

Revised October 9, 2021

1 **THE PRESBYTERY OF ARKANSAS MINISTRY MANUAL**

2  
3 **Part IV: Policies and Procedures**

4  
5 **March 2018**  
6 **Revised October 9, 2021**

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30 an Installed or Temporary Pastoral Relationship Role  
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32                    **Nomination and Election of Officers and Committees**

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34                    **Regular Elections**

35 Most presbytery positions are filled during the annual nomination and election  
36 process.

- 37            1. At least 4 months prior to the date of election (the last stated meeting of the  
38 year), the committee will solicit input from congregations, ministries,  
39 members of the presbytery, and committees for potential nominees.  
40            2. At least fourteen days prior to the date of election (the last stated meeting of  
41 the year), the committee should submit a slate of candidates to the presbytery.  
42            3. The committee shall secure the assent of each nominee.  
43            4. The committee shall make every effort to ensure that the principles of parity  
44 and representation are maintained.  
45            5. Nominations shall be allowed from the floor prior to election by the  
46 presbytery.

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48                    **Special Elections**

49 Special nominations are necessary when a position is declared vacant due to death,  
50 incapacity, or resignation of a committee member or other elected person, or by  
51 declaration of a vacancy by a presbytery committee due to chronic absenteeism by a  
52 committee member. Prior to a declaration by the committee, every effort should be  
53 taken to contact the individual and assess the circumstances of the absences.

54  
55 When a vacancy is declared, the committee shall:

- 56            1. Forward a nomination to the presbytery at its next stated meeting.  
57            2. If the needs of the presbytery demand, forward the nomination to the next  
58 stated meeting of the Coordinating team.

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60                    **Qualifications for Election**

61 All Teaching Elders and Ruling Elders in good standing in the presbytery are eligible  
62 for election. Other active members of congregations in the presbytery are eligible for  
63 those positions not requiring ordination to the Ordered Committee on the Church's  
64 Ministries.

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66                    **Moderators**

67 Unless otherwise provided by policy, the Nominating Committee will normally  
68 recommend to the presbytery moderators for standing ministries and committees.

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**Terms**

Terms of service are normally 3 years unless otherwise provided by rule or the Book of Order. Individuals who serve part of a term may be elected to serve a full term. With the exception of Investigative Committees, no person shall be elected to a third full term on the same committee or sub-committee until 12 months shall have elapsed.

Terms of service begin on January 1 of the year following election. For those elected to serve unexpired terms, service begins upon election.

~~With the exception of Synod and General Assembly commissioners and the members of the Permanent Judicial Commission, Investigative Committees, and the Committee on Representation, no person shall normally serve on two standing committees or sub-committees at a given time. (Repealed 3/6/2020)~~

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## **Presbytery Meetings**

### **Stated Meetings**

- ❖ Stated meetings are ordinarily held three times each calendar year in February, June, and October. Ordinarily there shall be two two-day meetings and one one-day meeting.
- ❖ The first meeting of the year shall normally be the second or third weekend (Friday and Saturday) in February. The second meeting shall normally be the first Saturday following Memorial Day. The third meeting shall normally be the second weekend in October.
- ❖ The first meeting shall normally alternate between Lyon College (even years) and the University of the Ozarks (odd years). The second meeting shall normally be held in central Arkansas (Conway, Faulkner, White, Lonoke, Saline, Pulaski, Jefferson, Garland, or Hot Spring counties). The third meeting shall normally alternate among the five regions of the presbytery.

### **Meeting Preparation for Stated Meetings**

Planning Team assigned for that particular meeting plans the meeting. The Coordinating Team appoints the Planning Team at the conclusion of the preceding stated meeting (October team appointed at June meeting, etc.)

The Planning Team shall:

- ❖ Make all necessary arrangements for the logistics of the meeting (including meals, set-up, technical needs, etc.)
- ❖ Set the agenda for the meeting
- ❖ Plan worship
- ❖ Make any other necessary arrangements for the efficient running of the meeting

The members of the Planning Team are:

- ❖ The Moderator and Vice-Moderator of the presbytery
- ❖ The Moderator of the Coordinating Team
- ❖ The Stated Clerk
- ~~❖ A member of the presbytery (appointed for the calendar year) (Repealed 10/9/2021)~~
- ~~❖ One member of the Coordinating Committee (convener) (Repealed 10/9/2021)~~
- ❖ ~~Two representatives of the hosting institution (Repealed 10/9/2021)~~
- ❖ The General Presbyter
- ❖ Other staff and representatives of the hosting institution as warranted

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## **Electronic Meeting Policy**

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*Revised March 2018*

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### **Background**

139 From “CM-18- Guidelines for Electronic Assemblies...” issued August 2009: “There is  
140 no substitute for the richness of conversation and debate that is possible when we  
141 gather in one place to listen and watch and open ourselves to the work of the Spirit.  
142 We best subject ourselves to each other and to God’s discerning power when we are  
143 together.

144 There are circumstances though, when being physically present with one another is  
145 impossible or impractical.” Also a principle of Presbyterian government is that  
146 decisions reached in church bodies shall be “by vote, following opportunity for  
147 discussion, and a majority shall govern (G-4.0301).”

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### **Practice**

150 Ministry Areas, Committees, Sub-Committees, Task Forces, and Boards of the  
151 Presbytery of Arkansas may conduct occasional assembly by telephone, video  
152 conferencing or electronic mail when such Ministry Areas, Committees, Sub-  
153 Committees, Task Forces, and Boards decide in advance through policy to use these  
154 means of gathering and/or making decisions.

155 In deciding whether a specific meeting, or decisions to be made, will be through  
156 electronic means, the Moderator and Clerk shall determine that a particular meeting  
157 or actions within a meeting should be conducted by non-traditional methods such as  
158 telephone, video conferencing, or electronic mail.

159 To provide this opportunity, all members entitled to participate must ordinarily be  
160 able to take part through the chosen method of meeting. The means of meeting must  
161 not intentionally, or unintentionally, exclude those entitled to participate. Any non-  
162 traditional form of meeting must provide an opportunity for simultaneous  
163 communication and deliberation, and care must be taken that all qualified to  
164 participate in the meeting are included.

165 Matters addressed at a non-traditional meeting may be time-sensitive matters that  
166 must be acted on prior to the next stated meeting or may be “regular” pieces of  
167 business that have already been thoroughly discussed and debated.

168 The system for meeting must provide access by which each member participating in  
169 the meeting can communicate with each other.

170 Voting on a video or phone conferencing system will be done by roll call and the  
171 clerk will record the result of the vote. If voting is done by email, the clerk will post  
172 the item as a group email and all comments are to be addressed to all participants.  
173 Email voting must be done within 48 hours of the time the clerk sends out the item,  
174 and the clerk will tally and notify the group of the results.

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175 Minutes of the meeting must be recorded and added to the minutes record of the  
176 committee, council or board. At the following meeting of the group, the tally of  
177 conference or electronic votes is reported for verification.  
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**Service of Installation of  
the Moderator of the Presbytery of Arkansas**

**General**

The installation of the Moderator of the Presbytery of Arkansas shall normally occur during the opening worship service of the February presbytery meeting and will normally include the celebration of the Eucharist.

The outgoing Moderator will normally preach. If he/she is unable or does not desire to preach, the Moderator will name someone to preach in his/her place. The General Presbyter along with another Teaching Elder will normally preside at the table.

The installation is a function of the presbytery sitting in plenary and shall occur after the meeting has been gavelled to order.

**Liturgy**

The liturgy of the installation is a Pastoral Rite of the Church (BCW p. 39) and follows the proclamation of the Word and precedes the Eucharist.

The Order of Installation will normally follow the Installation of *Governing Body Officers and Staff* liturgy in the *Book of Occasional Services* of the PC(USA).

Following the blessing of the newly installed, the outgoing Moderator shall present the symbols of leadership with these or similar words:

*I present to you this gavel as the symbol of the leadership we hereby grant to you. Use it with authority, yet with discernment and fairness.*

*I place around your neck this cross as the symbol of God's grace and love, which undergirds all that we do together in this presbytery. It bears the symbol of the Presbyterian Church (USA) with the map of our presbytery imposed upon it. Wear it with pride, humility, and hope.*

Following the presentation of the symbols of leadership, it is appropriate for the newly installed moderator to make a short statement.

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## **Presbytery Records**

### **General**

Minutes of meetings of the presbytery and its committees shall be maintained in the presbytery office. The Stated Clerk shall act as custodian of the records of the presbytery.

All records as required by the *Book of Order* of the Presbyterian Church (USA) shall be maintained in the presbytery office.

### **Records of Judicial Proceedings and Investigations**

(May 2002)

The written decision on any case brought before the Permanent Judicial Commission will be entered into the minutes of presbytery. All records, minutes, transcripts, or other documents of the PJC will be on file in the office of the Stated Clerk. After the final report on each case is made to the presbytery, these records will be kept in a locked filing cabinet for five years. After five years the Stated Clerk will destroy the records.

All records, transcripts, or other documents of an Investigating Committee, whether or not the investigation resulted in charges filed, will be kept on file in the office of the Stated Clerk. These will be kept in a locked filing cabinet for five years after the final report of the Investigating Committee is made to presbytery. After five years, the Stated Clerk shall destroy all these records.

Records shall be stored in accordance with provisions of confidentiality of the Book of Order of the Presbyterian Church (USA).

### **Records of Non-Judicial Commissions**

1. An Administrative Commission constituted to ordain or install Ministers of the Word, to organize churches, to merge churches, or to receive candidates under the care of presbytery, shall file a final report with the Stated Clerk. This report shall be entered into the minutes of presbytery. A copy of this report will be filed with the records in the office of the Stated Clerk under the name of the churches and ministers involved.
2. An Administrative Commission constituted to visit particular churches, governing bodies, or other organizations of the church with the purpose of inquiring into and settling the difficulties therein, shall file a final report with the Stated Clerk, who shall then report to presbytery. This report shall be entered into the minutes of presbytery. All documents, files, transcripts or other records shall be kept on file in the office of the Stated Clerk. These records shall be kept for five years after the final report of the Administrative Commission to presbytery. After five years, the Stated Clerk will destroy these records.

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**Statement of Purpose and Editorial Policy of *The Banner***

*(May 2002)*

The purpose of The Banner is:

1. To inform the leaders (clergy and lay) of the Presbytery of Arkansas by sharing news about the educators, clergy, church leaders, and churches,
2. To foster collegiality among the leaders of the Presbytery of Arkansas by sharing news about the educators, clergy, church leaders, and churches,
3. To increase awareness of the resources available through the Resource Center of Presbytery, and
4. To serve as a tool for the staff of Presbytery to communicate with the leaders of the Presbytery of Arkansas.

To that end:

1. The Banner will carry only information on programs of the Presbytery of Arkansas, its member churches, the Synod of the Sun, or the General Assembly of the Presbyterian Church (USA). It is possible to carry information on a program outside of the Presbyterian Church (USA) only if approved by the General Committee of the Presbytery or its designated committee.
2. The Banner will carry no letters to the editor or unsolicited opinion pieces by authors in or outside of the Presbytery except for the editorials by the staff of Presbytery.
3. The editor of The Banner shall be the General Presbyter or his/her designee, and the editor shall make the final decisions related to these editorial policies and in cases that are not covered by these policies.

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296 **Policy for Presbytery Inquiry into a Particular Church**

297 *(Revised May 1, 2019 to reflect changes in names of ministry areas and committees.)*

298 **General**

299 The Presbytery is the corporate expression of the church in a particular geographic  
300 area. Gathering the Teaching Elders and congregations under its authority, the  
301 Presbytery acts to support the larger mission and ministry of the church of Jesus  
302 Christ. Among its duties, the Presbytery is responsible for “assisting and supporting  
303 the witness of congregations to the sovereign activity of God in the world...” (G-  
304 3.0301)

305 From time to time difficulties arising in a particular church may interfere with the  
306 congregation’s ministry and mission. In such times, the Presbytery has a  
307 responsibility to inquire into the life of that congregation, provide support to its  
308 members and leaders, and assist the church in finding a way through the difficulties  
309 and back to the work of witness in the world. In such times, the Presbytery acts as  
310 pastoral leadership for the congregation seeking not to punish or lay blame but to  
311 restore the peace, unity, and purity of the church through reconciliation and  
312 partnership.

313

314 **Initiating the Inquiry Process**

315 An inquiry into a particular congregation may be initiated by the congregation  
316 through a written request to the Committee on Ministry or the Presbytery’s  
317 Coordinating Team. An inquiry may also be initiated by the Committee on the  
318 Ministry, the Future of the Church Ministry Area, or Presbytery’s Coordinating Team.

319 However initiated, the process of inquiry shall include both the Committee on  
320 Ministry and the Future of the Church Ministry Area as described below.

321

322 **The Inquiry Process**

323 Each congregation is different and every inquiry into congregational life presents  
324 unique challenges and opportunities. This policy seeks to give some vision for the  
325 overall structure of the process, however it will be up to the ministry teams involved  
326 to tailor the process and the membership of an inquiry team to meet the presenting  
327 needs in a particular case.

328

329 In all cases, the Inquiry Process shall:

- 330 1. Be coordinated between both the Committee on Ministry and the Future of the  
331 Church Ministry Area.  
332 2. Include on any inquiry team or Administrative Commission designees each  
333 from the Committee on Ministry and the Future of the Church Ministry Area.  
334 (NB: These do not have to be currently seated members, however it is  
335 advisable that at least one from each team be in current service to ensure good  
336 communication and input from both ministry areas)

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- 337 3. Seek to further the peace, unity, and purity of the Church through  
338 reconciliation and restoration.  
339 4. Advise the Stated Clerk immediately of any issues which may have an  
340 implication on future disciplinary or remedial action against an individual  
341 under the jurisdiction of the presbytery or against the session as a whole.  
342

343 In all cases the Inquiry Process should:

- 344 1. Be mindful of the need for members to understand the particular needs of the  
345 community and context of ministry. Also, be mindful of the need to be able to  
346 respond to issues in a timely manner. An inquiry team made up of regional  
347 representation would be a way to achieve this objective.  
348 2. Report regularly on their progress to both the Committee on Ministry and the  
349 Future of the Church Ministry Area.  
350 3. Take care to ensure continuity of leadership through the Inquiry/Resolution  
351 process. In the event the resolution involves a change of leadership, the  
352 Committee on Ministry liaison may serve as a liaison for a pastoral search.  
353 This or some other mechanism to ensure continuity is essential.  
354

#### 355 **Completing the Inquiry Process**

356 When the difficulties in the congregation are resolved:

- 357 1. It is appropriate for the Inquiry Team to appoint a liaison to continue in  
358 contact with the congregation as they live into the season of resolution and  
359 restoration.  
360 2. When appropriate, a thanksgiving to God during worship may be held  
361 involving the church and the Inquiry Team.  
362 3. The Inquiry Team shall notify the Committee on Ministry, Future of the Church  
363 Ministry Area, and the session of the congregation of the resolution and any  
364 conditions or procedures for moving forward.

365 When the difficulties in the congregation are not resolved:

- 366 1. When the Inquiry Team completes their work and the difficulties in the  
367 congregation are not resolved, the congregation an Administrative  
368 Commission may be appointed.  
369 a. In cases when the difficulties in the congregation are between the  
370 congregation and the PC(USA), the church may be determined to be in  
371 schism and the process of inquiry shifts to more formalized Policy for  
372 Schismatic Churches.  
373 b. If the difficulties are confined to the particular church yet are deemed  
374 unresolved by the Inquiry Team, an Administrative Commission may  
375 be appointed.  
376 2. When either of the above determinations are made, the Moderators of the  
377 Committee on Ministry and the Future of the Church Ministry Area shall notify  
378 the Stated Clerk that an Administrative Commission should be appointed in  
379 accordance with the *Book of Order*.

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381 **Policy for Schismatic Churches:**  
382 **Churches who express a desire to leave the PC(USA)**

383 *(Adopted May 2003; Revised February 2012)*

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385 **Historic Principles**

- 386  
387 1. Particular churches exist by virtue of the powers delegated to presbyteries.  
388 Presbyteries have the responsibility and power to divide, dismiss, or dissolve  
389 churches in consultation with their members [G-3.0301c; G-3.0303b]  
390 2. Membership in a particular church is voluntary. Members unite with those  
391 churches according to their preferences and may withdraw at their discretion. [G-  
392 1.0402]  
393 3. All property held by or for a particular church is held in trust for the use and  
394 benefit of the Presbyterian Church (USA) [G-4.0203]. While members of a  
395 particular church may leave the Presbyterian Church (USA) at any time, that  
396 church retains all assets.

397  
398 Should a particular church seek to withdraw from the Presbyterian Church (USA), the  
399 Committee on Ministry should be notified immediately. The Committee on Ministry  
400 shall counsel with the Session of the church to seek reconciliation, and to dissuade it  
401 from the proposed withdrawal. The Committee on Ministry may, in consultation with  
402 the Stated Clerk and the General Presbyter, request Presbytery to form an  
403 Administrative Commission. The Administrative Commission shall consult with that  
404 congregation and its Session, advising it of the provisions of the Book of Order,  
405 presenting options for the resolution of the conflict. If an Administrative Commission  
406 is not formed, the responsibility devolves to the Committee on Ministry to provide  
407 opportunity for all members of the congregation to be heard. Should that church  
408 continue to pursue such a course, even after being advised of the constitutional and  
409 historic principles of the church, these procedures shall be followed:

410  
411 A congregational meeting [G-1.0502] shall be called to present the issue for a vote by  
412 written ballot. Should the vote reveal the presence of the true church within the  
413 Presbyterian Church (USA) [G-4.0207], those wishing to leave the Presbyterian  
414 Church (USA) may be granted certificates of dismissal, and the true church shall  
415 remain responsible for the church government and all assets of the congregation.

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417 If there is no true church the property shall ordinarily be sold and the assets retained  
418 by Presbytery.

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### **Sabbatical Leave Policy**

*(Approved as a recommendation for all calls May 22, 1999; Placed in the Manual of Operations as a recommendation November 9, 2004; The Minimum Terms of Call were updated to mandate a Sabbatical Leave in 2014; Revised February 10, 2018.)*

Sabbatical leaves are frequently granted to people working in various settings, including academia, business, and church-related institutions. Basing leaves on the Biblically-based Sabbath concept, institutions recognize that people who have worked in their positions for a prolonged length of time frequently could benefit from an extended time away from their work, time usually devoted to study, personal growth, renewal, and reflection. Most Christian denominations, and, as is certainly the trend currently, many churches and presbyteries, are beginning to implement sabbatical leave policies for pastors, for educators, for denominational staff, and for other full-time church professionals. Accordingly, the Presbytery of Arkansas, has instituted a Sabbatical Leave Policy for the Presbytery of Arkansas.

The Presbytery of Arkansas recognizes that pastors, other church professionals, and congregations could greatly benefit if full-time church professionals could have the opportunity to negotiate and be granted a sabbatical leave. Some of the reasons for wishing to grant such leaves include: the challenges of longer pastorates, the intensity of church work, and the opportunity to take advantage of new knowledge and approaches to ministry that may have developed since a pastorate began. These opportunities may well require a longer period of study than the normal two weeks study leave. Such opportunities will allow one to learn new ministry skills, to gain new information, to become familiar with new resources, and to have time for reflection and spiritual renewal.

#### **General Considerations**

1. Sabbatical leave shall be included in any new call to a full-time minister of the Word and Sacrament and should be considered in any new full-time position offered to a Certified Christian Educator or other full-time church professional.
2. Written notice and a written plan shall be given to the church's Personnel Committee (if there is one), to the church's Session, and to the Presbytery's Committee on Ministry for approval. Ideally, this plan shall be submitted one year prior to the taking of the leave. This plan shall include the foreseen benefits to the pastor, educator, or other full-time church professional, the foreseen benefits to the church or agency, the goals and objectives of the study time, the location of the study, and the particulars about how the person's pastoral, educational, or other duties will be covered during the time of the leave.
3. Before the church professional goes on leave, provision shall be made to cover the duties of the person on that leave.

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461 4. Upon returning from sabbatical leave, the pastor, educator, or other full-time  
462 church professional shall present to the personnel committee and to the Session,  
463 a written summary statement of the Sabbatical Leave experience, including what  
464 was learned and how what was learned will be applied.

465 **Time Considerations**

466 5. Sabbatical leaves shall be granted no sooner than after six years of service has  
467 been completed, or no sooner than six years after a previous sabbatical leave.

468 6. Sabbatical leaves shall normally be no longer than six months.

469 7. Ordinarily, the normal study leave time that is due in the sabbatical year shall be  
470 a part of the sabbatical leave time, not in addition to it, although an exception may  
471 be negotiated.

472 8. The pastor, educator, or other full-time church professional shall normally pledge  
473 to stay in his/her parish/position for no less than one calendar year after a  
474 sabbatical leave. If the person chooses to leave the congregation/position within  
475 one year after the completion of a sabbatical leave, the pastor, educator, or other  
476 full-time professional shall refund to the church the salary paid to her or him  
477 during the sabbatical leave.

478 9. It is also recommended that any church or agency that has made a provision for a  
479 sabbatical leave fully inform and educate their congregation or constituents about  
480 the leave, its rationale, and the foreseen benefits, beginning at least six months  
481 prior to the start of the leave time.

482 **Financial Considerations**

483 10. During a sabbatical leave, all salary and benefits shall continue to be paid by the  
484 employing church or agency, except for the travel allowance.

485 11. While the church professional is on sabbatical leave the employing church or  
486 agency shall provide for payment of the expenses of whomever covers the  
487 ministerial duties of the person on leave.

488 12. All costs of the sabbatical shall ordinarily be borne by that person, but s/he may  
489 apply her or his study allowances to these costs, and the Session may cover any  
490 costs it considers appropriate. These costs shall not include the church or  
491 agency's costs to cover the duties of the person on leave.

492 13. The Presbytery encourages churches or agencies to begin a savings account that  
493 would accumulate over the six years' requirement to help defray the additional  
494 costs that having a church professional on sabbatical leave would incur.

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### **Parental Leave Policy**

*(Adopted November 9, 2004; Revised February 10, 2018.)*

Many churches would like to “do the Christian thing” when it comes to taking care of their pastors, but others are not sure what that is. Furthermore, if the decision is postponed until the time of pregnancy or when plans for adoption are being made, with the emotionally charged atmosphere that surrounds such a time, it is difficult to know what is best for the pastor, his or her family, and the church.

Therefore, the Presbytery of Arkansas requires churches of this Presbytery to adopt the following policy as a **minimum** for those persons that they may call to a full-time position:

That there be a six-week leave of absence with full pay for pastors who give birth, or whose wife gives birth, or who adopt an infant child. Following that, if it be needed for the health of the mother or the child, or to care for the mother or child whose health requires extra care, additional time may be granted as paid vacation time, or as leave without pay. Full medical and pension payments by the church should be made during the first six weeks of the life of the child, or the first six weeks after the adoption of a child.

A written request for such a maternity or paternity leave should be made in writing to the session at least 30 days before the expected birth or adoption date.

In addition, the Committee on Ministry recommends to the Presbytery that this be the policy for those who are called or employed by the Presbytery of Arkansas.

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519 **Active Honorably Retired Minister of the Word and Sacrament Policy**

520

521

*(Approved February 2003; Revised February 10, 2018.)*

522

523 An "active" honorably retired minister of the Word and Sacrament has been retired  
524 by the Board of Pensions of the Presbyterian Church (U.S.A.) and certified as retired  
525 by the Presbytery of Arkansas.

526 Classification as an Active Honorably Retired Minister of the Presbytery of Arkansas  
527 may be met in one or more of the following ways:

- 528 1. Serving as a Transitional, Stated Supply, Pulpit Supply, Validated Ministry,  
529 Moderator of a Session, Parish Associate, serving as a mentor for a new  
530 minister in our Presbytery at the request of the Committee on Ministry, or any  
531 activity presented to the Committee on Ministry which the Committee deems  
532 in accord with the spirit of "active honorably retired";  
533 2. Serving on a Presbytery ministry area, committee, sub-committee, task force,  
534 or commission; or  
535 3. Attending stated meetings of Presbytery unless excused by the Presbytery.

536 All Active Honorably Retired Ministers will have voting privilege in the Presbytery of  
537 Arkansas.

538 Annually the Stated Clerk of the Presbytery of Arkansas will send a communication to  
539 all honorably retired ministers of the Word and Sacrament of the Presbytery asking  
540 them to indicate whether or not they wish to be moved to the status of no longer  
541 active. The results of this communication will be shared by the Stated Clerk at a stated  
542 meeting, and recorded in the minutes of the Presbytery of Arkansas.  
543

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## Background Check Policy

*(Revised June 3, 2017.)*

Who is included?

- All active members of the Presbytery of Arkansas (Ministers of the Word and Sacrament, Commissioned Ruling Elders, and Certified Christian Educators who are Ruling Elders), Certified Christian Educators who are not Ruling Elders, and other ministers who are serving within the bounds of the Presbytery of Arkansas with the exception of non-active honorably retired clergy.
- All persons seeking membership into the Presbytery of Arkansas. (Completion necessary before face-to-face with the Committee on Ministry's Examinations Subcommittee.)
- All paid staff members of the Presbytery of Arkansas.
- It is incumbent on all member churches to follow prudent procedures with their own staff and for persons who work with youth and other vulnerable populations.

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What is included?

1. National and state criminal records including the sex offender registry.

What is the procedure?

- ~~Those who are included in the background check policy~~ are asked to complete a self-reporting form indicating any prior felony convictions and to give written permission to the presbytery to initiate the criminal background check process.
- All results of background checks will be sent to the General Presbyter or designated presbytery staff. If any irregularities appear, the GP will contact the Consultation Committee to determine if any further action is necessary. This Consultation Committee will ordinarily consist of the GP, the Stated Clerk and the Moderator of the Committee on Ministry. Care will be taken to assure fair representation. The GP and the Consultation Committee will make determination about the most appropriate pastoral response.
- Criminal background check records will be kept in a separate personnel file accessible only by the GP, the GP's designee and the Consultation Committee. Each individual upon whom a background check has been done will have access to his or her own background check results. Under normal circumstances, the presbytery office will only indicate that a background check has been done and a clearance has been given.
-

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- Background checks are to be conducted regularly every five years, ordinarily at the beginning of the year (January 2017, 2022, etc.). Those who have entered their ministry in the Presbytery of Arkansas within the last 18 months will not be required to repeat the background check until the following regular check.

What is the cost?

- 2.—Costs associated with the background check for current members of the presbytery will ordinarily be borne by congregations and costs for presbytery staff will be borne by the Presbytery of Arkansas.

- —Costs associated with the background checks for incoming presbyters will be borne by the calling congregation.

- ~~2.—Costs associated with the background checks for incoming presbyters will be borne by the calling congregation.~~

- —
  - 2.—For initial and ongoing checks of presbytery members-at-large or those in validated ministry, costs will be borne by the individual or the employing agency.

Refusal to give consent to run a background check will disqualify a person for consideration for membership in the Presbytery of Arkansas, or employment by the Presbytery of Arkansas.

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612 **Disclosure Authorization and Release Form**  
613 **For Pre-Employment, Continued Employment, or Presbytery Membership**

614  
615 *(Revised June 3, 2017; Revised February 10, 2018)*

616  
617 I understand that in connection with my application for employment, volunteer  
618 services, continued employment, and/or membership, the Presbytery of Arkansas, its  
619 consultant IntelliCorp, their agents or employees, shall be performing, requesting,  
620 obtaining, or conducting a background check on me. This background check will  
621 include only national and state criminal records, including the sex offender registry.  
622 If my position involves handling money and/or having access to monies and/or other  
623 transferrable money instruments, my credit history may also be checked.

624 I understand that the Presbytery of Arkansas may rely on any part of this information  
625 in determining whether to extend an offer of employment, volunteer duties, or  
626 membership to me. I further understand that if any adverse action is taken by the  
627 Presbytery of Arkansas, or if the Presbytery of Arkansas chooses not to extend an  
628 offer of employment/volunteer duties, or membership to me based upon the  
629 information, that I will be provided a copy of such information.

630 I have read this Disclosure Authorization and Release Form and by signing below  
631 hereby authorize investigators to conduct a background check as described herein. I  
632 hereby release any and all investigators, including the Presbytery of Arkansas, from  
633 any and all liability related to the procurement or disclosure of any information  
634 provided by me or obtained about me in connection with the Presbytery. I further  
635 direct and authorize Investigators to conduct the background check and further  
636 authorize any third parties who may be the custodians of or in possession of the  
637 requested information to disclose such information to investigators in connection  
638 with this background check.

639 Although furnishing the Social Security number is not optional, it shall be used for NO  
640 other purpose than to make the process for conducting a background check more  
641 accurate. It shall not be sold, or in any way transferred to a third party except for the  
642 express purpose of conducting the background check. If applicable, list on the reverse  
643 any prior felony convictions with date and state.

644  
645

646 \_\_\_\_\_  
647 Applicant Signature Date

648

649 \_\_\_\_\_  
650 Printed Name (First, Middle, Last) Social Security Number

651

652 \_\_\_\_\_  
653 Date of Birth Former Last Name(s) *if applicable*

654

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655 Current Address:

656

657 Street City State Zip

658

659 Former Address:

660

661 Street City State Zip

662

663

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## **Sexual Misconduct Policy**

*(Revised June 3, 2017.)*

*“... tend the flock of God, that is your charge, exercising the oversight, not under compulsion but willingly, as God would have you do it, not for sordid gain, but eagerly. Do not lord it over those in your charge, but be examples to the flock.”*

*1 Peter 5:2. 3 (NRSV)*

### **I Introduction:**

The Presbytery of Arkansas (“Presbytery”) believes and proclaims that all people are created by God, who intends that everyone – children, women, and men – have worth and dignity in all relationships. Our sexuality is a gift from God, and when rightly expressed leads to the wholeness of life which God intends for all people. In addition, the Presbytery desires to maintain the integrity of the Church at all times. The Presbytery also recognizes that sexual misconduct can have devastating effects on the victim, his or her family, the Church community at large, and all individuals involved. Therefore, the Presbytery adopts this Sexual Misconduct Policy (“Policy”), in accordance with G-3.0106 to present guidelines for responding to allegations of Sexual Misconduct.

### **II. Reporting of Sexual Misconduct:**

- A) When an Ecclesiastical Mandated Reporter has Reasonable Suspicion of Sexual Misconduct, a written report should be submitted to the Stated Clerk. If the Accused is the Stated Clerk, the written report should be submitted to the General Presbyter.
- B) The Stated Clerk (or General Presbyter) must then file a written report in accordance with the procedures outlined in the *Book of Order* D3.000 – D10.000 (ff), as amended from time to time, and notify the moderator of the Committee on Ministry (“COM”).
- C) Persons having ecclesiastical reporting responsibilities under this Policy may also have reporting requirements to secular authorities and must comply with all such requirements. Nothing in this document shall be construed to abrogate or modify the duty of any person under any law of the United States or the State of Arkansas.

### **III. Response Coordination Team:**

Whenever notification is made in accordance with II.B, the moderator of COM shall name a Response Coordination Team (“RCT”) to ensure a caring response is made to all impacted by the allegations of Sexual Misconduct. The RCT shall strive to extend to all such persons the love and care of Jesus Christ. Its responsibilities shall include, but not be limited to, a needs assessment and identification and coordination of resources.

- A) Each RCT shall be composed of three to five persons making all efforts to be diverse with respect to gender and ethnicity. The membership shall be

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- 707 comprised, to the extent possible, to reflect expertise and professional experience  
708 in the following areas:
- 709 1) Psychological counseling
  - 710 2) Child advocacy
  - 711 3) Conflict management and resolution
- 712 B) The COM shall maintain a list of all those who meet the qualifications listed above  
713 and who are willing to serve as needed. Individuals shall be on the list no less than  
714 three (3) years in staggered terms. The moderator of the COM shall appoint a RCT  
715 from the list of qualified individuals within 10 days receipt of notification  
716 pursuant to II.B. The RCT shall elect its own moderator, and the administrative  
717 costs shall be borne by the Presbytery.
- 718 C) The task of each RCT shall be to ensure, as much as possible, the competent  
719 pastoral care of all persons impacted by an allegation of Sexual Misconduct as  
720 described in Section IV: Meeting the Needs of All Involved.
- 721 D) Each RCT, on its own initiative and in its own judgment, will decide when the need  
722 for care is ended. The RCT will inform the COM if the need for care extends beyond  
723 twelve (12) months. The RCT shall prepare a summary report of its actions and  
724 submit it to the Stated Clerk.

725 **IV. Meeting the Needs of All Involved:**

726 When there are allegations of Sexual Misconduct there are needs that have to be met  
727 for the good of all persons, groups, and entities. The RCT will not investigate the  
728 allegation or in any way function as an investigating committee for disciplining an  
729 Accused, but should confine itself to coordinating a process that will meet the specific  
730 needs of Victims and their families (if any), the Accused and family (if any), employing  
731 entities, congregations, and councils:

732 *A. The Needs of the Victim*

733 The RCT should assure that adequate treatment and care are available for the Victim  
734 and the Victim's family. Sometimes the Victim or family is so angry and alienated  
735 from the church that offers of help may be perceived as insincere or as attempts of a  
736 cover-up. If the Victim or family at first refuses the RCT should continue to offer help.  
737

738 The extent of the damage to a Victim will vary from person to person and is influenced  
739 by such factors as the degree or severity of abuse, the age and emotional condition of  
740 the Victim, human dynamics, and the importance of the Victim's religious faith. The  
741 RCT is to assume in all cases that the Victim has been wounded by the experience.  
742 Feelings of guilt, shame, anger, mistrust, lowered self-esteem, unworthiness, and  
743 feelings of alienation from God, self, the religious community, and family are frequent  
744 injuries suffered by a Victim. It is important for the RCT to be sensitive to the Victim's  
745 pain and need for healing and to act by making appropriate pastoral care available.

746 The following may be needs of the Victim:

747 1. To be heard and taken seriously.

748 From the time that Reasonable Suspicion exists, the Victim should receive immediate  
749 attention and serious consideration from all church representatives.

750  
751 2. To receive pastoral and therapeutic support.

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752 The Victim may require spiritual and professional assistance as a result of Sexual  
753 Misconduct. The RCT should offer to help arrange for such support from a minister  
754 of the Word and Sacrament and/or therapist, if the Victim desires. Discussions with  
755 such people would be confidential, privileged conversations.

756 3. To be informed about church process and progress with regard to the accusation.  
757 One member of the RCT should be the church contact person for the Victim.  
758 Frequently this contact person will give the victim information as to what is  
759 happening in the church as a result of the allegation of Sexual Misconduct, and  
760 disclose the progress of the discipline process to the extent possible.

761  
762 *B. The Needs of the Accuser*

763 Attention should also be paid to the needs of the Accuser by applying the steps listed  
764 above as needed.

765  
766 *C. The Needs of the Accused*

767 The RCT shall offer treatment and care for the Accused and the Accused's family as  
768 well as the Victim and the Victim's family. Feelings of guilt, shame, anger, mistrust,  
769 lowered self-esteem, depression, unworthiness, and feelings of alienation from God,  
770 self, the religious community, and family are often experienced by the Accused. In  
771 addition, there may be the fear of job loss, incarceration, and indignation if an  
772 allegation is false.

773  
774 When a person is found not guilty of charges of Sexual Misconduct it is important for  
775 the RCT to see, as widely as possible within their power, that the decision is  
776 disseminated, unless doing so would further injure the Accused.

777  
778 1. Personal Care

779 Whether the allegations about the Accused are eventually found to be true or not, the  
780 Accused deserves to be treated with Christian kindness and respect. The RCT may  
781 suggest that the Accused seek spiritual support or professional counseling. People in  
782 staff positions should not engage in personal counseling of the Accused because of  
783 their potential involvement in the disciplinary process.

784  
785 2. Economic Security and Care for the Family of the Accused

786 When an allegation of Sexual Misconduct has been made the economic security of the  
787 Accused is directly threatened, along with reputation, career, and family  
788 relationships. The Committee on Ministry can be of assistance. The RCT may alert  
789 the COM to the possible spiritual, emotional, and financial needs of the family of the  
790 Accused and recommend expert resources.

791  
792 *D. The Needs of a Congregation or Employing Entity in a Context of Sexual Misconduct*

793 The RCT should be aware of the problems a congregation or employing entity may  
794 experience following allegations of Sexual Misconduct. The allegations may polarize  
795 the congregation or employing entity, damage morale, create serious internal  
796 problems, and even limit the trust a congregation may place in succeeding ministers

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797 of the Word and Sacrament. Efforts should be taken to recognize and identify the  
798 problems and heal any damage that may be done to the congregation or employing  
799 entity.

800 1. Pastoral Care

801 Members and staff of the congregation will need pastoral care. The minister of the  
802 Word and Sacrament of the congregation, if not previously trained in this specialty  
803 area, should consult with denominational specialists who will advise how to proceed,  
804 and any anticipated problems. The RCT should provide information regarding  
805 appropriate denominational specialists to all teaching elder(s) of the congregation,  
806 except any minister of the Word and Sacrament who is an Accused.

807

808 2. Information About the Case

809 Members of the congregation may need opportunities both to receive and give  
810 information, and the RCT should facilitate such opportunities. Such opportunities  
811 may include appropriate meetings with individuals, small groups, or the whole  
812 congregation. Such meetings should provide information about Sexual Misconduct in  
813 general, Presbyterian polity and judicial processes, and how others who may have  
814 been victimized may be heard and ministered to. A minister of the Word and  
815 Sacrament may perform these functions as long as that minister of the Word and  
816 Sacrament is not the Accused. At such meetings one may expect members to vent  
817 their feelings. An opportunity for this to happen should be provided. If this venting  
818 does not take place then it may create serious problems for the future of the  
819 congregation, for future ministers of the Word and Sacrament, and for the council.

820

821 3. Resource Persons

822 In light of the above needs, the RCT may recommend persons whose services would  
823 be valuable to a congregation in the context of Sexual Misconduct: a trained  
824 transitional pastor, a Committee on Ministry representative knowledgeable in polity  
825 and the effects of Sexual Misconduct in the church, and/or a consultant or therapist  
826 with knowledge and experience in dealing with Sexual Misconduct.

827

828

V. Risk Management

829

830 A. *Insurance*

831 The Presbytery shall regularly consult with its liability insurance carriers about  
832 coverage for the activities and programs it operates or sponsors, and the duties and  
833 responsibilities of officers, employees, and volunteers.

834 B. *Employment Practices*

835 1. Record Keeping

836 Accurate record keeping is an essential part of the hiring and supervision practices of  
837 churches, councils, and related entities. The Presbytery should maintain a personnel  
838 file on all Covered Persons. The file should contain employment questionnaires and  
839 criminal background checks.

840

841 2. Prescreening Applicants

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842 The Presbytery shall establish thorough and consistent hiring practices. If an  
843 applicant is unknown to the Presbytery the Presbytery should confirm the applicant's  
844 identity by requiring photographic identification, such as a driver's license. The  
845 Council should perform a background check on all Covered Persons, including a  
846 national criminal background check. Part of pre-employment screening should  
847 include specific questions related to discovering previous allegations of Sexual  
848 Misconduct.

849  
850 3. References

851 The employing council, or entity, is responsible for contacting references for  
852 prospective ministers of the Word and Sacrament, employees, or volunteers. A  
853 written record of conversations or correspondence with references should be kept in  
854 the minister of the Word and Sacraments' or employee's personnel file.

855 If false or misleading information is given by the applicant, or relevant information is  
856 withheld, the applicant should be eliminated from consideration.

857 Applicants should be informed of negative comments regarding Sexual Misconduct  
858 and shall be given an opportunity to submit additional references or to give other  
859 evidence to correct or respond to harmful information obtained from a reference.

860 The person within any council, or entity authorized to give a reference for any person,  
861 shall, if asked to give such a reference, give truthful and complete information  
862 regarding allegations, inquiries, and administrative or disciplinary action related to  
863 Sexual Misconduct of the applicant.

864  
865

#### **VI. Educating and Training – Awareness**

866 The Presbytery shall appoint appropriate committees to regularly train and educate  
867 Covered Persons using educational materials or courses on preventing, identifying,  
868 and responding to Sexual Misconduct

869

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## **Definitions**

870

871

872 Accused – Covered Person against whom an allegation of Sexual Misconduct is made.

873 Accuser – Person claiming knowledge of Sexual Misconduct by a Covered Person.

874 Child Sexual Abuse – Any contact or interaction between a child (a person under the

875 age of 18) and an adult when the child is being used for the sexual stimulation of the

876 adult person or of a third person. The behavior may or may not involve touching.

877 Such contact or interaction between a child and an adult is always considered to be

878 Child Sexual Abuse regardless of whether consented to by the child or not.

879 Commissioned Ruling Elder – Ruling elder commissioned to limited pastoral service.

880 (G-2.1001)

881 Council – In this Policy, Presbytery serving as a corporate expression of the church

882 within a certain district and composed of all the congregations, ministers of the Word

883 and Sacrament, Commissioned ruling elders, and certified Christian educators who

884 are ruling elders within that district. (G-3.0301)

885 Covered Person – any minister of the Word and Sacrament, commissioned ruling

886 elder, certified Christian educator, or Employee.

887 Ecclesiastical Mandated Reporter – All Covered Persons are designated by the

888 Presbytery as Ecclesiastical Mandated Reporters.

889 Employee – Persons who are hired or called to work for salary or wages by the

890 Presbytery.

891 Minister of the Word and Sacrament – Ordained pastors, ministers in validated

892 ministries, honorably retired pastors, and at-large presbyters. (G-2.0501)

893 Reasonable Suspicion – A subjective criterion that refers to a belief or opinion based

894 on facts or circumstances that are sufficient to cause a prudent person to believe that

895 an act of Sexual Misconduct may have been committed.

896 Response Coordination Team – A body constituted by the Presbytery to respond to

897 the needs of persons impacted by allegations of Sexual Misconduct.

898 Sexual Harassment – Unwelcome sexual advances, requests for sexual favors, and

899 other verbal or physical conduct of a sexual nature constitute sexual harassment

900 when:

901 1. submission to such conduct is made either explicitly or implicitly a term or a

902 condition of an individual's employment or their continued status in an

903 institution;

904 2. submission to or rejection of such conduct by an individual is used as the basis

905 for employment decisions affecting such individual; or

906 3. such conduct has the purpose or effect of unreasonably interfering with an

907 individual's work performance by creating an intimidating, hostile, or

908 offensive working environment

909 Sexual Misconduct – A comprehensive term used in this Policy with respect to the

910 following actions by a Covered Person with respect to an individual with which such

911 Covered Person has a professional, ministerial, or employment relationship:

912 1. Child Sexual Abuse, as defined above.

913 2. Sexual Harassment, as defined above.

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- 914 3. Rape or sexual contact by force, threat, or intimidation.  
915 4. Sexual conduct (such as offensive, obscene, or suggestive language or  
916 behavior, unacceptable visual contact, unwelcome touching or fondling) that  
917 is injurious to the physical or emotional health of another.  
918 5. Sexual Malfeasance, which is defined as sexual conduct within a ministerial,  
919 employment, or professional relationship. Sexual Malfeasance includes  
920 unwelcome sexual advances, requests for sexual favors, and verbal or physical  
921 conduct of a sexual nature. This definition is not meant to cover relationships  
922 between spouses, nor is it meant to restrict church professionals from having  
923 normal, social, intimate, or marital relationships.  
924 6. Sexual Abuse as defined in the *Book of Order*, D-10.0401c, as amended from  
925 time to time.

926 Victim – A person who is alleged to have been the object of Sexual Misconduct.  
927

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928

## **Presbytery of Arkansas Child and Youth Protection Policy**

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

#### *Our Presbytery affirms...*

...That all children are a gift of God,  
created by God and created good.

...That all children depend upon adults for safety and security  
in a world that does not always value children.

...That we hope for a world where  
all children can find a safe place.

...That Jesus welcomed children  
and encourages us to welcome them in his name.

...That we take seriously our baptismal vow  
to nurture all children committed to our care.

*Excerpts from "A Vision for Children and the Church"  
Adopted by the 205th General Assembly of the PC(USA) in June 1993*

### **Purpose**

Our Presbytery believes that children and youth are a gift of God to the whole of the human community. They are an integral part of the community contributing to its worship and ministry. It is in the church that children and youth receive nurture and hear the good news of God's love and protection. Therefore, the church must strive to provide safety and security for children and youth as well as for the adults to whom they are entrusted.

### **Prohibited Acts.**

The following acts are prohibited during any Presbytery activity for children and youth. Additional information about identifying child abuse and neglect is attached as Attachment A.

- Any display or demonstration of sexual activity, abuse, insinuation of abuse, or evidence of abusive conduct toward a child or youth.
- Sexual advances or sexual activity of any kind between any adult and a child or youth.
- Infliction of physically abusive behavior or bodily injury to a child or youth.
- Physical neglect of a child or youth, including failure to provide adequate supervision in relation to Presbytery activities. Adequate supervision means the type of supervision a reasonable person would provide in the same or similar situation.
- Causing mental or emotional injury to a child or youth.
- Possessing or accessing obscene or pornographic materials at any Presbytery activity.
- Possessing illegal drugs or being under the influence of any illegal drugs.
- Consuming or being under the influence of alcohol while participating in any Presbytery activity designed for children and youth.
- Any kind of verbal remarks with sexual connotations, overtones, or innuendo directed to or about a child or youth.
- Carrying any type of weapon.

1

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#### Screening

**Application.** All volunteer YOUTH leaders, all volunteers who drive children and youth, and all employees must complete an authorization and release form (attached) and be screened and approved by the Presbytery.

**Criminal History Checks.** Criminal history checks must be conducted by the Presbytery for volunteer YOUTH leaders. The General Presbyter will review the criminal history report. If the report shows a "Not Clear" status, the General Presbyter will discuss the report with the individual. If the individual desires to continue pursuing his or her application to work with children and youth, the General Presbyter may discuss the report with Presbytery Counselor at law and the Minister of the Word of the local church. Criminal history checks should be updated periodically.

**Disqualifying Offenses.** Whether disclosed voluntarily or as a result of a criminal history check or motor vehicle report, the following will disqualify a person from participating in the leadership of any activity involving children and youth: any indictment alleging the offense of, or any conviction for: murder; aggravated assault; sexual abuse; sexual assault (rape); aggravated sexual assault; injury to a child; incest; indecency with a child; inducing sexual conduct or sexual performance with a child; possession or promotion of child pornography; sale, distribution, or display of harmful material to a minor; employment harmful to children; or a conviction for domestic abuse. If an individual disputes information that appears in his or her criminal history check or motor vehicle report, he or she may appeal through the appropriate governmental agency.

**Confidentiality.** While this screening process understandably intrudes into the privacy of our own lives, our Presbytery believes that the safety of our children and youth outweighs the personal invasion inherent in this process. All personal information voluntarily disclosed, the results of all criminal history checks and motor vehicle reports, and the refusal of any person to participate in a program or activity in lieu of making such disclosures will be considered confidential. This information will be handled only by the General Presbyter and staff person(s) responsible for administering this process. A neutral third party outside the church may be retained to conduct criminal history checks or motor vehicle reports, the results of which will be presented to the Executive. The General Presbyter will maintain a secured storage facility in the Presbytery's business office for all confidential information.

#### Violations

**Reporting Prohibited Acts.** Anyone witnessing the occurrence of a prohibited act is asked follow the steps outlined below. If a child or youth reports that a prohibited act occurred while participating in a church activity or involved church volunteers or employees at any time or place, the person initially contacted by the child or youth is asked to follow these same steps. A prohibited act must be reported immediately, and any failure to do so will be considered a procedural violation of these guidelines. The Presbytery may treat such violation as grounds for termination of an employee or as grounds for the suspension or prohibition of any person participating in church activities involving children and youth. All questions or concerns regarding any suspected violation should be directed to the General Presbyter.

1. Personally secure the safety of the child or youth.
2. Do not leave the child or youth alone to report the incident.
3. Report the incident immediately to the General Presbyter or the Stated Clerk.
4. Do not personally confront the alleged or accused violator of the policy.
5. Complete a Confidential Incident Report and deliver it to the General Presbyter or the Stated Clerk.
6. Report abuse and neglect to local authorities as required by law.
7. The Response Team (see next paragraph) is solely responsible for all communications on behalf of the church.

**Response to Reported Prohibited Acts.** When the General Presbyter or the Stated Clerk receives a report involving a prohibited act, they may consult with others as needed and take such immediate steps as are deemed appropriate. The report will be referred as soon as possible to a Response Team comprised of the General Presbyter, and up to three additional persons appointed by him/her who understand the issue of confidentiality. The Response Team shall take such actions as it deems appropriate in the investigation and handling of the report. The Response Team will be responsible for timely contacting law enforcement authorities as required by law. Designated members of the Response Team will be responsible for all communications on behalf of the church, including those with parents, civil authorities, presbytery, the church's insurance company, and the media. If necessary, the Response Team shall have access to an attorney and counselors for both the alleged victim and the alleged abuser. The Response Team will ensure that pastoral care needs are addressed and

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will notify the accused and the accuser that they have the right to retain their own counsel. The church's counsel will represent the church but not individual interests.

**Consequences of Committing a Prohibited Act.** Any person who is accused of committing a prohibited act, whether a volunteer or employee, will be suspended automatically from any further participation in any church activity for children and youth. The suspension will continue until a disposition of the report has been made by the Response Team. The disposition shall be based upon such evidence as the Response Team deems appropriate. The evidence may include the results of any investigation by the church or law enforcement or child protection proceeding, or the filing, prosecution or outcome of any criminal charges or other legal proceedings. The Response Team may, at its discretion, delay disposition pending the outcome of any investigation or proceeding involving the alleged violation. Upon disposition, if a majority of the Response Team believes from the evidence that any person has committed a prohibited act, such person shall be prohibited from future participation in all church activities for children and youth, either permanently or for such length of time and in such manner as the Response Team shall determine in its discretion. If the person is an employee, such conduct may also result in termination of employment. If the Response Team determines that the allegations are false, the General Presbyter will determine any appropriate pastoral response.

#### **Oversight**

On behalf of the Presbytery, the General Council oversees the implementation of these guidelines.

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**Attachment A  
To "A Vision for Children and the Church"**

**Identifying Child Abuse and Neglect**  
*Adapted from information provided by the Texas Department of Family and Protective Services*

**The Role of Adults Who Work with Children and Youth**

**Observer.** Adults should be aware of the physical signs of child abuse and neglect, as well as changes in behaviors and relationships with peers. Sometimes it is hard to determine what is different, but remember if it doesn't seem right, it usually isn't.

**Listener.** Adults should listen to what children say. They may speak directly to you or a friend, but they may also speak through play, school work, or their reaction to books they read.

**Role Model.** Children need adult role models who provide them with positive, nurturing reinforcement of their own worth. Church volunteers and employees are in a unique position to be such models. Their behaviors and actions are regularly seen by children and may provide a basis for learning.

**Possible Signs of Child Abuse and Neglect**

**Physical Abuse**

- Frequent injuries such as bruises, cuts, black eyes, or burns, especially when the child cannot adequately explain the cause
- Frequent complaints of pain without obvious injury
- Burns or bruises in an unusual pattern that may indicate a human bite, cigarette burns, or the use of an instrument on the face, arms, or palms
- Lack of reaction to pain
- Fear of going home or seeing a parent
- Injuries that appear after the child has not been seen for several days
- Unseasonable clothes that may hide injuries to the arms or legs
- Reluctant about sitting down; unable to hold a pencil
- Evidence of poor self-concept
- Complaints of beatings or other harsh treatment
- Chronic runaway

**Sexual Abuse**

- Physical signs of sexually transmitted disease
- Evidence of injury to the genital area
- Pregnancy in a young girl
- Difficulty in sitting or walking
- Extreme fear of being alone with members of the opposite sex
- Exhibits sexually suggestive or promiscuous behavior
- Knowledgeable about sexual relations

**Sexual Abuse (continued)**

- Reports sexual assault
- Complaints of pain or itching in genital area
- Unusual odors from genital area
- Drawings or writings with strong, often bizarre sexual theme
- Suicide attempts
- Regressed, clingy behavior
- Poor peer relationships
- Declining grades
- Abrupt change in behavior

**Emotional Abuse**

- Speech disorders
- Habit disorders
- Conduct disorders
- Developmental lags
- Delinquent behavior
- Overly adaptive behavior
- Substance abuse

**Neglect**

- Obvious malnutrition
- Dirty hair and body/offensive body odor
- Habitually dressed in torn and dirty clothes
- Obvious fatigue and listlessness
- Unattended for long periods of time
- In need of glasses, dental care, or other medical attention
- Begs for or steals food
- Abnormally short or underweight for age

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**Attachment B  
To "A Vision for Children and the Church"**

**Confidential Information Form**  
*Must be completed by all volunteer youth leaders,  
all volunteers who drive children and youth, and all employees.*

*As covenant members of \_\_\_\_\_ Presbyterian Church, we are each called to teach, nurture, and protect our children through the myriad of opportunities we are given. As a volunteer "shepherd" please know that information gathered below is only asked in the spirit of utmost interest of our littlest and most vulnerable members, our lambs.*

First Name: \_\_\_\_\_ Middle Name: \_\_\_\_\_ Last Name: \_\_\_\_\_  
Home Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Other Names You Have Used: \_\_\_\_\_  
Name as It Appears on Driver's License: \_\_\_\_\_  
Driver's License Number: \_\_\_\_\_ State: \_\_\_\_\_  
Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

**Application to Serve as a Youth Leader:**

Yes \_\_\_ No \_\_\_ I wish to serve as a youth leader at \_\_\_\_\_ Presbyterian Church.

*If you checked "yes," please answer the following:*

Yes \_\_\_ No \_\_\_ Have you been active in the life of \_\_\_\_\_ for more than six months?

Yes \_\_\_ No \_\_\_ Have you been convicted of or pled guilty or no contest to a criminal offense (felony or misdemeanor, except minor traffic violations)? If "yes," please describe:

\_\_\_\_\_  
\_\_\_\_\_

Yes \_\_\_ No \_\_\_ Have you ever been charged with a sexual offense, offense relating to children, or crime of violence? If "yes," please describe:

\_\_\_\_\_  
\_\_\_\_\_

Yes \_\_\_ No \_\_\_ Have you ever been reported to a social service agency, law enforcement agency, child abuse registry, or similar organization regarding child abuse or neglect? If "yes," please describe:

\_\_\_\_\_  
\_\_\_\_\_

**Application to Drive Children and Youth:**

Yes \_\_\_ No \_\_\_ I wish to drive children or youth on behalf of \_\_\_\_\_ Presbyterian Church.

*If you checked "yes," please answer the following:*

Yes \_\_\_ No \_\_\_ Do you have a valid Arkansas driver's license?

Yes \_\_\_ No \_\_\_ Are you twenty-one years old or older?

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**Attachment B (continued)**

Yes \_\_\_ No \_\_\_ Have you been convicted of or pled guilty or no contest to any moving violations within the past five years? If "yes," please describe:

\_\_\_\_\_

Yes \_\_\_ No \_\_\_ Has your driver's license ever been suspended or revoked?

Yes \_\_\_ No \_\_\_ Do you carry at least the minimum required level of personal automobile insurance?

Insurance Company: \_\_\_\_\_ Policy No.: \_\_\_\_\_

Yes \_\_\_ No \_\_\_ Do you agree to require seat belt usage at all times and child safety seat usage when appropriate?

Yes \_\_\_ No \_\_\_ Do you agree to transport persons only in vehicles that are in safe operating condition?

**Authorization and Release:**

I confirm that the above information is accurate and complete. The church is required by law to obtain the following authorization before requesting criminal background and driving record information: By my signature below, I authorize \_\_\_\_\_ Presbyterian Church or its agent to obtain information – written, oral, or other – from a consumer reporting agency bearing on my creditworthiness, credit standing, credit capacity, character, general reputation, personal characteristics, mode of living, criminal background, and driving background. I understand that this investigation may include interviews with friends, acquaintances, or others who have relevant information and that this report will be used in evaluating me for employment or volunteer positions within the church. I understand that I have a right to request disclosure of the nature and scope of the report if it involves personal interviews with sources such as my friends, acquaintances, or others who have relevant information. For myself, my estate, my representatives, and my assigns, I release and agree to indemnify \_\_\_\_\_ Presbyterian Church and its ministers, leaders, employees, volunteers, and agents from any claim resulting from the investigation of my background.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

~~ All information requested or obtained is confidential ~~

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**Attachment C**  
**To "A Vision for Children and the Church"**

**Confidential Incident Report**  
*Deliver to the General Presbyter or the Safeguards Committee*

Date of Incident: \_\_\_\_\_ Time of Incident: \_\_\_\_\_ Place: \_\_\_\_\_

Name(s) of Child(ren): \_\_\_\_\_ Age(s): \_\_\_\_\_

Child's parent or other person responsible for the child's care: \_\_\_\_\_

Name(s) of those suspected of violating the church's guidelines: \_\_\_\_\_

Relationship of the accused to the child: \_\_\_\_\_

Briefly describe what happened: \_\_\_\_\_

\_\_\_\_\_

What was the child's demeanor and appearance? What, if anything, did the child say about the incident? \_\_\_\_\_

\_\_\_\_\_

What immediate action was taken? \_\_\_\_\_

\_\_\_\_\_

Were there any witnesses? Does anyone else have relevant information? (names and phone numbers) \_\_\_\_\_

\_\_\_\_\_

Printed Name of Person Reporting: \_\_\_\_\_

\_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

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942 **Investigating Committee Procedures for a Disciplinary Case**

943  
944 (Adopted February 10, 2018)

945  
946 **“...building up the body of Christ, not destroying it...”**

947  
948 **The purpose of discipline is to:**

- 949 • **Honor God** by making clear the significance of membership in the body of  
950 Christ;
- 951 • **Preserve the purity of the church** by nourishing the individual within the  
952 life of the believing community;
- 953 • **Achieve justice and compassion** for all participants involved;
- 954 • **Correct or restrain wrongdoing** in order to bring members to repentance  
955 and restoration;
- 956 • **Uphold the dignity** of those who have been harmed by disciplinary offenses;
- 957 • **Restore the unity of the church** by removing the causes of discord and  
958 division;
- 959 • Secure the **just, speedy, and economical determination** of proceedings.  
960 ○ Preamble, Principles of Church Discipline, Book of Order D-1.0101

961 **“...for redeeming, not for punishing.”**

962 **An offense is**

- 963 • Any **act or omission**
- 964 • By a member or a **person in an ordered ministry** of the church
- 965 • **That is contrary to the Scriptures** or the **Constitution of the Presbyterian**  
966 **Church (U.S.A.)**
- 967 ○ D-2.0203

968 **“...dispensation of mercy and not of wrath...”**

969  
970 The Investigating Committee (IC), having been formed upon the receipt by the Stated  
971 Clerk of a written statement of an alleged offense occurring within the jurisdiction of  
972 the Presbytery of Arkansas, shall abide by the following procedures in determining  
973 whether charges should be filed:

- 974 1. Select a moderator and a clerk.
- 975 2. Review the statement of alleged offense to determine whether it alleges any  
976 facts, that *if true*, constitute an offense.
- 977 a. NO OFFENSE ALLEGED: end inquiry and report to Stated Clerk.
- 978 b. OFFENSE ALLEGED: proceed to step 3.
- 979 3. Provide the accused with a copy of the statement of alleged offense.
- 980 a. ADVISE ACCUSED OF RIGHT TO REMAIN SILENT, TO BE  
981 REPRESENTED BY COUNSEL and, if charges are later filed, TO HAVE

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COUNSEL APPOINTED IF UNABLE TO SECURE COUNSEL. **REMINDE  
THROUGHOUT INVESTIGATION.**

- 982  
983  
984 4. Provide the accuser with a copy of these procedures.   
985 5. Determine if the accusation repeats previously-made allegations against the  
986 accused.   
987 6. Make a thorough inquiry into the facts and circumstances of the alleged  
988 offense.  
989 a. Examine all relevant papers, documents, and records available.   
990 b. Ascertain all available witnesses and inquire of them.   
991 7. Determine whether there is probable cause to believe that an offense was  
992 committed by the accused.   
993 8. Decide whether the charge(s) filed—on the basis of the papers, documents,  
994 records, testimony, or other evidence—can *reasonably* be proved, having due  
995 regard for the character, availability and credibility of the witnesses and  
996 evidence available.   
997 9. Initiate, if appropriate, alternative forms of resolution (after the investigation  
998 has been completed and probable cause determined, but before charges have  
999 been filed).   
1000 a. Any mediation shall be completed within 120 days unless a   
1001 continuance is allowed by the Permanent Judicial Commission (PJC).   
1002 b. The IC shall report any settlement agreement to the PJC for its  
1003 approval.   
1004 c. Two-thirds (2/3) of PJC must approve the settlement and a record  
1005 must be made including the name of the accused, the substance of the  
1006 charges and censure.   
1007 d. The report must be submitted to the Stated Clerk.   
1008 e. The IC shall provide an advocate for the accused during the settlement  
1009 negotiations.   
1010 f. If a settlement is not reached, the IC shall designate a prosecuting  
1011 committee and the case shall proceed on the charges filed.   
1012 g. "All ICs should be aware that an alternative form of resolution  
1013 agreement must be filed concurrently with charges and may not be  
1014 used to offer secret agreements. The alternative form of resolution  
1015 agreement may be used to avoid trial and censure hearing and to craft  
1016 censures agreeable to all parties, but *may not be used to avoid public*  
1017 *accountability.*" -- Advisory Opinions: Note 15   
1018 10. Report to the Presbytery whether charges will be filed.   
1019 11. Prepare and file charges and designate a prosecuting committee.   
1020 a. Inform the accuser of the right to be accompanied by an advocate, to  
1021 provide support and consultations, at each conference.

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- 1022 12. Promptly inform the accused in writing of the charges to be made, including a  
1023 summary of the facts that are expected to be proven at trial to support those  
1024 charges.
- 1025 a. Statement shall advise the accused of her or his option to plead guilty  
1026 to the charges to avoid a full trial.
- 1027 b. Statement shall indicate the censure it will recommend to the PJC.
- 1028 13. Promptly file a written report that charges will NOT be filed with the Stated  
1029 Clerk and notify the accuser.
- 1030 a. Accuser has thirty (30) days to petition the PJC to review the decision  
1031 not to file charges.
- 1032 b. IC shall submit a written response to petition.
- 1033 c. PJC designated members have ninety (90) days to respond to petition.  
1034 i. If petition is sustained, a new IC shall be appointed.
- 1035 ii. If once again no charges are filed, the matter is concluded.
- 1036 iii. If charges are filed, consideration shall be given to the  
1037 possibility of a reference (PJC requests a trial and decision or  
1038 hearing in a case not yet decided).
- 1039 14. If no charges are filed, the disposition of the IC's records shall be in  
1040 accordance with Presbytery policy.
- 1041 15. Charges
- 1042 a. Must be filed within five (5) years of the time of the commission of an  
1043 alleged offense but no later than one (1) year from the date the IC was  
1044 formed, whichever occurs first.
- 1045 b. Each charge shall allege only one (1) offense.
- 1046 c. Several charges against the same person may be filed at the same  
1047 time.
- 1048 d. Each charge shall be numbered and set forth the conduct that  
1049 constituted the offense, including:
- 1050 i. Time, place and circumstances of the commission of the alleged  
1051 conduct.
- 1052 ii. List of the names and addresses of the witnesses for the  
1053 prosecution.
- 1054 iii. Description of the records and documents to be cited for  
1055 support.

1056 *"For there is nothing hidden that will not be disclosed, and nothing concealed*  
1057 *that will not be known or brought out into the open."*

1058 *Luke 8:17*

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### **Policy on Temporary Membership**

*(Adopted February 10, 2018)*

A minister in good standing in their denomination may apply, through the Presbytery of Arkansas' Committee on Ministry, for Temporary Membership in the Presbytery of Arkansas. The Committee on Ministry first will determine whether such Temporary Membership is needed, desirable, and appropriate for temporary service within the Presbytery. The purpose of such membership would be to serve "temporarily in a validated ministry of this church, or in an installed relationship under the provisions of the Formula of Agreement (*Book of Order*, Appendix B; G-5.0202)." (*Book of Order*, G-2.0506)

A minister wishing to be enrolled as a Temporary Member in the Presbytery of Arkansas must present a written letter of good standing from their denomination, together with a resume resembling a Personal Information Form used in the PC(USA), and a written request for their temporary service from the Session of a congregation, or the appropriate designee of another validated ministry that meets the criteria of the Presbytery's Validated Ministry Policy (*Book of Order*, G-2.05031).

If the Committee on Ministry determines that Temporary Membership should be considered, an Examinations Sub-Committee of the Presbytery's Committee on Ministry shall examine a minister being considered for Temporary Membership "on his or her Christian faith and views in theology, the Sacraments, and the government of this church," as the Sub-Committee would any PC(USA) pastor seeking membership in the Presbytery of Arkansas (*Book of Order*, G-3.0306). Based on the results of this examination, and the consideration of whether this person meets the Examinations Sub-Committee's understanding of the needs of the particular congregation or other validated ministry, the Examinations Sub-Committee shall recommend its findings to the Committee on Ministry as a whole.

At the sole discretion of the Committee on Ministry, the COM will decide whether to recommend the minister to the Presbytery for Temporary Membership. The Committee on Ministry may also recommend to the Presbytery whether a Temporary Member will be given all of the rights and responsibilities of membership in the Presbytery, including, but not limited to, voting, moderating the Session or congregation, and celebrating the sacraments.

**Note:** The Formula of Agreement (*Book of Order*, Appendix B; G-5.0202) allows for members of the Evangelical Lutheran Church in America (ELCA), the Reformed Church in America, and the United Church of Christ to serve in both temporary and called pastoral relationships in the PC(USA). These ministers are still held to the standards of this policy concerning application and examination, although they would ordinarily be given all of the responsibilities and privileges of PC(USA) ministers of the Word and Sacrament.

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1106 **Policy for Ministers from other Denominations Seeking to Serve**  
1107 **in an Installed or Temporary Pastoral Relationship Role**

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*(Adopted by the Presbytery February 11, 2017; Revised February 10, 2018)*

- 1111 1. When a congregation requires pastoral or temporary pastoral leadership and  
1112 would like to consider a candidate whose ordination in good standing, prior  
1113 service, and/or training are not in a denomination in full communion with the  
1114 Presbyterian Church (USA), the session of that congregation shall consult formally  
1115 with the Committee on Ministry before any formal or informal conversations are  
1116 conducted with any such candidate.  
1117
- 1118 2. Through its assigned liaisons and its appropriate Examinations Subcommittee,  
1119 the Presbytery’s Committee on Ministry shall determine whether, when, and to  
1120 what extent the person’s ability to lead, teach, preach, and provide pastoral care  
1121 may or may not serve the present and future mission and vision of the  
1122 congregation in a manner consistent with Presbyterian theology and polity, and  
1123 the ethos of The Presbytery of Arkansas and the Presbyterian Church (USA). This  
1124 determination shall be made in a formal examination by the appropriate  
1125 Examinations Subcommittee and approved by the Committee on Ministry.  
1126
- 1127 3. In addition, in order to preside at the Lord’s Supper or to celebrate a baptism or  
1128 be the officiant for a session-authorized wedding of the PCUSA congregation, a  
1129 potential pastor, temporary pastor, minister, or leader whose credentials in good  
1130 standing are in a denomination not in full communion with the PCUSA, shall  
1131 normally be required to pursue pre-approved coursework in the following areas:  
1132 a. Reformed Theology (*Book of Confessions*)  
1133 b. Reformed Understanding of the Sacraments (*Book of Confessions* and  
1134 “Directory for Worship”)  
1135 c. Presbyterian Polity (*Book of Order*)  
1136
- 1137 4. Following the completion of the above coursework or its equivalent, the  
1138 appropriate Examinations Subcommittee of the Committee on Ministry shall  
1139 examine the candidate again and may—at the Committee on Ministry’s sole  
1140 discretion—specifically authorize the individual to exercise one or more of the  
1141 following pastoral functions if it judges the exercise of that function by that  
1142 individual to be desirable for the church’s ongoing ministry:  
1143 a. Presiding at the Lord’s Supper  
1144 b. Celebrating a baptism  
1145 c. Serving as the officiant for a session-authorized wedding of the  
1146 congregation

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1147 Such authorization shall apply only to the congregation, context, and time-frame  
1148 specified by the Committee on Ministry.  
1149

1150 5. In no event shall a pastor, temporary pastor, minister, or other leader whose  
1151 ordination, prior service, and training are not in a denomination in full  
1152 communion with the Presbyterian Church (USA) moderate the Session of a  
1153 congregation of the Presbytery of Arkansas unless and until such leader is  
1154 enrolled as a Temporary Member of the Presbytery of Arkansas, or ordained as a  
1155 minister of the Word and Sacrament in the Presbyterian Church (USA).