

**Eastminster Presbyterian Church  
East Lansing, MI 48823  
Policy on Sexual Misconduct – Final**

**Introduction:** The ethical conduct of all who follow Jesus Christ is of vital importance to Eastminster Presbyterian Church because our lives demonstrate our understanding of God and the gospel. Sexual misconduct is a violation of principles set forth in Scripture, relationships of trust including the employment and professional relationship and is never permissible or acceptable.

**Principles of Conduct:**

1. Sexual misconduct violates the roles of pastors, Church members and its officers, employees, volunteers, etc. in a position of authority, who are called upon to exercise integrity, sensitivity and caring in a trust relationship.
2. Sexual misconduct is a misuse of authority and power which breaches Christian ethical principles by misusing a trust relationship to gain advantage over another for personal pleasure and/or power in an abusive, exploitative and unjust manner. If the member, student, client, employee or anyone initiates or invites sexual content in the relationship, the pastor, employee, member, officer, volunteer, leader or teacher is always responsible to maintain the appropriate role and to do whatever possible to prohibit an inappropriate relationship.
3. Sexual misconduct against children and other vulnerable persons takes advantage of their lack of power to protect themselves.
4. Sexual misconduct as outlined above always occurs without meaningful consent because equality does not exist in these relationships.

For these reasons, sexual misconduct is prohibited by this Church and will never be condoned or tolerated.

**Definitions**

**Sexual Misconduct** is the comprehensive term used in this policy to include, but is not limited to child sexual abuse, sexual abuse of another person, sexual harassment, and production or distribution of pornography, all as more fully defined below.

- **Child Sexual Abuse** includes, but is not limited to, any contact or interaction between a child or an adult of diminished capacity and an adult, when the child is being used for sexual stimulation of the adult person or a third person. The behavior may or may not involve touching. Such behavior is always considered forced whether or not consented to by the child or the adult with diminished capacity. A child is any person under the age of 18 years. Any person under the age of 18 lacks the capacity to consent to such acts. See the church's Safe Sanctuary policy for specific actions.
- **Sexual Abuse of Another Person** includes any sexual conduct in relation to 1) any person under the age of 18 years, or over the age of 18 years without the mental capacity to consent, or 2) any person when the conduct includes force, threat, coercion, intimidation, or misuse of office or position. Lack of mental capacity may be a temporary

incapacity due to the influence of a narcotic or intoxicating substance, or impaired capacity due to psychological, emotional, or spiritual vulnerability (e.g., due to grief resulting from a significant loss). Misuse of office or position refers to sexual conduct committed by one while functioning in relationship to the victim within the context of a ministerial or professional role. Mutual consent is NOT POSSIBLE when one party is a teaching elder/professional lay leader in a pastoral, counseling, employer or leadership position within the Church, related organization, or sponsored activity in which the other party is a parishioner, member, counselee, employee or participant, OR when one of the parties is a child or an adult of diminished capacity. Wherever a ministerial or professional relationship exists, it remains the responsibility of the teaching elder or professional to maintain appropriate boundaries and to decline to engage in a sexual relationship.

- **Sexual Harassment** includes unwelcome sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature when:
  - This conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, creates an intimidating, hostile or offensive work environment or reduces the opportunity to worship and participate in Church-related activities.
  - Submission to or rejection of such conduct is used as the basis for employment decisions affecting such an individual;
  - An individual is subjected to unwelcome sexual jokes, unwelcome or inappropriate touching, or display of sexual visuals that insult, degrade, and/or sexually exploit men, women, or children.
  - An individual is subjected to homophobia or transphobia, including disclosing a person's sexuality or gender without their consent.
- Production or distribution of **pornography** or of any images of a sexual nature shared without consent of the person(s) in the photo.
- Sexual harassment may occur in person or online (**digitally**).

**Accused:** a person covered by this policy against whom a claim of sexual misconduct is made.

**Reporter:** a person claiming and reporting knowledge of sexual misconduct by a person covered by this policy. The reporter may or may not be a victim of alleged sexual misconduct.

**Victim:** a person, whether or not a member of Eastminster Presbyterian Church, who allegedly has been directly injured or harmed by the alleged sexual misconduct of a person covered by this policy.

**Persons covered by this policy:** Persons covered by and expected by Eastminster Presbyterian Church to adhere to this policy are persons under its jurisdiction through the authority of the Constitution of the Presbyterian Church, USA, others under its oversight or serving the church in any way. They include:

1. Although the pastor is a member of the Presbytery of Lake Michigan and under its original jurisdiction in all matters of discipline, he/she/they are expected to adhere to the intent and purpose of this policy while serving the Church.
2. Members of this Church, with whom the Session has original jurisdiction in all matters of discipline and to whom the Book of Order (Rules of Discipline) apply.
3. All Church employees.
4. Volunteers and others, who are not members, acting on behalf of the Church.
5. All persons having contact with those listed above.

**Hiring and Recruitment:** To provide an environment free from the threat and injury associated with sexual misconduct, staff members and those recruiting volunteer teachers, leaders, nursery attendants, helpers, etc. shall include the following in their hiring.

**Reporting:** Reports of sexual misconduct are serious and are to be acted upon immediately by those who receive them. Anyone receiving a report of sexual misconduct by anyone covered by this policy must direct the reporter to:

1. The Stated Clerk of the Presbytery in the case of a pastor.
2. The Pastor Head of Staff and the Clerk of Session in the case of a Church employee, Church member and in all other cases.

A written report of the sexual misconduct must be made by either the alleged victim or the reporter, if different from the alleged victim. All reports will be treated with confidentiality. The report will include the date of the incident, the time, the alleged Victim and Accused, and a description of what happened.

The Book of Order (Rules of Discipline) and the Sexual Misconduct Policy of the Presbytery of Lake Michigan are the references that will be followed for alleged offenses by members of the Church. Sexual misconduct may be a violation of work rules and therefore the basis for discipline up to and including discharge. It may be a crime and subject to civil or criminal prosecution.

#### **Policy Distribution, Information, Education & Training**

- This policy shall be distributed to the pastor, staff members, elders, and deacons. Each person who receives a copy will be required to sign a written acknowledgement indicating that they have received the policy and agree to conduct themselves in accordance with it. The signed acknowledgements shall be retained in a file in the Church. Session or their representative is responsible to assist all persons who need aid to interpret or implement the policy.
- This policy shall be given to all reporters, alleged victims of sexual misconduct and accused.
- This policy shall be posted on Eastminster's website ([www.eastminsterchurch.org](http://www.eastminsterchurch.org)).
- A brief overview of the policy plus a link to the entire policy shall be included in Eastminster's annual report and in the application for community members to use Eastminster facilities. Suggested overview: Sexual misconduct, including but not limited to child sexual abuse, sexual abuse of another person, sexual harassment, and

production or distribution of pornography is prohibited by this church and will not be condoned or tolerated. Eastminster's complete Sexual Misconduct Policy may be found at [\(link\)](#).

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