



Good Shepherd Lutheran Church

an ELCA congregation

POLICY ON SEXUAL HARASSMENT AND SEXUAL ABUSE

Good Shepherd Lutheran Church
Goldsboro, NC

Approved by Council: November 17, 2024

Effective: December 1, 2024

Preface

It is the policy of Good Shepherd Lutheran Church (GSLC) that neither sexual harassment nor sexual abuse will be tolerated. Any complaint of sexual harassment or sexual abuse will be dealt with quickly and as confidentially as the law allows. This policy applies to rostered ministers (pastors and deacons), synod-authorized ministers, other employees, congregational members, participants or volunteers, and seeks to protect all people in this community from sexual harassment and sexual abuse. This policy outlines sexual harassment definitions, reporting, investigation and discipline.

Definitions

Sexual harassment is any sexually related behavior that is unwelcome or offensive, or that fails to respect the rights of others. A challenge to identifying sexual harassment is that the test is both objective (whether a reasonable person would be offended) and subjective (whether the other person perceives the conduct as hostile and unwelcome) and applies even if the person committing the behavior or action did not intend to sexually harass the other person.

Sexual harassment can occur regardless of a victim or offender's gender, age, role or employment status.

Examples of sexual harassment:

- Unwelcome sexual advances, leering, whistling or sexual gestures.
- Deliberate assaults or molestation.
- Gender-based harassment.
- Undesired physical contact.
- Inappropriate comments about clothing or physical appearance, including about gender identity and/or sexuality.
- Persistent, sexually oriented humor or language.
- Continued or repeated jokes, language, epithets or remarks of a sexual nature.

- Causing another person to engage in a sexual act by threatening that other person, placing that other person in fear or asserting undue influence over that other person.
- Providing or displaying pornographic media to another person.
- Contact of a sexual or inappropriate nature whether in person or via phone call, text message, Internet (social media, email, etc.).
- Any attempt to engage in or perform any of the above.
- Any additional activity that is covered by either federal or state laws.

Sexual abuse means rape; sexual assault; sexual harassment; sexual relations with a minor child or a person otherwise not capable of consent; sexual relations resulting from threats, intimidation, coercion, blackmail, extortion or manipulation; and sexual relations (outside of marriage) between a rostered minister or synod-authorized minister and a person with whom that minister has a pastoral or supervisory relationship, including but not limited to an employee, a volunteer, a student, a counselee or a person in the congregation or other ministry that is served by the rostered minister. The synod bishop should be contacted if a rostered minister or synod-authorized minister is involved in or suspected of sexual abuse.

Reporting

Any person who believes that they have experienced or witnessed sexual harassment or sexual abuse, or who has received a report of sexual harassment or sexual abuse, should communicate this immediately to:

- The president of GSLC CONGREGATION COUNCIL or their designated representative, or
- A rostered minister (pastor or deacon) or synod-authorized minister of GSLC, or
- The bishop of the NC Synod of the Evangelical Lutheran Church in America, if the report involves a rostered minister (pastor or deacon) or synod-authorized minister at GSLC.
- The seminary where an intern is enrolled, if the report involves alleged sexual harassment or sexual abuse by that intern, involving that intern or involving that intern's supervising pastor or deacon. Allegations involving an intern's supervising pastor or deacon shall also be reported to the bishop of the NC Synod.

If required by law, ordinance or similar regulations, a designated member of the congregation shall immediately report the incident to the proper authorities.

It is helpful to have reports in writing.

Investigation

- If the allegations involve a rostered minister or synod-authorized minister, the NC Synod is responsible for conducting an investigation. Otherwise, a committee designated by the GSLC Congregational Council will promptly investigate each reported incident with confidentiality, care and concern for all involved.
- The investigation will include interviews with all concerned.
- The investigation will include a review of all relevant documentation.
- The investigation will be conducted in a way that maintains confidentiality to the extent practicable under the circumstances. Should an individual's words or conduct be determined to constitute sexual harassment or sexual abuse, recommendations for

action will be developed and appropriate action will be taken, depending on the severity of the situation.

- The Congregational Council and designated committee will be sensitive to the needs of all involved and shall provide any necessary support, including counseling, during the investigation and response.

Response

The Congregational Council or designated committee will review all information obtained during the investigation and, when deemed necessary, seek legal counsel to assist in the investigation and resolution.

- The Congregational Council or designated committee, upon reaching a course of action, will meet separately with the person filing the complaint and then with the accused to communicate the results and resolution.
- The Congregational Council or designated committee may recommend a course of action that may include counseling, education and/or disciplinary action.
- If a complaint is not substantiated, all parties will be informed.
- GSLC will not engage in or tolerate retaliation against any rostered minister, synod-authorized minister, employee, member, volunteer or other individual for making a good-faith claim of sexual harassment or sexual abuse or for providing information relating to such complaints during an investigation.

Communication of Policy

This policy shall be given to and reviewed with the congregation's rostered ministers, synod-authorized ministers, employees and volunteers to ensure their understanding and support of this policy. This review shall take place on a regular basis. Their signatures below indicate that the rostered minister, synod-authorized minister, employee and council president have reviewed, understand and support this policy statement.

In addition, the congregation shall periodically publicize this policy to all members and volunteers through appropriate forms of communication.

The congregation council of Good Shepherd Lutheran Church approved this policy at its regularly scheduled meeting on [DATE].

I have read and understand the "Policy on Sexual Harassment and Sexual Abuse."

Name (printed)

Signature _____

Date reviewed _____

APPENDIX: RESOURCES FOR CONGREGATIONS TO ADDRESS SEXUAL HARASSMENT IN THE CHURCH

“Sexual Boundary Violations in the ELCA: Prevalence, Policy, and Prevention” (2023)

A review of policies and practices across the ELCA that address sexual boundary violations, in light of the prevalence of rostered ministers, particularly women, who experience sexual harassment in their calls.

Full report:

www.elca.org/SBVreport

Executive summary: www.elca.org/SBVsummary

“Assessment for Synods” (2024) (this can be adapted for congregations to assess the policy and practices they use to address sexual boundary violations or ministerial sexual misconduct, sexual abuse of minors in the church, and sexual harassment in ministry settings).

“Assessment for Synods”: www.elca.org/SBVassessment

“50th Anniversary of the Church’s Decision to Ordain Women Survey Report” (2020)

Data from the “[50th Anniversary of the Church’s Decision to Ordain Women Survey Report](#)” reveals the prevalence of sexual harassment that ELCA pastors, particularly women, have experienced.

*Needs and Advice From Women in Ministry*¹

In the “50th Anniversary of the Church’s Decision to Ordain Women Survey Report,” women in ministry were asked open-ended questions. The responses were analyzed using content analysis.² The following are questions and analyzed answers from women in ministry, with attention to the intersection of gender and race.³

1. What is your greatest need in order to minister more effectively?
 - a. Proactive, supportive synod: 24% of women of color and 17% of white women.
 - b. Safety/safe places to be: 24% of women of color.
2. Please provide any advice you have for women entering into or serving in rostered ministry in the ELCA.
 - a. To expect bias and/or harassment: 17% of women of color and 17% of white women.
 - b. Set and keep boundaries: 30% of white women.

¹¹ “[50th Anniversary of the Church’s Decision to Ordain Women Survey Report](#)” (Chicago: Evangelical Lutheran Church in America, 2021), 51-53.

² Content analysis is a method of changing qualitative data into quantitative data. In this survey, open-response questions were coded and analyzed for themes because most included multiple examples of different kinds of experiences and challenges. Themes are identified by frequency, that is, how often comments related to these categories occurred in the responses.

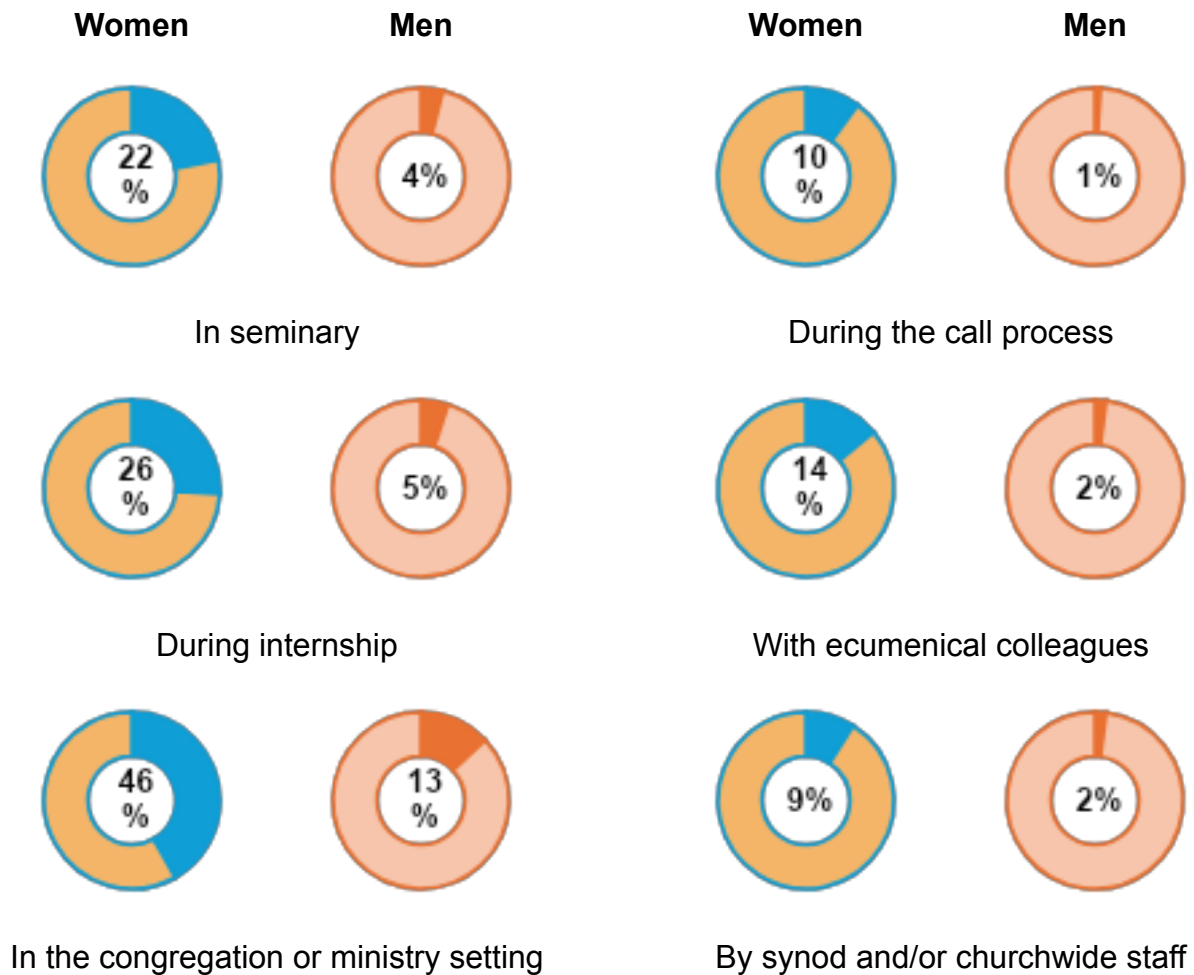
³ The 50th-anniversary survey report presented the five most common themes of responses to the open-ended questions. If a statistic is not listed for women of color or white women, that response was not one of the five most common themes for that group's responses.

3. Please provide any advice you have for bishops, synod councils or churchwide organization staff related to women in rostered ministry in the ELCA.
 - a. Listen to and believe women: 23% of women of color and 27% of white women.

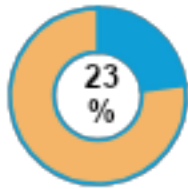
Reported Sexual Harassment Experienced by Rostered Ministers

In the [“50th Anniversary of the Church’s Decision to Ordain Women Survey Report,”](#) rostered ministers were asked to respond to the statement “I have experienced sexual harassment (i.e., any sexually-related behavior that is unwelcome, offensive, or which fails to respect the rights of others)” in the following contexts or relationships of ministry:⁴

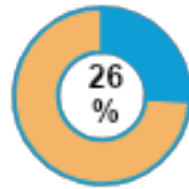
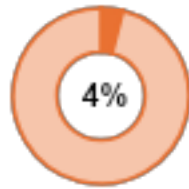
These graphs depict the responses of the women and men surveyed and reveals the many ways rostered ministers experience sexual harassment.



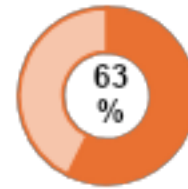
⁴ [“50th Anniversary of the Church’s Decision to Ordain Women Survey Report,”](#) (Chicago: Evangelical Lutheran Church in America, 2021), 39.



With other ELCA rostered leaders



Never had this experience



“Definitions and Guidelines for Discipline: Rostered Ministers, Congregations, and Members of Congregations” (2021)

“Definitions and Guidelines for Discipline” is a governing document of the Evangelical Lutheran Church in America and outlines the conduct that are grounds for discipline of rostered ministers, congregations and congregation members in this church.

If a congregation is responding to a report of sexual harassment or sexual abuse and the accused is not a rostered minister, there are helpful steps to address the situation and bring formal charges (within a congregational or ministry setting system, not through the local or federal legal system). If the accused is a rostered minister, the report should be passed on to the synod bishop, and the synod will administer the investigation, discipline and response. The following information will help congregations know the processes and grounds for discipline in the ELCA.

Processes for charges, investigation, discipline and appeal⁵

- “Constitution, Bylaws, and Continuing Resolutions of the ELCA” outlines the grounds for discipline, the discipline that may be imposed and who may bring charges:
 - For ministers of Word and Sacrament (pastors) at 20.22.01. through 20.22.03.
 - For ministers of Word and Service (deacons) at 20.23.01. through 20.23.03.
 - For members of congregations at 20.41.01. and 20.41.02.
- “Model Constitution for Congregations” outlines grounds for discipline, the discipline that may be imposed, and who may bring charges against members of the congregation in *C15.01. through *C15.07.

Related Definitions⁶

- **“Harass”** means to persistently annoy another or to create an unpleasant or hostile situation by uninvited and unwelcome verbal or physical conduct. Mere criticism or disagreement is not harassment. See *the social message “Gender-based Violence.”*
- **“Hate speech”** means the expression of animosity or disparagement of an individual or group on account of a group characteristic such as race, sexual orientation, national origin, age, ethnicity, culture, religion, disability, language, socioeconomic status, gender, gender identity or immigration status.
- **“Sexual abuse”** means rape; sexual assault; sexual harassment; sexual relations with a minor child or a person otherwise not capable of consent; sexual relations resulting from threats, intimidation, coercion, blackmail, extortion or manipulation; and sexual relations

⁵ “Definitions and Guidelines for Discipline: Rostered Ministers, Congregations, and Members of Congregations” (Chicago: Evangelical Lutheran Church in America, 2021), 4.

⁶ “Definitions and Guidelines for Discipline,” 5-6.

(outside of marriage) between a rostered minister and a person with whom the rostered minister has a pastoral or supervisory relationship, including but not limited to an employee, volunteer, student, counselee or person in the congregation or other ministry served by the rostered minister.

*Guidelines for Discipline of Rostered Ministers (pastors and deacons)*⁷

Section B of “Definitions and Guidelines for Discipline” states that “conduct incompatible with the character of the ministerial office is grounds for discipline of rostered ministers.” The conduct listed below relates to sexual harassment and is grounds for discipline.

- **“(5) Sexuality and public ministry:** This church does not tolerate the abuse of the ministerial office for personal sexual gratification or exertion of authority over others. This church’s understanding of human sexuality is stated in its authorized social teachings. Rostered ministers who abuse the trust placed in them by engaging in infidelity, adultery, promiscuity, or sexual abuse of another are engaging in conduct incompatible with the character of the ministerial office” (p. 8).
- **“(10) Hateful speech or actions:** A rostered minister’s use of harassing, abusive, discriminatory, libelous, slanderous or hateful speech or actions, at any time, whether in person or on any form of social media, is conduct incompatible with the character of the ministerial office” (p. 10).
- **“(11) Abusive activity:** A rostered minister’s physical, mental, emotional, or spiritual abuse of staff, colleagues, congregation members, or others is conduct incompatible with the character of the ministerial office. Such abuse could include, but is not limited to, bullying or harassment in written or verbal form, either in person or by remote communication” (p. 10).

*Guidelines for Discipline of Members of Congregations*⁸

- **“B. Willful and/or criminal conduct grossly unbecoming of a member of the Church** is grounds for disciplinary action against a congregation member. Commission of violent crimes including murder, attempted murder, manslaughter, rape, attempted rape, sex crimes, hate crimes, child abuse, intimate partner abuse, elder abuse, or any similar offense is seen as reprehensible to the Christian community and may warrant discipline. Persons who are found to have engaged or who are currently engaging in such actions remain in need of pastoral care and compassion. A member’s use of harassing, abusive, discriminatory, libelous, slanderous, or hateful speech or actions, at any time, whether in person or on any form of social media, may be grounds for discipline. Conduct which includes membership in, or taking actions in concert with, organizations that encourage or promote hatred or bigotry on the basis of race, sexual orientation, national origin, age, ethnicity, culture, religion, disability, language, socioeconomic status, gender, gender identity, or immigration status may be grounds for discipline” (p. 13).
- **“D. Willful and repeated harassment, abuse, bullying, libel, or slander of member(s) of the congregation** are grounds for discipline of a member. If the treatment of another, including rostered ministers or staff, by a member of the congregation repeatedly devolves into slanderous, vicious, or intentionally hurtful communications, no matter the means of such communications, the behavior is unacceptable and may warrant disciplinary action. Similarly, if any members, rostered ministers, or staff are being constantly harassed by

⁷ “Definitions and Guidelines for Discipline,” 7-8, 10.

⁸ “Definitions and Guidelines for Discipline,” 13-14.

another member for any reason, whether such harassment is based upon race, sexual orientation, national origin, age, ethnicity, culture, religion, disability, language, socioeconomic status, gender, gender identity, or immigration status or any other reason, perceived or real, the behavior may warrant discipline without regard to the nature of the harassment. The use of phone, email, text messages, social media or other remote communication, and behaviors including anything from shouting and gestures to actual stalking, may all be means of unacceptable defamatory or harassing behavior between members” (p. 13-14).