS:

Name

Phone

Appendix E
Reference, Disclosure, and Consent Form

1. Name: _____
Address: _____
Date of Birth: _____ E-mail: _____
Phone (day): _____ Phone (evening): _____ Phone (cell): _____
Occupation: _____
Employer: _____
Student? Yes ____ No ____ If yes, name of school and major: _____
Previous volunteer experience: _____

2. Name of local congregation: _____

3. References. Please give three references, at least two of whom are not related to you.

a. Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone (day): _____ Phone (cell): _____
E-mail: _____ Fax: _____

b. Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone (day): _____ Phone (cell): _____
E-mail: _____ Fax: _____

c. Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone (day): _____ Phone (cell): _____
E-mail: _____ Fax: _____

4. Disclosure. Please answer the following questions. Attach additional sheets if you need more space.

- a. Have you ever been convicted of, or pled guilty or no contest to, a crime?
Yes ____ No ____
If yes, please give details.
- b. Has any civil lawsuit against you alleging actual or attempted sexual discrimination, sexual harassment, sexual exploitation, sexual misconduct, physical abuse, child abuse, or financial misconduct ever been filed?
Yes ____ No ____
If yes, please give details and describe resolution of the lawsuit.
- c. Have you ever terminated your employment, professional credentials, or service in a volunteer position, or had your employment, professional credentials, or authorization to hold a volunteer position terminated, for reasons relating to allegations of actual or attempted sexual discrimination, sexual harassment, sexual exploitation, sexual misconduct, physical abuse, child abuse, or financial misconduct?
Yes ____ No ____
If yes, please give details.
- d. Do you have a valid driver's license?
Yes ____ No ____
- e. Have you ever had your driver's license suspended or revoked due to reckless driving or operating while intoxicated or under the influence of a controlled substance?
Yes ____ No ____
If yes, please give details.

5. Certification and Consent.

I certify that the foregoing information is true and complete to the best of my knowledge. I hereby authorize the Presbytery of Milwaukee to conduct a background check on me and to verify all statements made on this form, and I hereby release the Presbytery of Milwaukee, and its employees and agents from all liability in connection therewith.

Date: _____

Signature

Social Security Number

Appendix F
Reference Check Form

Reference check for: _____

REFERENCE INFORMATION

Name: _____

Address: _____

Phone (day): _____ Phone (evening): _____ Phone (cell): _____

What is your relationship to this person?

How long have you known this person?

How would you describe this person's character?

How would you describe this person's ability to work with others?

What are this person's positive characteristics?

Does this person have any negative characteristics?

Do you have any knowledge that this person has ever been arrested for any reason? If so, please describe.

Do you have any knowledge that this person has ever been accused of sexual misconduct?

Please list any other comments you would like to make.

Reference inquiry completed by:

Signature: _____ Date: _____

Appendix G
Covenant of Christian Community

YOUTH AND ADULT PARTICIPANTS: Your signature is required.

PARENTS / GUARDIANS: Your signature is required

YOUTH LEADERS: Be sure to each person has completed this Covenant. Please bring these completed forms to the registration table at the event.

PARTICIPANTS

Name of Participant (printed): _____

Church: _____

At this gathering, we will be doing our best to live together as a family in Christian community. Family life is based on love, respect, trust, support, and on spending time together. To create and maintain this relationship of family and community, each person agrees to the following covenant:

1. As members of different congregations, we will welcome every individual as a person deserving of trust and respect. Bringing our different congregational families together calls us to be caring and sensitive to our differences and open to making new friends.
2. As guests of the congregation and mission partners, each person is to abide by the congregation / mission partner's guidelines for conduct and respect their wishes regarding care of their property. At our mission projects and retreats there will be no smoking, no alcoholic beverages, no illegal drugs, and no inappropriate sexual behavior.
3. As a participant of this planned event, each person is expected to attend all scheduled activities and to follow the instructions of adult leaders. Adult leaders are responsible for helping all youth keep the covenant and are expected to keep it themselves.

I recognize that I am joining this Christian family and community. I agree to abide by this covenant while I am a member of this community. I understand that if I break this covenant, I may be sent home at my parent / guardian's expense and my congregation's session may be notified.

Signature of participant: _____ Date: _____

PARENTS / GUARDIANS (for any participant under age 18 at the time of the event)

I have read the Covenant of Christian Community and I understand that if my child breaks the covenant and a decision is made to send him / her home, it will be at my expense.

Signature of parent / guardian: _____ Date: _____

Appendix H

Mandatory Reporting in Wisconsin*

Under Wisconsin's child abuse reporting law, mandatory reporters are typically people who interact with children in their professional capacities. A mandatory reporter generally must report suspected child abuse or neglect immediately if he or she has reasonable cause to suspect that a child seen in the course of professional duties has been abused or neglected or has been threatened with abuse or neglect that will occur.

List of Mandatory Reporters

The following professionals are mandatory reporters under Wisconsin law:

- Physicians.
- Coroners.
- Medical examiners.
- Nurses.
- Dentists.
- Chiropractors.
- Optometrists.
- Acupuncturists.
- Medical and mental health professionals not otherwise specified.
- Social workers.
- Marriage and family therapists.
- Professional counselors.
- Public assistance workers, including financial and employment planners under the Wisconsin Works (W2) program.
- School teachers.
- School administrators.
- School counselors.
- School employees not otherwise specified.
- Mediators provided through family court services offices.
- Child care workers in child care centers, group homes, or residential care centers for children and youth.
- Child care providers.
- Alcohol or other drug abuse counselors.
- Members of the treatment staff employed by or working under contract with a county agency or a residential care center for children and youth.
- Physical therapists.
- Physical therapists' assistants.
- Occupational therapists.
- Dietitians.
- Speech-language pathologists.
- Audiologists.
- Emergency medical technicians.
- First responders.

- Police and law enforcement officers.
 - Court-appointed special advocates.
 - Members of the clergy, except under the circumstances described below.
- [s. 48.981 (2), Stats.]

Special Reporting Requirements Applicable to Clergy

The child abuse reporting law places special reporting requirements on members of the clergy. Specifically, in addition to reporting suspected abuse or neglect of a child seen directly by a clergy member in the course of his or her professional duties, a clergy member generally must report suspected abuse or neglect if the clergy member has reasonable cause, based on observations made or information received, to suspect that a member of the clergy has sexually abused a child or threatened a child with sexual abuse in violation of specified state laws. [s. 48.981 (2) (bm) 2., Stats.] In this context, “member of the clergy” means the spiritual adviser of any religion, whether the adviser is termed priest, rabbi, minister of the gospel, pastor, reverend, or any other official designation, or a member of a religious order, including brothers, ministers, monks, nuns, priests, rabbis, and sisters. [s. 48.981 (1) (cx), Stats.]

*taken directly from Part II – Wisconsin’s Child Abuse Reporting Law

**Appendix I
Incident Report Form**

Please print.

Date of Report: _____

REPORTER

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone (day): _____ Phone (cell): _____

E-mail: _____ Fax: _____

Title (if applicable): _____

ALLEGED VICTIM (if different from REPORTER)

Name: _____ Age, if under 18: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone (day): _____ Phone (cell): _____

E-mail: _____ Fax: _____

Title (if applicable): _____

ACCUSED

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone (day): _____ Phone (cell): _____

E-mail: _____ Fax: _____

Title (if applicable): _____

DESCRIPTION OF INCIDENT

Please describe the incident(s) of sexual misconduct, abuse, or neglect, including date, time, and location of each incident.

MEDICAL ASSISTANCE

If medical assistance or first aid was provided at the scene, please describe the assistance given and the medical disposition (taken to hospital, etc.)

OTHERS HAVING KNOWLEDGE OF THE INCIDENT

Please list the name, address, and phone number of each person who may have information related to or pertinent to the incident. Please give e-mail and cell phone number if available.

OTHER INFORMATION

Please give any additional information that may be helpful.

If you need more room to answer any questions, please attach additional sheets.

**This completed report should be delivered to
the Executive Director of Strategic Partnerships OR the person in charge of the activity.**

**Presbytery of Milwaukee, 6767 W. Greenfield Avenue, Milwaukee, WI 53214
414.292.2740**