

Presbytery of Western Kentucky

Sexual Misconduct Policy

I. Introduction

It is the policy of the Presbytery of Western Kentucky of the Presbyterian Church (USA) that Teaching Elders, Commissioned Ruling Elders, employees and volunteers are to maintain the integrity of employment and professional relationships at all times. Sexual misconduct and harassment/abuse is a violation of the principles set forth in Scripture and also of employment or voluntary service and is never permissible.

II. Biblical and Theological Foundations

The Church is called to be a community of love, holiness, and justice—where the vulnerable are protected, accountability is practiced, and all persons are treated with dignity. Scripture and the Reformed tradition affirm that Christ gives the Church its life and order, and discipline is a necessary mark of faithfulness (F-1.0303). As such, the Presbytery is called to uphold ethical standards that reflect God’s justice and mercy, ensuring the Church remains a sanctuary of trust and safety for all. Even though a charge of sexual misconduct cannot be legally prosecuted, it can still be in violation of the ethical standards of the church and subject to church judicial process. Recognizing that ethical and legal standards do not always coincide, the Church is bound by a higher calling to reflect the character of Christ in its communal life (F-1.0304; D-1.0201).

III. Purpose

The purpose of these guidelines is to provide a clear and just process for responding to allegations of sexual misconduct, consistent with the Church’s biblical calling to protect the vulnerable, uphold justice, and restore right relationships. Rooted in the belief that ecclesiastical discipline is for the glory of God and the health of the Church (F-3.0108; D-1.0301), these guidelines are intended to promote accountability, transparency, and healing. They serve not only to address specific accusations but also to foster a culture of ethical leadership and Christ-like service within the Presbytery of Western Kentucky.

IV. Definitions

Sexual misconduct is defined as including any and all of the following:

1. *Child sexual abuse*: any contact or interaction between a child (18 years of age and younger) and an adult when the child is being used for the sexual stimulation of the adult person or of a third person, or any other conduct directed to children punishable as a sexual offense under state law. The behavior may or may not involve touching. Sexual

behavior between a child and an adult is always considered forced whether or not consented to by the child. Any legitimate child sexual abuse allegations punishable under state law will be reported to the legal authorities immediately.

2. *Sexual contact between two adults*: where one adult is not capable of providing informed consent due to mental or emotional disability. In such a situation, sexual contact is always considered forced whether or not consent is provided. c. Sexual harassment, meaning unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when 1) submission to such conduct is made either explicitly or implicitly a term or a condition of an individual's employment or their continued status in an institution; 2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or 3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, or offensive working environment.
3. *Rape or sexual contact*: by force, threat, or intimidation,
4. *Inappropriate sexual conduct*: offensive, obscene, or suggestive language or behavior, unacceptable visual contact, or unwelcome touching or fondling, that is offensive or injurious to the physical or emotional health of another.
5. *Pornographic or sexually graphic material or accessing pornographic or sexually graphic websites*: Possession on church or presbytery property or church or presbytery sponsored trips, but not including materials possessed or accessed for the purpose of planned, legitimate, sex education courses.
6. *Pornography*: reference to any visual, written, or digital material that depicts sexual acts or sexually explicit conduct which such material exploits, objectifies, or degrades persons.
7. *Sexual malfeasance*: sexual conduct within a ministerial or professional relation. Inappropriate sexual conduct includes unwelcome sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature. Extramarital sexual relations between members of a church or presbytery staff, though not punishable by law, is an ethical violation and will result in termination of employment.

V. Our Commitment

A. Training and Education

1. All teaching elders, ruling elders, commissioned ruling elders, presbytery staff, and committee leaders shall complete Sexual Misconduct training every 36 months.
2. Congregations are strongly encouraged to participate in sexual misconduct training and engage with educational materials provided by the presbytery and the PC(USA).

B. Leadership and Accountability

1. The PWKY Oversight Commission shall monitor and enforce the implementation of this policy, provide educational opportunities, and ensure compliance.

2. When accusations of sexual misconduct are brought against someone who is serving in a volunteer capacity, that person will be prohibited from serving in that capacity until the matter has been resolved.
3. The Presbytery has the right to require a criminal record check as a prerequisite for acceptance as a member of the Presbytery, Presbytery staff, or a volunteer serving in a capacity that involves official contact with individuals or groups.

VI. Reporting

Anyone who believes they have experienced or witnessed sexual misconduct is encouraged to report the matter promptly. *Teaching Elders, Commissioned Ruling Elders, employees, and volunteers have an ethical obligation to file a written report if they observe or become aware of sexual misconduct, even if they are not the direct victim.* Reports may be made to:

- The Presbyter(s)
- The Stated Clerk
- The Moderator of the Committee on Ministry
- The Moderator of the Permanent Judicial Commission
- Any trusted presbytery officer or committee member

Reports will be taken seriously and handled with confidentiality, pastoral sensitivity, and procedural fairness.

Upon receiving a report, the Presbytery will:

1. Conduct a timely, thorough investigation.
2. Involve the appropriate committees and officers in accordance with the Book of Order and presbytery policies.
3. Take corrective or disciplinary action where necessary, up to and including termination or initiation of a disciplinary process under Church Discipline in the Book of Order.
4. If alleged sexual misconduct is reported but the charges either dropped or a written accusation not filed, the Permanent Judicial Commission can, if it determines that the information received warrants it, conduct an investigation of the matter.
5. The one accused of sexual misconduct will be notified of the receiving of the written allegations against him/her and given the opportunity to respond as part of the investigative process.

The Presbytery will not tolerate retaliation against anyone making a good-faith report of sexual misconduct or participating in an investigation. Teaching Elders or Commissioned Ruling Elders with unresolved formal charges of sexual misconduct shall not be dismissed to another presbytery until those charges are resolved.

VII. Commitment to Reconciliation

When acts of sexual misconduct occur, the Church is called not only to justice but also to repentance and reconciliation. Following the guidance of Matthew 18:15–20, restorative

responses may be pursued alongside disciplinary procedures, seeking healing for individuals and the community.

VIII. Review and Distribution

This policy shall be reviewed every three years and updated as necessary. It will be distributed to all employees, teaching elders, committee members, and made available on the Presbytery website and Manual of Operations. All individuals to whom this policy applies shall sign a written acknowledgement indicating their agreement, which shall remain in effect during their time of membership, employment, or volunteer service in the Presbytery.

I, _____ (print name), have read this policy and agree to abide by its provisions as it applies to my particular ministry situation.

Signature

Date