Northwestern Minnesota Synod
Evangelical Lutheran Church in America

Northwestern Minnesota Synod, ELCA

Policy and Procedures Regarding Sexual Misconduct by Rostered Ministers

Adopted by the Northwestern Minnesota Synod Council: October 24th, 2026

Misconduct Reporting

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Preface & 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 define leadership in Christ's church as servant leadership and faithful stewardship. Rostered ministers are entrusted with a sacred vocation. Stewardship of this trust requires clear boundaries, respect for the integrity of every person, and the rejection of any misuse of pastoral authority for personal gratification. Sexual misconduct is a serious infringement of the God-given integrity and rights of others, an abuse of power, and a violation of the trust placed in the ministerial office.

I. Introduction

A. Applicability

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 promptly with justice and compassion when such misconduct occurs. This policy describes how the Synod intends to fulfill these commitments while complying with applicable law and the governing documents of the ELCA. This policy addresses those forms of misconduct by rostered ministers that may lead to discipline under Chapter 20 of the ELCA Constitution, Bylaws, and Continuing Resolutions.

B. Definitions

• **ELCA**: The Evangelical Lutheran Church in America.

• **Synod**: The Northwestern Minnesota Synod of the ELCA.

• **Rostered Minister**: A Minister of Word and Sacrament (pastor) or a Minister of Word and Service (deacon) on the official rosters of the ELCA, whether under call, on leave from call, retired, or in specialized ministry.

• **Sexual Misconduct**: Any conduct on sexual matters that is incompatible with the character of the ministerial office and that may be grounds for discipline under Chapter 20 of the ELCA Constitution and the ELCA Definitions and Guidelines for Discipline. Examples include, but are not limited to: sexual or pornographic addictive behavior; adultery; infidelity; casual sexual relationships; promiscuity; sexual abuse of another; misuse of the pastoral relationship for sexual gratification or exertion of authority over others; and any sexual conduct that would be punishable under Minnesota Statutes Chapter 609.

• **Reportable Action**: Any information or suspicion regarding alleged sexual misconduct by a rostered minister toward a congregant, counselee, employee, or volunteer. Any suspected sexual contact with a minor or vulnerable adult must be reported to civil authorities as required by law.

• **Reporting of suspected abuse of minors**. Under Minnesota Statutes § 260E.06, subd. 1(2), a rostered minister who receives information, while engaged in ministerial duties, that a minor is being or has been maltreated must immediately report that information to the local welfare agency, law enforcement, or another agency identified in the statute. This duty does not apply to information that is privileged under Minn. Stat. § 595.02, subd. 1(c) (the clergy-penitent privilege). A minister who is uncertain whether a particular disclosure falls within this privilege should consult the bishop's office or legal counsel promptly; when in doubt, the safer course is generally to report.

• **Reporting of suspected abuse of vulnerable adults**. Minnesota's vulnerable adult reporting statute (Minn. Stat. §§ 626.557, 626.5572) defines "mandated reporter" by professional category — social services, law enforcement, education, and those engaged in the care of vulnerable adults, among others. Clergy are not automatically included in this definition unless they are separately engaged in one of these listed capacities (for example, a chaplaincy role). Regardless of whether a particular minister is a mandated reporter under this statute, the Synod expects every rostered minister who becomes aware of suspected abuse, neglect, or financial exploitation of a vulnerable adult to report it to the appropriate county or state agency, and the Synod will assist in making that report.

Timeliness and consequences. Reports of suspected child maltreatment must be made immediately. Minnesota law makes it a misdemeanor to knowingly fail to report a mandated case, and a gross misdemeanor to fail to report two or more instances involving the same offender within a ten-year period.

• **Complainant**: Any person who reports alleged sexual misconduct to the Synod; the complainant may or may not be the victim.

C. Role of Congregations

Each ELCA congregation governs itself, elects its own leadership, supervises its own staff, and calls its rostered ministers. Congregations share responsibility for preventing and responding to sexual misconduct and are strongly urged to adopt their own sexual misconduct policies and training. In some circumstances—e.g., allegations of harassment involving congregational employees—civil law may require the congregation, as employer, to take timely action. The Synod should be consulted in all cases involving rostered ministers.

D. Role of the Synod

The Synod's role is both pastoral and disciplinary. The bishop is responsible for providing pastoral care and leadership to congregations and rostered ministers and for overseeing the preliminary and, as necessary, the formal stages of the ELCA disciplinary process for rostered ministers. Synod leaders cannot function as an individual minister's pastor, counselor, advocate, or attorney; their ultimate responsibility is to the Synod and the whole church. The Synod reserves the right to depart from this policy when circumstances require.

II. Synod Policy

The Synod will not tolerate sexual misconduct by rostered ministers and will act to prevent and promptly respond to misconduct. Consistent with the ELCA's Strategy for Responding to Sexual Abuse in the Church (1992), this policy incorporates the following elements.

A. Education & Preparation

Prevention & Training. The Synod provides and promotes ongoing educational opportunities regarding prevention of sexual misconduct, the impact on victims and communities, boundaries and ethics, and mandated reporting obligations. Rostered ministers and congregations are expected to participate in appropriate education at least once every three years.

The Synod's preventative efforts complement training provided by congregations, seminaries, and churchwide ministries. As understanding evolves, this policy and educational efforts may be updated.

B. Reporting & First Contact

How to Report. Anyone who knows or suspects that a rostered minister may have engaged in sexual misconduct is encouraged and directed to contact the bishop, an assistant to the bishop, Safeplace, or Kendra Stea at the ELCA. Reports may be made in person, by phone, by email, or by letter.

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Anonymous inquiries to the Synod are permitted. However, the Synod's ability to investigate or take internal action ordinarily requires identifying information about the complainant and the minister involved. This internal limitation is separate from a mandated reporter's independent legal duty to report suspected abuse of a minor or vulnerable adult to civil authorities, which does not depend on the complainant's willingness to be identified. Anyone with information about suspected abuse of a minor or vulnerable adult is encouraged to report directly to law enforcement or the county welfare agency in addition to, or instead of, contacting the Synod.

Upon first contact, the Synod will: (1) affirm that it does not tolerate sexual misconduct and takes all reports seriously; (2) explain the process and provide a concise statement of policy; (3) answer

questions; (4) express care and concern; and (5) when the complainant is anonymous, encourage the complainant to identify themselves and the minister involved.

C. First Response

After receiving a report from an identified complainant, the bishop or designee will interview the complainant, seek detailed information, and may request a written statement. The complainant may be accompanied by a support person or advocate of their choice (not a Synod employee or council member). The Synod will respect confidentiality to the extent possible but cannot guarantee it, as civil law and ELCA processes may require disclosure.

The bishop or designee will discuss pastoral care and counseling referrals with the complainant and will appoint a Synod contact person to provide regular updates. If there is reason to believe that a child or vulnerable adult has been abused or neglected, the Synod will make legally required reports to the appropriate authorities and will assist the complainant in making such reports.

Where a report involves suspected abuse of a minor, this report must be made immediately under Minn. Stat. § 260E.06, and Synod personnel receiving such information in the course of their duties are themselves subject to this reporting obligation. Where a report involves a vulnerable adult, Synod personnel will assess whether a mandated report is legally required and will, in all cases, assist the complainant in reporting to the appropriate agency.

D. Initial Investigation of the Complaint

If the report appears credible and concerns misconduct that may be subject to discipline, the bishop or designee may conduct a prompt, discreet preliminary investigation, which may include additional interviews, review of Synod and ELCA records, and conversations with persons who may have relevant information. If a civil or criminal investigation is underway, the Synod may postpone its own investigation pending the outcome of governmental inquiries.

E. Conversation with the Rostered Minister

The bishop will meet with the accused rostered minister to provide information about the complaint (ordinarily without identifying the complainant at this stage) and to invite a response. The bishop will: (1) affirm that allegations will be addressed seriously and fairly; (2) explain the process and provide policy; (3) express care for all affected; (4) strongly discourage any contact with the complainant; and (5) invite the minister to secure an advocate. The bishop may, as appropriate, request temporary restrictions, leave of absence, resignation from call and/or roster, or initiate temporary suspension.

Pastoral care and counseling referrals may be offered, including for the rostered minister’s family. A Synod contact person will provide updates and respond to process questions.

F. Assess the Information

After considering all available information, the bishop will determine next steps, which may include: no further action; further investigation; psychological evaluation; negotiated resolution; requesting congregational action; convening a consultation or advisory panel; or initiating formal discipline. Circumstances may require adjustments as the matter progresses.

G. Consultation or Advisory Panel

At the bishop's discretion, a consultation or advisory panel (comprised of clergy and laypersons) may be appointed to assist with investigation, recommend pastoral/therapeutic resolutions, or advise whether to initiate discipline, consistent with Chapter 20 of the ELCA constitution and the Rules Governing Disciplinary Proceedings.

H. Formal Hearing (ELCA Disciplinary Process)

Disciplinary proceedings are governed by Chapter 20 of the ELCA Constitution and the Rules Governing Disciplinary Proceedings. The bishop, as accuser, may file written charges. A hearing committee considers evidence and determines findings and discipline. An alternative abbreviated process may be used when suspension sought does not exceed three months. Possible outcomes include private censure and admonition, suspension for a time or until conditions are met, or removal from the roster. Appeal processes are available as provided in ELCA governing documents.

I. Disclosure

Except in unusual circumstances, the Synod will disclose serious allegations or confirmed instances of misconduct to appropriate audiences. Disclosure promotes healing, encourages other victims to come forward, protects others, supports congregational health, and demonstrates transparency. Decisions will vary by case regarding who makes disclosures, to whom, and when. Typically, disclosure is made to congregational leadership, the current congregation, prior synods where the minister has served, and other appropriate church leaders. The Synod will safeguard the complainant's identity and avoid sharing identifying details. If allegations are denied, that fact may be noted.

J. Follow-up

The Synod will assist congregations and individuals affected by misconduct to secure appropriate pastoral care, counseling, and recovery resources. Synod personnel do not provide therapy or act as advocates, but will help connect parties with qualified resources and will guide congregations through processes of healing and continued mission.

K. Reference Materials & Implementation Aids

The Synod will maintain a reference resource that includes this policy, a concise summary for distribution, a current list of authorized report recipients, county-by-county reporting information for minors and vulnerable adults, and related ELCA documents and forms.

Appendix A: Reporting Obligations (Minnesota)

Rostered ministers and other mandated reporters must comply with Minnesota law regarding the reporting of suspected abuse or neglect of minors and vulnerable adults. When in doubt, report and consult with authorities. The Synod will assist complainants in making required reports.

See the Definitions section above for the distinct statutory bases and scope of the reporting duty for minors (Minn. Stat. § 260E.06) and for vulnerable adults (Minn. Stat. §§ 626.557, 626.5572), including the clergy-penitent privilege exception applicable to reports involving minors.

References

• ELCA Constitution, Bylaws, and Continuing Resolutions, Chapter 20 (Discipline).

• Definitions and Guidelines for Discipline for Rostered Ministers, Congregations and Members of Congregations (ELCA).

• ELCA Strategy for Responding to Sexual Abuse in the Church (1992).

• Minnesota Statutes § 260E.06 (Reporting of Maltreatment of Minors) and § 595.02, subd. 1(c) (clergy-penitent privilege).

• Minnesota Statutes §§ 626.557, 626.5572 (Reporting of Maltreatment of Vulnerable Adults).

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