



# Presbytery of Genesee Valley

1049 WEGMAN ROAD • ROCHESTER, NEW YORK 14624 • (585) 242-0080

WEBSITE: [www.pbygenva.org](http://www.pbygenva.org)

## PROCEDURAL MANUAL FOR RESPONDING TO INCIDENTS OF SEXUAL MISCONDUCT

An Appendix to

### **Understanding Sexual Misconduct:**

**A Living Policy to Expand the Conversation for a Faithful Response to Boundary Violations**

*Approved 7/25/23*

### **RESOURCE TEAM**

The Presbytery will establish and maintain a standing, trained Sexual Misconduct Resource Team (the “Resource Team”) of the Committee on Ministry to respond to allegations of sexual misconduct.

#### **Composition**

- Individuals will be appointed to the Resource Team by the Committee on Ministry, with input from relevant entities as may be appropriate, to ensure that the individuals nominated have the gifts and experience to serve in this role of responding to traumatic events
  - Suggestions for nominees can be submitted to the Committee on Ministry’s Ethics Team (or its successor)
- The Resource will consist of at least 3 but no more than 5 individuals, to include both clergy and non-clergy members from the PGV
- Nominations to the Resource Team will also strive to have diversity of gender, age, and race, while still prioritizing the necessary gifts and skills for this role
- Members of the Resource Team will be appointed to 2-year terms, with the option to renew up to a total of 6 consecutive years

#### **Training**

- All members of the Resource Team will receive training upon election to the Team, and repeated at least annually, or on a schedule determined to be appropriate by the Team and the Committee on Ministry
- The Committee on Ministry will provide for the training of the initial Resource Team by expert consultants
- Resources including training materials will be shared, compiled, expanded, adjusted, revised, etc. by the Team as they live into best practices
- The Resource Team will make a report to the Committee on Ministry at least twice per year about the date(s), content, and/or requested content of their training

#### **Responsibilities**

- The Resource Team is not an investigative committee, but it is intended to provide a “first response” to potential incidents of sexual misconduct; its purpose is not to assess the validity of a complaint, but to provide support and resources to affected parties as they discern a path forward
- The Resource Team also seeks to provide a safe-space sounding board for anyone in the Presbytery to bring questions or issues surrounding relational boundaries or sexual ethics, regardless of whether they are connected to a specific incident or not, and regardless of whether the individual(s) or any specific situation falls under the jurisdiction of this policy

- The Resource Team will hold all conversations in confidence, unless the situation involves a child or vulnerable adult, or unless permission to share information is given by the reporting individual; in situations where the Resource Team feels there is crucial information or learning that needs to be shared with COM or another entity, the Resource Team will be in dialogue with the reporting individual and/or any identified victims to discuss how information may be shared while preserving anonymity
- Members of the Resource Team will at all times maintain appropriate boundaries and awareness of conflicts of interest, and will recuse themselves from participation in situations where there is a conflict of interest, or potential for a perceived conflict of interest
- The Resource Team will provide consultation as requested:
  - To the Committee on Ministry regarding its responsibility to provide training for the individuals and groups listed in section III of the main policy,
  - To the Committee on Ministry's Ethics Team (or its successor) as it compiles resources for writing sexual misconduct policies,
- The Resource Team will submit a written report at least once per year to the Committee on Ministry noting the number and type of conversations it has held (general questions, request for resources, accusations, etc.), as well as any trends, discussion points, or recommendations; no names or specific details about conversations will be shared in the written report.
- The Resource Team will meet with the Committee on Ministry at least once per year to discuss the written report, which will then be shared with the Presbytery

## RESPONSE PLAN

Contacting the Resource Team does **not** trigger any avenue of official investigation or ecclesial or legal process. The Resource Team seeks to be a resource and a safe, confidential place for any individual - whether victim, witness, confidante, etc. - to discuss questions or concerns surrounding sexual misconduct, regardless of whether the individual or the specific situation falls under the jurisdiction of this policy.

- 1) The primary responsibility of the Resource Team is to walk with an identified victim through the process of discerning desired outcomes and navigating options, including legal, ecclesial, and personal paths forward. When a question of sexual misconduct arises, this initial phase of communication, which prioritizes the needs and desires of the person who has been victimized, will comprise the bulk of the Resource Team's work.
- 2) Questions and discussions pertinent to this initial phase of communication may include:
  - The nature of the behavior that is reported to be sexual misconduct;
  - Possible violations that may be subject to action by the Church or by civil authorities;
  - The identity of parties involved in, or significantly affected by, this event;
  - Potential paths forward;
 while, again, always prioritizing the needs and desired outcomes of the identified victim. This initial phase should ordinarily be completed in approximately 60 days.
- 3) As is necessary and appropriate to the specific situation, the Resource Team may also work with other involved parties, including but not limited to:
  - Working with the person accused to help them understand options, what is within their control, and what is not
  - Working with any affected communities (e.g. session, congregation, Presbytery staff) to provide communication, support, and an understanding of options, responsibilities, and potential paths forward
- 4) The work of the Resource Team will ordinarily conclude when the identified victim has chosen a path forward, which may include:
  - A disciplinary process being initiated through Church Discipline;
  - A process being initiated through a NYS Workplace Harassment Policy;
  - A civil or criminal investigation being initiated;
  - Another course of action being chosen;
  - The identified victim choosing not to pursue any further action

If the person who has been victimized chooses to pursue a path for which there is a defined process already in place (e.g., a Church Discipline process or a NYS Workplace Harassment process), then responsibility passes to the relevant entities or parties to continue those processes.

If the person who has been victimized chooses to pursue a path for which there is no defined process already in place (e.g. mediation, counseling, or no action), then the Resource Team should work with the identified victim to determine how best to support them going forward.

The Resource Team may coordinate with the Committee on Ministry or other relevant entity, as appropriate, to provide a plan for ongoing care to affected parties.

- 5) When necessary and appropriate to the specific situation, additional responsibilities of the Resource Team may include:
  - Communication with the Committee on Ministry or other relevant parties, holding details in confidence
  - Making recommendations to the Committee on Ministry or other relevant entity about placing individuals on administrative leave
  - Coordinating with the Presbytery Leader regarding any necessary media contact
  - Providing consultation to the Committee on Ministry or other relevant entity regarding plans and healthy steps forward toward healing
  
- 6) In addition to its regular written report to the Committee on Ministry, the Resource Team may choose, when they deem it to be necessary and appropriate, to bring a fuller report of a particular incident to the Committee on Ministry for study and learning. The names of persons and parties involved will be kept anonymous, unless the identified victim gives the Resource Team permission to share the information.

As no one policy can cover or make provision for every incident of sexual misconduct, and we understand that we continue to discover best practices, this Appendix is a living document which may be amended by the Committee on Ministry as we continue to grow into healthier ways of being together.