

**ETHICAL CONDUCT BOUNDARIES POLICIES
OF THE MILWAUKEE PRESBYTERY
Adopted February 19, 2022**

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. "Membership in the Church of Jesus Christ is...a commitment to participate in Christ's mission. A faithful member bears witness to God's love and grace and promises to be involved responsibly in the ministry of Christ's Church." (G-1.0304)

Tend 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*

In recognition of this gospel calling, the Presbytery of Milwaukee expects all people governed by this policy to act ethically and to be a living demonstration of the gospel. Affirming our denominational connection, the Presbytery of Milwaukee adopts the Standards of Ethical Conduct approved by the 210th General Assembly (1998) as laid out in "Life Together in the Community of Faith."

Conversely, misconduct is a violation of the principles of ethical leadership set forth in scripture, 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.

PERSONS GOVERNED BY THIS POLICY

This policy governs:

- all staff who are employed by the Presbytery of Milwaukee;
- all people elected, commissioned, or appointed to Presbytery service;
- all ministers of the Word and Sacrament who are members of the Presbytery of Milwaukee;
- all ministers of the Word and Sacrament 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;
- members of any PJC or former members of a PJC who may be called to serve.
- All ministers from other denominations approved for service within the Presbytery.

This policy is commended to but does not apply to the activities and functions carried on by congregations or other ministries in the Presbytery, except to the extent that such activities or functions are engaged in by a person who is acting on behalf of the Presbytery 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).

STANDARDS OF ETHICAL CONDUCT

There are three variations of Life Together in the Community of Faith. The appropriate version should be signed by the individual and a record kept by the individual moderating, chairing, or overseeing the work of the individual. In addition, a copy should be shared with the Associate Stated Clerk and kept in the appropriate staff, ministerial, or other designated file.

- A. Standards of Ethical Conduct for Members which pertains to all inquirers, candidates, elders preparing for commissioning (both as commissioned pastors and to officiate for communion), and people commissioned, elected, or appointed to a Presbytery commission, committee, work group, task force, or other designated ministry team.
- B. Standards of Conduct for Employees and Volunteers which pertains to all employees and adult volunteers of the presbytery. Some examples include: members of Milwaukee Presbytery congregations who volunteer to assist on a Presbytery-led youth or mission trip or activity, or individuals outside of the Milwaukee Presbytery who are recruited to lead a Presbytery activity or event.
- C. Standards of Conduct for Ordained Officers which pertains to all ministers of the Word and Sacrament, commissioned pastors, Presbytery officers designated in our Manual of Operation and bylaws, and ministers of other denominations serving in pastoral ministry within the Milwaukee Presbytery.

**LIFE TOGETHER IN THE COMMUNITY OF FAITH:
STANDARDS OF ETHICAL CONDUCT FOR
MEMBERS OF THE PRESBYTERIAN CHURCH (U.S.A.)**

As a member of the Presbyterian Church (U.S.A.), in obedience to Jesus Christ, I accept Christ's call to be involved responsibly in the ministry of the church, confirm that Jesus Christ is the pattern for my life and ministry and, relying on God's grace, commit myself to the following standards of ethical conduct. *Approved by the 210th General Assembly (1998) Presbyterian Church (U.S.A.)*

I

I will conduct my life in a manner that is faithful to the gospel and consistent with my membership in the Presbyterian Church (U.S.A.). Therefore I will:

1. Practice the disciplines of study, prayer, reflection, worship, stewardship, and service;
2. Be honest and truthful in my relationships with others;
3. Be faithful, keeping the covenants I make and honoring marriage vows;
4. Treat all persons with equal respect and concern as beloved children of God;
5. Maintain a healthy balance among the responsibilities of my life's work and church membership, my commitments to family and other primary relationships, and my need for spiritual, physical, emotional, and intellectual renewal;
6. Refrain from abusive, addictive, or exploitative behavior and seek help to overcome such behavior if it occurs;
7. Refrain from gossip and abusive speech; and
8. Maintain an attitude of repentance, humility, and forgiveness, responsive to God's reconciling will.

II

I will conduct myself within the Presbyterian Church (U.S.A.) so that nothing need be hidden from sisters and brothers in Christ. Therefore I will:

1. Bear witness to the gospel of Jesus Christ with courage, speaking the truth in love;
2. Honor the sacred trust of relationships within the covenant community and observe appropriate boundaries;
3. Be judicious in the exercise of the power and privileges of positions of responsibility I hold;
4. Avoid conflicts of interest that might compromise my witness and relationships within the community of faith;
5. Refrain from exploiting relationships within the community of faith for personal gain or gratification, including sexual harassment and misconduct as defined by Presbyterian Church (U.S.A.) policy;
6. Respect the privacy of individuals and not divulge information obtained in confidence without express permission unless an individual is a danger to self or others;
7. Recognize the limits of my own gifts and training, and refer persons and tasks to others as appropriate;
8. Claim only those qualifications actually attained, give appropriate credit to others where due and observe copyrights;
9. Be a faithful steward of and fully account for funds and property entrusted to me; and
10. Accept the discipline of the church.

III

I will participate as a partner with others in the ministry and mission of the Church universal. Therefore I will:

1. Participate in the mission and governance of the Presbyterian Church (U.S.A.) and work for the unity of the holy catholic church;
2. Show respect and provide encouragement for sisters and brothers in Christ;
3. Recruit church members responsibly, respect existing congregational relationships and refrain from exploiting persons in vulnerable situations; and
4. Cooperate with those working in the world for justice, compassion, and peace, including partners in ministry of other faith traditions.

Signature of Presbytery Member

Date

**LIFE TOGETHER IN THE COMMUNITY OF FAITH:
STANDARDS OF ETHICAL CONDUCT FOR
EMPLOYEES AND VOLUNTEERS OF THE PRESBYTERIAN CHURCH (U.S.A.)**

As an employee or volunteer in an entity, governing body, or congregation associated with the Presbyterian Church (U.S.A.), I commit myself to the following standards of ethical conduct.

I

I will conduct my life in a manner that will support the ministry of my workplace. Therefore I will:

1. Be honest and truthful in my relationships with others;
2. Treat all persons with equal respect and concern;
3. Maintain a healthy balance among the responsibilities of my position, my commitments to family and other primary relationships, and my need for spiritual, physical, emotional, and intellectual renewal;
4. Refrain from abusive, addictive, or exploitative behavior and seek help to overcome such behavior if it occurs; and
5. Refrain from gossip and abusive speech.

II

I will conduct myself at my workplace in a manner that will support its ministry. Therefore I will:

1. Honor relationships within the workplace and observe appropriate boundaries;
2. Be judicious in the exercise of the power and privileges of my position;
3. Avoid conflicts of interest that might compromise the effectiveness of my work;
4. Refrain from exploiting relationships within the workplace for personal gain or gratification, including sexual harassment and misconduct as defined by Presbyterian Church (U.S.A.) policy;
5. Respect the privacy of individuals and not divulge information obtained in confidence without express permission unless an individual is a danger to self or others;
6. Recognize the limits of my own gifts and training, and refer persons and tasks to others as appropriate;
7. Claim only those qualifications actually attained, give appropriate credit for all sources used in papers, music, and presentations, and observe copyrights;
8. Observe limits set by the appropriate governing body for honoraria;
9. Deal honorably with the record of my predecessor and, upon leaving a position, speak and act in ways that support the work of my successor;
10. Be a faithful steward of and fully account for funds and property entrusted to me;
11. Accept the appropriate guidance of those to whom I am accountable;
12. Participate in continuing education and seek the counsel of mentors and professional advisors;
13. Show respect and provide encouragement for colleagues; and
14. Cooperate with persons of other faith traditions.

Signature of Employee/Volunteer

Date

**LIFE TOGETHER IN THE COMMUNITY OF FAITH:
STANDARDS OF ETHICAL CONDUCT FOR
ORDAINED OFFICERS IN THE PRESBYTERIAN CHURCH (U.S.A.)**

As an ordained officer in the Presbyterian Church (U.S.A.), in obedience to Jesus Christ, under the authority of Scripture and guided by our Confessions, I affirm the vows made at my ordination, confirm that Jesus Christ is the pattern for my life and ministry and, relying on God's grace, commit myself to the following standards of ethical conduct.

I

I will conduct my life in a manner that is faithful to the gospel and consistent with my public ministry. Therefore I will:

1. Practice the disciplines of study, prayer, reflection, worship, stewardship, and service;
2. Be honest and truthful in my relationships with others;
3. Be faithful, keeping the covenants I make and honoring marriage vows;
4. Treat all persons with equal respect and concern as beloved children of God;
5. Maintain a healthy balance among the responsibilities of my office of ministry, my commitments to family and other primary relationships, and my need for spiritual, physical, emotional, and intellectual renewal;
6. Refrain from abusive, addictive, or exploitative behavior and seek help to overcome such behavior if it occurs;
7. Refrain from gossip and abusive speech; and
8. Maintain an attitude of repentance, humility, and forgiveness, responsive to God's reconciling will.

II

I will conduct my ministry so that nothing need be hidden from a governing body or colleagues in ministry. Therefore I will:

1. Preach, teach, and bear witness to the gospel of Jesus Christ with courage, speaking the truth in love;
2. Honor the sacred trust of relationships within the covenant community and observe appropriate boundaries;
3. Be judicious in the exercise of the power and privileges of my office and positions of responsibility I hold;
4. Avoid conflicts of interest that might compromise the effectiveness of my ministry;
5. Refrain from exploiting relationships within the community of faith for personal gain or gratification, including sexual harassment and misconduct as defined by Presbyterian Church (U.S.A.) policy;
6. Respect the privacy of individuals and not divulge information obtained in confidence without express permission, unless an individual is a danger to self or others;
7. Recognize the limits of my own gifts and training, and refer persons and tasks to others as appropriate;
8. Claim only those qualifications actually attained, give appropriate credit for all sources used in sermons, papers, music, and presentations, and observe copyrights;
9. Refrain from incurring indebtedness that might compromise my ministry;
10. Be a faithful steward of and fully account for funds and property entrusted to me;
11. Observe limits set by the appropriate governing body for honoraria, personal business endeavors, and gifts or loans from persons other than family;
12. Accept the discipline of the church and the appropriate guidance of those to whom I am accountable for my ministry;
13. Participate in continuing education and seek the counsel of mentors and professional advisors;
14. Deal honorably with the record of my predecessor and upon leaving a ministry or office speak and act in ways that support the ministry of my successor;
- **15. Participate in the life of a ministry setting I left or from which I have retired only as directed by presbytery;
- **16. Provide pastoral services for a congregation I previously served only as directed by the presbytery and provide pastoral services to members of other congregations only with the consent of their pastors; and
- **17. Consult with the Commission on Transitional Ministries in the presbytery of my residence regarding my involvement in any ministry setting during my retirement.

III

I will participate as a partner with others in the ministry and mission of the Church universal. Therefore I will:

1. Participate in the mission and governance of the Presbyterian Church (U.S.A.) and work for the unity of the holy catholic church;
2. Show respect and provide encouragement for colleagues in ministry;
3. Recruit church members responsibly, respect existing congregational relationships, and refrain from exploiting persons in vulnerable situations; and
4. Cooperate with those working in the world for justice, compassion, and peace, including partners in ministry of other faith traditions.

** These standards apply only to ministers; they also apply to commissioned pastors when they are performing pastoral functions.

Signature of Ordained Officer

Date

MISCONDUCT

The Presbytery of Milwaukee defines “misconduct” as an act, act of omission, or failure to act, which transgresses standards of Scripture, as well as Confessions and Order of the PC(USA), including but not limited to, the Standards of Ethical Conduct, or which is found to be disgraceful, dishonorable, illegal, improper, immoral, unethical, or unbecoming.

Examples and definitions of misconduct include:

Abuse of any kind

Harm or threatened harm to a person’s health or welfare which occurs through non-accidental physical or mental injury, whether to a child or an adult.

Abuse of power and position

Power and position are abused in order to exert and maintain control over others to accomplish one’s goals or for personal gratification. Leadership and Pastoral abuse of power comes in many forms, including misusing one’s position of power and trust to:

- Cultivate relationships that are immoral or destructive.
- Attack an individual or individuals deliberately and personally from the pulpit.
- Seek personal financial gain, such as personal loans and other benefits, without proper disclosures and transparency.
- Disseminate false information and rumors to discredit those who are opposed to one’s vision and plans for the future of the church.
- Threaten eternal consequences to maintain one’s control over the life decisions and the support of their congregants.
- Set oneself up as the sole channel through whom God speaks to the congregation and charging those who dissent with disobedience to God and calling for their removal from the membership.
- Influence Pastoral Search Committees improperly.

Criminal activity as defined by law

Racist comments or conduct

Theft, fraud and or embezzlement

This includes taking financial advantage of a child or vulnerable adult who is incapable of making informed decisions about financial matters.

Sexual Misconduct

Sexual Misconduct Policy and Its Procedures. Adopted by the 205th General Assembly (1993) (Minutes, 1993, Part I, p. 572), Section II.B.2, Standards of Conduct: “Sexual misconduct is a misuse of authority and power that breaches Christian ethical principles by misusing a trust relation to gain advantage over another for personal pleasure in an abusive, exploitative, and unjust manner. If the parishioner, student, client, or employee initiates or invites sexual content in the relationship, it is the pastor’s, counselor’s, officer’s, or supervisor’s responsibility to maintain the appropriate role and prohibit a sexual relationship.”

In the Presbytery of Milwaukee, "Sexual Misconduct" encompasses a broad range of behavior, from harassing statements to criminal sexual assault. The following acts are prohibited, regardless of the sexual orientation, gender identity, or gender expression of the individuals involved. Except where expressly noted, claimed “consent” does not diminish the finding of Sexual Misconduct because consent is often ineffective due to the legal or practical incapacity of the person allegedly giving consent. This incapacity can exist, for example, because of age below adulthood, mental impairment, chemical-induced impairment, trauma, fear, and unequal power dynamics.

A. *Non-Consensual Sexual Acts and Exploitation*

Sexual Misconduct includes non-consensual sexual penetration no matter how slight; non-consensual sexual contact by the touching of intimate body parts or the clothing covering them; and sexual exploitation by taking sexual advantage of another through, for example, voyeurism, electronic transmission of sexual activities or photographs, exposing oneself, or knowingly transmitting sexual diseases without disclosure.

B. *Sexual Harassment*

Sexual harassment is a form of Sexual Misconduct that has the purpose or effect of substantially interfering with a person's work, religious, or educational opportunity; creates an intimidating, hostile, or offensive work, church, or educational environment; or otherwise negatively affects a person's work, religious, or educational opportunities. It includes, but is not limited to:

- Unwelcome verbal, written, or physical conduct that denigrates or shows hostility or aversion toward an individual because of that individual's gender expression, sexual orientation, or gender identity (or that of an individual's relatives, friends, or associates), including unwelcome threats, derogatory comments, jokes, innuendos, insults, slurs, epithets, negative stereotyping, and other similar conduct;
- The placement, dissemination, or circulation of any unwelcome written or graphic material (in hard copy or electronic form) that denigrates or shows hostility or aversion toward an individual or group because of gender expression, sexual orientation, or gender identity;
- Unwelcome sexual advances, unwelcome requests for sexual favors, and other unwelcome conduct of a sexual nature where submission to or tolerance of such conduct is made an explicit or implicit term or condition or other basis of employment or church participation.

If an individual has welcomed sexual advances or other harassing conduct (whether sexual or otherwise) by active participation in or encouragement of such activity, that individual should specifically inform the alleged harasser if such conduct is no longer welcome in order for any subsequent conduct to be deemed unwelcome. However, failure to give such notice in no way prevents the Councils and Judicial Commissions of the PC(USA) from taking appropriate corrective and/or disciplinary action against the alleged harasser for the behavior.

C. *Relationship Abuse and Violence*

"Relationship Abuse and Violence" encompasses a broad range of behavior, including, but not limited to, "domestic violence" and "dating violence." It includes acts of coercion, abuse, violence, or threats of violence between partners in a personal, intimate relationship. The coercive, abusive, violent, or threatening behaviors can be physical, sexual, psychological, verbal, and/or emotional. Relationship Abuse and Violence can occur between current or former intimate partners who have dated, cohabitated, or been married.

D. *Stalking*

"Stalking" is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress. For purposes of this definition:

- "Course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- "Reasonable person" means a reasonable person under similar circumstances and with similar identities to the individual being stalked.
- "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

The Presbytery will seek to prevent misconduct by providing education and other procedures aimed at preventing misconduct. People subject to this policy should nonetheless:

- monitor their own conduct toward others and bring their conduct into compliance;
- promptly inform any person or persons involved in misconduct that they should stop engaging in conduct offensive or objectionable to you or others.

REPORTING AN INCIDENT OF MISCONDUCT

For instances of criminal or sexual misconduct, a report must be made to the Presbytery Executive and/or Stated Clerk using the Incident of Misconduct Report Form (Appendix A). For misconduct committed by a Presbytery staff person, the report should be made orally or in writing to the Presbytery Executive or Chair of the Personnel Committee, and the response will be governed by the Personnel Policy. For other types of misconduct committed by anyone else governed by this policy, the misconduct shall be reported to the volunteer supervisor of Presbytery Activities, the moderator of the Presbytery's Commission on Pastoral Ministries, the moderator of the Presbytery's Commission on Transitional Ministries, the Associate for Ministry Vitality, Stated Clerk or Presbytery Executive. The initial report may be made by any means; however, the person receiving the report may request that the Incident of Misconduct Report Form also be completed. This form may be submitted by the accuser, victim, or person with reasonable knowledge that an incident of misconduct has occurred. A person receiving a report of misconduct may take action within their scope of authority and should report the incident to the Stated Clerk and Presbytery Executive.

When a person becomes aware of alleged violations of this policy, they will first determine if there are safety issues. If there is an immediate danger to anyone, the person should take all necessary steps to ensure the other 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, youth, or vulnerable adults 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). The first person to learn of alleged sexual misconduct must take the allegations seriously and confidentially. Allegations of misconduct may be made in a variety of ways. 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.

RESPONSE TO MISCONDUCT

Misconduct may result in Remedial and Disciplinary complaints filed with the Permanent Judicial Commission and such relief, including censure, as allowed under the PC(U.S.A.) Constitution's Rules of Discipline, as well as through civil or criminal legal process.

After receiving a report of an incident of misconduct, the Presbytery Executive and Stated Clerk shall determine whether the accused' service should be suspended or restricted pending further investigation of the incident. If reasonable cause exists to believe that an offense has occurred, the Presbytery Executive or another person with standing will take appropriate action which may include 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 will submit the written statement to the clerk of session or the Stated Clerk of the presbytery, or an appropriate judicatory authority having jurisdiction over the accused.

APPENDIX A

Misconduct Incident Report Form

Please print.

Date of Report: _____

REPORTER

Name: _____

Address: _____ City: _____ State: _____ Zip: _____

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

E-mail: _____ Title (if applicable): _____

ALLEGED VICTIM (if different from REPORTER)

Name: _____ Age, if under 18: _____

Address: _____ City: _____ State: _____ Zip: _____

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

E-mail: _____ 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 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 Presbytery Executive OR Presbytery Stated Clerk.

Presbytery of Milwaukee
6767 W. Greenfield Avenue, Suite 202
Milwaukee, WI 53214
414.292.2740

WORKING WITH CHILDREN, YOUTH, AND VULNERABLE ADULTS

The Presbytery is committed to the safety, welfare and protection of all children, ages birth to 18 years old and all individuals with a cognitive and/or physical disability regardless of their age (collectively, “Protected Persons”). We recognize the need for unique care because of their vulnerability.

Required Training

Ministers (including all those in validated ministry), pastors and Christian Educators are required to complete Safe Gatherings training every three years. Exceptions to this include, those who are retired and not serving in any capacity within the Presbytery. Those engaged in validated ministry who are required by their employer to have comparable training, reference and background checks may seek permission from CPM to provide verification of these in lieu of Safe Gatherings.

All people working with or supervising Protected Persons during any activities, events, and programs that the Presbytery funds, sponsors, or organizes (collectively “Activities”), must satisfactorily complete an application form and a Presbytery-approved training (such as Safe Gatherings) which includes background and reference checks. Safe Gatherings training must be completed every three years.

Ministers, pastors, and Christian Educators are also required to complete Wisconsin’s Mandatory Reporter Training. 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.

The child abuse reporting law places special reporting requirements on members of the clergy. Because laws may change from time to time, the people governed by this policy should review the law to stay current on obligations and requirements. Specifically, in addition to reporting suspected abuse or neglect of a child seen directly by a clergy member in the course of their 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*