

**STANDARD OF CONDUCT OF THE FIRST PRESBYTERIAN CHURCH,
LA GRANGE, TEXAS REGARDING SEXUAL MISCONDUCT**

1. General Purpose

The First Presbyterian Church of La Grange, Texas (hereafter “First Presbyterian”) seeks to provide a safe and secure environment for children and adults who participate in our programs and activities. By implementing the below practices, our goal is to protect all participants from incidents of misconduct or inappropriate behavior while also protecting our staff and workers.

2. Definitions

For purposes of this policy, the term:

- a. “Child” or “children” shall mean all persons under the age of eighteen (18) years, or persons who have been found to be mentally incompetent.
- b. “Worker” shall mean both paid and volunteer persons participating in Church activities.

3. Sexual Misconduct

- a. Sexual misconduct is an abuse of authority and power breaching Christian ethical principles by misusing a trust and professional or faith relationship to gain advantage over another for personal gratification in an exploitative and unjust manner.
- b. Categories of Sexual Abuse include:
 - i. 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. Sexual behavior between a child and an adult is always considered forced whether or not consented to by the child.
 - ii. Any sexual contact by force, threat, or intimidation.
 - iii. Unwelcome touching that is injurious to the physical or emotional health of another.
 - iv. Any contact arising from the administration to another person of a drug or intoxicant which substantially impairs the ability of that person to apprise or control the nature of the conduct.

- v. Sexual acts or contact between any ministers, officers, employees or volunteers and others with whom they have a ministerial or professional relationship. This includes consensual physical relationships. Sexual relationships even when consensual are not acceptable regardless of whether Pastoral care is involved. The inherent imbalance of power between a minister and a lay person undermines the validity of such consent.
 - vi. The use of technology that results in sexually harassing or abusing another person, including texting or emailing suggestive messages and/or images to persons with whom one has a ministerial relationship. It is never appropriate to view pornography on church property. When this includes a person under the age of eighteen, it is considered *Child Abuse*. There is never an expectation of personal privacy when using technological equipment owned by the church within the context of ministry or any other church activities.
- c. Sexual Harassment is sexual misconduct and includes unwelcomed sexual advances, requests for sexual favors, and other unwelcomed verbal or physical conduct of a sexual nature and includes:
- i. sexually oriented jokes or humor;
 - ii. sexually demeaning comments;
 - iii. verbal suggestions of sexual involvement or sexual activity;
 - iv. questions or comments about sexual behavior;
 - v. unwelcome or inappropriate physical contact/touching;
 - vi. graphic or degrading comments about an individual's physical appearance;
 - vii. express or implied sexual advances or propositions;
 - viii. display of sexually suggestive objects or pictures; and
 - ix. repeated requests for social engagements after an individual refuses.

4. **Reporting Requirements**

- a. In the event that an incident of sexual misconduct is alleged to have occurred at First Presbyterian, during our sponsored programs or activities, or involves any employee or worker of First Presbyterian, the following procedure shall be followed:
 - i. If the incident involves as child, the parent or guardian of the child will be notified.

- ii. The person alleged to have committed sexual misconduct will immediately be placed on leave from activities related to the Church pending an investigation.
 - iii. Legal authorities will be notified, and the church will comply with the state's requirements regarding mandatory reporting of abuse as the law then exists. The church will fully cooperate with the investigation of the incident by law enforcement.
 - iv. Our insurance company will be notified, and we will complete an incident report. Any documents received relating to the incident and/or allegations will immediately be forwarded to the insurance company.
 - v. The Pastor will be our spokesperson to the media concerning incidents of abuse or neglect, unless he or she is alleged to be involved. We will seek the advice of legal counsel before responding to media inquiries or releasing information to the congregation. All other representatives of the church shall refrain from speaking to the media.
 - vi. A pastoral visit will be arranged for those who desire it.
 - vii. Any person who is not found innocent of the sexual misconduct will be removed from their position involving Church activities.
- b. All officers, employees, contractors and active volunteers of First Presbyterian are required to report knowledge of child abuse. (A copy of the reporting requirements of the Texas Family Code regarding reporting child abuse are attached to and incorporated into this policy as Exhibit A).

5. **Prevention And Risk Management**

- a. Implementation - This policy is binding upon all members, employees, contractors and volunteers of or in a professional relationship with First Presbyterian, its committees and sponsored activities.
- b. Liability and Insurance – First Presbyterian annually will review its insurance coverage for sufficient coverage. The Clerk of Session or other designated Session member will inform First Presbyterian's liability insurance carrier of any alleged case of *Sexual Misconduct* involving members, officers, employee, contractors or volunteers.
- c. Employment Practices
 - i. Record Keeping - First Presbyterian will maintain a personnel file on every employee and contractor. The file should contain the application for employment or contract service, any employment questionnaires, background checks, references responses, and all other documents related

to an employee's employment or contractor's engagement, except records which may be required, by law, to be kept in separate files.

- ii. Prescreening - A background check, including a national criminal background check, will be performed on all employees and contractors.
- iii. References - The Session or any other person designated by the Session is responsible for contacting references for prospective employees, contractors and/or volunteers. A written record of conversations or correspondence with references will be kept in the employee's personnel file or any applicable contractor's or volunteer's file. If false or misleading information is given by an individual, or relevant information is withheld, the individual will be eliminated from consideration. Individuals will be informed of negative comments regarding *Sexual Misconduct* and shall be given an opportunity to submit additional references or to give other evidence to correct or respond to harmful information obtained from a reference.

Session Approved: _____

By: _____
Clerk of Session