

16-A. Child and Youth Protection Policy On Amending G-3.0106 (Item 05-09)

The 222nd General Assembly (2016) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall the fourth paragraph of G-3.0106 of the Form of Government be amended as follows?
[Text to be inserted is shown as italic.]**

“All councils shall adopt and implement a sexual misconduct policy and a child *and youth* protection policy.”

Background and Rationale

This proposed amendment originated as a recommendation from the Advocacy Committee for Women’s Concerns as Item 05-09. The Advocacy Committee for Women’s Concerns provided the following rationale:

Since the child protection policy amendment went into effect after the 221st General Assembly (2014), issues have arisen regarding the interpretation of the text. Some councils have interpreted the amendment to mean that the sexual misconduct policy and child protection policy are one policy with one intent and purpose. However, the intent of the original amendment, when further reading the rationale, is that these would be two separate policies with two separate purposes.

The Advocacy Committee for Women’s Concerns is also requesting we expand the language of this amendment to include “youth” as well as “child” so as to clarify the intended scope of the policy.

In approving Item 05-09, the General Assembly also approved the following comment:

The General Assembly notes that two separate policies are intended by this sentence, with different intents. The child and youth protection policy is intended to address interactions involving children and youth within the church or in church-sponsored activities. The sexual misconduct policy is directed toward proactively preventing and responding to sexual misconduct involving all people of all ages within the church and in church-sponsored activities.

Advice from the Advisory Committee on the Constitution

The Advisory Committee on the Constitution advised the 222nd General Assembly (2016) that Item 05-09 presented the following issue that the General Assembly should consider:

The Advisory Committee on the Constitution recognizes the importance of the purposes of the policies listed or proposed for G-3.0106. The ACC directs the attention of the General Assembly to its advice on Item 05-05 regarding the practice of listing required policies in the Constitution; and thus moving its function from a constitutional document towards a manual of operations.

The Advisory Committee on the Constitution also advised amending Item 05-09 by inserting “*and youth*” after “child” in G-3.0106 and commenting on the reason for two separate policies.

The Assembly Committee on Mid Councils (05) amended and approved Item 05-09 with comment 41/0. The 222nd General Assembly (2016) then approved a motion to reinsert [sexual misconduct policy and a] in the fourth paragraph of G-3.0106 and then approved Item 05-09 with amendment by voice vote.

For the full report of Item 05-09 go to <https://www.pc-biz.org/#/committee/561/business>.