

Northwestern Minnesota Synod

Statement of Policy Regarding Sexual Misconduct (2006)

Table of Contents:

1. Introduction
2. Synod Policy
 - A. Adequate Preparation
 - B. Initial Contact
 - C. First Response
 - D. Initial Investigation
 - E. Conversation with Rostered Person
 - F. Assessment
 - G. Advisory Panel
 - H. Formal Hearing
 - I. Disclosure
 - J. Follow-up

1. Introduction

The Northwestern Minnesota Synod ("Synod") of the Evangelical Lutheran Church in America ("ELCA") is committed to preventing sexual misconduct within the church and to responding with justice and compassion when such misconduct occurs. This Statement of Policy describes how the Synod intends to fulfill these commitments. The Synod recognizes that responding to allegations of sexual misconduct requires determination, sensitivity, flexibility, respect, and care for all persons affected, including the victim, the rostered person, their families, the congregation, the synod, and the whole church. This policy provides a framework for addressing cases while preserving the Synod's discretion to treat each case individually and compassionately. Any suspected sexual contact with a minor must always be reported to civil authorities as required by law.

A. Sexual Misconduct

The Synod is concerned about all types of inappropriate sexual behavior by rostered leaders, regardless of legal classification. Federal and state laws and ELCA governing documents distinguish forms of misconduct, but any inappropriate sexual behavior should be reported. "Rostered persons" include pastors, clergy, Deacons, Synod Authorized Ministers and others on the official rosters of the ELCA. Sexual misconduct includes any inappropriate sexual behavior toward congregants, counselees, employees, or volunteers. Any suspected sexual contact with a minor must be reported immediately.

B. The Role of Congregations

Congregations govern themselves and are responsible for employment decisions, supervision of staff, and the pastoral relationship. Congregations also share responsibility for preventing and responding to misconduct. The Synod strongly urges congregations to adopt their own sexual misconduct policies and use resources such as “Safe Connections: What Parishioners Can Do To Understand and Prevent Clergy Sexual Abuse.”

C. Role of the Synod

The Synod’s responsibility is both pastoral and disciplinary. The bishop provides pastoral care to victims, pastors, congregations, and others affected. The bishop oversees preliminary and formal stages of the disciplinary process and may initiate discipline when necessary. The Synod’s responsibility is to the whole church and cannot act as individual pastoral advocate or attorney. The Synod may depart from this policy at any time as circumstances require.

II. Synod Policy

Based on ELCA’s “Strategy for Responding to Sexual Abuse in the Church” (1992), the Synod incorporates nine essential elements into its policy: preparation, initial contact, first response, investigation, pastoral conversation, assessment, advisory panel, formal hearing, and disclosure.

A. Adequate Preparation

The Synod commits to preventing sexual misconduct through education, clear expectations, and transparent response. It will not tolerate misconduct and will act on substantiated allegations. The Synod encourages educational opportunities for rostered ministers, congregations, and the bishop’s staff.

B. Initial Contact

Anyone who suspects misconduct should report it to the bishop or designated assistants. Reports may initially be anonymous, although full review cannot occur until identities are known. The Synod expresses care, explains the process, and encourages transparency.

C. First Response

After receiving a report, the bishop or designee interviews the complainant, gathers written documentation, explains the process, and offers advocate support. Confidentiality is respected as much as possible but cannot be guaranteed. Mandatory reporting laws apply when minors or vulnerable adults may be harmed.

D. Initial Investigation

If credible, the bishop conducts a preliminary investigation, interviewing individuals with relevant knowledge and reviewing Synod and ELCA records. Confidentiality is maintained. If civil investigations are underway, the Synod may delay its own review.

E. Conversation with the Rostered Person

The bishop meets with the accused pastor, provides information about the allegation, invites written response, discourages contact with the complainant, and offers access to an advocate. The bishop may request resignation, impose restrictions, or involve the congregation as needed. Pastoral care and counseling referrals are offered.

F. Assess the Information

The bishop reviews all information and determines next steps, which may include further investigation, psychological evaluation, negotiated resolution, congregational action, advisory panel, or formal discipline.

G. Consultation or Advisory Panel

The bishop may appoint a panel of clergy and laypersons to investigate, advise, or recommend resolution. Panels may interview all parties and seek non-disciplinary solutions when possible.

H. Formal Hearing

If discipline is required, the bishop files written charges. A committee of twelve (six Synod-elected, six Churchwide-elected) conducts a hearing similar to a trial. Outcomes may include censure, suspension, or removal from the roster. An alternative abbreviated process exists for cases not seeking suspension longer than three months.

I. Disclosure

Except in unusual circumstances, the Synod discloses credible allegations or confirmed misconduct to appropriate congregational leadership, current congregations, previous synods, and clergy. Disclosure protects potential victims, supports healing, and ensures transparency. The complainant's identity is never disclosed.

J. Follow-up

The Synod assists congregations and victims in securing ongoing care and resources. While Synod staff do not provide counseling directly, they help connect individuals to appropriate supports and guide congregations through recovery.