

**PREFACE TO THE SEXUAL MISCONDUCT POLICY
OF THE PREBYTERY OF SANTA FE -- Approved October 9-10, 2004**

As God who called you is holy, be holy yourselves in all your conduct. Tend the flock of God that is your charge, not under compulsion but willingly, not for sordid gain but eagerly; don't lord it over those in your charge but be examples to the flock...

You know that we who teach shall be judged with greater strictness.

I Peter 1:15; 5:2; James 3: 1 NRSV

We believe and proclaim that all people are created by God. God values all human life and intends that men, women and children have worth and dignity in all relationships.

We believe in justice for all persons. Sexual misconduct is an abuse of power and trust, therefore, unjust. Power in pastoral relationships has the potential to be unbalanced because of the power associated with the office of ministry or Christian leadership. Persons in Christian leadership, like all others in helping professions who are in contact with people during their most vulnerable moments, are always responsible for keeping appropriate boundaries and assuring the safety of those in their trust. The role of ministry is a sacred trust that all those who work on behalf of the Church will use their skills and authority for the wholeness and well-being of others.

Betraying trust through sexual misconduct is always a personal tragedy for the victim. However, when the sexual offender is a person in a position of religious leadership and is, therefore, perceived as a representative of God's love and care, the victim is abused not only sexually, but also spiritually.

We recognize that pastoral responses must be systemic in scope. We cannot restore wholeness to this Presbytery or to particular congregations by responding only to one person or group in a complex system. For this reason, this policy recognizes that in an incident of sexual misconduct, everyone requires attention: offenders, survivors, and the larger congregational or ministry setting.

The wholeness of the Presbytery and its ministry is at stake in the way we respond to sexual misconduct by those we trust with Christian leadership. Wounds of sexual misconduct in the body of Christ are not easily healed. Healing can occur when accompanied by a commitment to combine informed compassion with a process that seeks justice and restoration.

This document was developed in the awareness that the Presbytery of Santa Fe has been given a public and spiritual trust. It is established to assure appropriate intervention due to incidents of suspected, alleged, or admitted misconduct; to care for all persons involved and to help prevent future instances of abuse. It provides a policy that will promote clarity about responsible conduct and assist in justice, healing, and restoration and fulfill the intention of raising the level of awareness among our members as we all seek healing, justice and restoration when situations of misconduct, harassment or abuse occur.

II. THE SEXUAL MISCONDUCT POLICY OF THE PRESBYTERY OF SANTA FE

We believe that Scripture and our faith in Jesus Christ call us to high standards of responsible conduct in all of life. The values outlined in the preface to this document are basic to our understanding of the relationship of faith and behavior. Leaders in the Church are called to avoid sexual misconduct, sexual harassment, and sexual abuse in all their relationships. Persons covered by this policy are to maintain integrity at all times regarding their sexual conduct or sexualized behavior.

Sexual misconduct is the failure to keep appropriate boundaries regarding other persons, and sexual behavior outside a covenanted relationship is considered a violation of these boundaries. Sexual harassment includes demeaning language and behaviors of a sexual nature directed at another person. Sexual abuse is sexual or sexualized conduct in relation to any person under the age of eighteen years, or anyone over the age of eighteen years without consent or the mental capacity to consent. Sexual abuse also includes the misuse of office or position relating to force, threat, coercion, and intimidation in a sexualized manner.

III. APPLICATION OF THE POLICY

Those who have taken training and given written acknowledgement to the Clerk of receipt of the previous policy are not required to attend the training or give new written acknowledgement of receipt under the provisions of this restatement of the Presbytery's policy.

A verbal report of possible violation of this Policy may come to any member of Presbytery asking for help. All such reports will be taken seriously and should immediately be reported to the Moderator of the Committee on Ministry, the Stated Clerk, or the Executive Presbyter to ensure that an effective, caring and expeditious response is made to all persons and institutions which may be affected by a possible violation of the sexual misconduct policy. All persons involved shall be treated with respect and confidentiality shall be preserved. Written allegations initiate the formal process and are dealt with promptly under the direction of the Form of Government (D-10.000 – 14.000) and the Standing Rules of the Presbytery.

The policy presented herein applies to those who hold elected positions in the Presbytery, all church professionals who are members of the Presbytery of Santa Fe, those whose vocations are certified by provision in the Book of Order, all Presbytery employees, all those on the rolls of Presbytery, including Inquirers, Candidates, and Commissioned Lay Pastors and those certified to be commissioned as Lay Pastors.

It is the requirement of this Presbytery that such persons attend a workshop on Sexual Misconduct Avoidance offered by the Presbytery within one year of becoming subject to this policy. Presbytery Council's Committee on Resources to Congregations shall regularly offer Sexual Misconduct Avoidance Training at least twice a year. The Committee on Resources to Congregations shall approve the course syllabus and appoint course leaders. On application from an individual, the Committee on Ministry may waive this requirement for reasons of illness or disability.

The Presbytery Council's Committee on Resources to Congregations shall regularly review these policies in consultation with the Committee on Ministry at least every three years.

Presbytery requires its Committee on Ministry to specifically perform background checks on the information contained in the Personal Information in Part VI, "Sexual Misconduct Information".

All candidates, ministers and employees of the Presbytery of Santa Fe shall be given a copy of this policy document and are required to sign a written acknowledgment indicating that they have received a copy of this statement and affirm that they will abide by its terms. The Stated Clerk will maintain these forms.

The Presbytery Santa Fe requires that all employees, volunteers and invited leaders if not otherwise included in the application of this policy, for presbytery programs involving children and youth be given a copy of this statement and sign a written acknowledgment indicating that they have received a copy and affirm that they will abide by its terms. Employees or volunteers who regularly work in these events are required to attend Sexual Misconduct Avoidance Training.

All persons covered by this policy are hereby made aware that the State of New Mexico requires that every person who knows or has reasonable suspicion that child abuse or neglect has occurred shall report the matter immediately to local law enforcement or county social services in the county where the child resides. If this occurs with a setting associated with congregations or presbytery program, a written account of such report is required to be filed with the Stated Clerk of the Presbytery. There is no exemption for clergy from this New Mexico law.

Each church of the Presbytery of Santa Fe is strongly advised to have a policy on sexual misconduct, offer avoidance workshops to their volunteers and members, and to conduct criminal background checks on those who work with children and youth.