

January 1, 2015

**Administrative Manual**  
**Cypress Lake Presbyterian Church**  
**8260 Cypress Lake Drive**  
**Fort Myers, Florida 33919**

## **PREFACE**

The mission of Cypress Lake Presbyterian Church (CLPC) is:

*Living God's Presence Through Love and Service*

The Vision of Cypress Lake Presbyterian Church (CLPC):

*This is the Place...Where You Will Experience Christ*

In accordance with Constitution of Presbyterian Church (USA), Part II, this manual has been prepared to provide guidance in the administration of the ministries of Cypress Lake Presbyterian Church (CLPC). In the event that there is a conflict between any of the following and this manual, the following shall prevail in descending order:

1. The Holy Bible
2. The Constitution of the Presbyterian Church USA – Book 1, The Confessions
3. The Constitution of the Presbyterian Church (USA) – Book 2, the Book of Order
4. The By-Laws of CLPC
5. The Administrative Manual (this text)

## **BACKGROUND**

CLPC functions with a ministry format (as opposed to a “traditional committee” structure). As a result, to the extent possible and consistent with our faith and denominational rules, CLPC attempts to empower teams to make the day to day operational decisions with the Session (Ruling Elders and Teaching Elders) providing oversight, vision and direction.

The budget, filing system and this document follow a classification system that is consistent across the administration of the church. As an example, an issue involving property falls under the “Support Team” which is coded in the 8000 series. Hence any decision of Session regarding Property will be found in the 8000 section of this manual.

As changes are made to the manual old pages will be removed and new pages inserted with the header indicating the date of the change and “Chg 1” or “Chg 2” etc. This will help ensure that everyone who has a manual will know that they are operating from the same page...literally!

## Chapter 1 – General

### 1000 Responsibilities of Session

The Session, through its direct action or through ministry teams, shall

- a. provide opportunities for evangelism to be learned and practiced in and by the church, that members may be better equipped to articulate their faith, to witness in word and deed to the saving grace of Jesus Christ, and to invite persons into a new life in Christ;
- b. receive members into the church upon profession of faith, upon reaffirmation of faith in Jesus Christ, or upon satisfactory certification of transfer of church membership, provided that membership shall not be denied any person because of race, economic or social circumstances, or any other reason not related to profession of faith;
- c. lead the congregation in participation in the mission of the whole Church in the world;
- d. provide for the worship of the people of God, including the preaching of the Word, the sharing of the Sacraments, and for the music program, in keeping with the principles in the Directory for Worship, and to appeal to the presbytery for a duly trained and authorized elder in those extenuating circumstances where an ordained minister of the Word and Sacrament is not available to meet the needs for the administration of the Lord's Supper;
- e. provide for the growth of its members and for their equipment for ministry through personal and pastoral care, educational programs including the church school, sharing in fellowship and mutual support, and opportunities for witness and service in the world;
- f. develop and supervise the church school and the educational program of the church;
- g. lead the congregation in ministries of personal and social healing and reconciliation in the communities in which the church lives and bears its witness;
- h. challenge the people of God with the privilege of responsible Christian stewardship of money and time and talents, developing effective ways for encouraging and gathering the offerings of the people and assuring that all offerings are distributed to the objects toward which they were contributed;
- i. establish the annual budget, determine the distribution of the church's benevolences, and order offerings for Christian purposes, providing full information to the congregation of its decisions in such matters;
- j. lead the congregation continually to discover what God is doing in the world and to plan for change, renewal, and reformation under the Word of God;
- k. engage in a process for education and mutual growth of the members of the session;

l. instruct, examine, ordain, install, and welcome into common ministry elders and deacons on their election by the congregation and to inquire into their faithfulness in fulfilling their responsibilities;

m. delegate and to supervise the work of the board of deacons and all other ministry teams, organizations and task forces within the congregation, providing for support, report, review, and control;

n. provide for the administration of the program of the church, including employment of non-ordained staff, with concern for equal employment opportunity, fair employment practices, personnel policies, and the annual review of the adequacy of compensation for all staff, including all employees;

o. provide for the management of the property of the church, including determination of the appropriate use of church buildings and facilities, and to obtain property and liability insurance coverage to protect the facilities, programs, and officers, including members of the session, staff, and deacons;

p. maintain regular and continuing relationship to the higher governing bodies of the church, including

- (1) electing commissioners to presbytery and receiving their reports
- (2) nominating to presbytery ruling elders who may be considered for election to synod or General Assembly;
- (3) in both the above responsibilities, implementing the principles of participation and inclusiveness to ensure fair representation in the decision making of the church;
- (4) observing and carrying out the instructions of the higher governing bodies consistent with the Constitution of the Presbyterian Church (U.S.A.);
- (5) welcoming representatives of the presbytery on the occasions of their visits;
- (6) proposing to the presbytery and, through it, to the synod and the General Assembly such measures as may be of common concern to the mission of the whole church;
- (7) sending annually to the stated clerk of the presbytery statistical and other information according to the requirements of the presbytery.

q. establish and maintain those ecumenical relationships necessary for the life and mission of the church in its locality;

r. serve in judicial matters in accordance with the Rules of Discipline;

s. keep an accurate roll of the membership of the church and to grant certificates of transfer to other churches, which when issued for parents shall include the names of their children specifying whether they have been baptized, and which when issued for an elder or deacon shall include the record of ordination.

t. The duties above are delegated as follows:

**(1) Support Ministry Team** – Is responsible for all issues involving property, stewardship, finance, budget, and personnel (in essence, “supporting” all of the work of the

church). While personnel issues fall directly under the purview of the Support Ministry Team, recommendations for the hiring, firing, promoting, demoting or issues of discipline or employee performance shall be reported directly to the Session (not through the Ministry Team). The Support Ministry Team is responsible for ensuring that an annual financial review is conducted and the results and recommendations reported to the Session.

**(2) Commitment to Worship Ministry Team** – Is responsible for all matters involved in worship including, but not limited to, music, drama, times of worship, styles of worship, audio and video technologies, flowers in worship, etc.

**(3) Disciplemaking Ministry Team** – Is responsible for all Christian education and the means by which the church promotes the development of disciples in the church and the community. This includes, but is not limited to, Sunday School, youth ministries, adult Bible studies, small group ministries, new member events, church camps, etc. In cooperation with Church & Community Ministry Team, shall jointly be responsible for outreach ministries such as the Fall Fest, Vacation Bible School, Easter Egg Hunt, etc.

**(4) Church & Community Ministry Team** – Is responsible for activities that promote fellowship within the church as well as missional outreach in the community. This includes, but is not limited to, Safe Haven Preschool, fellowship meals, church picnics, food pantry, Safe Haven Christian School, missional outreach through Habitat for Humanity, Mision Peniel, sister church in Guatemala, etc. In cooperation with Disciplemaking, shall jointly be responsible for outreach ministries such as the Fall Fest, Vacation Bible School, Easter Egg Hunt, etc.

### **1005 Budgets and Ministry Teams**

a. The Support Ministry Team, under the oversight of Session, shall prepare a budget for Session approval prior to the start of the fiscal year and shall ensure that the church operates in accordance with the approved budget. No expenditures, except in the most dire of emergencies (dire being defined as an immediate action needed to prevent the loss of life or property), shall be expended except in accordance with an approved budget.

b. Ministry teams are authorized to reallocate funds within their budgeted area (e.g.. Support may reallocate anywhere within the 8000 accounting classification) provided that the reallocation does not exceed the total amount allocated for that team.

### **1010 Quorum**

The quorum of Session shall be one third of its members or, in the case of the receiving or dismissing of members, the quorum shall be at least 2 active ruling elders plus the Moderator.

### **1020 Clerk of Session**

a. The Clerk of Session, with the support of the Office Manager, shall maintain the minutes of the Session and corporation of the church and shall ensure that the membership rolls are current and justly managed.

b. The term for the Clerk shall be one year. The Session, with the input of the Pastor, is responsible for completing the search and selecting the Clerk. The Clerk must be a Ruling Elder however the Clerk may or may not be an active elder currently serving on Session.

- c. Re-election of the Clerk of Session is not automatic and shall be completed every year.

### **1030 Treasurer**

a. The term for the Treasurer shall be one year. The Session, with the input of the Support Ministry Team and the Personnel Committee, is responsible for the search and selection of the Treasurer.

b. The Treasurer works for, and reports to, the Session. The Treasurer shall have voice but no vote (unless an active Ruling Elder) at all Session meetings. Exception: if the Treasurer is not an active Ruling Elder, the Treasurer shall excuse himself/herself from Session if it in executive session or if the Session asks the Treasurer to be excused.

- c. Re-election of the Treasurer is not automatic and shall be completed every year.

### **1040 Congregational Meetings**

Congregational meetings shall be held in accordance with the Book of Order. Notice of an upcoming meeting shall be given on at least 2 consecutive Sundays. The meeting may be conducted on the second Sunday. All congregational meetings shall be conducted in accordance with *Robert's Rules of Order* and the quorum shall be one tenth (1/10) of the active membership of the church.

### **1050 Terms, Training and Examination of Ruling Elders and Deacons**

a. The Session shall ensure that elected Deacons and Ruling Elders are trained and examined prior to being ordained and/or installed. In so doing, the Session shall also review the inclusiveness and representation of the officers, ensuring that the elected leadership accurately reflects the make-up of the church in race, color, sex, and age.

b. Ruling elders shall be elected to a term of not more than three years and are eligible for reelection for another term, provided that they do not serve for more than six (6) consecutive years. Normally, elders are elected to a three (3) year term.

### **1060 Meetings of the Session, Deacons and Ministry Teams**

a. The Deacons, Session and Ministry Team meetings shall open and close with prayer and shall include an opportunity for spiritual growth and reflection.

b. In the case of a stated Session meeting, an agenda (docket) shall be prepared in advance, shall include reports from the ministry teams, Treasurer and Deacons (as appropriate), and shall be made available to the Session at least two (2) days in advance of the meeting. Reports not received in time for inclusion in packet shall be included in the following meeting's packet.

c. Special meetings of the Session shall have an agenda but shall be restricted to the purpose for which it was called.

### **1070 Participation in Councils Above the Session**

a. Normally, there will be one Ruling Elder who shall attend all Presbytery meetings in a given year. This is designed to provide continuity in representation as this Ruling Elder may be able to better understand the nuances of the meeting and help the other Elder.

b. Normally, the second Ruling Elder commissioner shall be rotated. This is intended to provide an opportunity for multiple Elders to gain exposure to the work of the Presbytery.

- c. The Session shall ensure participation by Ruling Elders in the committees and work of

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Councils above the level of the Session.

**1100 Review**

The Session shall review this manual on at least an annual basis, making changes as the situation dictates.

## **Chapter 2 – Preschool**

Reserved.

## **Chapter 3 – Membership & Human Resources**

### **3000 Membership**

The Session shall review the roll of active members on a calendar year basis, preferably during the end of the month of December (to allow maximum opportunity for participation in the life of the church). Members who have not attended worship in the previous 2 years and have not participated in any way in the life of the congregation (e.g., through the use of time, talent and treasure), shall be removed from membership. Members serving in the armed forces, who are shut-in or have a valid reason for not having participated in the life of the church (e.g., serving in an overseas mission capacity) may be included on the roll as an active member.

### **3010 Transitional Period for Inactive Members**

Session shall annually review the inactive list of members as a result of the transition to the current Form of Government. Those inactive members who do not meet the criteria for retention as an Active Member above shall be removed from membership in the church.

### **3020 Transitional Record Keeping**

The records of Inactive Members shall be retained in perpetuity even when all Inactive Members have been removed from the membership rolls.

### **3030 Criminal Background Screening Requirements**

CLPC will conduct a criminal background check on the following individuals:

- New Ruling Elders and Deacons (ref.-Chapter 8, D. Screening for New Ruling Elders and Deacons)
- All part-time and full-time CLPC employees (ref.-Personnel Manual-,Privacy and Confidentiality)
- All CLPC volunteers entrusted with the care, supervision or oversight of minors (ref.-Appendix C, Child and Youth Protection Policy, #6)
- All CLPC volunteer van drivers (ref.-Van Policy)
- Stephen's Ministers

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## **Chapter 4 – Disciplemaking and Christian Education**

Reserved.

## **Chapter 5 – Deacons**

**5100** The Deacons shall elect a moderator and a secretary and shall meet, as a minimum, once per quarter. A quorum of Deacons shall be one third of the Deacons currently serving. The Deacons shall meet annually with the Session, this meeting shall normally occur in the month of June.

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## **Chapter 6 – Church & Community/Mission**

Reserved.

## **Chapter 7 – Reserved**

## **Chapter 8 – Support/Property/Stewardship/Investment**

The Support Ministry Team, under the oversight of Session, shall ensure that the articles of incorporation and bylaws of the corporation are properly maintained and kept current

**8100 Personnel Committee** The Personnel Committee of Cypress Lake Presbyterian Church was organized by action of Session to attend to matters involving the paid personnel of the church to make recommendations to the Session pertaining to employees. The Committee's recommendations should conform to the Book of Order, precedent and common sense. Transparency may not be as apparent as it is in other committees. It should be noted, however, that this committee is not empowered to take any action in regards to the hiring, firing, or compensation of any individual employee. The Personnel Committee only makes recommendations to Session on those matters.

### A. Duties of the Personnel Committee:

1. Preparation of the personnel portion of the annual budget, with pay recommendations after careful study with respect to both the religious and secular job marketplace.
2. Make recommendations to Session as to the hiring of non-ordained staff, when needed, with respect to prudent hiring practices and after conducting interviews.
3. Confidentially investigate all reports of any wrong doing and, with the advice of the Head of Staff, devise a corrective action plan that could involve professional counseling or recommendation to Session that the employee be terminated.
4. Periodically review CLPC Personnel Policy Manual and make recommendations to Session as to changes needed.
5. Head of Staff to provide annual review of each employee's performance for oversight by PC and report of any recommendations back to Session. All employee records are to be maintained by CLPC Office Manager and kept under the confidential supervision of the Personnel Committee.

### B. Personnel Committee Membership

1. Membership of the Personnel Committee shall be comprised of the chairs of each of the ministry teams. The pastor(s) are members of the committee ex officio.
2. Personnel Committee Chairperson and Vice Chairperson shall be current Ruling Elders of Session and will be selected by the Pastor (Head of Staff) for approval by Session. Length of term as Chairperson and Vice Chairperson shall be for one year (may be reappointed for a maximum of two [2] years}.

**Note:** Due to the sometimes confidential nature of the committee's work, it should be emphasized that all members are held to maintaining confidentiality of sensitive information discussed.

## **8200 Sexual Misconduct Policy**

**8210 Introduction.** In an effort to further the peace, unity and purity of the church through the prevention and remediation of sexual misconduct within the church, the Session has developed the following policy. In preparing the document, attention was given to setting and providing for enforcement of standards of ethical behavior consistent with Reformed tradition and secular law.

Requirements and protections guaranteed under the Form of Government and the Rules of Discipline were particularly noted. This policy document should help in assuring consistency of practice and action within the Presbytery, provide an information base for educating both ordained leaders of the church as well as lay persons.

**8220 PURPOSE:** To define ministerial sexual misconduct and to outline procedures for reporting such misconduct to the Session.

**A. Definition of Sexual Misconduct**

Sexual misconduct is the comprehensive term used in this policy to include sexual abuse of children or adults, rape or sexual assault, and sexual harassment. Sexual misconduct is an abuse of authority and power. It breaches Christian ethical principles by misusing a trust relationship to gain advantage over another for personal gratification in an abusive, exploitative, and unjust manner. Categories of sexual misconduct are described below.

(1) Sexual abuse occurs whenever a person in a position of trust engages in a sexual act or sexual contact with another person to whom he or she owes a professional responsibility. Such abuse includes, but is not limited to, the following:

- (a) Sexual acts or sexual contact with a minor.
- (b) Sexual acts or sexual contact involving inducement, threat, coercion, force, violence, or intimidation of another person.
- (c) Sexual acts or contact between ministers, laity, or staff to whom they are not married and with whom they have a professional relationship. Such relationships are not acceptable even when consensual, and regardless of whether pastoral care is involved. The inherent imbalance of power between Ruling Elders, Teaching Elders and Deacons with lay people or staff undermines the validity of such consent.
- (d) Sexual acts outside the bounds of marriage.
- (e) Sexual acts or sexual contact with a person who is incapable of appraising the nature of the conduct or is physically incapable of declining such activity.
- (f) Sexual acts or sexual contact arising from the administration of a drug or intoxicant which substantially impairs the reasoning or judgment of another.
- (g) Teaching Elders, Ruling Elders and Deacons are always responsible for considering the impact of their words and actions, and refrain from actions that create the appearance of an inappropriate relationship.

(2) Child sexual abuse includes, but is not limited to, any contact or interaction between a child and an adult when the child is being used for the sexual stimulation of the adult or of a third person. The behavior may or may not involve touching and includes the display or use of sexually suggestive materials, objects, or pictures. Child sexual abuse between an adult and a child is always considered forced whether or not consented to by the child. Child sexual abuse is a crime in all states and must be reported to civil authorities and to the Clerk of Session.

(3) Rape or sexual assault is a crime in every state and should be reported to civil authorities and to Clerk of Session.

(4) Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexually offensive nature when any of the following

circumstances prevail:

(a) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or their continued status in an institution.

(b) Submission to or rejection of such conduct by an individual is the basis for Employment decisions affecting that individual.

(c) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, or offensive working environment. Sexual harassment can consist of a single intense or severe act or multiple persistent or pervasive acts. Sexual harassment may include, but is not limited to the following:

- sexually oriented jokes or humor;
- sexually demeaning comments;
- verbal suggestions of sexual involvement or sexual activity;
- questions or comments about sexual behavior;
- unwelcome or inappropriate physical contact;
- graphic or degrading comments about an individual's physical appearance;
- express or implied sexual advances or propositions;
- display or use of sexually suggestive materials, objects or pictures;
- repeated requests for social engagements after an individual refuses.

## **B. Policy on Sexual Misconduct**

(1) Sexual misconduct is never permissible. It is a violation of the principles set forth in Scripture as well as of ministerial, pastoral, employment, and professional relationships. Sexual misconduct by a Teaching Elder, Ruling Elder or Deacon violates the ordination vows of the Presbyterian Church (USA).

(2) All Ruling Elders and Deacons shall be given a copy of this statement and are required to sign a statement agreeing to comply with the policy. Failure to comply may result in investigation and discipline. Teaching Elders have already completed this requirement as a part of membership in Peace River Presbytery

## **8230 AVAILABILITY OF POLICY AND PROCEDURES**

A. All Ruling Elders and Deacons shall be given copies of the policy and are required to sign an acknowledgment of receipt and agreement to comply.

B. Those being examined for ordination and/or installation as Ruling Elders and Deacons shall be furnished with a copy of this policy by the Clerk of Session. They must sign the policy and be required to sign an acknowledgement of receipt and agreement to comply prior to being ordained and/or installed.

### **C. MANAGEMENT OF ALLEGATIONS OF SEXUAL MISCONDUCT BY RULING ELDERS AND DEACONS**

(1) Resource Documents - The responsibilities, structures, and procedures for responding to allegations of sexual misconduct are mandated by the Book of Order.

(2) Liability and Insurance – The Session shall periodically obtain from their insurance agents, confirmation that their liability insurance policy covers sexual misconduct liability for their programs and activities.

(3) Record Keeping – Cypress Lake Presbyterian Church will include in every employee's personnel file, including files for Ruling Elders, Deacons and employees (and volunteers, as appropriate) a signed receipt for receiving the sexual misconduct policy and agreement to comply as well as any other pertinent information relating to this matter.

### **D. SCREENING FOR NEW RULING ELDERS AND DEACONS**

(1) Background Checks - Pre-ordination/installation screening for prospective Ruling Elders and Deacons shall include a mandatory National Criminal History Background Check, requested and paid for by church. This should take place prior to the candidate being examined by the Session for ordination and/or installation.

### **E. MAINTENANCE OF A SEXUAL MISCONDUCT RESPONSE TEAM**

Should an event occur, the Session shall appoint a Response Team who is responsible for providing ongoing education and resources, and for coordinating professional care for all involved. The Response Team will not investigate an allegation or in any way usurp the role of any investigating team.

## **8240 POLICY ON RESPONSE TO ALLEGATIONS OF SEXUAL MISCONDUCT BY RULING ELDERS OR DEACONS**

A. Known or suspected sexual misconduct by a minister shall be reported to the Clerk of Session.

B. In addition to the above, known or suspected sexual misconduct involving children shall be reported to civil authorities.

C. A written complaint to the Clerk of Session alleging sexual misconduct by a Ruling Elder or a Deacon may result in a removal from that function (administrative leave) until the investigation is completed.

## **8300 CHILD PROTECTION POLICY**

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All staff, members and guests shall be adhere to the Child Protection Policy as contained in Appendix A of this manual.

**8400 PERSONNEL MANUAL**

All employees of the church shall be guided by the Personnel Manual as contained in Appendix B of the Administrative Manual.

## **Chapter 9 – Commitment to Worship**

### **9100 Baptism**

The Commitment to Worship Team shall coordinate with the Disciplemaking Team to ensure that a preparation for Baptism is conducted prior to an adult or child being baptized.

### **9200 The Lord's Supper**

The Lord's Supper shall normally be celebrated on the first Sunday of every month, the first Sunday of Advent, Ash Wednesday, and Maundy Thursday. The Lord's Supper shall be made available at all worship celebrations when they occur on a Sunday. When the first Sunday of Advent falls on a day other than the first Sunday of December, the Lord's Supper shall be celebrated on the first Sunday of Advent in lieu of the first Sunday of December.

Additionally, pastor(s) of the church are authorized to serve the Lord's Supper as needed in hospitals, nursing facilities, shut-ins or in other places and times as fitting to the situation (e.g., church retreats). The pastor(s) shall report to the Session at the next Session meeting whenever the Lord's Supper has been served outside of the confines of CLPC.

## **APPENDIX A BY-LAWS**

### BY LAWS

#### CYPRESS LAKE PRESBYTERIAN CHURCH

#### FORT MYERS, FLORIDA

The Cypress Lake Presbyterian Church being a particular congregation of the Presbyterian Church (U.S.A.) recognizes that the Constitution of said church is in all its provisions, obligatory upon it and its members.

### COVENANT

We covenant to walk together as disciples of Jesus Christ in a church relation according to the provisions of the Constitution of the denomination, and we promise to maintain this church by our attendance at its services, by supporting its work with our gifts, our efforts and our prayers, and to seek in its fellowship to glorify the name and further the cause of, our Lord Jesus Christ.

### ARTICLE I – MEMBERSHIP

- A. Any person of an age to know his or her own mind and heart, who believes in God and accepts Jesus Christ as Lord and Saviour may become a communicant member of Cypress Lake Presbyterian Church.
- B. A new member shall be received on Confession of Faith in Jesus Christ, on Reaffirmation of Faith, or by Letter of Transfer from another church, upon approval of the Session.
- C. A member of Cypress Lake Presbyterian Church shall agree to its covenant, support its work by prayer, attendance, giving and daily example.

### ARTICLE II – THE CONGREGATION

- A. Every business meeting of the Congregation shall be opened and closed with prayer.
- B. The Congregation shall hold its Annual Meeting in June of each year, the date and time to be set by the Session. At the annual Meeting, the Congregation will receive and act on reports from the past year and to vote on all other business properly coming before the congregation. Election of officers may occur at this meeting or at a called meeting to allow time for officer's training.
- C. The Session may call a meeting of the Congregation by giving public notice of the time, place and purpose. The meeting shall be announced in the hour of worship at least two Sundays beforehand; thus the meeting may follow the service at which the second announcement is made.

- D. A meeting of the Congregation shall follow the rules for governing bodies of the denomination, and when these do not apply, Robert's Rules of Order shall be followed.
- E. The pastor shall preside at the meetings of the Congregation. If the pastor is ill or cannot attend, at his request and with consent of the Session, a person designated by the Presbytery as moderator may preside.
- F. The Clerk of Session shall act as secretary for the meetings of the Congregation. In his or her absence, the presiding officer may appoint a secretary.
- G. Only active members of Cypress Lake Presbyterian Church shall be entitled to vote.
- H. A quorum shall be the Moderator and one tenth of the active members of the Congregation. There shall be no voting by proxy.
- I. The Presbytery may call a meeting of the Congregation, clearly stating the purpose, and the Congregation shall act only on such matters as the call specifies.
- J. The Congregation shall elect its own pastor, whose name shall have previously been presented by a Pulpit Nominating Committee and presented to and approved by the appropriate committee of the Presbytery.
- K. The Congregation shall elect its Elders and Deacons.
  - 1. The Nominating Committee shall bring to the Congregational Meeting the name of one person only for each office to be filled. Only one person from any one household may be elected to serve simultaneously on any one governing board.
  - 2. Other names, however, may be placed in nomination from the floor, provided the nominees have agreed to serve and be trained, if elected.
- L. All active Elders and Deacons are expected to attend and participate in all meetings of their respective Boards. If an Elder or Deacon is unable to attend a regular or special meeting, he/she shall notify the Moderator or Clerk (as appropriate) in advance of the meeting. Except in case of emergency, failure to notify the Moderator or Clerk shall result in an unexcused absence. If there are two (2) unexcused absences in any church fiscal year (the period beginning July 1 and ending on June 30<sup>th</sup> of the following year), the Elder or Deacon shall be notified of this provision in the By-Laws and offered help to resolve the situation. Should any Elder or Deacon have three (3) or more unexcused absences in any church fiscal year, this shall be considered a resignation from their respective Board and the Session of the church may act upon that resignation as appropriate.

### ARTICLE III – THE ELDERS

- A. Cypress Lake Presbyterian Church shall have twelve (12) to eighteen (18) Elders. Terms of service shall be in accordance with the Book of Order, but may be a shorter period as recommended by the nominating committee and approved by the Congregation in order to adequately consider the balance of ages, sexes, races and those with disabilities.

ARTICLE IV – THE SESSION

- A. Duties of the Session shall include:
1. Determining the times and occasions for worship, including the Lord's Supper.
  2. Receiving and dismissing members, and reviewing the rolls so that they reflect the actual membership of the church.
  3. Maintaining the spiritual life and discipline of the congregation.
  4. Creating a mission design and setting up committees and task forces to carry out the mission of the church.
  5. Supervising all church groups and organizations.
  6. Deciding the uses to which the buildings and property will be put.
  7. Setting benevolence goals and approving special offerings.
  8. Sending Elder Commissioners to Presbytery and, on occasion, to Synod and General Assembly.
- B. The pastor shall act as Moderator for all meetings of the Session.
- C. The Session shall set a regular time to meet monthly, but may meet other times at the request of the Moderator, two Elders, or Presbytery, provided all members of the Session are notified beforehand and the purpose of the meeting is clearly stated.
- D. A quorum shall be the Moderator and one third of the elders but no fewer than two, except for the reception and dismissal of members, when the quorum shall be the moderator and two members of the Session.
- E. The Session shall elect a Clerk of Session who shall usually, though not necessarily be an Elder in active service, who shall keep accurate records of all meetings of the Session and Congregation and submit annually or on call to the Presbytery for approval.
- F. The annual budget for the benevolences and current expenses, drawn up and adopted by the Session, shall be regarded as a means for carrying out the aims of Cypress Lake Presbyterian Church, and shall therefore be under the direct control of the Session. The budget will be submitted to the Congregation at its annual meeting for vote to change the terms of Call of the Pastor(s) if any, and for ratification.
- G. The Session shall elect a Treasurer and a Chairman of the Investment Committee who are Elders, active or inactive, and a Financial Secretary who may be a qualified member of the Congregation. If the Treasurer is not an active Elder, he or she may attend meetings of the Session but without voting.
1. The Treasurer shall:
- a. Pay bills allowed by the budget and approved by the appropriate ministry team chair, or approved by the Session.
  - b. Transfer donations to the Building Fund regularly as they come in.
  - c. Transfer other funds from one account to another only when so directed by the Session.
  - d. Keep all designated funds apart, spending them only for the purposes for which they have been given.

- e. Report monthly to the Session and at the Annual Meeting of the Congregation.
- 2. The Financial Secretary shall:
  - a. Maintain accurate, up to date pledge records.
  - b. Maintain accurate, up to date records of other gifts.
  - c. Make records available at all times to the Session or Budget and Finance Committee.
- H. The Session shall appoint a Certified Public Accountant, or two qualified persons not active on the Session, to audit the financial records annually.
- I. If a vacancy occurs on the Session, the Session will decide whether to have it filled at a called meeting of the Congregation or at the Annual Meeting of the Congregation.

#### ARTICLE V – THE TRUSTEES

- A. The active Elders shall serve as the Trustees, otherwise known as the Unicameral Board, and together with the members of the Congregation shall form a Corporation not-for-profit named Cypress Lake Presbyterian Church, Incorporated of Fort Myers, Florida.
- B. The Trustees shall elect a President and Vice-President. The Secretary shall be the Clerk of Session.
- C. Duties of the Trustees shall be to:
  - 1. Receive, hold, encumber, manage and transfer real property.
  - 2. Protect the properties of the church and insure, when applicable, for liability, theft and vandalism, fire and windstorm, etc.
  - 3. Care for the adequate maintenance of the church properties.

#### ARTICLE VI – THE CORPORATION

- A. The Corporation shall meet each year at the same time and place as the Congregation at its annual meeting.
- B. The Session may call a meeting of the Corporation under the same conditions that apply to a called meeting of the congregation.
- C. The President of the Trustees (or Vice-President in his absence) shall preside at a meeting of the Corporation.
- D. A quorum shall be the President, Moderator, and one tenth of the Active Members.
- E. The corporate Seal of this Corporation shall consist of one circle, between which shall be “Cypress Lake Presbyterian Church, Fort Myers, Florida, a Corporation not-for-profit” and in the center of the Seal the date November 2, 1975.

#### ARTICLE VII – DEACONS

- A. Cypress Lake Presbyterian Church shall have twelve (12) to eighteen (18) Deacons. Terms of service shall be in accordance with the Book Of Order, but may be a shorter period as recommended by the nominating committee and approved by the Congregation

in order to adequately consider the balance of ages, sexes, races and those with disabilities.

- B. It is the duty of deacons, first of all, to minister to those who are in need, to the sick, to the friendless, and to any who may be in distress. They shall assume such other duties as may be delegated to them from time to time by Session.
- C. The deacons of a particular church shall organize as a board, of which the pastor shall be an advisory member. The board of deacons shall elect a moderator and a secretary from among its members. The secretary shall keep a record of the board's proceedings.
- D. As the whole church is under the jurisdiction of the Session, the board of deacons shall be under its supervision and authority. The records of the board of deacons shall be submitted to the session at least annually and at other times upon the request of the session. The session may void or amend any action of the board of deacons, or direct the board to reconsider such action.
- E. The board shall meet regularly, or upon the call of its moderator, or when directed to meet by the session, but it shall meet at least quarterly. The board shall determine its own quorum. A joint meeting of the session and board of deacons shall be held at least annually to confer on matters of common interest, with the moderator of the session presiding. No binding decision may be reached in such joint meeting, but the session and the board may act separately on matters committed to their care.

#### ARTICLE VIII – AMENDMENTS

- A. These By-Laws may be amended or repealed at any meeting of the Congregation and/or Corporation by a two-thirds vote, provided that the intended change is announced along with the two public notices of the meeting.
- B. Any change in the Constitution of the Presbyterian Church (U.S.A.) which affects these By-Laws, will automatically alter them.

Originally adopted 1/15/76	Amended 1/15/78	Amended 1/21/79
Amended 2/6/83	Amended 9/11/83	Amended 1/21/90
Amended 1/27/91	Amended 5/12/91	Amended 6/25/06
Amended 6/26/07	Amended 6/19/11	

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**APPENDIX B**  
**CYPRESS LAKE PRESBYTERIAN CHURCH**

**PERSONNEL MANUAL**

Adopted by Session on July 18, 2006

Revisions August 3, 2010 by Personnel Committee; April 1, 2012

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## **EMPLOYMENT WITH CYPRESS LAKE PRESBYTERIAN CHURCH**

### **INTRODUCTORY STATEMENT**

This Personnel Manual applies to all employees and is intended to provide information about Cypress Lake Presbyterian Church's personnel policies, procedures, and standards. All employees are expected to read, understand, and become familiar with the manual and comply with the standards that have been established. Cypress Lake Presbyterian Church reserves the right to modify, supplement, rescind, or revise any policy or procedure, in whole or in part, at any time.

While Cypress Lake Presbyterian Church (CLPC) believes wholeheartedly in the policies, practices, programs and procedures described in this Personnel Manual, they are not conditions of employment, and they are merely intended as guidelines. The language used in this Personnel Manual is not intended to create a contract between CLPC and any one or all of its employees.

If there is a conflict between this Personnel Manual and the *Book of Order* of the Presbyterian Church (U.S.A.), the Book of Order shall prevail. If there is a conflict between the provisions of this Personnel Manual and those set forth in the terms of an ordained staff member's call, the terms of the call shall prevail.

Benefit information can be found in the plans and policies on file in the church office. In instances where the Personnel Manual and CLPC personnel policies or plan documents, including insurance policies, may disagree, the policies and plans will always prevail. The final decision on any questions regarding interpretation of CLPC's policies rests with Head of Staff & Personnel Committee.

Employment at CLPC is on an "at-will" basis. This means that the employment relationship may be ended at the choice of either party, with or without notice, and with or without cause, at any time. Any written or oral statement to the contrary is invalid and should not be relied upon or any applicant or employee.

This Personnel Manual overrides, supersedes and replaces any former or existing CLPC handbooks, manuals and policy statements.

### **NON-DISCRIMINATION POLICY**

CLPC is an equal opportunity employer. It is our policy to administer all of our employment practices, including those pertaining to recruitment, hiring, placement, promotion or compensation, layoff or termination, and selection for training in a nondiscriminatory manner without regard to age, color, gender, marital status, national origin, disability, race, religion, or on any other basis prohibited by federal, state, or local law, except where CLPC has determined religious affiliations to be a bona fide occupational qualification. Because CLPC is a religious employer, under the First Amendment to the U.S. Constitution and state provisions, some federal, state, and local laws may not be applicable to CLPC.

### COMPLIANCE WITH IMMIGRATION REFORM AND CONTROL ACT OF 1986

CLPC complies with the Immigration Reform and Control Act of 1986 by refraining from discrimination against any applicant or employee on the basis of citizenship status as defined in the Act and regulations issued under it.

CLPC also complies with the Act's prohibition against employing any person who fails to present appropriate documentation establishing identity and eligibility for U.S. employment within designated time limits following acceptance of an offer of employment. This places an affirmative obligation on all new employees to obtain and present such documentation within those time frames designated in the Act and regulations, or within such lesser time frames and under such conditions as CLPC may, by written rule, designate.

### POSITION DESCRIPTION

All employees shall receive a detailed written description of his/her position, covering all areas of responsibility and whether your employment status is exempt or non-exempt under the Fair Labor Standards Act. Questions or concerns should be addressed with your immediate supervisor or, if he or she is unavailable, the Head of Staff or chairperson of the Personnel Committee.

Your position description will be updated as responsibilities change. Your suggestions and recommendations regarding the position will be taken into consideration as appropriate.

### INITIAL ORIENTATION PERIOD

All new employees will undergo a 90-day initial orientation period. A 90-day calendar day initial evaluation period allows both the employee and CLPC the opportunity to review job performance. A satisfactory evaluation of your performance at the end of this period may entitle the employee to additional benefits. CLPC may dismiss an employee at any time without notice or stated cause. This initial review period does not prevent the employee or the employer from terminating this employment "at will".

### PART-TIME AND TEMPORARY EMPLOYEES

Part-time employees who work less than 20 hours per week and temporary employees are hired either to perform specific tasks or to fill a position temporarily. Both situations are for limited and definite time duration. Neither part-time nor temporary employees are eligible for benefits or paid leaves and are paid only for hours worked.

### OPEN DOOR POLICY

Communication is very important. For this reason, CLPC maintains an "open door" policy to encourage all employees to seek answers to their questions about general procedures or specific job situations from the Head of Staff.

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### STAFF MEETINGS

Staff meetings are often useful to ensure that the entire staff is aware of new programs, upcoming events or changes in the normal routine. Additionally, staff meetings can be used to air problems or discuss more efficient ways to handle certain tasks or situations. Meetings may be regularly scheduled or called as needed. Unless excused by the Head of Staff, attendance is mandatory.

### PROFESSIONAL CONDUCT AND APPEARANCE

To project a conservative and professional image to our members and visitors, appropriate appearance is important. Employees are our representative to the public, and should reflect CLPC's professional image. Cleanliness, neatness, good personal hygiene and appropriate dress are expected at all times. Consult the Head of Staff if you have questions as to what constitutes appropriate attire and workplace conduct.

### PARKING AND PERSONAL PROPERTY LIABILITY

CLPC assumes no responsibility for damage or loss to your car or personal property while on CLPC's premises. The Head of Staff will advise you where to park.

### **TIMEKEEPING, BREAKS, AND TIME OFF**

#### WORK WEEK

Normal CLPC office hours are from 9:00 a.m. to 3:00 p.m. Monday through Friday. However, some positions require that employees are working before or after those hours, or on other days. The Head of Staff will advise employees of the times their schedules will normally begin and end and on which days. Staffing needs and operational demands may at times necessitate adjustments being made to starting and ending times.

Flexible scheduling may be available in special cases to allow employees to vary their starting and ending times each day within established limits. This would be at the sole discretion of the Head of Staff.

Employees are expected to be ready to work at the start of the scheduled shift and not leave work before the end of shift. Due to business needs and/or economic conditions, CLPC reserves the right to change work hours.

#### ATTENDANCE AND PUNCTUALITY

Employee absenteeism and tardiness increase the workload of fellow employees, interfere with the flow of business and affect morale and the quality of service to our members. Because it is important, steps will be taken to encourage good attendance and discourage absenteeism and tardiness. Employees are expected to be on duty at their scheduled time. Employees are responsible for knowing when they are scheduled to work.

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If for any reason an employee may be absent or late to work, he/she should notify the Head of Staff, or if unavailable, their immediate supervisor prior to scheduled shift and indicate the reason for their absence.

Failure to report to work or notify the office of absence may result in disciplinary action up to and including termination. Repeated tardiness indicates a lack of responsibility and shall be the cause for disciplinary action up to and including dismissal. A three-day absence without any notification will be treated as a termination

### OVERTIME

Occasionally employees may be called upon, or need, to work more than the normal hours in order to get the job done. Work should be completed within a normal 40 hour work week for full-time, non-exempt staff. The Head of Staff must approve any hours worked in excess of 40 hours per week.

### TIME RECORDS

Employees' attendance or absence is duly noted according to Cypress Lake Presbyterian Church's procedures.

### HOLIDAYS

CLPC will grant paid time off for the following holidays if they fall on an employee's scheduled workday. Employees will be given another day off in lieu of approved holidays that do not fall on scheduled workdays or, if their position requires working on a holiday that is listed. Employees will be advised as to which day that will be.

- New Year's Day (January 1)
- Good Friday (One-half day)
- Monday after Easter
- Memorial Day (last Monday in May)
- Independence Day (July 4)
- Labor Day (first Monday in September)
- Thanksgiving (fourth Thursday in November)
- Day after Thanksgiving
- Christmas (December 25)
- New Year's Eve (one-half day)

### VACATION

For non-ordained employees, paid vacations increase with the length of employment. Employees are granted 5 vacation days after the first year of employment (Including the 90 day review period); 10 vacation days after 2 completed years of service; 15 days after 7 years of service; and 20 days after 15 years of service. Vacation time may be taken in 1/2 day increments and must be taken within 1 year after it was earned, or be forfeited. The leave year begins and ends with the fiscal year, July 1-June 30

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(meaning that leave earned one fiscal year must be used by the end of the following fiscal year or else it is forfeited).

To take vacation, employees must secure advance approval from their first line supervisor. Any deviations from this policy must be approved by the Head of Staff, with the advice of the Personnel Committee.

Upon termination of employment, employees will be paid for unused vacation time that has been provided through the last day of work. CLPC will not pay for vacation time accrued more than 1 year after being earned or for unearned partial years.

#### SICK LEAVE

CLPC provides paid sick leave to all employees for periods of temporary absence due to illnesses or injuries. Employees may accumulate sick leave at the rate of 5 days per year. Paid sick leave may be used in minimum increments of one-half day.

Employees who are unable to report to work due to illness or injury should notify immediate supervisor before the scheduled start of their workday if possible. Their immediate supervisor must also be contacted on each additional day of absence.

Unused sick leave will be allowed to accumulate until the employee has reached a total of 30-calendar days worth of sick leave benefits. If the employee's benefits reach this maximum, further accumulation will be suspended until the employee has reduced the balance below this limit.

Unused sick leave will not be paid to employees either during employment or following termination.

#### COMPENSATORY TIME OFF

In accordance with the Fair Labor Standards Act, non-exempt employees may earn compensatory time off. Compensatory time off is derived from an entitlement to overtime (and can only be earned when the employee exceeds an 8 hour work day, 40 hour work week or 80 hour pay period) and must ALWAYS be approved IN ADVANCE by the employee's first line supervisor or the Head of Staff. NO COMPENSATORY TIME OFF, OVERTIME, OR WORK OUTSIDE OF ONE'S ASSIGNED SHIFT IS AUTHORIZED EXCEPT BY APPROVAL OF THE SUPERVISOR OR HEAD OF STAFF!

Once approved in advance, an employee may earn up to 16 hours of compensatory time off during any one pay period. This compensatory time off shall normally be used within 2 weeks of being earned. One hour of compensatory time off is earned for every hour of work and must be reported on the appropriate time sheet. Compensatory time off must be approved in advance in the same manner as vacation and must be used prior to the use of vacation time off. AT NO TIME IS ANY NON-EXEMPT EMPLOYEE AUTHORIZED TO HAVE MORE THAN 16 HOURS OF COMPENSATORY TIME OFF ACCRUED.

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Non-exempt employees are not authorized to work hours beyond their designated work shift without prior supervisory approval, and are not authorized to “volunteer” hours of work as an employee of the church.

Compensatory time off is not authorized for exempt employees as, by the nature of their work, may be required to utilize an irregular schedule. The ministers are classified by the federal government as “self employed” and are not subject to the provisions of overtime nor compensatory time off.

#### DEATH IN THE FAMILY

Family includes employee’s spouse, child, parents, legal guardian, brother, sister, mother-in-law or father-in-law, grandparents, grandchild, or other close relatives as deemed appropriate by the Head of Staff. Employees may receive up to three (3) full working days off with pay in the event of a death in the family. The Head of Staff must approve additional time off.

#### JURY DUTY

Employees summoned for jury duty should give a copy of the notice to the Head of Staff. Employees will be paid the difference between your jury pay and your regular rate of pay by CLPC.

#### MILITARY LEAVE

All employees are eligible for military leaves of absence in accordance with applicable laws. Employees called for military duty should contact the Head of Staff as soon as possible.

#### EMERGENCY CLOSINGS

At times, emergencies such as severe weather, fires, power failures, or earthquakes, can disrupt CLPC operations. In extreme cases, these circumstances may require the closing of the office. When operations are officially closed due to emergency conditions, the time off from scheduled work will be paid.

In cases where an emergency closing is not authorized, employees who fail to report for work will not be paid for the time off. Employees may request available paid leave time such as unused vacation benefits. Employees in essential operations may be asked to work on a day when operations are officially closed. In these circumstances, employees who work will receive regular pay.

#### SOLICITATION OR DISTRIBUTION

Distraction on the job leads to unsafe working conditions and inefficiency, therefore, the following rules shall apply:

During periods of the workday when employees are engaged in or required to be performing work tasks, employees may not engage in solicitation of other employees or distribution of literature for any purposes.

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Employees may not solicit other employees for any purpose during periods in another employee's workday when he or she is engaged in or required to be performing his or her work tasks.

Distribution of literature of any kind may not be made in any work area of the premises at any time.

Persons not employed by CLPC are not permitted to solicit or distribute literature on CLPC's premises.

## **WAGE, SALARY, AND BENEFIT ADMINISTRATION**

### PAYDAYS

When a payday falls on a holiday, employees will receive paychecks on the workday preceding the holiday. If absent on payday, your paycheck will be held until you personally obtain it. No other person may pick up your check unless authorized in writing by you.

### PAYROLL DEDUCTIONS

CLPC is required to make certain deductions from the employee's paycheck. Social Security, Medicare and Federal Income Taxes are automatically deducted from paychecks CLPC offers programs and benefits beyond those required by law such as optional dental and vision care. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs. Questions regarding payroll deductions, should be directed to the Office Manager.

### Paycheck Errors

Every precaution will be taken to avoid errors in your paycheck, but occasionally an error may occur. If this happens, contact the Office Manager.

### PERFORMANCE REVIEW

Job performance evaluations will be formally reviewed at least once a year in order to communicate to employees any changes in their position description or discuss performance improvement to allow them to succeed in their position.

### CHANGES IN COMPENSATION

CLPC, in its sole discretion, will decide whether and when to provide wage or salary increases. Pay increases are not guaranteed for any reason, but may be given based on cost of living recommendations or merit. A change in position, number of hours worked, responsibilities, or a demotion may result in a change in compensation

### BENEFIT PACKAGE

As part of CLPC's effort to attract and retain competent, qualified, and loyal employees, CLPC maintains a competitive benefit program. If benefits are offered through a plan with an outside company, such as the health insurance policy, the terms of the current plan are to be followed and govern the offering of benefits. If eligible for benefits, employees will be given materials describing the benefits in greater

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detail. For the best use of benefits, read and become thoroughly familiar with these materials. Questions or problems concerning benefits should be directed to the Office Manager.

## **PRIVACY AND CONFIDENTIALITY**

### PERSONNEL RECORDS

New employees are required to complete an application form providing facts about yourself. This information was transferred to a permanent and confidential personnel file. Keeping this record correct and up to date is important in an emergency, to properly maintain your insurance and other benefits, and compute your payroll deductions. CLPC's Office Manager should be notified promptly of the following changes:

Address and telephone number

Names of dependents

Name

Person to notify in case of an emergency

Employees may inspect the contents of their personnel file in the presence of the Head of Staff by making an appointment with him or her. Personnel files are the property of CLPC, and access to the information they contain is restricted.

### BACKGROUND CHECKS

CLPC shall conduct a National Criminal History background check on all paid employees at initial employment and annually at the time evaluations.

### CONFIDENTIAL INFORMATION

In the course of CLPC work, employees may have access to confidential information regarding CLPC, its members, or fellow employees. It is your prime responsibility not to reveal or divulge any such information and that you use it only in the performance of your duties. Violation of this policy is grounds for immediate dismissal.

### WORK AREA ACCESSIBILITY

Employee's work area (e.g. desk, filing cabinets, credenza, telephone, voice mail, computer and email) is the property of CLPC.

CLPC reserves the right to retrieve work related materials or information from workspace with or without notice at any time. Do not leave personal information in your workspace.

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### USE OF COMPUTERS

Computers, computer files, the e-mail system, and software furnished to employees are CLPC property intended for business use. Personal use of CLPC's computers and e-mail must be kept to an absolute minimum. Abuse of this privilege will result in disciplinary action.

The display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassment or showing disrespect for others. E-mail may not be used to solicit others for commercial ventures, political causes, or outside organizations.

Employees should not use a password, access a file, or retrieve any stored communication without authorization. Employees may only use software on local area networks or on multiple machines according to the software license agreement. CLPC prohibits the illegal duplication of software and its related documentation.

## **POTENTIAL CONFLICTS OF INTEREST**

### PERSONAL INTEREST

No staff member shall participate in a decision in which the interests of the CLPC conflict with her or his personal interests, including but not limited to selection, employment review or compensation, and shall abstain in every respect from participating in the decision. If a staff member discovers that she or he may be in a position of violating these policies, she or he shall report this conflict to the Head of Staff for clarification and, if deemed necessary, for resolution.

### HONORARIA

CLPC personnel will not retain honoraria for any services rendered as a part of their normal job function. However, employees may accept honoraria for service beyond their normal duties; for example, Sunday supply preaching or weekend conferences. Honoraria are strictly voluntary gifts given in appreciation for special service.

### OUTSIDE EMPLOYMENT

Staff members who hold other paid positions shall ensure that such outside employment will not interfere with the performance of their CLPC duties or produce a conflict of interest in the pursuit of those duties.

## **USE OF CLPC EQUIPMENT**

### EQUIPMENT AND VEHICLES

Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

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Please notify the Office Manager if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The Office Manager can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, up to and including termination of employment.

#### PERSONAL AUTOMOBILE INSURANCE REQUIREMENTS

When you use a personal automobile for CLPC business there is the possibility that CLPC could be held responsible for any liability arising out of such use. Consequently, it is important for CLPC to know that you have adequate automobile liability insurance coverage.

The insurance carrier for CLPC has advised us that anyone who uses a personal automobile for CLPC business purposes should have personal liability insurance with limits of at least \$100,000. All personnel who use a personal automobile for any CLPC business will be expected to maintain that minimum insurance coverage. A Personal Automobile Insurance form will be provided and kept on file.

#### PROPERTY AND MATERIALS

Employees are responsible for all CLPC property, materials, or written information issued to them or in their possession or control. Employees must return all CLPC property immediately upon request or upon termination of employment. Where permitted by applicable laws, CLPC may withhold from the employee's paycheck the cost of any items that are not returned when required. CLPC may also take all action deemed appropriate to recover or protect its property.

#### RECYCLING

CLPC supports environmental awareness by encouraging recycling and waste management in its business practices and operating procedures. This support includes a commitment to the purchase, use, and disposal of products and materials in a manner that will best utilize natural resources and minimize any negative impact on the earth's environment.

### **SAFETY**

#### COMMITMENT TO SAFETY

CLPC is committed to providing safe working conditions for all its employees. Every precaution is taken to ensure that you perform your duties in a safe environment; however, the ultimate responsibility for safety lies with you. If a condition exists in your area that might cause harm to you or a co-worker, it should be reported immediately to the Head of Staff or, if he or she is unavailable, any member of the

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elected staff. If you are injured or become ill while at work, report immediately to your immediate supervisor, or if he or she is unavailable, the Head of Staff.

### SAFETY RULES AND REGULATIONS

Certain rules must be followed in order to maintain safe working conditions. Employees who do not obey these rules will be disciplined and may be discharged. Avoid a possible injury — observe the following safety rules:

THINK before taking any chances.

BE ALERT — Inattention is a major cause of accidents.

WATCH WHERE YOU WORK AND WALK.

REPORT ALL THINGS THAT ARE NOT SAFE. When you see someone acting unsafely, talk to him or her. If they keep on, report it as soon as possible to their supervisor.

PRACTICAL JOKES CAN HURT — NO HORSEPLAY — Do not play jokes on anyone. They could be injured.

FIRE EXTINGUISHERS — You must not tamper with fire extinguishers. Report the use of any fire extinguishers to the Head of Staff, or if he or she is unavailable, a member of the elected staff.

FIRE EXITS— Be aware of the location of and never block fire exits.

### WHAT TO DO WHEN AN INJURY OCCURS

When an accident occurs anywhere on CLPC campus that results in either personal injury or property damage, a CLPC *Accident Report* should be completed within 24 hours and filed with the Church Office Head of Staff. If it is probable that the accident will result in medical treatment or upon hearing that treatment was performed, notice of the incident must be supplied to our Insurance Agent. If a claim for damages or notice of such becomes evident, a copy of the *Accident Report* and a copy of the claim, if available, should be supplied to our Insurance Agent within 48 hours.

All employees are required to read and sign the Child & Youth Protection Policy of CLPC adopted November 11, 2009.

In the event of an on-the-job injury, employees are required to abide by the following procedures. Failure to follow any of these policies could result in the loss of any benefits for which you might be eligible.

In a life-threatening emergency, call 911 as soon as possible.

In a non-life threatening emergency, contact the Head of Staff or, if he or she is unavailable, any member of the Personnel Committee. That person may decide the injury requires medical attention

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even if the employee resists. Any injured employee must be directed to professional medical care if requested.

All injury or illness, however minor, should be reported to the Office Manager or, if he or she is unavailable, the Head of Staff as soon as possible to ensure all Workman's Compensation benefits are paid without delay.

After the Head of Staff is notified of the expected time of recovery or the seriousness of the injury, it will be determined if you will be required to report daily to the CLPC for light duty or rest at home. CLPC wants to have each employee back to work as soon as possible after any accident.

An employee injury report needs to be filled out as soon after the injury as possible. Witnesses to the injury are also required to fill out a form regarding the injury. These forms may be obtained from the office.

Depending on the severity of the accident and the circumstances causing each accident, the injured employee may be required to submit to a post-accident drug and alcohol test.

#### PERSONAL SECURITY

You are responsible for the safety of your personal belongings; therefore, you are strongly advised to keep purses, money, keys, and other valuables with you.

#### VISITORS IN THE WORKPLACE

Visitors should be kept to a minimum in the workplace. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

Employees are responsible for the conduct and safety of their visitors.

If an unauthorized individual is observed on CLPC's premises, employees should immediately notify the Head of Staff or, if he or she is unavailable, any member of the staff.

#### WEAPONS

Firearms or other dangerous weapons of any kind are strictly prohibited on CLPC property or while conducting business off CLPC premises. Violation of this code will result in dismissal.

#### SMOKING

Smoking is not permitted inside the building or near the main entrance.

#### DRUGS AND ALCOHOL

Abuse of drugs and alcohol is a serious problem in our society today. To the extent that such abuse impacts on the workplace and affects our employees and our ability to provide the highest level of

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confidence and services to our members, CLPC is committed to dealing with the problem in an appropriate and effective manner. The following activities are contrary to the standards of behavior we expect of our employees:

Reporting for work or working while under the influence of: (a) prescribed medication or over-the-counter medication which may lead to drowsiness or have other side effects that may pose a safety problem or tendency toward errors, unless prior approval has been obtained from the Head of Staff; (b) intoxicating beverages; or (c) controlled substances.

Doing any of the following while on the job, during working hours (including lunch or other break periods), while on CLPC premises, while on CLPC business or while operating or riding in a CLPC vehicle: (a) possession, transmittal or receipt of intoxicating beverages or (b) unlawful manufacture, distribution, dispensing, receipt, possession or use of controlled substances or drug paraphernalia.

Use of alcohol or illegal sale, transmittal, receipt, possession or use of controlled substances off premises that adversely affects work performance, or safety, or illegal use of controlled substances off premises and off duty.

Alcohol consumption during business hours is strictly prohibited.

Employees with questions or concerns about substance dependency or abuse are encouraged to use the resources of the Employee Assistance Program, RESPONSE. They may also wish to discuss these matters with the Head of Staff to receive assistance or referrals to appropriate resources in the community.

Employees with questions on this policy or issues related to drug or alcohol use in the workplace should raise their concerns with the Head of Staff without fear of reprisal.

During periods of another employee's workday when he or she is engaged in or required to be performing his or her work tasks, you may not solicit the other employee for any purpose.

Distribution of literature of any Persons not employed by Presbytery, are not permitted to solicit or distribute literature on Presbytery's premises.

#### **POLICY STATEMENT PROHIBITING HARASSMENT**

CLPC has a long-standing policy to offer fair and equal employment opportunity to every person regardless of age, race, color, creed, religion, handicap, disability, marital status, gender, national origin, ancestry, citizenship, membership in the National Guard, State Defense Force or any other reserve component of the military forces of the United States. CLPC seeks to provide a work environment that is free from intimidation and harassment based on any of these characteristics and CLPC specifically prohibits such intimidation and harassment.

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Intimidation and harassment can arise from a broad range of physical or verbal behavior (by employees or by non-employees such as members or outside contractors) that can include, but are not limited to, the following:

Physical or mental abuse

Racial, ethnic or religious insults or slurs

Unwelcome sexual advances or touching

Sexual comments, jokes, stories or innuendos

Requests for sexual favors used as a condition of employment or affecting any personnel decision  
such as hiring, promotion, compensation or termination

Display of sexually explicit or otherwise offensive posters, calendars or materials

Referring to another employee with language such as "doll", "babe" or "honey"

Making sexual gestures with hands or body movements

Intentionally standing close or brushing up against another employee or member

Inappropriately staring at another employee or member or touching his or her clothing, hair  
or body

Whistling at another employee or member, cat calls

Asking personal questions about another employee's or member's sexual life

Repeatedly asking out an employee who has stated that he or she is not interested

Looking another employee up and down ("elevator eyes")

These activities are offensive and are inappropriate in the workplace. This is a serious issue not just for CLPC but also for each individual. This policy against harassment applies throughout our work environment, whether in the CLPC, at work assignments outside the CLPC, at CLPC-sponsored social functions, or otherwise.

In addition, no employee of CLPC should have to tolerate harassment from any member, vendor or other person doing business with CLPC or others with whom we come in contact in the course of our work-related duties. While our ability to influence the conduct of members, vendors or others who engage in such behavior may be limited, we are committed to taking appropriate action to the extent practical, to protect and assist each of us.

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Any employee who engages in harassment, or retaliates against another employee because the employee made a report of harassment or participated in an investigation of a claim of harassment, is subject to immediate discipline, up to and including discharge.

It is the responsibility of all employees to work to ensure that these prohibited activities do not occur.

If you are harassed, and are not comfortable first speaking to the offender directly, you should notify the Head of Staff or, if he or she is unavailable, a member of Personnel. If you are comfortable speaking to the offender directly, and do not feel you are in danger, you may choose to first speak to the person who has engaged in the inappropriate behavior about his or her conduct. Explain that you do not like the conduct. The offensive conduct may have been thoughtless or based on a mistaken belief that it was welcome. In any event, we suggest that you respond immediately and do not ignore the problem. If the inappropriate behavior does not stop or you are not satisfied with the result of your discussion with the offender you should notify the Head of Staff or, if he or she is unavailable, a member of Personnel. It is important that you inform us about the inappropriate conduct as soon as possible, because we cannot do anything to remedy the problem if we do not know that it exists.

Any employee (or any other person performing services for us) who believes that he or she has been the subject of prohibited harassment, retaliation, or discrimination should report the matter immediately to the Head of Staff or a member of Personnel. Any such reports will be investigated promptly and be kept confidential within the bounds of our investigation and the law. Please retain any notes, letters or other written material that relate to your complaint.

This policy reinforces CLPC's tradition of developing and maintaining a professional environment comprised of people who respect one another and who believe in CLPC's high ideals. It is the responsibility of all of us to uphold that tradition.

#### WORKPLACE VIOLENCE POLICY

CLPC is committed to providing a workplace that is free from violence. However, there may be occasions when an employee feels threatened from internal or external persons.

If you have been threatened, there are steps that you can and should take. First, report any threats to the Head of Staff or, if he or she is not available to any member of the Personnel Committee. You should discuss any safety measures to take with them. Second, depending on the circumstances, you may want to alert the local authorities and make them aware of the threats. Third, you may want to investigate other legal options such as restraining orders, court injunctions and the like through the County Circuit Court Clerk's Office.

Preventing workplace violence is everyone's responsibility. If you find yourself in a threatening situation, remain calm, do not argue, and immediately seek assistance from the Head of Staff or, if he or she is unavailable, from any member of the staff.

Reporting for work or working while under the influence of: (a) prescribed medication or over-the-counter medication which may lead to drowsiness or have other side effects that may pose a safety

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problem or tendency toward errors, unless prior approval has been obtained from Presbytery; (b) intoxicating beverages; or (c) controlled substances.

Doing any of the following while on the job, during working hours (including lunch or other break periods), while on Presbytery premises, while on Presbytery business or while operating or riding in a Presbytery vehicle: (a) possession, transmittal or receipt of intoxicating beverages or (b) unlawful manufacture, distribution, dispensing, receipt, possession or use of controlled substances or drug paraphernalia.

Use of alcohol or illegal sale, transmittal, receipt, possession or use of controlled substances off premises that adversely affects work performance, or safety, or illegal use of controlled substances off premises and off duty.

Alcohol consumption during business hours is STRICTLY prohibited.

## **RULES AND DISCIPLINE**

### MAINTAINING TRUST

The continued success of CLPC is dependent upon public trust and we are dedicated to preserving that trust. Employees owe a duty to CLPC, and the larger Church to act in a way that will merit the continued trust and confidence of the public. Disregarding or failing to comply with this standard of ethics and conduct could lead to disciplinary action, up to and including possible termination of employment.

The purpose of a discipline procedure is to encourage employees to take corrective action in connection with their work or habits. Ordinarily, a mere discussion with the employee, to point out what is expected and how he or she is doing, should be sufficient. However, there are times when such mild corrective actions are not enough, and the next step means something sterner. It should be emphasized that the Head of Staff is NOT REQUIRED to go through each of the steps involved in the discipline procedure. Discipline may begin at any step in the procedure, including termination, depending on the seriousness of the matter or the offense committed, and surrounding circumstances.

An employee who commits an act that is offensive to the rules of common sense or decency, or an act that violates a CLPC rule, will be disciplined. The nature of the discipline will depend upon the violation and surrounding circumstances. CLPC will make a sincere effort to see that the enforcement of its rules and application of discipline will be fair.

The following is a partial list of additional reasons for discipline (it cannot be and is not intended to be all-inclusive):

Inefficiency, unsatisfactory performance, or lack of application or effort on the job

Failure to carry out the lawful orders of the Head of Staff

Committing acts that affect the safety of yourself or other personnel

Threat of violence to another

Use of abusive, foul, or obscene language

Violating a safety rule or safety practice

Unauthorized altering of a time record

Being tardy without proper notice or excuse of excessive tardiness

Being absent without proper notice or excuse or excessive absenteeism  
Loafing or spending unnecessary time away from the job

Stealing

Leaving work before the end of a regular workday or not being ready to work at normal starting time

Possession of alcohol during working hours or reporting to work in an intoxicated condition

Being under the influence or possession of illegal drugs, drug paraphernalia or other illegal substances

Disorderly or other inappropriate conduct reflecting on CLPC

Misrepresentation of important facts in seeking employment

Dishonesty in performance of your duties

Careless or willful destruction or damage of CLPC's property

Unauthorized removal of another employee's property or CLPC's property

Insubordination (refusal to comply with instructions or orders given by a person in authority)

Possession of firearms, fireworks, or explosives on CLPC property or while conducting business off CLPC premises

Contributing to unsanitary conditions

Physical or verbal harassment of employees, members, or visitors

Disregard for CLPC policies and procedures

Improper conduct with or toward a member of the CLPC

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Actions that reflect poorly on the CLPC

Committing an illegal act on CLPC premises or committing an illegal act that places CLPC in an unfavorable light

Falsification of CLPC records

Engaging in horseplay while on company premises

Failure to cooperate fully in a CLPC investigation

Misuse of CLPC funds

Illegal gambling during work and/or on the CLPC premises

Improper use of work time

Unauthorized disclosure of confidential information

The fact that a possible violation is not listed does not mean that it would not result in disciplinary action. A serious offense can result in immediate discharge.

#### GRIEVANCES

Problems can arise from time to time in any job. Difficulties may develop in relationships with other staff, and misunderstandings might occur regarding CLPC policies, procedures, and work condition. If you have concerns about any aspect of your work, we ask that you discuss them with the Head of Staff.

If the Head of Staff is unable to resolve the matter, or if you believe good reason exists for not initially discussing the concerns with him or her, please contact the chairperson of Personnel.

### **TERMINATION**

#### WHEN YOU LEAVE CLPC

There are various reasons for termination of employment, including resignation, retirement, abandonment, and discharge.

Employment at CLPC is "at will." Either party can terminate employment at any time, and for any reason. This includes termination with or without cause, and with or without notice. This manual and all other policies and procedures of CLPC are intended to be consistent with CLPC's employment-at-will philosophy.

#### RESIGNATION

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While not required, CLPC requests two (2) weeks written notice of resignation. However, CLPC reserves the right to require employees to leave their employment prior to the completion of their notice. Employees who leave between pay periods will be paid on the next regularly scheduled payday.

All employees who are terminated for any reason are required to return all CLPC property in their possession, i.e. keys, on their last working day.

### **Employee Acknowledgment Form**

I understand that this manual does not imply or constitute a contract or employment agreement between Cypress Lake Presbyterian Church and myself. I have received the manual and I understand that it is my responsibility to read and comply with the policies contained in this manual and any revisions made to it.

I understand that I work for Cypress Lake Presbyterian Church "at will," meaning that I am free to leave CLPC at any time, with or without reason, and that Cypress Lake Presbyterian Church has the same right to end its employment relationship with me. The Personnel Manual and all other policies and procedures of Cypress Lake Presbyterian Church are intended to be consistent with Cypress Lake Presbyterian Church's employment-at-will philosophy.

I understand that this manual contains general statements about current Cypress Lake Presbyterian Church policy, and that Cypress Lake Presbyterian Church retains the right to revise or modify the terms, information, policies, and benefits at its sole discretion and at any time.

I understand that if I have knowledge, either direct or indirect, of harassment or discrimination in any form, I am obliged to report the circumstances immediately to the Head of Staff or, if he or she is unavailable, to the chair of the Personnel Committee. I understand Cypress Lake Presbyterian Church requirements and expectations regarding attendance and hours of work. I also realize that I may be assigned evening and/or weekend hours as part of my work schedule.

I understand that I am required to read and comply with the Child Protection Policy of Cypress Lake Presbyterian Church. Further, I acknowledge that I am subject to a background investigation and follow-up investigation to ensure the appropriateness of my working with children. Additionally, I

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acknowledge that I am required to participate in training upon hire and as required by policy in the future to ensure compliance with the aforementioned policy.

I understand that I should consult with the Head of Staff regarding any questions I may have about Cypress Lake Presbyterian Church policies and practices.

Employee Signature \_\_\_\_\_ Date \_\_\_\_\_

Employee Name Printed \_\_\_\_\_

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**APPENDIX C**  
**CHILD AND YOUTH PROTECTION POLICY**  
**FOR**  
**CYPRESS LAKE PRESBYTERIAN CHURCH**

**Adopted November 17, 2009**

## CHILD AND YOUTH PROTECTION POLICY

### Introduction

**Cypress Lake Presbyterian Church (CLPC)** has adopted the following Child and Youth Protection Policy. It is important that all **CLPC** paid staff and volunteers understand and implement these guidelines to help prevent sexual abuse against children. The following includes the Purpose and Definitions for these guidelines, the outlines of Protection and Prevention, and an Acknowledgement to be signed by those people working with children.

### Purpose

These procedures are designed to reduce the risk of child sexual abuse in order to:

1. Provide a safe and secure environment for children, youth, adults, members, volunteers, visitors, and paid staff.
2. Assist **CLPC** in evaluating a person's suitability to supervise, oversee, and/or exert control over the activities of children and youth.
3. Satisfy the concerns of parents and staff members with a screening process for paid staff and volunteers.
4. Provide a system to respond to alleged victims of sexual abuse and their families, as well as the alleged perpetrator.
5. Reduce the possibility of false accusations of sexual abuse made against volunteers and paid staff.

### Definitions

The following terms used herein and are defined as follows:

1. *Paid Staff*: Any pastor, minister, preacher, cleric, or employee who is paid.
2. *Children/Youth/Minor*: Any person who has not reached his/her 18th birthday or the age of majority as defined by state law.
3. *Adult*: Any person who has reached his/her 18th birthday or as defined by state law.

4. *Volunteer*: Means any unpaid person engaged in or involved in activities and who is entrusted with the care and supervision of minors or a person who directly oversees and/or exerts control or oversight over minors or adults.
5. *Sexual Abuse*: The employment, use, persuasion, inducement, enticement, or coercion of any minor or adult to engage in, or assist any other person to engage in, any sexually explicit conduct or any simulation of such conduct for the purpose of producing any visual depiction of such conduct or rape, and in cases of caretaker or inter-familial relationships, statutory rape, molestation, prostitution, or other form of sexual exploitation of minor or adult, or incest with a minor or adult, or as defined by federal and state law. This includes and is not limited to unwelcome sexual remarks, jokes, advances, leering, whistling, or sexual gestures; sexual touching, fondling, molestation, assault, or other intimate physical contact; compelling another person to engage in a sexual act by threats or fear or undue influence; and providing or displaying pornographic materials to another person.
6. *Child Emotional Abuse*: Verbal or nonverbal conduct including mental exploitation, degrading communication, or humiliating or threatening conduct that may or may not include bullying or as defined by state law.

## **Protection and Prevention**

### **Volunteer and Employee Screening Procedures**

The following screening procedures are to be used with paid staff and volunteers who are entrusted with the care and supervision of minors or a person who directly oversees and/or exerts control or oversight over minors. All information collected should be maintained in confidence.

1. *Employment Application and Volunteer Application*: Any paid staff and volunteers who will work with a minor must complete the Employment Application and/or the Volunteer Application. The release statement attached to the Application must be signed by the individual completing the Application to apply for and qualify for service.

Our Employment Application includes questions regarding:

- Current and previous residence addresses.
- Current and previous employment, including addresses, dates, duties, titles, and reasons for leaving.
- Names and addresses of schools attended and degree(s) earned.
- References from previous employers and organizations that serve children.
- Pending criminal charges (where not prohibited by state law).
- Criminal history information.

Our Volunteer Application includes questions regarding:

- Current address.
- Volunteer experience.
- Criminal history information.
- Personal references.

Applications include a statement, which the applicant should acknowledge in writing, certifying that statements provided in the application are true and complete, and any misrepresentation or omission may be grounds for rejection of the applicant or for dismissal if he or she is employed. This statement authorizes **CLPC** to contact any individual or organization listed in the application.

2. Review all statements made in the application, paying specific attention to any gaps in time and irregular employment patterns or unexplained absence. Pursue these gaps with employers listed and in a subsequent interview.
3. Conduct interviews with qualified applicants.  
If detrimental information is uncovered but the applicant remains desirable, discuss this information with the applicant. In the event the applicant is ultimately hired or accepted as a volunteer, document the reasons for overriding the prior information.

Whenever possible, **CLPC** will have an associate participate in the interview.

4. Contact all listed references for volunteers. Contact each of the volunteer applicant's references and ask for any information that might help determine the applicant's suitability for the position. If a response is not received within a reasonable period of time, follow up and keep notes if possible.
5. Contact all listed references and employers for paid staff. Inquire as to the reason the applicant left and ask for any information that might help determine the applicant's suitability for the position. If a response is not received within a reasonable period of time, follow up and keep notes if possible.
6. *Criminal Background Check*: **CLPC** will conduct a criminal background check on all paid staff and volunteers who are entrusted with the care and supervision of minors or a person who directly oversees and/or exerts control or oversight over minors. All criminal background checks will be updated periodically.
7. *Six-Month Rule*: All volunteers will be required to have been a member of **CLPC** for six months and have reviewed and signed the Child and Youth Protection Policy.

## **Confidentiality**

Information obtained through the screening, application, reference check, interview, and criminal background check will be kept in confidence, unless otherwise required by law. All information discovered or obtained through the above-referenced means will be kept in a secure location and access to it will be restricted if possible. These materials will be archived.

## **Supervision Procedures**

### **CLPC:**

1. Will have adequate number of screened and trained paid staff or volunteers present at events involving minors. Supervision will increase in proportion to the risk of the activity.
2. Will monitor facilities during activities involving children.
3. Will release minors only to a parent or guardian.
4. Will obtain written parental permission, including a signed medical treatment form and emergency contacts, before taking minors on trips and should provide information regarding the trip.
5. Will use two paid staff or volunteers when transporting minors in vehicles.
6. If a child is accompanied to the restroom the paid staff or volunteer will wait outside the facility to escort the child back to the activity. Whenever possible, the escort will be the same sex as the minor.
7. Will encourage minors to use a "buddy system" whenever minors go on trips off of **CLPC** property.
8. Will screen all paid staff and volunteers and approve those individuals in advance for any overnight activities.
9. Will designate a "confidential counselor" to whom any minor can go at any time, without special permission, to discuss any problems he or she is having.

## **Behavioral Guidelines for Religious Organization Paid Staff and Volunteers**

All volunteers and paid staff will observe the following guidelines:

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1. Do not provide alcoholic beverages, tobacco, drugs, contraband, or anything that is prohibited by law to minors.
2. To the extent possible, **CLPC** events that are co-educational will have both male and female chaperones.
3. Whenever possible, at least two unrelated paid staff or volunteers will be in the room when minors are present. Doors will be left fully open if one adult needs to leave the room temporarily and during arrival to the class or event before both adults are present. Speaking to a minor or minors one-on-one should be done in public settings where paid staff or volunteers are in sight of other people.
4. Avoid all inappropriate touching with minors. All touching shall be based on the needs of the individual being touched, not on the needs of the volunteer or paid staff. In the event a minor initiates physical contact and/or inappropriate touching, it is appropriate to inform the minor that such touching is inappropriate.
5. Never engage in physical discipline of a minor. Volunteers and paid staff shall not abuse minors in any way, including but not limited to physical abuse, verbal/mental abuse, emotional abuse, and sexual abuse of any kind.
6. If you recognize an inappropriate relationship developing between a minor and adult, maintain clear professional boundaries and refer the minor to another individual with supervisory authority.
7. If one-on-one pastoral care is necessary, avoid meeting in isolated environments.
8. Anyone who observes abuse of a minor shall take appropriate steps to immediately intervene and provide assistance as found in this manual on pages 7 and 8. Report any inappropriate conduct to the proper authorities and officials of **CLPC** for handling.

## **Disqualification**

No person may be entrusted with the care and supervision of minors or may directly oversee and/or exert control or oversight over minors who has been convicted of the offenses outlined below, been on a probated sentence or received deferred adjudication for any offense outlined below, or has presently pending any criminal charges for any offense outlined below until a determination of guilt or innocence has been made, including any person who is presently on deferred adjudication. The following offenses disqualify a person from care, supervision, control, or oversight of minors:

1. Any offense against minors as defined by state law.
2. A misdemeanor or felony offense as defined by state law that is classified as sexual assault, indecency with a minor or adult, assault of a minor or adult, injury to a minor or adult, abandoning or endangering a minor, sexual performance with a minor or adult, possession or promoting child pornography, enticing a minor, bigamy, incest, drug-related offenses, or family violence.
3. A prior criminal history of an offense against minors.

## **Sexual Offender at CLPC**

**CLPC** may allow a person known to be a sexual offender to remain or become a member of the congregation but they are prohibited from helping, aiding, or assisting in any child or youth programs in any way.

## ***Response to Sexual Abuse***

**CLPC** will respond promptly to investigate any accusation of sexual abuse. All accusations of sexual abuse will be taken seriously. It is important to be appropriately respectful to the needs and feelings of those who allege sexual abuse and those who have been accused of sexual abuse.

When an allegation is made involving sexual abuse, the person reporting the complaint is to be advised in writing about the guidelines and the procedures to be followed. The Head of Staff or an appointed person will begin investigating the allegations and may use the assistance of legal counsel or other consultants. If the Head of Staff is the individual accused of sexual abuse, then the Stated Clerk of Peace River Presbytery will conduct the investigation. The investigation will be conducted as follows:

1. Report the incident to appropriate authorities in accordance with the state mandatory reporting laws in writing.
2. Report the matter to **CLPC's** insurance carrier in writing.
3. Cooperate with authorities and the insurance carrier.
4. **CLPC** may suspend (with pay for paid staff) the alleged offender while a confidential investigation is being conducted.

5. An official of **CLPC** (and legal counsel or other consultants) will then meet with the governing body of **CLPC** and present a report on their investigation, which will include findings and recommendations of actions.

6. An official of **CLPC** will meet with the alleged perpetrator and notify him/her of the results of the investigation and recommendations for actions.

7. An official of **CLPC** will meet with the alleged victim, along with his/her parents or guardians, and notify them of the results of the investigation and recommendations for actions.

8. During the investigation, an official of **CLPC** shall maintain contact with the alleged victim and his/her parents or legal guardian, and inform them of the actions taken and assist them in their process of healing.

9. An official of **CLPC** (and legal counsel or other consultants) may meet with the alleged perpetrator, the alleged victim, and any others with knowledge of relevant facts.

10. Communicate with criminal and civil legal counsel of **CLPC**.

11. Communicate with those affected by the ministry of the alleged perpetrator.

12. Hire a consultant or assign a spokesperson to respond to media or prepare a statement for the media if the need shall arise, subject to the advice of **CLPC's** attorney and approval of session.

13. If a conflict should occur between this policy and the Constitution of the Presbyterian Church (U.S.A.), the Constitutional language shall prevail.

## ***Child and Youth Protection Policy***

### ***Acknowledgment***

These guidelines have been designed to guide and assist you when working with minors. The information establishes general practices and guidelines and should not be construed in any way as a contract of employment or continued employment. **CLPC** reserves the right to make changes in the content or application of this program and to implement those changes with or without notice.

The terms defined herein are defined for the purposes of the program and do not suppose or establish a legal relationship. These terms are not defined for the purposes of creating a legal relationship with the **CLPC** or any related or associated entity and instead are to be used with this document.

I have received a copy of the **CLPC's** Child and Youth Abuse Prevention Program. I understand it is my responsibility to become familiar with and adhere to the information contained herein. I understand that these policies are the property of **CLPC**.

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Print Name

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Signature

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Date

**APPENDIX D**  
**ACCIDENT / INCIDENT REPORT**  
**CYPRESS LAKE PRESBYTERIAN CHURCH**  
**8260 CYPRESS LAKE DR**  
**FORT MYERS, FL**

Return this Form to Head of Staff (Pastor) within 24 Hours of Incident

Date of Incident: \_\_\_\_\_ Time: \_\_\_\_\_ AM / PM

Injured Person or Property:

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Address:

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Phone Numbers(s):

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Date of Birth (age): \_\_\_\_\_ Male: \_\_\_\_\_ Female: \_\_\_\_\_

Who/What was injured? (Circle one): Student Employee Volunteer Guest Property  
Other

Type of Injury/Damage:

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Details of Incident (include names of any witness):

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Injury May Require Physician / Hospital Visit? Yes \_\_\_ No \_\_\_

Name of Physician / Hospital:

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Address:

---

Physician / Hospital Phone Number:

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Signature of Injured Party: \_\_\_\_\_ Date: \_\_\_\_\_

Medical Attention Desired and/or Required?      Yes \_\_\_\_      No \_\_\_\_

Signature of Person Filling Out Incident Report:  
\_\_\_\_\_

Phone Number: \_\_\_\_\_

Note: Complete this form to the best of your ability, stating only what you observed and any action taken. Do not draw conclusions or suggest medical diagnosis.

