

**Northern Great Lakes Synod of the
Evangelical Lutheran Church in America**

**STATEMENT OF POLICY REGARDING SEXUAL MISCONDUCT
BY MEMBERS OF THE CLERGY AND ROSTERED LAYPERSONS**

Approved by the Northern Great Lakes Synod Council – January 30, 2009

PREFACE

The Northern Great Lakes 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 and friends, the congregation, the synod, and the whole church. This policy is intended to provide a framework for guidance in dealing with these cases while preserving the synod’s discretion to treat each person and each case in the manner necessitated by differing facts, circumstances, and needs of those affected. This policy cannot be imposed as rigid law, binding the synod and others to its dictates; it must be interpreted and applied compassionately in accordance with the theological and biblical principles of the Gospel. It must always be remembered, however, that any suspected sexual contact with a minor must be reported to the appropriate governmental agency as required by state laws concerning reporting of child abuse.

THEOLOGICAL FRAMEWORK

“You know that the rulers of the Gentiles lord it over them, and
their great ones are tyrants over them. It will not be so among you;
but whoever wishes to be great among you must be your servant . . .”

Matthew 20:25-26

Jesus’ words to his disciples defined their leadership among the people of God in terms of servanthood. Repeatedly, in his parables and sayings, Jesus spoke also of stewardship. A steward is one who is given a sacred trust; one who understands clearly the responsibility to care for the gifts of another without exploitation. As leaders in the community, therefore, we are to be servants and stewards engaged in care-giving ministries.

In matters of sexuality and community, these Biblical invitations to servanthood and stewardship define a stance for evangelical leadership. Gospel-guided leaders are good stewards of their own sexuality from God. As stewards and servants, we are called to exercise respect for the integrity of persons entrusted in our care. Responsible stewardship entails the recognition of the need for clear boundaries in our relationships with parishioners, counselees and persons in the general

public who also look to us for spiritual leadership. Misuse of one's position to satisfy personal needs or desires is a serious infringement of the God-given rights of another; such misconduct is also an abuse of the power and authority of the ministerial office and a violation of the trust by the community of the faithful.

I. INTRODUCTION

A. Definitions

1. "Sexual Misconduct." Federal and state laws make distinctions among various types of sexual misconduct, such as "sexual harassment," "sexual abuse," and "sexual assault." Similarly, the governing documents of the ELCA define what types of sexual misconduct can result in a pastor being disciplined. This policy is intended to address those types of sexual misconduct that may lead to discipline of a pastor or rostered layperson under Chapter 20 of the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.

These distinctions should not concern a person who is troubled about the sexual conduct of a pastor or associate in ministry. The Synod is concerned about all types of sexual misconduct by these professionals, regardless of whether or how the misconduct is characterized by the law or by the governing documents of the ELCA. Any sexual misconduct committed by one of these professionals should be reported to the Synod, including, but not limited to, any sexual contact between the professional and a congregant, counselee, or volunteer.

2. "Complainant." As used in this Statement of Policy, "complainant" means a person who reports sexual misconduct to the Synod. This Statement of Policy will assume that the complainant is also the victim of the alleged sexual misconduct, but that may not always be the case.
3. "Rostered Persons" When this policy refers to "rostered" persons or leaders, it includes pastors, clergy, associates in ministry, deaconesses, diaconal ministers, and licensed lay ministers.

B. Sexual Misconduct

The Synod is concerned about all types of inappropriate sexual behavior by rostered leaders, regardless of whether or how the misconduct is characterized by the law or by the governing documents of the ELCA. Federal and state laws make distinctions among various types of sexual misconduct, such as "sexual harassment," "sexual abuse," and "sexual assault." Similarly, the governing documents of the ELCA define what types of sexual misconduct can result in a pastor being disciplined. This policy is intended to address those types of sexual misconduct that may lead to discipline of a pastor or rostered person under Chapter 20 of the Constitution, Bylaws, and Continuing Resolutions of the

Evangelical Lutheran Church in America. These distinctions should not concern a person who is troubled about the sexual conduct of a pastor or rostered person. Any inappropriate sexual behavior or concerns about sexual behavior should be reported to the synod.

This Statement of Policy will assume that the rostered person who is accused of sexual misconduct is under call to a congregation, but it may also be adapted to calls in other circumstances as determined by the bishop. Any sexual misconduct committed by one of these persons should be reported to the Synod, including, but not limited to, any sexual contact between the rostered person and a congregant, counselee, employee, or volunteer. As noted above, any suspected sexual contact with a minor must be reported to the appropriate state agency or law enforcement authority as required by the state child abuse reporting laws.

C. The Role of Congregations

The Synod and its member congregations have different responsibilities and thus different roles to play in preventing and responding to reports of sexual misconduct by rostered persons. Each ELCA congregation governs itself and exercises control over its internal practices and policies and the use of its property. The congregation is responsible for its mission and ministry to the community and for its life together. The congregation elects its leadership, and employs and supervises its own staff. In addition, each congregation calls its own rostered persons, determines their specific duties and responsibilities, sets their salary and benefits, and supervises their day-to-day ministry. The Synod has neither the authority nor the ability to make those decisions for a congregation.

In accordance with the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, it is the congregation, in consultation with the Synod, that finally decides whether to terminate a rostered person's call. The congregation is also authorized to initiate disciplinary action against its rostered leaders as well as its members. Obviously, then, the church cannot be a safe place unless every one of its member congregations shares its commitment to preventing sexual misconduct.

This Statement of Policy is the Synod's, and therefore it says little about the important role played by congregations in preventing and responding to reports of sexual misconduct by rostered persons. This should not obscure the fact that congregations also have a vital role to play. The Synod strongly urges its member congregations to develop their own sexual misconduct policies. The publication, *Safe Connections: What Parishioners Can Do to Understand and Prevent Clergy Sexual Abuse* is available from the ELCA Vocation and Education Unit and from Augsburg Fortress, Publishers, order code 69-8110. The Synod recommends this publication as a useful resource for congregations addressing this issue.

It should be noted that the Synod may not be able to assume primary responsibility for addressing all allegations of sexual misconduct by rostered persons. For example, if a rostered person who is under call to a congregation is accused of sexually harassing another of the congregation's employees, civil law may require that the congregation, as employer, take timely and appropriate action; and the law may prevent the Synod from interfering in the situation. Nevertheless, the synod should be consulted in all cases involving rostered persons.

D. The Role of the Synod

The Synod's role is essentially twofold. First, the bishop is responsible for providing pastoral care and leadership to the Synod's congregations and rostered persons. Reports of sexual misconduct invariably create an acute need for such care and leadership. Second, rostered persons who commit sexual misconduct may be disciplined – that is, they may be suspended or removed from the roster of the ELCA. The bishop is primarily responsible for overseeing the preliminary or consultation stage of the disciplinary process and for initiating the formal stage of the disciplinary process.

In every sexual misconduct case, the bishop and his or her staff will attempt to provide pastoral care to the complainant or victim of the misconduct, the complainant's or victim's family, the rostered person who committed or is accused of the misconduct, his or her family, the members of the rostered person's present and/or former congregations(s), his or her colleagues, and others. However, the bishop and the bishop's staff do not themselves function as a pastor, counselor, advocate, attorney, or other caregiver to any of these individuals. The ultimate responsibility of the bishop and his or her staff is to the Synod, and not to any individual within the Synod. If a conflict arises between what is in the Synod's interests and what is in the interests of someone else, the bishop and the bishop's staff are obligated to act on the Synod's behalf.

The freedom of the Synod to decide for itself how God has called it to minister to those harmed by sexual misconduct is a precious one that is constitutionally protected from governmental interference. The same is true for the Synod's freedom to decide who will be on its rosters, and of the freedom of each congregation to decide who will preach and teach from its pulpit. Nothing in this Statement of Policy is intended to diminish these freedoms in any respect or to create any rights or responsibilities under civil law.

Every report of clergy sexual misconduct involves unique people and unique circumstances. This Statement of Policy merely describes the general approach that the Synod will follow in responding to reports of clergy sexual misconduct. The Synod reserves the right to depart from this Statement of Policy when appropriate.

II. SYNOD POLICY

An ELCA Strategy for Responding to Sexual Abuse in the Church (Nov. 1992) recommended that nine elements be included in any synodical policy regarding alleged sexual misconduct by a rostered person. This Synod has decided to incorporate those nine elements as follows:

A. Adequate Preparation

The Synod is committed to take action to prevent sexual misconduct by rostered persons. The Synod will make its position on this issue clear in educational opportunities that it provides, in the manner in which it responds to reports of sexual misconduct by rostered persons, in discussions that it has with seminarians and others who seek to join its rosters, and in its public and private statements on the subject.

First, the Synod will not tolerate sexual misconduct by pastors or by any rostered leaders. This means, the Synod will not ignore reports, will act upon substantiated allegations, and will properly disclose findings of sexual misconduct by rostered persons. This is not to say that the Synod will treat every case exactly the same. Sexual misconduct varies greatly by type, by degree, and by its effect on those involved. The Synod will attempt to respond appropriately to each case while not tolerating any misconduct discovered to exist.

Second, the Synod intends to provide ongoing educational opportunities regarding congregations, and others. Education will focus on such subjects as prevention of sexual misconduct by rostered persons and the impact of such misconduct on its victims, families, congregations and others. The Synod strongly urges its rostered persons and congregations to take advantage of these educational opportunities, as well as appropriate educational programs offered by others.

In addition, the bishop and the synod staff will continue to take advantage of educational opportunities that are available to them. The Synod recognizes that society generally and churches particularly have much to learn about sexual misconduct by rostered persons. As the Synod's understanding of this problem changes, its Statement of Policy and educational efforts will change as well.

These preventative efforts are intended to complement similar efforts that have been or will be made by the Synod's member congregations, by the churchwide organization, by ELCA seminaries, and by other entities affiliated with the ELCA.

B. First Contact

Even the best preventative measures cannot completely eliminate sexual misconduct by rostered persons. The Synod must always be prepared to respond to reports of misconduct. The more open the Synod is to receiving such reports, the more often sexual misconduct by rostered persons will be reported, and hopefully prevented.

Anyone who knows or suspects that a rostered person may have been involved in sexual misconduct should report that knowledge or suspicion to the bishop or an assistant to the bishop. The names, addresses, and telephone numbers of the bishop and his or her assistants are attached to this Statement of Policy. If a complainant is uncomfortable about contacting the bishop or an assistant to the bishop, then the complainant should contact one of the First Contact Team members. The First Contact Team members are listed in the attachment. These people – who may include men and women, clergy and laypersons, Lutherans and non-Lutherans – have agreed to be available to receive reports of sexual misconduct from complainants who are uncomfortable contacting the bishop directly. However, it must be stressed that these people are acting on behalf of the Synod, and any information that they are given will be shared with the bishop (unless it is the bishop who is being accused of sexual misconduct, in which case the bishop of the ELCA will be contacted).

A contact may be made with the bishop or other authorized person by mail, by telephone, or in person. The complainant need not identify herself or himself when she or he first contacts the Synod. The complainant may anonymously ask questions about how the Synod would respond to a particular complaint of misconduct. However, the Synod can do little about a report of sexual misconduct until the complainant identifies herself or himself and the rostered person involved in the alleged misconduct.

The bishop or other person contacted by the complainant will (1) assure the complainant that the Synod does not tolerate sexual misconduct and takes seriously all reports of such misconduct; (2) explain the Synod's process for responding to reports of sexual misconduct and offer to provide a copy of this Statement of Policy; (3) answer the complainant's questions about the policies and procedures of the Synod; (4) express care and concern for the complainant; (5) when the complainant is anonymous, encourage the complainant to identify herself or himself and the rostered person involved in the alleged misconduct.

The bishop or other person contacted by the complainant will also offer to provide the complainant with a list of advocates who are available to provide support and to help interpret the Synod's policies and procedures. The complainant will be invited to contact an advocate and to be accompanied by that advocate through the reporting, investigative, and, if necessary, disciplinary processes. If the complainant requests, the Synod will contact an advocate for her or him. The complainant is welcome to use an advocate who does not appear on the list – such as a friend or family member – or to decline to use an advocate.

C. First Response

After a report of sexual misconduct by a rostered person has been received from an identified complainant, the bishop and/or bishop's designee will interview the complainant in person or, if that is not possible, by telephone. The bishop or bishop's designee will ask the complainant to provide as much information about the sexual misconduct as the complainant is comfortable sharing. The complainant will be asked to reduce the information to writing or to sign a written statement prepared by the Synod. The bishop or bishop's designee will also ask the complainant whether the complainant is prepared to participate in the

disciplinary process if necessary. The complainant should be given a copy of this Statement of Policy if she or he has not already received it.

In all meetings with Synod personnel, the complainant may be accompanied by a friend, family member, support person, or advocate of her or his choice. The complainant may contact an advocate and may be accompanied by that advocate through the reporting, investigative, and, if necessary, disciplinary processes. Under no circumstances will any employee of the Synod function as the complainant's advocate; however, at the complainant's request, the Synod will contact an advocate for her or him. The bishop or other person contacted by the complainant may also offer to provide the complainant with a list of advocates who are available to provide support and to help interpret the Synod's policies and procedures. This list may include advocates who are affiliated with the ELCA and advocates who are not. The complainant is welcome to use an advocate who does not appear on the Synod's list – such as a friend or family member – or decline to use an advocate

The bishop or bishop's designee will discuss with the complainant how she or he feels about the possibility that her or his identity may become known to the accused or others. Insofar as possible, the Synod will respect the wishes of the complainant regarding confidentiality. However, at some point, the Synod may be required by civil law or by the governing documents of the ELCA to disclose the identity of the complainant. Also, the identity of the complainant may be revealed by others or become known despite the best efforts of the Synod to protect it. The Synod cannot guarantee confidentiality to a complainant.

If the bishop or bishop's designee learns that a child or vulnerable adult may have been neglected or physically or sexually abused, the bishop or bishop's designee may be legally required to report that information to law enforcement authorities. If possible, the complainant will be notified before such a report is made.

The bishop or bishop's designee will discuss with the complainant her or his needs for pastoral care or professional counseling. If the complainant requests, the bishop or bishop's designee will help to put the complainant in touch with persons who can provide such care or counseling. Under no circumstances will any employee of the Synod function as the complainant's advocate, pastor, or counselor.

The bishop or bishop's designee will appoint a contact person within the Synod. That contact person (who may be the bishop or bishop's designee) will keep in regular contact with the complainant and will inform the complainant of significant developments. That contact person will also be available to respond to the complainant's questions and concerns about the process.

D. Initial Investigation of the Complaint

After interviewing the complainant, the bishop and/or bishop's designee will carefully review the information provided by the complainant. If the report appears credible and involves

sexual misconduct for which the alleged perpetrator might be disciplined, the bishop or bishop's designee may conduct a preliminary investigation to determine whether information either supporting or contradicting the report exists. This preliminary investigation may include (1) further discussions with the complainant; (2) a review of the records of the Synod, another ELCA synod, or an entity affiliated with the ELCA; (3) interviews of former bishops of the rostered person, those who served as assistants to former bishops of the rostered person, pastors who succeeded the rostered person at congregations that he or she served, pastors who served on the same staff with the rostered person at congregations that he or she served, pastors who presently serve on the same staff with the rostered person, respected members of congregations that the rostered person served, respected members of the congregation that the rostered person now serves; (4) persons identified by the complainant, or friends, family members, pastors, or counselors of the complainant; or (5) others who have relevant information.

This preliminary investigation will be conducted as quickly and as discreetly as is possible under the circumstances. All of those contacted will be asked to keep the contact in strictest confidence. If the Synod or a discipline hearing committee later determines that the complaint is unsubstantiated or that sexual misconduct did not occur, that conclusion will be communicated to those who were contacted by the Synod in the course of its preliminary investigation.

If a criminal investigation, or other official investigation by law enforcement authorities, is underway, the Synod may need to postpone its own investigation pending the outcome of the government's inquiry or prosecution. However, a final determination in a related civil or criminal legal proceeding does not necessarily dictate the necessity for, or the outcome of, the church's disciplinary process.

E. Conversation with the Rostered Person

The bishop will usually meet with the rostered person after the preliminary investigation is concluded. The bishop should be accompanied by the bishop's designee or another person. In some cases – such as when the rostered person is aware of the complainant's report or when the rostered person may pose an immediate danger to members of his or her congregation – the bishop or bishop's designee may meet with the rostered person immediately after or perhaps even before meeting the complainant. If communication takes place exclusively between the bishop and the rostered person, the bishop will clarify that the communication is not confidential, and that the bishop may disclose anything that he or she is told.

At their meeting, the bishop will provide the rostered person with information regarding the complaint and ask the rostered person to respond. The bishop may ask the rostered person to reduce his or her response to writing. The bishop will also (1) assure the rostered person that, while the Synod does not tolerate sexual misconduct, the Synod will give any rostered person who denies an allegation of sexual misconduct a full and fair opportunity to contest it; (2) explain the Synod's process for responding to reports of sexual misconduct and provide a

copy of this Statement of Policy; (3) answer the rostered person's questions about the policies and procedures of the Synod; (4) express care and concern for the rostered person, the rostered person's family, and the affected congregation; (5) strongly discourage the rostered person from having any contact with the complainant, either directly or indirectly; and (6) invite the rostered person to contact an advocate and to be accompanied by that advocate through the investigative, and, if necessary, disciplinary processes. If the rostered person requests, the Synod will assist the rostered person in finding an advocate. The rostered person may decline to use an advocate.

In appropriate cases, the bishop may ask the rostered person to resign his or her call or resign from the roster in the ELCA. The bishop cannot force the rostered person to submit a resignation. In most cases only a discipline hearing committee can remove the rostered person from a roster involuntarily.

Depending upon the circumstances, the bishop may ask the rostered person to voluntarily agree to certain restrictions upon his or her ministry until the investigation and/or disciplinary proceedings are concluded. If the rostered person refuses, the bishop may ask the congregation to impose the restrictions upon the rostered person. The bishop may also ask the rostered person to take a leave of absence – either with or without pay – until the investigation and/or disciplinary proceedings are concluded. If the rostered person refuses, the bishop may ask the congregation to place the rostered person on involuntary leave of absence, or, in extreme circumstances, the bishop may temporarily suspend the rostered person without prejudice.

The bishop or bishop's designee will discuss with the rostered person his or her needs for pastoral care or professional counseling, as well as the care of the rostered person's family. If the rostered person requests, the bishop or bishop's designee will help to put the rostered person in touch with persons who can provide such care or counseling. Under no circumstances will any employee of the Synod function as an advocate, pastor, or counselor to the rostered person or their family.

The bishop or bishop's designee will appoint a contact person within the Synod. That contact person (who may be the bishop or bishop's designee) will keep in regular contact with the rostered person and will inform the rostered person of significant developments. That contact person will also be available to respond to the rostered person's questions and concerns about the process.

F. Assess the Information

After meeting with the rostered person, the bishop will carefully review the information provided by the complainant, discovered during the preliminary investigation, and provided by the rostered person. The bishop will then decide upon a course of action, keeping in mind that changed circumstances may require changes in direction as the matter progresses. Among options available to the bishop are the following: no further action; further investigation; requesting the pastor to undergo a psycho-diagnostic evaluation; seeking a resolution by consulting directly with the parties; requesting the rostered person's

congregation to take some action; convening a consultation or advisory panel; or initiating the formal disciplinary process. These latter two options are discussed further below. Depending upon the circumstances, additional options may be considered as well, including inviting the rostered person to resign from call, from the roster, or both.

G. Consultation or Advisory Panel

Reports of sexual misconduct often present a bishop with a difficult decision. To assist him or her in making these difficult decisions, a bishop may, at his or her sole discretion, appoint a consultation or advisory panel. The function of a consultation or advisory panel is described at length in Sections 20.21.04 to 20.21.06 of the *Constitution and Bylaws of the ELCA* (September 1993 edition) and Section D of *Rules Governing Disciplinary Proceedings Against an Ordained Minister, a Rostered Layperson, or a Congregation of the Evangelical Lutheran Church in America* (Dec. 5, 1993). Both of these documents are available from the Synod.

Essentially, a consultation or advisory panel is a small group of clergy and laypersons who are asked to recommend a course of action to the bishop. Before making that recommendation, the panel may interview the complainant, the rostered person, the bishop, the bishop's designee, and others. If possible, the panel will seek to resolve the controversy through recommendations that are pastoral and therapeutic and that will eliminate the need for disciplinary proceedings if they are accepted by all concerned. If such a resolution does not appear possible, the panel will advise the bishop whether it believes that the disciplinary process should be initiated.

Whether to employ the advisory or consultation process is always discretionary with the bishop. Use of such panels may be beneficial in a variety of circumstances. For example, a bishop may be confronted with "one person's word against another's" – that is, a situation in which both the complainant's report and the pastor's denial of the report appear credible, and there is no corroborating evidence supporting either version. Numerous other reasons may also cause the bishop to call for a consultation or advisory panel or the bishop may decide to utilize such panels routinely.

H. Formal Hearing

Disciplinary proceedings are the process by which the ELCA determines if a rostered person is guilty of the charges and, if so, what the penalty should be. The process is governed by Chapter 20 of the *Constitution and Bylaws of the ELCA* and by the *Rules Governing Disciplinary Proceedings*. A rostered person may be disciplined for committing "conduct incompatible with the character of the ministerial office," which is defined in *Definitions and Guidelines for Discipline of Ordained Ministers* (Dec. 5, 1993) to include "adultery, promiscuity, the sexual abuse of another, or the misuse of counseling relationships for sexual favors." *Definitions and Guidelines for Discipline of Ordained Ministers* is available from the Synod.

To briefly summarize the disciplinary process, generally the bishop as “accuser” will initiate the proceedings against a rostered leader, as the “accused,” by filing written charges setting forth the offense that the rostered leader is accused of committing, detailing the facts supporting the charge, and describing any other circumstances concerning the alleged misconduct. A committee of twelve persons – six from a panel selected by the Synod and six from a panel elected by the Churchwide Assembly – are convened to hold a hearing on the charges. The hearing resembles a court trial, at which an appointed hearing officer presides. The bishop presents testimony and other evidence in support of the charges, and then the rostered person presents testimony and other evidence in opposition to the charges. The governing documents of the ELCA provide for certain rights for the accuser, the accused, and the witnesses. Typically, a bishop will not initiate formal disciplinary proceedings unless the complainant agrees to be a witness against the rostered person, but that is not always the case.

The hearing described in the preceding paragraph is the usual process for hearing the written charges. There is an alternative process, described in ELCA Bylaws 20.23.01. through 20.23.09., that is invoked when the written charges specify that the accuser will not seek removal or suspension for a period exceeding three months. In such cases, the proceedings are conducted before a hearing committee of six members with less formality and without all of the procedural requirements of the full hearing process.

Under either process, the discipline hearing committee decides whether the charges are true, and, if so, what discipline should be imposed. The options available are private censure and admonition, suspension from the roster of the ELCA for a designated period of time or until the rostered person complies with specified conditions, or removal from the clergy roster. The discipline hearing committee’s decision is generally made about four months after charges are filed. There is a process for appeals to the churchwide Committee on Appeals.

I. Disclosure

Except in unusual circumstances, the Synod will disclose all serious allegations of sexual misconduct by rostered persons. Although disclosure can increase the short term pain caused by sexual misconduct, experience has demonstrated that disclosure speeds the healing of the primary and secondary victims of the misconduct, empowers unknown victims to come forward and seek help, protects others from being victimized by the same rostered person, and demonstrates the commitment of the ELCA and the NGLS to deal openly and honestly with the problem.

Decisions regarding who will make what disclosure to whom and when will vary from case to case. In general, though, the Synod will abide by the following guidelines:

1. Typically, disclosure of sexual misconduct by rostered persons will be made to the leadership of the rostered person’s congregation, to the members of the rostered person’s present congregation, to synods where the rostered person was previously rostered, and to other pastors within the Conference or the entire synod. In some

situations, wider disclosure to previous congregations, to the entire Synod, or even to the news media may be made as well.

2. In most cases, disclosure will be made if (1) the rostered person admits to committing sexual misconduct; (2) the rostered person resigns his or her call or from the roster of the ELCA after being accused of sexual misconduct; (3) the rostered person is placed on leave of absence or temporarily suspended in response to an allegation of sexual misconduct; (4) the rostered person is suspended or removed from the roster as a result of formal disciplinary proceedings; or (5) secular legal proceedings (civil or criminal) are initiated against the rostered person. Other events may give rise to the need for disclosure as well.

3. The Synod intends to work closely with the congregational leaders regarding appropriate disclosure to the members of the congregation. The victim's concerns regarding disclosure will be considered as well. The actual announcement to the congregation will be made by one or more of the leaders, or by the bishop, and usually to the adult members only.

4. To protect the privacy of those harmed by the rostered person, only the following will be disclosed: (1) the fact that the rostered person has been accused of, admitted to, resigned, or been found guilty of committing sexual misconduct; (2) the gender of the complainant; (3) whether the complainant was an adult or a minor at the time of the misconduct; and (4) whether the complainant was a member of the rostered person's congregation or a person to whom the rostered person was providing pastoral care. Disclosure should never include the name of the complainant or facts from which she or he could readily be identified. If the rostered person had denied the allegations, that fact will also be disclosed.

5. Persons who believe that they have been harmed (directly or indirectly) by the rostered person will be invited to contact the leaders of the congregation, the Synod or other who have agreed to be available to those persons.

J. Follow-up

The Synod will work with congregations and others to help ensure that care and support are available to those harmed by sexual misconduct by rostered persons. As noted above, Synod personnel cannot provide this individual care itself, but it will assist the primary and secondary victims of sexual misconduct to find human and material resources that might help them on their journey to healing. The Synod will assist the congregation in dealing with the pain and disruption caused by the rostered person's misconduct and will help the congregation continue in its mission and ministry for the sake of the Gospel.

Members of the NGLS First Contact Team are:

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2-3 others names will be added to this list