

POLICY ON REPORTING AND RESPONDING TO SEXUAL MISCONDUCT

Approved by the Abiding Savior Church Council on May 21, 2019

God wishes for all people to be respected and to feel respected: “‘You shall love the Lord your God with all your heart, and with all your soul, and with all your mind.’ This is the greatest and first commandment. And a second is like it: ‘You shall love your neighbor as yourself.’ On these two commandments hang all the law and the prophets.” (Matthew 22:37-40) Sexual misconduct violates God’s commandment to love one another. The harm caused can be even greater when the sexual misconduct occurs within the context of the church community.

This congregation will not tolerate sexual misconduct by any rostered minister, other employee, congregational member, participant, or volunteer. This congregation is committed to taking appropriate action to prevent and promptly respond with justice and compassion to allegations of any such misconduct against a member, participant, rostered pastor or deacon, or other staff engaged in congregational activities.

What is Sexual Misconduct?

Sexual misconduct means any unwelcome behavior of a sexual nature that is committed without consent or by force, intimidation, coercion, or manipulation. Sexual misconduct may be committed by an individual of any gender, and may occur between people of the same or different genders. Sexual misconduct includes sexual assault, sexual harassment, sexual exploitation, sexual intimidation, and contact of a sexual nature without consent. Consent is a freely and affirmatively communicated willingness to participate in particular sexual activity, expressed either by words or clear, unambiguous actions. Regardless of expressed willingness, consent cannot be given by a minor to an adult, between persons where there is a power differential, or where a person is incapable of making an informed judgment because of mental capacity.

Reporting Misconduct

Whether you have been the victim of sexual misconduct or witnessed sexual misconduct affecting someone else, you should report the misconduct as follows as soon as possible:

- Reports relating to rostered ministers (pastors and deacons) should be made to the Bishop’s office of the Saint Paul Area Synod, 651.224.4313, ext. 1009.
- Reports relating to a non-rostered staff member, a volunteer, a congregation member, or any other party should be made to any pastor by calling the church office at 763.784.5120 or by contacting any member of the Church Council. Pastors and Church Council members names and contact information are listed on a bulletin board in the church library across from the office.

Immediate reporting is encouraged to facilitate prompt correction of any misconduct. However, reports should be made regardless of when the misconduct occurred and the Congregation will act promptly to address all reports.

Rostered pastors and deacons and all congregational employees are required to timely transmit any reports of sexual misconduct to the appropriate congregational official for follow-up.

Investigation

Abiding Savior Lutheran Church will promptly investigate any report of sexual misconduct, with the scope of the investigation determined by the particulars and extent of the report. The Congregation will inform the person reporting the misconduct of the status of the investigation, to the extent possible and appropriate under the circumstances. In the event that a report of misconduct is substantiated, the Congregation will take prompt action to address the misconduct and prevent future incidents of misconduct. The Congregation will assist those harmed by sexual misconduct to obtain resources needed to deal with any impact of the sexual misconduct, including pastoral care and referral to professional counseling or other services.

Confidentiality

The Congregation will keep confidential, to the extent possible, the identity of any reporter of misconduct and the facts gathered in any investigation of a report. However, under some circumstances the Congregation may be required to make a report to law enforcement, and under other circumstances it may become necessary to reveal certain facts or consult with the synod or others in order to complete a thorough investigation and do necessary follow-up. For these reasons, the Congregation cannot guarantee complete confidentiality.

No Retaliation

The Congregation will not tolerate any form of retaliation against any individual who makes a good faith report of sexual misconduct. If you believe that you have experienced retaliation because you made a report under this policy, you should immediately contact one or more of the individuals described above to inform the Congregation of your concern. The Congregation will investigate and work to correct any allegation of retaliation under this policy.

Guidance

Congregational representatives responding to a report of sexual misconduct should refer to *Guidance on the Policy on Reporting and Responding to Sexual Misconduct* for further information.

Other Policies

The Congregation also maintains employment policies governing the behavior and management of its employees, which is available in the church office.

If you have questions about the Congregation's policies and guidance relating to sexual misconduct or how to make a report of misconduct, please contact a member of the pastoral staff by calling the church office at 763.784.5120 or a member of the Church Council. Pastors and Church Council members names and contact information are listed on a bulletin board in the church library across from the office.