

THE MISSION STATEMENT

&

THE MANUAL

OF

ADMINISTRATIVE OPERATIONS

FOR

TRINITY PRESBYTERY

Manual last updated
November 2017

**THE MISSION STATEMENT
OF
TRINITY PRESBYTERY**

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The mission of Trinity Presbytery is to equip and empower our member congregations to become communities of faith, hope, love, witness, and service, so that those who do not know Jesus might come to know, love, and serve Him and so that those who do know Jesus might come to love Him more intimately and serve Him more faithfully.

Adopted by Trinity Presbytery
November 14, 2017

**THE MANUAL
OF
ADMINISTRATIVE OPERATIONS**

TRINITY PRESBYTERY

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**MANUAL OF ADMINISTRATIVE OPERATIONS
FOR
TRINITY PRESBYTERY**

M-1.0000 Chapter I. THE PRESBYTERY

- M-1.0100 This council shall be known as Trinity Presbytery of the Presbyterian Church (U.S.A.), Synod of South Atlantic.
- M-1.0101 The Presbytery comprises all of the Ministers of Word and Sacrament who have been received into membership under the provisions of the constitution of the Presbyterian Church (U.S.A.) and all the Presbyterian Church (U.S.A.) congregations located in the South Carolina counties of Abbeville, Aiken, Edgefield, Fairfield, Greenwood, Laurens, Lexington, McCormick, Newberry, Richland, and Saluda, and that portion of Kershaw County located west of the Wateree River.
- M-1.0102 Trinity Presbytery is established by the authority of the General Assembly of the Presbyterian Church (U.S.A.) and the Synod of South Atlantic, and has all those duties, authorities, powers, and responsibilities specified by The Book of Order.
- M-1.0103 Trinity Presbytery and the Trinity Presbytery, Incorporated, shall meet at the same time and place, and in the announcement of the meeting, the term "Trinity Presbytery" shall designate both civil and ecclesiastical functions.

M-2.0000 **Chapter II. AUTHORITY, AMENDMENTS, AND SUSPENSION**

- M-2.0100 This Manual of Administrative Operations shall establish the basic organization of Trinity Presbytery and provide for its functioning both during and between meetings of the council.
- M-2.0101 This Manual of Administrative Operations may be amended as follows: A proposed amendment shall be presented in writing to the Coordinating Team of the Presbytery. The Stated Clerk and the Coordinating Team shall review the proposed amendment to ensure that it is in harmony with The Book of Order and with other sections of this Manual. The Council then shall present the proposal to the next Stated Meeting of the Presbytery with its recommendations. To become effective, an amendment must be approved by a majority vote of the members present at one meeting of the Presbytery and submitted without revision for adoption by a majority vote of members present at the next Stated Meeting.
- M-2.0102 The Presbytery may amend this Manual at any Stated Meeting with a two-thirds vote of those present, provided that notice of the vote and copies of the proposed amendment(s) have been mailed by the Stated Clerk to all Ministers of Word and Sacrament, Clerks of Session, and members of the Presbytery Coordinating team at least ten days prior to the Stated Meeting.
- M-2.0103 This Manual of Administrative Operations may be suspended by a two-thirds vote of members present at any meeting of the Presbytery. The reason for suspension shall be noted in the minutes of Presbytery.
- M-2.0104 Any amendment to this Manual proposed under suspension of the Manual shall require that notice of the vote and copies of the proposed amendment have been sent by the Stated Clerk to all Ministers of Word and Sacrament, Clerks of Session, and members of the Presbytery Coordinating Team ten days prior to the Stated Meeting, as provided in M-2.0102.

M-3.0000 Chapter III. MEETINGS, MEMBERSHIP, AND ORGANIZATION

M-3.0100 MEETINGS, MEMBERSHIP, QUORUM, AND FORMAT

M-3.0101 The Presbytery shall meet in Stated Session during the second month of each quarter:

- on a Saturday morning in February,
- a Saturday morning in May,
- a Saturday/Tuesday morning in August (alternating each year), and
- a Tuesday morning in November.

For the convenience of the Minister of Word and Sacraments and Sessions, and to facilitate organizational planning, the date, time, and place of the next Stated Meeting shall be announced at the conclusion of each Stated Meeting. Called meetings may be held as necessary and shall be called under the provisions of the Book of Order, G-3.0304. *The Moderator shall call a special meeting at the request, or with the concurrence, of two Ministers of Word and Sacrament and two Ruling Elders, the elders being of different churches. Should the Moderator be unable to act, the stated clerk shall, under the same conditions, issue the call. If both the moderator and the stated clerk are unable to act, any three Ministers of Word and Sacrament and three Ruling Elders, the elders being of different churches may call a special meeting of presbytery.*

M-3.0102 Meeting places shall be recommended to the Presbytery by the Coordinating Team in cooperation with the Moderator and the Stated Clerk. Ordinarily the places of meeting shall be rotated among the churches of the Presbytery; however, the Presbytery may choose some other meeting place to allow a church whose physical facilities cannot accommodate Presbytery to host a meeting at a suitable site in their community. The Presbytery, at its discretion, may also elect to meet at a site outside its bounds when necessary or appropriate.

a. Meetings Held by Electronic Means

1. Meetings via teleconference shall be conducted by a technology that allows all participating members to see each other, as well as to hear each other, at the same time.
2. Meetings of teams, committees, or subcommittees may be held by electronic means provided that such a meeting does not lose its character as a deliberative assembly, and so long as conditions of opportunity for simultaneous aural communication among all participating members are provided, that are equivalent to those of meetings held in one room or area.
 - a. Electronic meetings in committees and subcommittees are authorized so long as the conditions listed in M-3.0102 a and b are met.
 - b. Members who are not present in person have the right to participate by electronic means and the right to vote, provided the conditions of M-3.0102 a and b are met, and that they are present at the time of the vote.

b. Voting By Email

Committee and subcommittee matters may be acted upon by email vote, so long as the following criteria are met:

- Only one item or subject is put forward for a vote by the Moderator of the

committee;

- This policy (M-3.0102b) is included in the body of the email;
- The committee member who makes the motion and the committee member who provides the second to the motion are both named in the email;
- All committee members record a vote by email to the Moderator;
- The results of the email vote are reported by the Moderator to the members of the committee once voting has ended;
- The vote tally is recorded in the minutes of the closest committee meeting under the appropriate sub-committee or section;
- The item for action does not go beyond the bounds of the approved committee budget; and,
- The item does not include information of a sensitive nature that requires confidentiality.

- M-3.0103 Churches, institutions, or organizations who host meetings of the Presbytery are expected to provide meeting sites that are accessible to handicapped persons. They shall provide for child care as needed.
- M-3.0104 The Presbytery shall celebrate the Sacrament of the Lord's Supper at least once a year (G-3.0301b), ordinarily at the February (winter) Stated Meeting, and in conjunction with a memorial service for Teaching and Ruling Elders who have died during the preceding year.
- M-3.0105 Institutions, organizations, or individuals desiring to have displays or to distribute materials at Presbytery meetings should notify the Presbytery Office, providing information on space requirements and the names of persons responsible for the displays or materials, and should receive approval of the Presbytery Coordinating Team prior to the meeting date.
- M-3.0106 The Presbytery shall be governed in its meetings and in the actions of its agencies by the Constitution of the Presbyterian Church (U.S.A.), this Manual of Administrative Operations, and, where neither of these applies, by the most recent edition of Roberts Rules of Order. Decisions are made by those present and VOTING. A vote to abstain has no effect, positive or negative.
- M-3.0107 Voting members at Presbytery meetings shall include all enrolled ordained Ministers of Word and Sacrament, together with Ruling Elder commissioners elected by the Sessions of churches of the Presbytery in accord with the provisions of The Book of Order, G-3.0301. Also, any Ruling Elder elected moderator of Presbytery, or serving as an officer of the Presbytery, or who is a member of the Coordinating Team (including moderators of Teams), or holds an exempt staff position in the Presbytery, or chairs the Nominating Committee, the Committee on Representation, or the Permanent Judicial Commission, shall be enrolled and entitled to both voice and vote, whether or not commissioned by a church Session (G-3.0301).
- M-3.0108 A quorum of Presbytery shall be ten (10) percent of the Minister of Word and Sacrament members and ten (10) percent of Ruling Elder Commissioners to which the churches are entitled, provided that at least three different churches are represented by elders.

- M-3.0109 Each Minister of Word and Sacrament, unless Honorably Retired or engaged in service as a military chaplain or overseas missionary, shall be required to attend Stated Meetings of the Presbytery, or shall present reasons acceptable to the Presbytery, through the Stated Clerk, for non-attendance, late arrival, or early departure.
- M-3.0110 Any executive or spokesperson from the General Assembly, Synod, agencies and institutions of the Church, and Certified Christian Educators (G-30104) in the Presbytery, shall have the privilege of the floor, with voice, and their attendance shall be listed in the minutes of Presbytery.
- M-3.0111 The format for any meeting of the Presbytery, including the Agenda and time, shall be prepared by the Stated Clerk in consultation with the Coordinating Team, and shall be recommended by the Coordinating Team to the opening session of the meeting. The Stated Clerk shall ensure that all constitutional requirements are met. Provisions shall be made for reports from the Coordinating Team, committees, teams, task forces, and commissions responsible to the Presbytery.

M-3.0200 AD HOC AND STANDING COMMITTEES

- M-3.0201 Provision may be made for Ad Hoc Committees as needed by action of the Presbytery. Ad Hoc Committees normally shall terminate with the next Stated Meeting of the Presbytery unless instructed by Presbytery to continue until a specified future date and time.
- M-3.0202 Provision shall be made for Standing Committees (existing only during the meeting of the Presbytery) as required for the following purposes:
- a. RESOLUTIONS AND THANKS: to prepare and present to the council appropriate resolutions of appreciation.
 - b. LEAVES OF ABSENCE: to receive and consider requests to be excused from all or any part of the meeting, to certify alternate commissioners, and to recommend appropriate action regarding non-attendance and neglect of duty.
 - c. OTHERS AS MAY BE REQUIRED.
- M-3.0203 Membership on Ad Hoc Committees and Standing Committees shall be elected by the Presbytery upon nomination by the Moderator. The floor always shall be open for further nominations.

M-4.0000 Chapter IV. OFFICERS OF THE PRESBYTERY

- M-4.0101 The officers of the Presbytery shall be the Moderator, the Vice Moderator, The General Presbyter, the Stated Clerk, and the Treasurer.
- a. Signatories on presbytery financial accounts shall be, by virtue of their office, the General Presbyter, the Stated Clerk, and the Recording Clerk.
- M-4.0102 At the Stated Meeting in the fourth quarter, the Presbytery's Nominating Committee shall present nominations for Moderator and Vice Moderator of the Presbytery. Nominations from the floor shall be received. Upon election at the next Stated Meeting (first quarter) by majority vote of the Presbytery, the Moderator and Vice Moderator shall be installed to begin their terms of service at once.
- M-4.0103 The Moderator shall serve for one year, presiding at all meetings of Presbytery and performing all the duties prescribed in G-3.0104. The Moderator also shall chair the meetings of the Presbytery corporation. The Moderator shall be a voting member of the Presbytery Coordinating Team, an ex officio member of the Trustees of Presbytery, and an advisory member of the Teams, committees, and task forces of Presbytery. In preparation for all meetings of the Presbytery, the Moderator shall be responsible, with the Coordinating Team for worship.
- M-4.0104 To provide for continuity in the Presbytery's work, the person serving a one-year term as Moderator of Presbytery ordinarily shall be asked to serve the next year as Moderator of Coordinating Team, for a one-year term.
- M-4.0105 The Vice Moderator shall serve for one year and *shall have voice and vote as a* member of Presbytery's Coordinating Team. Should the Moderator leave the Presbytery during his/her term of service, or by incapacity be unable to fulfill the duties of office, the Stated Clerk shall direct the Vice Moderator to assume immediately the position of Moderator. The Nominating Committee then shall present a nominee for Vice Moderator at the next Stated Meeting.
- M-4.0106 The Presbytery shall elect the Stated Clerk to a three-year term, with the person so elected being eligible for re-election. As Stated Clerk, the person shall serve according to the provisions of The Book of Order and the Manual of Administrative Operations of Trinity Presbytery. The Stated Clerk shall serve as Parliamentarian, and shall assist individuals and groups with advice regarding the presentation of matters to the council. The Stated Clerk annually shall make a written report to the Presbytery upon completion of the Annual Statistical Reports. The Stated Clerk may nominate assistant clerks to the Presbytery, as needed.
- M-4.0107 The Presbytery shall elect a Treasurer to a 3-year term, with the person so elected being eligible for re-election. The nomination of a Treasurer shall be made by the General Presbyter and the Coordinating Team, and the Treasurer shall serve under the supervision of the General Presbyter. The person elected shall serve as Central Treasurer for all regular Presbytery financial matters, and shall receive and disburse all funds according to the stewardship and financial management policies adopted by the Presbytery. The Treasurer ordinarily shall be the Treasurer of the Presbytery

corporation and shall serve as an advisory member of the Presbytery committee responsible for budget administration and financial oversight.

- M-4.0108 The Presbytery also shall elect a Recording Clerk to serve a term of one year, with eligibility for re-election. The Recording Clerk shall keep minutes of the meetings of Presbytery and perform duties under the direction and supervision of the Stated Clerk.
- M-4.0109 The Coordinating Team of Presbytery shall determine an annual stipend for persons serving as Treasurer and as Recording Clerk, if those persons are not employed as members of the Presbytery staff.
- M-4.0110 The Moderator of Presbytery may appoint a temporary clerk or clerks to assist the Stated Clerk during Presbytery meetings and to facilitate the business of the meeting. They shall perform their duties subject to the direction of the Stated Clerk and the Recording Clerk.

M-5.0000 Chapter V. PRESBYTERY STAFF

M-5.0100 DEFINITIONS AND ROLE

M-5.0101 The role of the Presbytery staff shall be to facilitate, enable, encourage, resource, and inspire the entire mission and ministry of Trinity Presbytery. Staff members are expected to perform their duties in ways that will enable the interdependent parts of our system of church government to work together harmoniously. Staff shall advise and assist the Coordinating Team and the various teams, committees, commissions, task forces, and agencies of the Presbytery, but staff members are neither authorized nor expected to accept responsibilities for or to do the work assigned to elected or appointed members of Presbytery agencies.

M-5.0102 The Presbytery staff shall comprise the following:

- a. Executive Staff: the General Presbyter and the Stated Clerk.
- b. Professional Staff: persons serving in exempt professional positions under the supervision of the General Presbyter and the Coordinating Team of Presbytery.
- c. Support Staff: All secretarial and support function personnel.

M-5.0103 The Staff shall be expected to meet regularly at times designated by the General Presbyter for purposes of communication and coordination of work and to ensure that staff resources are allocated to support the work of Coordinating Team and the agencies of Presbytery in ways that reflect good stewardship of time and talents.

M-5.0104 All staff positions and the appropriate range of compensation shall be authorized by the Presbytery upon recommendation of the Coordinating Team.

M-5.0200 THE GENERAL PRESBYTER/STATED CLERK

M-5.0201 The General Presbyter shall function within Trinity Presbytery as the servant of its constituent churches, seeking to enable their health, their mission and ministry. Within that frame-work, this person shall serve as the Administrative Officer of the Presbytery, and shall represent the Coordinating Team in overseeing the administration and coordination of the entire organizational system of the Presbytery and in supervising all staff members. The General Presbyter shall be responsible for:

- a. Serving as the head of staff of Trinity Presbytery, working closely with the Personnel Committee and the Coordinating Team as prescribed in the Manual of Administrative Operations.
- b. Supervising professional and support staff of the Presbytery under the authority of the Coordinating Team.
- c. Employing, supervising, and evaluating support staff, as prescribed in the personnel policies of Presbytery.

- d. Coordinating staff services for all teams and committees of Presbytery, fostering good communication among staff members and with the Presbytery.
- f. Interpreting the work of the Presbytery to local churches and the general public.
- g. Administering the budget of the Presbytery, overseeing the work of the Presbytery Treasurer.
- h. Facilitating the delivery of services to local congregations.
- i. Advising the Nominating Committee and the Committee on Representation as they seek broad participation by people representative of our Presbytery's diversity, as mandated by The Book of Order, and in offering equal employment opportunity as required in The Book of Order.
- j. Serving as an advisory member of the Coordinating Team and the Commission on Ministry.
- k. Serving as a resource to the Nominating Committee, the Permanent Judicial Commission, and the Board of Trustees of Trinity Presbytery.
- l. Being sensitive to the pastoral needs of individual church professionals and their families and arranging needed counseling or support services for Ministers of Word and Sacrament and other church professionals in conjunction with the Commission on Ministry.
- m. Giving special attention to the needs of small churches, church redevelopment, and new church development.
- n. Visiting on a systematic basis the congregations of Trinity Presbytery.
- o. Performing other duties as may become necessary or as may be assigned by the Coordinating Team or the Presbytery.

M-5.0202 The Stated Clerk shall function within Trinity Presbytery as the servant of its constituent churches, seeking to enable their health, their mission and ministry. The Stated Clerk shall be responsible for:

- a. Serving as Stated Clerk of the Presbytery under the constitution of the Church.
- b. Fostering good communication among staff members and with the Presbytery.
- c. Interpreting to the Presbytery the policies, programs, and decisions of the General Assembly and Synod.
- d. Interpreting the work of the Presbytery to local churches and the general public.
- e. Facilitating the delivery of services to local congregations.

Executive Team (ET), Coordinating Team (CT), or Presbytery. Approval may be obtained by email vote.

1. To receive, hold, encumber, manage, sell, dispose of, condemn, and transfer property, real, or personal. Trustees will develop standardized procedures and forms for these various activities and will ensure proper documentation is created and appropriately filed and maintained for future use, or reference.
2. To accept, document, and execute deeds of title to such property after proper approvals have been solicited and provided. Such approvals will become a part of the documentation for each transaction.
3. Recommend the disposition of funds that may be generated from activities of the Trustees to the AET. Such funds being subject to the authority of and under the Constitution of the Presbytery Church (USA).
4. In the buying, selling, and mortgaging of real property, the Trustees will act only after approval of the AET, Presbytery Coordinating Team (CT), (such approval not being reasonably withheld), and after the approval of the Presbytery has been granted in a duly constituted meeting of Trinity Presbytery (Book of Order, G-4.02).
5. The Trustees shall consist of three (3) Trustees, one (1) at large, and two (2) members of the AET serving in dual roles on the AET. One (1) of the three shall be designated to serve as the Chairman of the Trustees. The Trustees will be nominated by the Nominating Committee, through the normal nomination process, either to serve on the AET, or nominated as a Trustee to serve as a member of the AET. Trustees will have an educational and/or a working background relevant and related to the duties of the Trustees. Any member, Ruling Elder, or Minister of Word and Sacrament, having these qualifications, in good standing within the bounds of Trinity Presbytery, shall be eligible for election as a Trustee.
6. The Trustees may, at their option, elect other members of Trinity Presbytery, in good standing, to serve as members of a Trustee Committee to assist in the performance of the duties of the Trustees and develop a pool of future Trustee candidates.

The Trustees, along with the Presbytery Staff Member assigned, will manage the properties owned by the Presbytery, ensuring the property is maintained, insured, and related duties.

8. The Trustees shall have a Trinity Presbytery staff member assigned to assist in the performance of the Trustees duties and obligations.

M-7.0000 Chapter VII: NOMINATING COMMITTEE

- M-7.0101 The Nominating Committee shall be responsible for nominating to the Presbytery qualified persons to serve in all elected positions in the agencies, teams, committees, and councils of the Presbytery.
- M-7.0102 a. The Nominating Committee shall function in conformity with the Book of Order, G-3.0111. It shall consist of nine (9) members, three of whom are Ministers of Word and Sacrament, three of whom are male laypersons, and three of whom are female laypersons. The membership shall reflect the racial-ethnic diversity of the Presbytery. Any member in good standing in a Presbyterian Church (U.S.A.) congregation within the bounds of Trinity Presbytery, together with all Ministers of Word and Sacrament who are members of the Presbytery, shall be eligible for election to this committee.
- b. The term of office is for three years, and eligibility terminates after one term. The Moderator of the Presbytery, in consultation with the Past Moderator and the Vice Moderator, shall bring to the Fall meeting of Presbytery nominations for vacancies on the Nominating Committee. The Moderator of the Committee should be nominated to the Presbytery along with committee members.
- M-7.0103 The Committee shall solicit and consider recommendations from churches and Ministers of Word and Sacrament of the Presbytery, from the Moderator, from the Coordinating Team, and from Teams; and shall consult with the professional staff of the Presbytery. In making nominations, they shall give careful attention to the principles of representation described in G-1.0102, G-1.103.
- M-7.0104 a. The Nominating Committee shall present its major report to the Fall Meeting of the Presbytery each year. The report shall include nominations of persons to serve as Moderators of committees, councils, teams, and agencies, who shall be members of the unit they moderate. Moderators shall be elected to one-year terms and are eligible to serve no more than three consecutive terms.
- b. A simple majority of votes cast shall be required for election. Persons elected at the Fall meeting shall take office on January 1 following the meeting at which they are elected.
- c. The Nominating Committee may report at any meeting of Presbytery and recommend persons to fill vacancies. When such elections occur, it shall be understood that the terms of service begin immediately unless otherwise specified by the Committee.
- M-7.0105 Ordinarily no person shall be elected to more than one continuing structure of Presbytery, except as provided or required by this Manual of Administrative Operations. Persons elected to a continuing structure of Presbytery may serve as designated representatives from one structure to another or on task forces.
- M-7.0106 Should a vacancy need to be filled between meetings of Presbytery, the Moderator of Presbytery, the Past Moderator, the Vice Moderator, and the Nominating

Committee Moderator shall make a temporary appointment which shall stand until confirmed by the next meeting of Presbytery.

- M-7.0107 a. When possible, all Ministers of Word and Sacrament in the Presbytery are to be nominated to at least one Presbytery, Synod, or General Assembly responsibility. The Committee shall attempt to have at least one Ruling Elder from every Church serving in a Presbytery or higher council position.
- b. This Committee shall endorse and commend to Nominating Committees of the Synod, the General Assembly, and institutions supported by the Presbytery the names of persons from within the Presbytery for service on their committees, councils, boards, and agencies.
- M-7.0108 Each year at the Fall Meeting of the Presbytery, the Nominating Committee shall nominate a Moderator and Vice Moderator for the Presbytery for the following year.
- M-7.0109 Terms of service and expectations of diligence are described in M-6.0000 and in descriptions of the Teams of Presbytery.
- M-7.0110 a. Commissioners to the General Assembly and alternates shall be nominated and elected at the Fall Meeting of the Presbytery. The Nominating Committee shall confer with the Stated Clerk to determine the number of Ruling Elder and Minister of Word and Sacrament commissioners and Youth Advisory Delegates the Presbytery is entitled to send. Any member in good standing in a Presbyterian Church (U.S.A.) congregation within the bounds of Trinity Presbytery, together with all Ministers of Word and Sacrament who are members of the Presbytery, shall be eligible for election to this committee.
- b. In making these nominations the Committee shall take into account the person's service to the church and the Presbytery, and the ability of the person to work effectively in the Assembly committees and plenary sessions.
- c. They may consider the number of years the person has been ordained, the length of membership in the Presbytery, and whether the person has attended a meeting of the Assembly previously. They may also consider the nature of the business to come before the Assembly and the capacity of persons to contribute constructively, to understand, and in turn, to interpret to the Presbytery the work of the Assembly and its decisions. Care should be taken to rotate the nominations among the churches of the Presbytery, and the Committee should seek suggestions from the Sessions.
- M-7.0111 Commissioners to the Synod of South Atlantic shall be nominated and elected at the Winter Meeting of the year in which the Synod plans to meet. Ministers of Word and Sacrament shall ordinarily be nominated on a rotating basis; and Ruling Elders shall be nominated by the Sessions of the Churches in the Presbytery on a rotating basis. At least three months before the Presbytery meeting at which the election of commissioners is to be held, the Committee should notify the Sessions eligible to make nominations that they have such responsibility.

M-8.0000 Chapter VIII: THE COMMITTEE ON REPRESENTATION

M-8.0101 The Presbytery Committee on Representation shall function in accord with the Book of Order, G-3.0103, and shall "advise the council with respect to their membership and to that of their committees, boards, agencies, and other units in implementing the principles of participation and inclusiveness to ensure fair and effective representation in the decision-making of the church" (G3.0103).

M-8.0102 The efforts of the Committee shall be directed toward "giving full expression to the diversity within [the Presbytery] and shall provide means which shall assure a greater inclusiveness leading to wholeness in its emerging life. Persons of all racial ethnic groups, different ages, both sexes, various disabilities, diverse geographical areas, and different theological positions consistent with the Reformed tradition shall be guaranteed full participation and access to representation in the decision-making of the church" F-1.0403.

M-8.0103 The Committee shall be composed of eight persons:

- One (1) white male layperson or Minister of Word and Sacrament;
- One (1) white female layperson or Minister of Word and Sacrament;
- Two (2) racial ethnic male laypersons or Ministers of Word and Sacrament;
- Two (2) racial ethnic female laypersons or Ministers of Word and Sacrament;
- Two (2) youth, one (1) of whom shall be male, and one (1) shall be female; and one (1) of whom shall be a racial ethnic person.

M-8.0104 The Committee shall be nominated and elected by Presbytery according to the process in regular use. For purposes of budgeting, the Committee's expenses shall be provided under a "Constitutional Committees" line item. For purposes of reporting, the Committee shall report directly to the Presbytery, and shall consult regularly with the Nominating Committee and the Personnel Sub-committee. Any member in good standing in a Presbyterian Church (U.S.A.) congregation within the bounds of Trinity Presbytery, together with all Ministers of Word and Sacrament who are members of the Presbytery, shall be eligible for election to this committee.

M-9.0000 Chapter IX: THE PERMANENT JUDICIAL COMMISSION

- M-9.0101 The Permanent Judicial Commission of the Presbytery shall function in accordance with the provisions of the Book of Order, D-5.0000.
- M-9.0102 The Permanent Judicial Commission shall be composed of nine (9) persons who shall serve six-year terms, in three equal classes. Five Ruling Elders and four Ministers of Word and Sacrament shall be elected. Not more than one of its members shall be related to any one constituent church. Any member in good standing in a Presbyterian Church (U.S.A.) congregation within the bounds of Trinity Presbytery, together with all Ministers of Word and Sacrament who are members of the Presbytery, shall be eligible for election to this committee.
- M-9.0103 The Permanent Judicial Commission shall fulfill all those duties and responsibilities delineated in the Book of Order as responsibilities of the Permanent Judicial Commission. They shall serve as an advisory committee on interpretation of the Constitution when requested to do so by the Stated Clerk.
- M-9.0104 a. Formation of a Committee of Counsel
In the interim between meetings of the Presbytery Coordinating Team, upon receipt of a Complaint of an Irregularity (D-6.0102 Remedial Case) the Stated Clerk shall inform the Chair of the Permanent Judicial Commission of the complaint and shall form a Committee of Counsel in accordance with the provisions of the Book of Order, D-6.0302. The Stated Clerk shall form the Committee of Counsel from the historical rolls of members of the Permanent Judicial Commission or others of similar background, with the consultation of the Chair of the Permanent Judicial Commission. The Stated Clerk shall report the formation of a Committee of Counsel, and the names of the individuals serving, to the Presbytery Coordinating Team in accordance with the provisions of the Book of Order, D-6.0304, by or at the next meeting of the Presbytery Coordinating Team.
- b. Formation of an Investigative Committee
In the interim between meetings of the Presbytery Coordinating Team, upon receipt of a Statement of Offense (D-10.0102 Disciplinary Case) the Stated Clerk shall form an Investigative Committee in accordance with the provisions of the Book of Order, D-10.0201, from the historical rolls of members of the Permanent Judicial Commission or others of similar background, and shall inform the Presbytery Coordinating Team of the formation of an Investigating Committee, and the names of the individuals serving, to the Presbytery Coordinating Team in accordance with the provisions of the Book of Order, D-10.0201b, at the next meeting of the Presbytery Coordinating Team (if such meeting is before the next meeting of Presbytery).

M-10.0000 Chapter X: ELECTION OF TRUSTEES OF INSTITUTIONS

M-10.0101 Trinity Presbytery joins the other Presbyteries in South Carolina in electing Trustees to the Boards of the Presbyterian Communities of South Carolina, the South Carolina Inn at Montreat (William Brearley Home), Presbyterian College, and from time to time, to other institutions. Nominees for election shall be proposed by the Nominating Committee of the Presbytery, which shall give serious consideration to, but not be bound by, recommendations submitted from the current Board of Trustees of each institution. All nominations shall be in conformity with the provisions of the Book of Order and this Manual of Administrative Operations. Any member in good standing in a Presbyterian Church (U.S.A.) congregation within the bounds of Trinity Presbytery, together with all Ministers of Word and Sacrament who are members of the Presbytery, shall be eligible for election to this committee.

M-10.0102 Trustees elected by the Presbytery shall serve three-year terms and shall be eligible for a maximum of two consecutive terms.

M-10.0103 The Presbytery shall elect three Trustees for the Presbyterian Communities of South Carolina: one Minister of Word and Sacrament, one layman, and one laywoman.

M-10.0104 The Presbytery shall elect three trustees to the Board of the South Carolina Inn at Montreat (William Brearley Home): one Minister of Word and Sacrament, one layman, and one laywoman.

M-10.0105 Trustees shall consider themselves agents of the Presbyterian Church (USA) with primary responsibility to the church as represented in the Presbytery.

M-10.0106 Presbytery-elected Trustees of the various institutions shall:

- I. Communicate with the Presbytery at least annually, and at any time it seems appropriate or necessary, through the Administrative Enabling Team, in fulfillment of the responsibility to serve as two-way channels of communication, understanding, and support between the institution, the Presbytery, and the churches.
- II. Encourage and promote benevolent support of the institution by the Presbytery and the churches.
- III. Expand the ministry of Presbytery through and to the institution.
- IV. Faithfully participate in meetings and functions of the institutional board, carrying out duties assigned by the board or the administration of the institution.
- V. Promote continued responsiveness and compliance of the institution to the concerns and desires of the Presbytery and its churches.
- VI. Ensure clarity within the institution concerning its ultimate responsibility to Christ as Head of the Church.

M-10.0107 Trustees of institutions who are elected by the Presbytery shall take office either on the date of their election by the Presbytery or at a date consistent with the practice and needs of the institution, but no later than January 1st following the date of the Presbytery meeting at which they are elected.

M-11.0000 Chapter XI: PROVISIONS FOR THE WORK OF TEAMS AND THE COORDINATING TEAM

- M-11.0101 The Coordinating Team of Presbytery and the Teams of the Presbytery's mission and ministry shall organize themselves to fulfill their assigned responsibilities using elected committees and establishing sub-committees and task forces as necessary or appropriate.
- M-11.0102 Additional persons may be enlisted or appointed to assist in the work of the agencies of Presbytery as provided in the sections on co-opting persons found under Team descriptions.
- M-11.0103 All structures of the Coordinating Team and the Teams, including persons serving on those structures and having responsibilities for particular functions, shall be reported to the Stated Clerk by the Coordinating Team or Team Moderator.
- M-11.0104 Standing rules shall be maintained and submitted annually to the Stated Clerk.
- M-11.0105 Copies of minutes of the Coordinating Team, Teams, sub-committees, task forces, and other agencies shall be submitted to the Stated Clerk in a timely manner, but in all cases within two weeks of a meeting.
- M-11.0106 The Coordinating Team and Teams shall meet at least quarterly, and more often if necessary. All regular meeting dates, times, and places should be reported to the Presbytery office for placement on the calendar, for notification to members, and for coordination.
- M-11.0107 The Teams are responsible to, and shall report to Presbytery through the Coordinating Team, with the exception of the Commission on Ministry and Committee on Preparation for Ministry, which report directly to the Presbytery.
- M-11.0108 During the first quarter of the year, the Teams shall submit annual budget requests to the Administrative Enabling Team for the following year's work.
- M-11.0109 The Moderator of a Team shall be an advisory member of each sub-committee and task force under that Team.
- M-11.0110 The Teams are encouraged to communicate and to coordinate with each other to discover ways they can cooperate and places in which they can support each other. Where responsibilities and interests overlap, it is expected that such coordination will take place.

Revised Manual presented to Presbytery for adoption,
Stated Meeting, November 14, 2017

Trinity Presbytery

Protection Policy Manual

Section Headings

1. Definitions
2. Protection of Children, Youth and Persons with Special Needs
3. Prevention of Sexual Misconduct
4. Response Coordination Team
5. Amendments and Revisions to This Policy
6. Appendices

Proposed Revisions 6/1/2015

Adopted 10/27/2015

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1. DEFINITIONS

Accused is the term used for the person against whom a claim of sexual misconduct is made.

Accuser is the term used for the person claiming to have been the victim of sexual misconduct by a Minister of Word and Sacrament, staff person, or volunteer. Other persons may also report an allegation (family member, friend, or colleague of the Accuser, another Minister of Word and Sacrament of church member, etc.).

Advocate is a friend, family member, or pastor who is permitted to accompany the Accused or Accuser to meetings in order to give moral support and advice. The Accused and Accuser will select their own Advocates.

Allegations are assertions that allege an offense committed by a minister, staff person, or volunteer. It is the term which refers to assertions made prior to the commencement of formal *Book of Order* Rules of Discipline proceedings. (See “Charges” below.)

Book of Order contains the Form of Government (operating rules), Directory of Worship (sacerdotal matters), and Rules of Discipline (judiciary procedures) of the Presbyterian Church (USA).

Charges are formal statements of accusation made by an Investigating Committee (replaces a “Special Disciplinary Committee” per D-10.0100 of proposed “Rules of Discipline”) against a Minister of Word and Sacrament, staff person, or volunteer when it has reason to believe an offense has occurred which should be brought to trial before the Permanent Judicial Commission of the Presbytery for the purpose of discipline in the case of a Minister of Word and Sacrament and which should be brought before the Coordinating Team in the case of lay employees and volunteers.

Child Sexual Abuse includes, but is not limited to, any contact or interaction between a child under the age of eighteen 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. Sexual behavior between a child and an adult is always considered forced whether or not consented to by the child. Child sexual abuse is a felony (according to federal and state law) and must be reported to the appropriate officials.

Contact Person is the Response Coordination Team Member assigned to a particular case. Contact Persons are specially trained in interviewing those affected by allegations of sexual misconduct.

Pastoral Care Givers are assigned by the Response Coordination Team to provide pastoral care to those affected by allegations of sexual misconduct. In this Presbytery a Pastoral Care Giver fits the category of persons defined in the *Book of Order* as “a person duly appointed by a governing body to provide counseling services for persons within the jurisdiction of the governing body.” The *Book of Order* further specifies that such persons “shall not testify before a ...permanent judicial commission...” See *Book of Order*, D-14.0203 (new version of “rules of Discipline”).

Response Coordination Team is the six member team that is nominated by the Nominating Committee of Trinity Presbytery and elected by the entire Presbytery. A full description of this team - its makeup and function, is found in section four of this Policy.

Sexual Harassment as defined for this Policy is as follows: Unwelcomed and unsolicited sexual advances, requests for sexual favors, discriminatory tormenting based on gender, and other unwelcome verbal, visual or physical conduct of a sexual nature. In particular, sexual harassment occurs if:

1. submission to any kind of sexual harassment is explicit or implicit term or condition of employment;
2. submission to, or rejection of, sexually harassing behavior is used as the basis of employment, or other personnel decisions affecting the recipient of the behavior;
3. sexual harassment has the purpose or the effect of unreasonably interfering with the recipient's work performance or creating an intimidating, hostile, or offensive environment.

Sexual misconduct includes, but is not limited to the following:

1. Child sexual abuse as defined above.
2. Sexual harassment as defined above.
3. Rape or sexual contact by force, threat or intimidation.
4. Sexual conduct (such as offensive, obscene or suggestive language or behavior, unwelcome touching or fondling) which is injurious to the physical or emotional health of another person.
5. Sexual malfeasance is defined as sexual conduct within a ministerial or professional relationship (for example, clergy with a committee member, camp counselor with a conferee, lay employee with a church member). Sexual malfeasance includes unwelcome sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature, whether consensual or non-consensual, and regardless of any purported therapeutic benefit or treatment within a counseling or professional relationship of any kind.

2. **POLICY FOR THE PROTECTION OF CHILDREN, YOUTH AND PERSONS WITH SPECIAL NEEDS ENGAGED IN OUR MINISTRIES**

A. **A Vision for Children and the Church**

“Let the little children come to me, and do not hinder them, for the kingdom of God belongs to such as these. I tell you the truth, anyone who will not receive the kingdom of God like a little child will never enter it.” And he took the children in his arms, put his hands on them and blessed them. Mark 10:14-16

Because we affirm that all children are a gift of God, created by God and created good;
all children are a gift to the whole of the human community;
all children have a real faith, and gifts for ministry;
all children have the right to be children;
and all children are not just tomorrow, they are today.

Because we believe that all children depend upon adults for safety and security
in a world that does not always value children;
all children are affected first and most deeply by those things that work against
health and wholeness:
where there is disease, children sicken and die;
where there is homelessness, children sleep on the streets and in other dangerous
places;
where there is war, children are frightened and without a safe place;
where the air and water are polluted, children feel the effect in their bodies and in
their futures;
where there is shame, children’s spirits are wounded.

Therefore we hope for a world where all children can find a safe place;
where all ages, races, genders, creeds, and abilities are recognized, valued, and
celebrated;
where all adults hear the voices of children and speak with as well as for them; where all
children have “first call” on the world’s resources and first place in the minds and hearts
of the world’s adults.

Because Jesus welcomed children and encouraged us to welcome them in his name; Jesus
lifted up a child as an example of what the realm of God is like;

Therefore we hope for a church

where we take seriously our baptismal vow to nurture all children committed to our
care;

where we bring good news to all those places where children are in need; where
adults and children alike share in ministry.

**We covenant to act so that this vision may be made real for all children, now and in
times to come.**

Adopted by the 205th General Assembly, 1993

B. Policy

Because we believe that children are a gift of God as demonstrated by Jesus welcoming them; because we believe in the *Vision for Children* adopted by the 205th General Assembly; and because we are called, as God's people to nurture, love, and care for our children, Trinity Presbytery adopts the following covenant to provide a safe place for our children, youth or persons with special needs to experience the kingdom of God.

For the purpose of this policy, the terms "child," "children," or "youth" include all persons under the age of eighteen years. It is also the intent of this policy to protect persons with special needs regardless of age. "Special needs" is defined as any individual who requires assistance for disabilities that may be medical, mental, or psychological.

For the protection of those persons in our care, everyone working directly with children, youth and persons with special needs, whether paid or volunteer, at any Trinity Presbytery sponsored or cosponsored events is subject to the provisions of this policy.

Therefore, all Presbytery activities and programs will be subject to the following policy:

1. It is our intent to provide two unrelated adults, aged 18 or older, to be designated to supervise or lead all activities involving children or youth on behalf of the presbytery. Supervising adults should be at least four (4) years older than those being supervised. If this is not possible and only one adult or two related adults are supervising, there will be multiple children or youth participating, and parents/guardians will be informed of the situation in writing.
2. Individuals who have not been members of a church in Trinity Presbytery for at least six (6) months *may* be invited to work in supervised settings with children, youth and special needs persons, but ***will not*** be the adult in charge. Paid staff (church and/or presbytery) are exempt from this requirement.
3. Each Team and Committee must complete procedures and management practices to include Screening, Standards of Behavior, and Reporting Procedures as related to this policy to Trinity Presbytery Coordinating Team (PCT). Trinity PCT should approve each Team's policy.
4. Each Team and Committee will be responsible for completion of Volunteer Information Form, criminal record check and reference checks before service begins for events under their supervision. Employees of Trinity Presbytery are required to complete information/background screening as provided for in this policy, and will be subject to additional requirements as per the Trinity Presbytery Personnel Policy.
5. Trinity Presbytery will provide a copy of this policy to each congregation within its bounds.
6. All Teams and Committees will provide training annually on the Trinity Presbytery Policy for the Protection of Children, Youth and Persons with Special Needs and the guidelines of that Team.

C. Standards of Behavior

Pursuant to South Carolina Definition of Abuse Law & Abuse Reporting Law (Appendix E), sexual/physical abuse acts are prohibited by Presbytery employees and volunteers.

Use of alcohol, tobacco or illegal drugs while leading or participating in a ministry program of Presbytery involving children, youth or persons with special needs is prohibited.

Volunteers and Presbytery employees are to uphold appropriate and faithful communications with children, youth and persons with special needs in all contexts, including all electronic and social media.

Supervision according to this policy must be maintained before, during and after Presbytery events until a parent/guardian resumes responsibility.

D. Screening Procedures

National background checks for volunteers or adults leading activities shall be completed every three (3) years. Congregations are encouraged to use a reputable national vendor, such as the vendor used by Trinity Presbytery. Background checks normally include:

- State and National Criminal Background checks,
- Driving Record check, if driving is required for activity,
- Sexual Offender Registry check.

E. Reporting Procedures

In order to maintain an environment free of destructive acts toward all children, youth and persons with special needs, the staff, employees, teachers, parents and volunteers of the presbytery must be aware of their individual responsibility to report any questionable circumstance, observation, act, omission, or situation thought to be in violation of this policy. South Carolina law requires the prompt reporting of suspected abuse.

Anyone who witnesses or receives an allegation of such an occurrence should follow these steps to insure the security and protection of all persons involved:

1. Personally ensure the safety of the child, children, youth or persons with special needs.
2. Report the incident immediately to the supervisor of the program or ministry area and to appropriate authorities. (If help is needed in making the report, contact supervisor or Presbytery staff.)
3. Do not leave the child, children, or youth alone to report the incident.
4. Do not personally confront the accused violator of the policy.
5. Maintain the confidentiality of the accused, the accuser, and the victim.
6. Parents or legal guardians of those involved in the incident will be contacted by supervisor of the program or ministry area.
7. The Person with firsthand knowledge of the event shall complete the Incident Report Form (Appendix D).

8. Once the situation is stabilized, the completed incident report form will be given to the General Presbyter of Trinity Presbytery, the Chair of the Coordinating Team of Presbytery or the Moderator of the Commission on Ministry within 48 hours. These persons have a responsibility to refer the allegations to the Moderator of the Response Coordination Team within three days.
9. Do not investigate the accusation. Allow professional/law enforcement officials this responsibility.
10. Until an investigation is complete, the accused and accuser may not participate in Presbytery events.

F. Right to Exclude from Service

Trinity Presbytery reserves the right to exclude from service any volunteer or employee who has been found in violation of this policy or for whom potentially negative or questionable information has been discovered in background screenings, interviews or reference checks. Trinity Presbytery also reserves the right to terminate an employee for such violation of this policy.

3. THE PREVENTION OF SEXUAL MISCONDUCT

A. Policy:

It is the policy of Trinity Presbytery as a governing body of the Presbyterian Church (U.S.A.) that all Ministers of Word and Sacrament, lay employees and volunteer staff are to maintain the integrity of the ministerial, employment and professional relationship at all times. Sexual misconduct is not only a violation of the principles set forth in Scripture, but also of the ministerial, pastoral, employment, and professional relationship. It is never permissible or acceptable. Sexual Misconduct is defined and further explained in the Definitions found in Section 1 of this Policy and by the *Standards of Ethical Conduct* which was approved by the 210th General Assembly (1998) and adopted for use by Trinity Presbytery in October of 2013. (Appendix F)

This Policy on Sexual Misconduct (hereafter called “Policy”) applies to every Minister of Word and Sacrament (“minister”) who is a member of Trinity Presbytery and every lay employee and volunteer staff of Trinity Presbytery. In all its provisions, this Policy is under the authority of the Constitution of the Presbyterian Church (U.S.A.) as contained in the *Book of Order* (most recent edition).

B. Standards of Behavior

In order to maintain integrity of relationships between Christians, those who plan, supervise and execute events sponsored by Trinity Presbytery are expected to take care to observe both the spirit and the requirements of this policy to avoid either the appearance or the occurrence of Sexual Misconduct or Harassment as defined in Section 1 of this Policy. In order to accomplish this goal, the following standards of behavior, taken from the larger *Standards of Ethical Conduct* document (approved as Presbytery Policy in October of 2013 - Appendix F) are to be followed by all Ministers of Word and Sacrament, lay employees and volunteer staff of Trinity Presbytery.

1. Be honest and truthful in my relationships with others;
2. Be faithful, keeping the covenants I make and honoring marriage vows;
3. Refrain from abusive, addictive, or exploitative behavior and seek help to overcome such behavior if it occurs;

4. Honor the sacred trust of relationships within the covenant community and observe appropriate boundaries;
5. Be judicious in the exercise of the power and privileges of my office and positions of responsibility I hold;
6. Refrain from exploiting relationships within the community of faith for personal gain or gratification, including sexual harassment and misconduct as defined by Presbyterian Church (U.S.A.) policy;
7. Accept the discipline of the church and the appropriate guidance of those to whom I am accountable for my ministry.

C. Reporting Procedure

Anyone who believes that they are the victim of sexual misconduct or harassment by a Minister of Word and Sacrament, lay employee or volunteer staff member of Trinity Presbytery, or anyone who believes they have observed such conduct have the right to let their complaint be made known and to take advantage of the processes and protections offered by this policy.

Allegations should be put in writing and sent to the General Presbyter of Trinity Presbytery, the Chair of the Coordinating Team of Presbytery or the Moderator of the Commission on Ministry. These persons have a responsibility to refer the allegations to the Moderator of the Response Coordination Team within three days. After the written allegation is referred to the Response Coordination Team, their policies and procedures shall govern and guide the actions of the Presbytery.

4. THE TRINITY PRESBYTERY RESPONSE COORDINATION TEAM

A. Response Coordination Team is a six member team elected by the Presbytery having been nominated by the Nominating Committee. These persons are selected on the basis of special skills and with substantial knowledge of human resources and knowledge of liability exposure. Care shall be given by the Presbytery Nominating Committee to have as equal a number of Ruling Elders and Ministers of Word and Sacrament on this Team as possible. Members serve staggered terms of three years. Members may be elected to serve for two consecutive terms. The Moderator of the Response Team is elected by the Team itself each year in November/December before the class rotating off leaves office. In the rest of this paper this group is called simply the Response Team. Responsibilities of the Response Team are:

1. To fulfill the procedures of the Policy and prevention assignments outlined in the Personnel Manual.
2. To make provision for pastoral care to all parties, to help all parties understand the process, to coordinate the implementation of the process, to help train and give counsel to all parties.
3. To review this Policy and make recommendations for change.
4. To develop a handbook which outlines the specific duties of and provides a training guide for new Response Team members, Pastoral Care Givers, Contact Persons, and others charged with responsibilities under this Policy.

In the event a member of the Response Team or any family member, relative or personal friend of a member of the Response Team is named as an Accused or an Accuser, or is the ongoing pastor or Pastoral Care Giver of an Accused or Accuser, that member shall be relieved of service on the Response Team until the case in question is completed in both ecclesiastical and secular courts. (Upon notification, the Nominating Committee may name a replacement for the duration of the suspension period.)

B. Reporting Procedures

Procedures for reporting abuses against children, youth or persons with special needs are outlined in that Policy (see Section 2E). Procedures for reporting sexual misconduct or harassment against a Minister of Word and Sacrament, lay staff or volunteer staff member of Trinity Presbytery are outlined in that Policy (see Section 3C). In both cases the following procedures are assumed for reporting:

1. The intention of these policies is to make clear and available recourse for action for all allegations of sexual misconduct. The Response Coordination Team has the authority, given the unique circumstances of any case, to make a change in the order of the procedures so long as the changes facilitate the reporting and response.
2. The General Presbyter, Moderator of Presbytery Coordinating Team or the Moderator of the Commission on Ministry are the persons to whom allegations should be given. Depending on the needs of the specific event, allegations may initially be received verbally. However, eventually all allegations shall be put in writing.
3. These persons will ensure that the allegations are referred to the Moderator of the Response Coordination Team within three (3) days.
4. Ordinarily, within three days of receiving an allegation, the chair of the Response Team assigns a member of the Response Team to serve as Contact Person (i.e. Coordinator) for the case. Ordinarily the chair will not be a Contact Person. The two primary roles of the Response Team are:
 - a. To make provision for pastoral care to all parties throughout the process; and
 - b. To coordinate the implementation of the process.

C. The Response Team and the Accuser

1. Ordinarily within three days of receiving an allegation, the chair of the Response Team contacts the accuser and assigns a Pastoral Care Giver for the Accuser (and family).

Note: (The same Pastoral Care Giver will not be assigned to both the Accuser and Accused.) The Pastoral Care Givers are assigned from a pool of people previously recruited by the Response Team, from other pastors or pastoral care specialists. The chair of the Response Team always consults with the Accuser and the Accused to obtain their consent for the Pastoral Care Giver assigned to them. The Pastoral Care Giver will not be a member of the Response Team nor a staff member of any congregation involved.

2. Ordinarily within three days of appointment, the Contact Person and Pastoral Care Giver arrange a meeting with the Accuser. They inform the Accuser that an Advocate may also attend the meeting.
3. The Contact Person, Pastoral Care Giver and Advocate meet together with the Accuser for the following purposes:
 - a. They help the Accuser understand this Policy and disciplinary procedures of the *Book of Order*; and
 - b. The Accuser is offered assistance to arrange for counseling. If the Accuser (or family) needs financial help to pay for therapy, the General Presbyter is informed and makes the necessary arrangements, and

- c. All parties are encouraged to keep this matter in strictest confidence, and,
 - d. If the accusation is not in written form, the Accuser is informed that for the process to continue, the allegation must be put in writing by either the Accuser or by an officer of the Presbytery. The Contact Person, Advocate or Pastoral Care Giver may assist the Accuser to prepare a written accusation, and
 - e. The Accuser is informed that a limited release or waiver of confidentiality is necessary if the case is taken to the Permanent Judicial Commission or to the Presbytery Coordinating Team. (The Accuser will be required to give permission for the Accused to answer any allegations which grow out of “privileged communication” settings, such as counseling session.) This release will be limited to the procedures of the Policy and ecclesiastical disciplinary proceedings which may ensue.
4. The chair of the Response Team asks the General Presbyter to notify the Presbytery insurance carrier in order to comply with the requirements of the insurance policy.
 5. Ordinarily within ten days of the meeting with Accuser, the written accusations are given to the Chair of the Response Team.
 6. Ordinarily within ten days after the General Presbyter, the Moderator of Presbytery Coordinating Team or the Moderator of the Commission on Ministry receives the written accusations, the Chair of the Response Team and the Moderator of the Presbytery appoint an Investigating Committee from the pool of persons previously elected by the Presbytery. (See *Book of Order*, Rules of Discipline, Chapter X, “Disciplinary Cases”)

D. The Investigating Committee and the Person Accused

1. Ordinarily within ten days of appointment, the Investigating Committee shall arrange a meeting with the Accused. Information passed on to the Accused concerning the meeting to be held shall include the following:
 - a. That an Advocate chosen by the Accused may attend the meeting;
 - b. That the Response Team will be in contact with him/her in order to assign a Pastoral Care Giver for the Accused and family; and
 - c. That the Accused has the right to be represented by legal counsel and the right to refuse to comment on the accusation.
2. The Investigating Committee, Pastoral Care Giver and Advocate meet together with the Accused for the following purposes:
 - a. To review with the Accused this policy and the disciplinary procedures of the *Book of Order*, Rules of Discipline, Chapter X;
 - b. To provide a summary of the written accusations to the Accused;
 - c. To instruct the Accused not to have further contact with the Accuser or the Accuser’s family;

- d. To offer the Accused assistance in arranging for counseling. If the Accused (or Family) need financial help to pay for therapy, the General Presbyter is informed and, if possible, makes the arrangements for assistance; and
 - e. To inform all parties that this matter is to be kept in strictest confidence.
3. The Investigating Committee shall conduct an inquiry in strict accord with the provisions of the *Book of Order*, D-10.0200 to determine whether or not charges should be filed. If the Investigating Committee determines that there are no probable grounds or cause to believe that an offense was committed, or that there is insufficient evidence to proceed (see *Book of Order*, D-10.0202, D10.0303 and D10.0304), the Pastoral Care Givers will continue to offer pastoral care to all parties and no further action will be taken at this time.
 4. If the Investigating Committee determines that there are sufficient grounds to warrant the filing of charges, they shall notify the Accused and the Commission on Ministry (or the Coordinating Team of Presbytery if the Accused is a lay employee or volunteer) of their decision.
 - a. In the case of lay employees or volunteers, the Coordinating Team or Personnel Committee may determine whether limitations should be imposed on the Accused. Specific limitations shall be communicated in writing to the Accused within three days.
 - b. In the case of lay employees, if there are compelling reasons, the Coordinating Team may do one of the following:
 - i. Suspend the Accused from the performance of certain duties.
 - ii. Place the Accused on Administrative Leave.
 - c. In the case of a volunteer, if there are compelling reasons, the Coordinating Team may suspend the Accused from the performance of certain or all duties.
 - d. In the case of a Minister of Word and Sacrament, the Constitution of the Presbyterian Church (U.S.A.) does not permit a governing body to place a Minister of Word and Sacrament on temporary leave simply because there is a formal accusation of sexual abuse or misconduct.
 5. The provisions of G-3.0109b regarding the functioning of an administrative commission or the provisions of the Rules of Discipline regarding disciplinary cases must be implemented and brought to their full conclusion before anyone can be temporarily or permanently removed from office. A voluntary suspension may be agreed to by the parties involved.

from Minutes of General Assembly, 1995

Report of Advisory Committee on the Constitution - 21.103 - 21.105

6. The Coordinating Team informs the Accused lay employee of the Administrative Leave or the volunteer of the temporary suspension in writing, within three days, and the Contact Person instructs the Accused to have no further contact with members of any churches involved, or any other persons who have a pastoral or professional relationship with the Accused (unless approved in advance by the Contact Person.) During the period of Administrative Leave or suspension, the Accused shall refrain from the exercise of any function of the previous position. This process will be carried out with no undue delay.
7. D-10.0103 states "...the stated clerk shall ... report to the governing body only that an offense has been alleged without naming the alleged offender, or the nature of the alleged offense..." This section does NOT mean that the allegations are kept secret. Instead, it means that only those who have a "need to know" are informed. The investigating committee will decide who needs to be informed.

8. Representatives from the Response Team, Commission on Ministry, Coordinating Team and General Presbyter continue to offer care and guidance to the parties involved until such care is no longer needed.

E. Settlement

1. If at any time during the course of these proceedings, a request for a civil settlement is made by the Accuser, the following principles apply:
2. Legal counsel will be consulted, and
3. The Response Team will negotiate terms.
4. If there are any financial dimensions to a proposed settlement, the Response Team, in consultation with the appropriate officers, determines if this cost is covered by the Presbytery insurance for such purposes. If it is, the Response Team may propose a settlement.
5. The following committee is authorized to give final approval to settlements which are within Presbytery insurance coverage: The Chair of Presbytery Coordinating Team, the Moderator of the Board of Trustees, the Moderator of Presbytery, and the General Presbyter. If the terms of the Proposed settlement go beyond the scope of Presbytery insurance, the final terms must be approved by the Presbytery Coordinating Team, and reported to the Presbytery.
6. The final settlement will be reported to the General Presbyter, Commission on Ministry and/or Coordinating Team and will be retained in the permanent confidential personnel file of the Accused. A summary of the settlement will be reported to prospective employers of the Accused in the future.
7. If at any point in the process the Response Team or investigating committee requires the assistance of an attorney, the General Presbyter is informed and makes arrangements.
8. If disciplinary procedures are required, those procedures are as follows:
 - a. The disciplinary procedures for a Minister of Word and Sacrament (investigation, filing of charges, trial before the Permanent Judicial Commission, renunciation of jurisdiction, appellate procedures, etc.) are described in the *Book of Order*, “Rules of Discipline.” (Refer to the “Rules of Discipline” for a full statement of the formal procedures.)
 - b. The disciplinary procedures for lay employees and volunteer staff are described below and are consistent for lay employees with the Personnel Policies and Practices of Trinity Presbytery, Sections IV and VI:
 - i. If the Investigating Committee, after their inquiry, feels there are probable grounds or cause to believe an offense was committed, or there is sufficient evidence to proceed, they shall present such evidence to the Coordinating Team.
 - ii. The Accused will be given an opportunity to defend himself or herself before the Coordinating Team.
 - iii. If in the case of a lay employee, the Coordinating Team concludes that there are probable grounds that an offense did occur, the Accused will be dismissed with cause immediately. In such cases pay in lieu of notice will be given.
 - iv. In the case of a volunteer staff, if the Coordinating Team feels that there are probable grounds that an offense did occur, the Accused will be dismissed from the volunteer position.

5. AMENDMENTS AND REVISIONS TO THIS POLICY

This policy, in its entirety, is to be revised and applied under the primary supervision of the Coordinating Team of Trinity Presbytery. Each year, The Education and Nurture Ministry and the Outdoor Ministry Board shall review Section 2 of this Policy and suggest any revisions that seem prudent or necessary to ensure the safety of children, youth and Persons with Special Needs. The Commission on Ministry, likewise, has responsibility annually to review Section 3 of this Policy and to suggest any revisions that seem prudent or necessary to ensure the prevention of sexual harassment and misconduct by Ministers of Word and Sacrament, Commissioned Ruling Elders, lay employees and volunteer staff of Trinity Presbytery.

Coordinating Team of Trinity Presbytery has the responsibility:

1. To receive and to act upon recommendations for changes that are received from Education and Nurture, Outdoor Ministries and the Commission on Ministry.
2. To ensure that a Response Coordination Team is recruited, trained and in place in the event that such a team is needed.
3. To review the Policy as a whole to ensure cohesion and the consistent use of this Policy across our Presbytery.
4. To take any changes approved by the Coordinating Team of Trinity Presbytery to the whole Presbytery for action so that the Policy may be amended by Presbytery.
 - a. After the adoption of the original Policy (date), this Policy may be revised at any Stated Presbytery Meeting as long as:
 - i. Revisions come from Education and Nurture, Outdoor Ministries and/or Commission on Ministry and have been discussed and voted on by those bodies.
 - ii. The Revisions passed on by those entities are made available to the entire Coordinating Team of Trinity Presbytery at least 3 days prior to their meeting when such revisions are to be considered, and the proposed revisions are approved by a majority of the Coordinating Team.
 - iii. The Revisions, thus approved by Presbytery Coordinating Team, are listed on the Agenda of a Stated Meeting of Trinity Presbytery and the text of the revisions are made available to Trinity Presbytery in the original Presbytery Packet (not the supplement) so that they may be considered.
 - iv. After these requirements are met, revisions may be made by a majority vote of Trinity Presbytery at that Stated Meeting and will become official upon approval.
5. To ensure that this Policy is made available to all Moderators of Trinity Presbytery Committees, all Ministers of Word and Sacrament, Clerks of Sessions and lay Presbytery Staff on an annual basis and to ensure that training and education as seems appropriate and necessary happen.

6. APPENDICES

APPENDIX A

**TRINITY PRESBYTERY
VOLUNTEER INFORMATION FORM**

FOR WORKERS WITH CHILDREN, YOUTH AND PERSONS WITH SPECIAL NEEDS

1. Name (last, first, middle, maiden name)

If you have ever used another name, please indicate the name and the time period(s) used:

Current Address: _____

How long have you lived at this address: _____

How long have you lived in South Carolina: _____

Gender: M ___ F ___ Birth date: _____

Home Phone: _____ Cell phone: _____

Place of Employment: _____

Work Phone: _____

2. (skip number 2 if your position does not include driving)

Drivers License Number: _____

Have you ever had your driver's license suspended or restricted for any reason?

If yes, please describe the dates and reasons for each such occurrence on the back.

3. Location of current church membership: _____

Date you became a member: _____

4. List all previous church work involving children, youth, and special needs persons: (church name, address, type of work, dates, etc.)

5. List all previous non-church work involving children, youth, special needs persons: (Name of organization, address, type of work, dates, etc.)

6. Have you ever been arrested, charged, indicted or convicted for any criminal offense (misdemeanor or felony) other than a traffic violation? _____ (If yes, please explain.)

7. Have you ever been subject to any disciplinary action, complaint or allegations that you violated any employer's or any organization's policy concerning sexual misconduct? _____ (If yes, please explain.)

8. References: Please list the names, addresses, occupations, and telephone numbers of three people (other than relatives) who are familiar with your character and abilities. References will be contacted.

Name	Address	Occupation	Work Phone	Home Phone
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9. I understand and agree that:

- a) All information that I have provided may be verified. I agree to release from liability any person or organization that provides information concerning me, including these persons I have listed as references. I understand and agree that any information received will not be disclosed to me, and I hereby waive any right I may have to inspect any information provided about me by any person or organization identified by me on this form.
- b) By signing this form, I certify and affirm that the information I have given is true complete, and correct in all respects.
- c) I have read, understood and agree to abide by Trinity Presbytery Policy for the Protection of Children, Youth and Persons with Special Needs.
- d) I have completed the Release Authorization form or have furnished an accepted background screening.
- e) I will participate in any required training for volunteer leaders.

Signature: _____ Date: _____

Parent or Guardian's Signature: _____ Date: _____
(If under age eighteen)

This form must be updated at least triennially.

This form is confidential and will be kept in a locked file at the presbytery office.

APPENDIX B

**TRINITY PRESBYTERY
RELEASE AUTHORIZATION
Applicant Complete the Following**

1. In connection with my Christian service through Trinity Presbytery, I understand that a national background check will be required.
2. I acknowledge that a telephonic facsimile (FAX) or photographic copy shall be as valid as the original. This release is valid for most federal, state and county agencies.
3. I hereby authorize, without reservation, any law enforcement agency, institution, information service bureau, school, employer, reference or insurance company contacted during a background check, to furnish the information described in Section 1. The following information is required by law enforcement agencies and other entities for positive identification purposes when checking public records. It is confidential and will not be used for any other purposes. I hereby release the employer and agents and all persons, agencies and entities providing information or reports about me from any and all liability arising out of the requests for or release of any of the above mentioned information or reports.

Please print your full name

Please print other names you have used

Home address

City State Zip Code

Social Security Number Date of Birth

The following states require sex and race data to obtain information: AL, AR, FL, GA, IA, IN, OR, TX, WI.

- Male Female
- Asian Black/African American Hispanic White Native American Other

Driver's License Number _____ State Issuing License _____

Name as it appears on license _____

Signature _____ Today's date _____

APPENDIX C

**TRINITY PRESBYTERY
VOLUNTEER PHONE REFERENCE CHECK**

Identify yourself.

Tell the person that (applicant's name) gave you permission to call for a personal reference and that you will keep the conversation confidential.

Explain what the applicant will be doing for the (church's name) and the age and sex of the children or youth with whom the volunteer will be working.

Name of volunteer applicant: _____

Name of staff/volunteer calling for reference: _____

Name of reference: _____

Title/occupation: _____

Phone number: _____

Date called: _____

How long have you known (applicant's name) and in what capacity?

Have you observed (applicant's name) interacting with children/youth/persons with special needs and in what kind of environment?

Please describe this interaction.

Is there any other information you can tell me about (applicant's name)?

Would you let (applicant's name) take care of your children or persons with special needs?

Do you have any reservations about (the applicant) working in a setting with Children, Youth or persons with special needs?

APPENDIX D

TRINITY PRESBYTERY INCIDENT REPORT FORM

Date of incident: _____ Time: _____

Name of Reporter: _____ Phone: _____

Name(s) of those involved:

_____ Age: _____

_____ Age: _____

_____ Age: _____

Location of Incident: _____

Quote the first words verbatim of the child/youth/special needs person making the accusation.

Briefly describe behavior/appearance of the person making the accusation.

Briefly describe the behavior/appearance of anyone else involved in this incident.

Briefly describe what happened.

What actions did you take?

Has the incident been resolved? Yes No Explain: _____

Were there any witnesses? Yes No

Names:

_____	Phone: _____
_____	Phone: _____
_____	Phone: _____

Signatures (If possible): _____

Signature of person submitting report:

_____	Date: _____
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Report given to: _____ Date: _____

APPENDIX E

South Carolina Definition of Abuse Law & Abuse Reporting Law

SECTION 63- 7- 20. Definitions

- (4) “Child abuse or neglect” or “harm” occurs when the parent, guardian, or other person responsible for the child’s welfare:
- (a) inflicts or allows to be inflicted upon the child physical or mental injury or engages in acts or omissions which present a substantial risk of physical or mental injury to the child, including injuries sustained as a result of excessive corporal punishment, but excluding corporal punishment or physical discipline which:
 - (i) is administered by a parent or person in loco parentis;
 - (ii) is perpetrated for the sole purpose of restraining or correcting the child;
 - (iii) is reasonable in manner and moderate in degree;
 - (iv) has not brought about permanent or lasting damage to the child; and
 - (v) is not reckless or grossly negligent behavior by the parents.
 - (b) commits or allows to be committed against the child a sexual offense as defined by the laws of this State or engages in acts or omissions that present a substantial risk that a sexual offense as defined in the laws of this State would be committed against the child;
 - (c) fails to supply the child with adequate food, clothing, shelter, or education as required under Article 1 of Chapter 65 of Title 59, supervision appropriate to the child’s age and development, or health care though financially able to do so or offered financial or other reasonable means to do so and the failure to do so has caused or presents a substantial risk of causing physical or mental injury. However, a child’s absences from school may not be considered abuse or neglect unless the school has made efforts to bring about the child’s attendance, and those efforts were unsuccessful because of the parents’ refusal to cooperate. For the purpose of this chapter “adequate health care” includes any medical or nonmedical remedial health care permitted or authorized under state law;
 - (d) abandons the child;
 - (e) encourages, condones, or approves the commission of delinquent acts by the child and the commission of the acts are shown to be the result of the encouragement, condonation, or approval; or
 - (f) has committed abuse or neglect as described in subsections (a) through (e) such that a child who subsequently becomes part of the person’s household is at substantial risk of one of those forms of abuse or neglect.

SECTION 63- 7- 310. Persons required to report.

- (A) A physician, nurse, dentist, optometrist, medical examiner, or coroner, or an employee of a county medical examiner's or coroner's office, or any other medical, emergency medical services, mental health, or allied health professional, member of the clergy including a Christian Science Practitioner or religious healer, school teacher, counselor, principal, assistant principal, social or public assistance worker, substance abuse treatment staff, or childcare worker in a childcare center or foster care facility, police or law enforcement officer, undertaker, funeral home director or employee of a funeral home, persons responsible for processing films, computer technician, or a judge must report in accordance with this section when in the person's professional capacity the person has received information which gives the person reason to believe that a child has been or may be abused or neglected as defined in Section 63- 7- 20.
- (B) If a person required to report pursuant to subsection (A) has received information in the person's professional capacity which gives the person reason to believe that a child's physical or mental health or welfare has been or may be adversely affected by acts or omissions that would be child abuse or neglect if committed by a parent, guardian, or other person responsible for the child's welfare, but the reporter believes that the act or omission was committed by a person other than the parent, guardian, or other person responsible for the child's welfare, the reporter must make a report to the appropriate law enforcement agency.
- (C) Except as provided in subsection (A), any person who has reason to believe that a child's physical or mental health or welfare has been or may be adversely affected by abuse and neglect may report in accordance with this section.
- (D) Reports of child abuse or neglect may be made orally by telephone or otherwise to the county department of social services or to a law enforcement agency in the county where the child resides or is found.

STANDARDS OF ETHICAL CONDUCT

Approved by the 210th General Assembly (1998)

Presbyterian Church (U.S.A.)



Life Together in a Community of Faith: Standards of Ethical Conduct for Ordained Officers in the Presbyterian Church (U.S.A.)

Professional Code of Ethics

Approved by the
210th General Assembly (1998)
Presbyterian Church (U.S.A.)

Developed by
The Special Committee on a Professional Code of Ethics
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Edited by
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The Committee on Preparation for Ministry of Trinity Presbytery
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**LIFE TOGETHER IN THE COMMUNITY OF FAITH:
STANDARDS OF ETHICAL CONDUCT FOR
ORDAINED OFFICERS IN THE PRESBYTERIAN CHURCH (U.S.A.)**

As an ordained officer in the Presbyterian Church (U.S.A.), in obedience to Jesus Christ, under the authority of Scripture and guided by our Confessions, I affirm the vows made at my ordination, confirm that Jesus Christ is the pattern for my life and ministry and, relying on God's grace, commit myself to the following standards of ethical conduct.

I

I will conduct my life in a manner that is faithful to the gospel and consistent with my public ministry. Therefore, I will:

1. Practice the disciplines of study, prayer, reflection, worship, stewardship, and service;
2. Be honest and truthful in my relationships with others;
3. Be faithful, keeping the covenants I make and honoring marriage vows;
4. Treat all persons with equal respect and concern as beloved children of God;
5. Maintain a healthy balance among the responsibilities of my office of ministry, my commitments to family and other primary relationships, and my need for spiritual, physical, emotional, and intellectual renewal;
6. Refrain from abusive, addictive, or exploitative behavior and seek help to overcome such behavior if it occurs;
7. Refrain from gossip and abusive speech; and
8. Maintain an attitude of repentance, humility, and forgiveness, responsive to God's reconciling will.

I I

I will conduct my ministry so that nothing need be hidden from a council or colleagues in ministry. Therefore, I will:

1. Preach, teach, and bear witness to the gospel of Jesus Christ with courage, speaking the truth in love;
2. Honor the sacred trust of relationships within the covenant community and observe appropriate boundaries;
3. Be judicious in the exercise of the power and privileges of my office and positions of responsibility I hold;
4. Avoid conflicts of interest that might compromise the effectiveness of my ministry;
5. Refrain from exploiting relationships within the community of faith for personal gain or gratification, including sexual harassment and misconduct as defined by Presbyterian Church (U.S.A.) policy;
6. Respect the privacy of individuals and not divulge information obtained in confidence without express permission, unless an individual is a danger to self or others;

7. Recognize the limits of my own gifts and training, and refer persons and tasks to others as appropriate;
8. Claim only those qualifications actually attained, give appropriate credit for all sources used in sermons, papers, music, and presentations, and observe copyrights;
9. Refrain from incurring indebtedness that might compromise my ministry;
10. Be a faithful steward of and fully account for funds and property entrusted to me;
11. Observe limits set by the appropriate council for honoraria, personal business endeavors, and gifts or loans from persons other than family;
12. Accept the discipline of the church and the appropriate guidance of those to whom I am accountable for my ministry;
13. Participate in continuing education and seek the counsel of mentors and professional advisors;
14. Deal honorably with the record of my predecessor and upon leaving a ministry or office speak and act in ways that support the ministry of my successor;
15. **Participate in the life of a ministry setting I left or from which I have retired only as directed by presbytery;
16. **Provide pastoral services for a congregation I previously served only as directed by the presbytery and provide pastoral services to members of other congregations only with the consent of their pastors; and
17. **Consult with the Commission on Ministry in the presbytery of my residence regarding my involvement in any ministry setting during my retirement.

III

I will participate as a partner with others in the ministry and mission of the Church universal. Therefore, I will:

1. Participate in the mission and governance of the Presbyterian Church (U.S.A.) and work for the unity of the holy catholic church;
2. Show respect and provide encouragement for colleagues in ministry;
3. Recruit church members responsibly, respect existing congregational relationships, and refrain from exploiting persons in vulnerable situations; and
4. Cooperate with those working in the world for justice, compassion, and peace, including partners in ministry of other faith traditions.

** These standards apply only to pastors. They also apply to Commissioned Ruling Elders when they are performing pastoral functions.

Revision History

- 2018-0210** Update Vice Moderator description and role on Coordinating Team – M-4.0105, M-6.0106
Add Staff Position Descriptions to the Appendix
- 2017.1114** Update Coordinating Team definition
Replace Divisions with Ministry Teams in sections M-6.01 – M-6.07
Change Teaching Elder to Minister of Word and Sacrament
Removal of Chapter 9 M-9.0000 due to inclusion under M-6.0500
- 2017.0316** Add items M-10.0104 a and b
Procedure for the formation of Committee of Counsel or Investigating Committee between meetings of Presbytery / Presbytery Coordinating Team.
Change ‘Committee on Ministry’ to ‘Commission on Ministry’ pursuant to action of Presbytery 2017-0211.
Correct Mitchell Loan Fund to Mitchell Fund.
Add the following paragraph at M-6.0000 to apply to all subsequent definitions of agencies of the Presbytery.
Any member in good standing in a Presbyterian Church (U.S.A.) congregation within the bounds of Trinity Presbytery, together with all Teaching Elders who are members of the Presbytery, shall be eligible for election to any of the agencies (teams, committees, commissions, task forces, divisions or other work groups) of Presbytery. In addition, any agency may recruit individuals in good standing in a Presbyterian Church (U.S.A.) congregation to work with the agency in order to fulfill its mission without formally serving on the agency or being elected to serve. This shall not bypass or negate the normal nominating process of the Presbytery.
- 2016.1018** Add as item M-4.0101a
M-4.0101a Signatories on presbytery checking accounts shall be, by virtue of their office, the General Presbyter, the Stated Clerk, and the Recording Clerk.

Correct M-4.0102 which currently reads:
“At the October Stated Meeting . . .”
to read as follows:
“At the Stated Meeting in the fourth quarter . . .”
- 2016.0818** Add to section M-3.0102 of the Manual of Administrative Operations of Trinity Presbytery as M-3.0102 a and M-3.0102 b
a. **Meetings Held by Electronic Means**
b. **Voting By Email**
- 2015.1027** Include Protection Policy Manual