

SYNOD POLICIES

OPERATIONS

#100 - BISHOP'S DISCRETIONARY FUND

There shall be established annually a fund in the amount of at least \$2,500 to be expended solely at the discretion of the Bishop.

#101 - EXECUTIVE STAFF

- A. Job Description:** The Bishop shall develop and the Synod Council shall approve job descriptions for all executive staff called by the Synod Council. Job descriptions shall be reviewed by the Council upon request of the Bishop.
- B. Calls/Appointments:** Calls or appointments shall be issued by the Synod Council upon the recommendation of the Bishop. A term shall be for not less than 2 nor more than 6 years.
- C. Evaluation:** The Synod Council shall provide for an annual evaluation of staff, such evaluation to be conducted between September and December 31 each year.
- D. Salary and Benefits:** Salary and benefits for the executive staff shall be established annually prior to January 1 by the Synod Council upon recommendation of the Bishop. In addition to the base salary, which includes housing, the following shall be considered as benefits:
1. The ELCA Pension and Benefits Package will be paid in full for each staff person. The Pension contribution rate will be at 12% of defined compensation.
 2. Vacation is earned at the rate of one month per year and vacation must be taken. Vacation may not be accumulated and employees will not be paid for vacation earned but not taken.
 3. The first 60 days of disability shall be paid by the Synod. Beginning with the 61st day of disability the employee will receive a monthly benefit equal to two-thirds of the employers defined compensation as coordinated by the ELCA Board of Pensions.
 4. Continuing education funds shall be provided at the rate of \$500 and three weeks per year for each staff person. These benefits may accumulate for up to three years. The Bishop must approve Continuing Education Plans for all synod employees and rostered staff persons must have a current GEM covenant on file with the Synod's Continuing Education Committee, before payment of the benefit may be received.
 5. A book allowance of up to \$200 per year is provided for each staff person. The book allowance may not be accumulated and is usually paid as a reimbursement of the staff person's out-of-pocket expense.
 6. The employer's share of Social Security benefits shall be provided for lay employees only.

7. Costs for room and board, registration and travel at the annual synod assembly and the annual pastoral conference for staff persons and their spouses shall be paid by the synod.
8. Funds shall be provided for the executive staff to attend the ELCA Churchwide assemblies provided their attendance is not funded from another source. Attendance at the Churchwide assembly is not mandatory. The decision to attend shall be at the discretion of the Bishop and the individual staff person.

E. Moving Expenses: The synod shall be responsible for moving expenses incurred by the executive staff within the following guidelines:

It is expected that the incoming new staff person being moved will do the majority of the packing. Costs up to \$350 will be provided for containers, cartons, and labor for packing and unpacking of breakable items by the moving company. Cost of insurance up to a valuation of \$2.00 per pound will be allowed.

Normally costs of transportation, meals, motel expenses will be allowed -mileage being paid at the rate allowed by the Internal Revenue Service.

Costs exceeding the above limits are the responsibility of the staff person. Unusual situations need to be discussed in advance. Normally shipping of boats, campers, pets, frozen foods, firewood, potted plants, etc., and second cars will not be allowed.

#101.1 - SYNODICAL SEVERANCE BENEFITS FOR SYNOD BISHOPS AND EXECUTIVE STAFF

PURPOSE:

These severance benefits are to be understood as providing support during the transition time prior to another call or employment. Severance benefits are not extended beyond such time when the individual begins work under call or finds other employment. Responsibility for notification of a call or other employment rests with the severance benefits recipient.

ELIGIBLE PERSONS:

The persons eligible for these benefits are bishops and executive staff members of the 65 synods of the Evangelical Lutheran Church in America who are either:

- Elected bishop of a synod of the Evangelical Lutheran Church in America, or
- Selected as synod executive staff

and whose office or employment by the synod was involuntarily terminated due to action of the synod by non-election of the incumbent synodical bishop, budget restraints, change of position functions, or resignation upon request of a newly elected bishop.

Disability is not covered under these provisions, since disability is covered under the provisions of the Disability Benefits Plan of the Board of Pensions.

Persons planning retirement and, therefore, voluntarily declining election or appointment, are not eligible for these severance benefits.

Eligible persons will be hereinafter referred to as severance benefits recipients.

EFFECTIVE DATE:

This severance benefits policy is effective as of December 1, 1989.

BENEFITS:

The severance benefits shall:

- Be effective for the severance benefits recipient who has served at least one full term as bishop or, normally, in the case of other executive synodical staff, who has served a term concurrent with the bishop's term of service.
- Begin upon vacating the synodical office or position and following the period covered by earned vacation which was unused at the time of the termination.
- Be paid on the recipients' regular pay periods.
- Be three months of benefits.

AMOUNT OF BENEFITS:

Benefits recipients will receive:

- Current monthly compensation (salary and housing).
- Participation in the ELCA Board of Pension Plans - pensions at the designated rate, Survivor Benefits Plan, Major Medical/Dental Benefits Plan, and Disability Benefits Plan for the months of severance benefits.

Following the expiration of the severance benefits, benefits recipients may retain their participation in the Survivor Benefits, Major Medical/Dental Plan, and Disability Plan at their own expense according to the provisions of the applicable plans. Solely for the purpose of determining rights to continue benefits under those plans, the benefits recipient's termination of call/employment will be deemed to occur on the date severance benefits cease.

In case of a difference of opinion in interpretation of this Severance Benefits Policy, the synod council will make the final disposition.

#102 - SUPPORT STAFF

- A. Employment:** Job descriptions, annual evaluation, work schedules, office hours and holiday schedules shall be the responsibility of the Bishop or his designate.
- B. Salary and Benefits:** Salary for support staff persons shall be determined annually by the Bishop and the Administrative/Finance Assistant to the Bishop within the guidelines of the approved budget.

The following shall be considered as benefits.

1. The ELCA Pension and Benefits package will be paid in full for each staff person working 30 hours or more per week. The pension contribution rate will be at 12% of salary.
2. Vacation is earned at the following rate: Two weeks vacation per year, three weeks after three years, four weeks after five years. Vacations must be taken in the year earned. Vacation may not be accumulated. Employees will not be paid for vacation earned but not taken except that the present year's accrued vacation will be paid when employment is terminated.
3. Twelve days sick leave is earned per year. Sick leave may be accumulated up to three years (36 days).

4. Termination of employment shall be 15 days' notice by employer or employee.
 5. Continuing education is \$500 per year and 3 weeks leave. These benefits may accumulate for up to three years. The Bishop or his assistant must approve continuing education plans for all synod employees and rostered staff persons must have a current GEM covenant on file with the Synod's Continuing Education Committee, before reimbursement may be granted.
 6. Up to five days a year will be granted for personal time off. (Death in immediate family, ill child, etc.)
- C. Leave Without Pay:** Leave without pay may be granted to an employee for personal reasons after due consideration has been given to the work requirements of the office. Service credit and other benefits do not accrue during absence of one month or longer, nor can there be any promise or guarantee that the same position will be available upon return from such leave.
- D. Maternity Leave:** Normal period for maternity leave shall be considered six weeks. Any additional time granted beyond this period shall be treated the same as leave without pay. Maternity leave will begin when the personal doctor or pediatrician will no longer provide a written statement that the employee can work without endangering other employees or herself during the pregnancy.

Child **rearing**, as distinct from child **bearing**, may be granted to either the father or mother for up to six months. The provision for "Leave Without Pay" will prevail.

#103 - STAFF EXPENSE REIMBURSEMENT

The cents per mile reimbursement rate shall be established annually by the Synod Council and shall correspond to the IRS-approved cents per mile for that year. The Southwest California Synod may provide cars (either leased or purchased) for Executive Staff members provided it does not increase the cost of staff travel to the synod. Providing leased or purchased automobiles means that the synod is responsible for the cost of the auto, insurance, maintenance, and gas and oil. The staff person will reimburse the synod for personal miles driven on a monthly basis.

All necessary and normal expenses incurred by the Executive Staff in carrying out the functions of their position shall be reimbursed in full by the synod, (i.e. meals, lodging, taxis, air travel, etc.)

Guidelines for reimbursable meal expenses is as follows:

Breakfast, up to \$8.00
Lunch, up to \$10.00
Dinner, up to \$18.00

Vouchers submitted charging expenses beyond these allowances should carry an explanation.

#104 - MINISTRY BOARDS

- A. Membership:** Membership on the Ministry Boards of the Synod shall include one member from each of the nine Conferences, *elected* by the Conference at the Spring Conference Assembly; a representative from the Synod Council *appointed* by the Council; and a Synod Staff person *appointed* by the Bishop. Persons are *elected* to a two-year term and are eligible for one re-election. *Initial elections* shall be made in such a way that one-half of the members will serve for one-year and one-half of the members shall serve a two-year term. The one-year term shall be considered a full term.
- B.** The chairperson of each Ministry Board shall be elected at the first Board meeting each year from among the *elected* members of the Board. The chairperson shall serve for one year and is eligible for two re-elections.
- C. Expense Reimbursement:** Travel reimbursement to meeting of Boards, Task Forces, Committees and Synod Council meetings shall be paid according to the following guidelines:
1. No reimbursement shall be paid for the first 50 miles (100 miles round trip) to the meeting site. Travel by auto beyond 100 miles shall be reimbursed as follows:

Member driver	.15
1 Member passenger	.20
2 or more Member passengers	.25
 2. Reimbursement for meals not to exceed:

Breakfast	\$ 8.00
Lunch	\$10.00
Dinner	\$18.00
 3. Receipts in support of expense vouchers will be required for the following:
 - Hotel/Motel accommodations
 - Airport Parking
 - Taxi or bus fare
 - Postage in excess of \$5
 - Office supplies: paper, stencils, copy service, etc.
 - Telephone calls in excess of \$2
 - Airfare
 - Car rental
 - Miscellaneous expenses

#105 - APPEALS TO CONGREGATIONS

The Synod Council gives consent to each of the institutions and agencies related or affiliated with the Synod to appeal to congregations of this Synod once each year for the purpose of raising non-capital funds designated for that particular agency or institution.

The following guidelines for conducting special appeals shall be the policy of this Synod:

1. All special congregational appeals for support of the Synod's agencies and institutions outside of the Southwest California Synod budget be channeled through the local congregation, who in turn remits monies received to the Synod, as a designated gift, for forwarding to the institution or agency.

2. No direct mail offering envelopes shall be provided by the agency or institution for use by congregations in special appeals.
3. Promotional materials for the special congregational appeals provided by the agencies and institutions of Synod encourage and promote the channeling of special financial gifts through the congregation and Synod.
4. Agencies and institutions are encouraged to develop a common envelope for use by congregations in these special appeals.
5. Each congregation is urged to make available to its membership the opportunity to contribute to the designated causes authorized by the Synod and the Churchwide expressions of the Church.
6. A letter shall be sent annually from the Office of the Bishop identifying those institutions and agencies that are officially related or affiliated with the Synod and, therefore, worthy of inclusion in the budget of congregations and/or for support through a special offering during the year.

#106 SYNOD EMPLOYEE HANDBOOK
Available on request from the Synod Office.

107 - SABBATICAL GUIDELINES FOR ROSTERED LEADERS

Board for Rostered Ministries February 19, 2005

A. BACKGROUND

1. The Scripture points to the renewing power of “Sabbath time.” We usually think of Sabbath as the seventh day of creation when God finished creating and rested. More than an after thought of creation, the Sabbath is a gift from God of rest, renewal and hope. In today’s busy life, God comes again and again offering rest and refreshment for the soul.
2. The first books of Scripture speak of “Sabbath” days and years. Even the land was given a Sabbath when it was left to lie fallow and replenish itself.
3. Sabbaticals allow for possible new directions. Jesus’ forty days in the wilderness marked a turning point in his ministry. Moses’ time spent tending sheep helped change his perspective on life. David tended sheep, too, and learned valuable lessons about God’s care and provision. Paul struck down on the road to Damascus, disappeared into the desert of Arabia for three years and emerged with a new vision.

B. DEFINITION OF A SABBATICAL

1. A sabbatical is understood to be a time of release from normal duties in order that a rostered person may devote time to study and renewal. This is beneficial to the maturing staff person, as it also brings benefits to the congregation and the church as a whole.
2. Any place the word “congregation” is used, the terms “employer” or “agency” or Synod could also apply.

3. A sabbatical is not to be confused with continuing education which entail study opportunities of shorter duration and with much greater frequency. A sabbatical is at least a three-month period devoted to the rostered person's intellectual, spiritual and vocational growth and renewal.

C. PURPOSE OF A SABBATICAL

1. A sabbatical should provide stimulation for rostered persons to continue their mental and spiritual growth by contact with scholars, teachers, pastors, and others, so as to be competent in their ministries.
2. A sabbatical will provide strong leadership for the churches through rostered people who are kept abreast of new developments and stimulated to effective ministries.
3. A sabbatical nurtures and feeds the body and soul for renewed ministry. Hope builds on the dreams that God awakens in his people as they walk in pilgrimage with him, and it renews them to lead again the people committed to their charge.
4. Since the congregation and the church are ultimately enriched by the rostered person's sabbatical, it is desirable that there be shared planning with the rostered person's Staff Support Committee or Congregational Council. In the situation of a rostered person on Synod staff, the shared planning should be between the person and the Synod Bishop.

D. ELIGIBILITY AND LENGTH OF LEAVE

1. Rostered persons shall be eligible for a sabbatical and renewal time of at least three months every seven years in their present call. For rostered persons involved in the First Call Theological Education Program, this seven year period begins upon completion of that program.
2. Recipients of sabbatical opportunities will return to their ministry setting for at least a year after the leave, unless noted otherwise in the shared planning with their Staff Support Committee or Mutual Ministry Committee and Congregation Council. In the case of the Synod staff this should be done in consultation with the Synod Bishop.
3. Vacation time and Continuing Education time are not included as sabbatical but are granted as in any other year. Variations from the three-month sabbatical are to be approved by the congregation agency, or Synod Bishop in case of Synod staff.

E. GUIDELINES

1. A sabbatical should be intentional but allow enough freedom to change direction or let go of an old dream if a new vision emerges while planning. Sabbatical planning should take place at least one year prior to a sabbatical.
2. The best sabbaticals usually are more open-ended than rigid allowing for the surprises and the new directions that may come in the planning.
3. An experience of renewal is the hope of most everyone who takes a sabbatical. But creating such an experience requires more than luck, it takes imagination and planning and willingness to be surprised by God.
4. The plan and program should be one's own. Do not borrow or try to repeat or duplicate another's plan or program.
5. In terms of current job responsibilities, planning should always be in consultation with congregation council and Bishop while the rostered person is on sabbatical.

F. PROCEDURE

1. Rostered persons of the Synod shall submit in writing a plan for study and renewal to their Staff Support Committee and Congregation Council or employer or in case of the synod staff, with synod Bishop, at least six months before the program is to begin. The plan may include formal study at a seminary or university, a quarter of Clinical Pastor Education, independent study and travel, or a combination of the above. The proposal is to be in consultation by both the rostered person's Staff Support Committee, Mutual Ministry Committee, Congregation Council or employer and receive their endorsement.
2. The rostered person will submit a brief written report and evaluation of the sabbatical to the Staff Support Committee, Mutual Ministry Committee or Congregational Council or employer or Synod Bishop, in case of Synod staff, within a month after completing the program.
3. It is recommended that the Letters of Call shall include a statement that congregations grant financial support and support in principle to the sabbatical program.
4. Information shall be sent annually to the chairperson of each congregation and each pastor of the Synod encouraging the use of the sabbatical program. This information shall be placed on the agenda of each Congregation Council for discussion. The Board for Rostered Ministries will encourage each rostered person, congregation and the Synod to study and consider the implication of a sabbatical fund.
5. The Evangelical Lutheran Church in America looks to its rostered persons in ministry to be educated and dedicated servant-leaders. To become such a church is an ongoing challenge. A sabbatical program is one means by which rostered persons and the Staff Support Committees and Congregation Councils can work together to strengthen both ministry and the church's mission.

The Board and the Synod will attempt to provide non-financial resources in implementing a sabbatical program.

H. COVERAGE AND COSTS DURING SABBATICALS

1. During the sabbatical the rostered person shall receive from the congregation or employer the equivalent of their current base salary and congregation/employer salary; 100% of housing allowance; 100% of pension and medical-dental benefits; all other compensation and benefits remain unaffected.
2. The congregation or employer is responsible to provide for interim ministry during the sabbatical. Increased use of lay members or collegial coverage is recommended. This may be done by an employed pastoral leader or lay congregational leadership.
3. The rostered person on sabbatical will be responsible for the costs of tuition, books, supplies, travel and living expenses while on sabbatical, unless congregation or employer chooses to contribute to these.

SYNOD ASSEMBLY**#200 - ASSEMBLY DISPLAYS AND EXHIBITS**

Authorization for setting up displays and exhibits, and for placing posters, announcements, etc., at assemblies of the Southwest California Synod shall be limited to those agencies or groups who are organically within the structure of the Synod or the ELCA, or are direct beneficiaries of the

synodical or churchwide budget. Exception to this policy regarding displays and exhibits will be allowed only by Synod Council action. The selling of goods or services is not allowed with the one exception that Augsburg Fortress Publishers will be permitted a commercial display area.

#201 - DISTRIBUTION OF MATERIALS

All materials for distribution to voting members at the Synod Assembly should be in the synod office not later than ten working days prior to the opening of the assembly. The synod secretary is responsible for distribution of all materials.

After the assembly is in session, permission to distribute materials must be secured from the Committee on Reference and Counsel.

#202 - PROCEDURE FOR RESOLUTIONS TO THE SYNOD ASSEMBLY

(Amended by the Synod Council - 2007)

The Synod Assembly Committee on Reference and Counsel shall be appointed by the Bishop prior to October 1 of each year. The appointment shall be for one year (October to October). It is recognized that members appointed to the Committee on Reference and Counsel might not be voting members to the next year's Synod Assembly.

Resolutions may come from any institution, agency, synod ministry board, coalition, congregation, or individual and must bear the signatures of at least five people who are members of the Southwest California Synod. The resolutions shall be given in writing to the Committee on Reference and Counsel by 60 days prior to the start of the Synod Assembly each year.

All other resolutions not received by the Committee on Reference and Counsel by 60 days prior to the start of the Synod Assembly shall be placed on the assembly agenda as new business only and would require a two-thirds vote of voting members requesting the resolution be put before the assembly before it may be considered.

Resolutions not considered by the Synod Assembly will be referred to the Synod Council for consideration.

#300 - CHURCHWIDE ASSEMBLY VOTING MEMBERS

Voting members to the Churchwide Assembly shall be elected "at-large" by the Synod Assembly. The Synod Bishop and the Synod Vice-President are automatic voting members to the Churchwide Assembly.

The Synod Nominating Committee shall solicit and receive the names of the suggested nominees and prepare a nominating ballot for the Synod Assembly. The Nominating Committee, at its discretion, may nominate persons other than those submitted by congregations. In preparing the slate of nominees the Nominating Committee will be cognizant of the geographical distribution of the nominees and the inclusivity guidelines of the Church.

Additional nominations for voting members to the churchwide assembly may be made from the floor of the Synod Assembly.

#301 - CHURCHWIDE ASSEMBLY

Members of the Executive Staff of the Synod may not serve as voting members to the Churchwide Assembly.

#400 - SYNOD INVESTMENT POLICY

- A. The Synod holds investments for the purposes of keeping synod resources safe while deriving some income from them until the time is ripe for them to be used for their intended purpose and (2) as permanent or semi-permanent endowments for some of our ministries. In either case, good Christian stewardship demands that all funds be invested prudently; while a high return on investment is desirable, it is more important that risk be kept at a moderate level. At no time should investments be made in anything riskier than second mortgage loan funds.
- B. Occasionally funds are received from donors with restrictions placed on them. Such restrictions should always be honored even if they require economically unsound use of resources. When donors' wishes are expressed as preferences rather than as restrictions, they should be followed so long as they are reasonable. We believe, however, that Christian stewardship can best be practiced when there is freedom to use the best judgment in the circumstances. Donor restrictions should be discouraged whenever possible. Whenever funds come to the synod with restrictions that are contrary to good conscience, the Synod shall refuse to accept them.
- C. We must remember that the synod exists to glorify God and to carry on God's work. John the Baptist's words, "*He must increase, but I must decrease*" (John 3:30) apply to church bodies, such as our synod, as much as to individuals. Our investment goal therefore is to increase the resources devoted to God's work, rather than to increase the resources devoted to synod's work. We think therefore that it is proper that funds should be invested in the ELCA Mission Investment Fund and/or in similar ways, even if a somewhat higher or safer return might be obtained from commercial or governmental sources such as Federally insured accounts/funds.
- D. As Christians we are called upon to live boldly in a world full of dangers, but we pray God to deliver us from temptation because we should take moral risks only in the pursuit of some clear vision of God's kingdom. Certain businesses and certain business practices, are either inherently immoral, gravely questionable, or fraught with serious moral risk. The Synod shall not engage in such businesses or business practices. Investments will be made in conformity with the social, ethical and moral statements of the Synod and ELCA.
- E. It shall be the policy of this Synod to convert all gifts of stocks and bonds to cash upon receipt or as soon as possible if restricted by donor.
- F. The Synod Council grants to the treasurer of the synod full discretion, subject to its review, in the application of this policy. Whenever the treasurer is unsure in the application of this policy, he or she should bring the matter before the council.

#401 - FINANCIAL POLICIES AND BUDGET BUILDING PROCESS**#401-a FINANCIAL POLICIES**

- A. There shall be a Finance and Budget Committee composed of the chairpersons of each Ministry Board, the synod treasurer (who shall serve as chairperson of the committee), and 2 members of the synod council, appointed to serve a one-year term.
- B. The Bishop and the Assistant for Administration and Finance shall serve as staff resource to the Finance and Budget Committee.

- C. All Conference Assemblies and other Conference sponsored events shall be self-supporting.
- D. Budget allocations for sub-committees will be assigned to the Ministry Boards that they relate to. Ministry Boards will authorize all sub-committee expenditures.
- E. When there is a disagreement regarding funding allocations between a sub-committee and a Ministry Board, the sub-committee may request a “review” by the Finance & Budget Committee.
- F. Ministry Boards shall review budget requests from institutions and agencies, which they relate to and shall submit funding recommendations for each to the Finance and Budget Committee.
- G. The Synod Council budget line item shall include funds for all standing committees and special task forces and committees of which the executive committee has oversight.
- H. Any proposal for new ministry, including staffing and programmatic needs, which is submitted to the Finance and Budget Committee for recommendation to the Synod Council shall include a fully developed plan for expenditures and a plan indicating the source of funding.
- I. When an Assembly adopted synod Budget requires revision, the Finance and Budget Committee shall make recommendations to the Synod Council who will authorize a revised “Spending Plan”.
- J. Immediately following the adoption of a revised “Spending Plan” the chairpersons of each Ministry Board will notify the sub-committees and institutions/agencies that are affected by the budget revisions informing them of any amendments to their line item.

#401-b BUDGET BUILDING PROCESS

- A. Sub-committees/task forces submit their budget needs to the Ministry Board to which they relate no later than December 31 each year.
- B. Ministry Boards review all sub-committee requests and submit a total Ministry Board budget request (including funding for sub-committees) to the Finance and Budget Committee no later than February 1 each year.
- C. Ministry Boards review budget requests from institutions and agencies, which they relate to and submit recommendations for funding to the Finance and Budget Committee by February 1 each year.
- D. The Stewardship and Financial Support Committee shall make recommendations to the Finance and Budget Committee regarding the percentage of undesignated Mission Support receipts, which are shared with Churchwide.
- E. The Finance and Budget Committee shall confer with the Stewardship and Financial Support Committee to establish the dollar amount of the anticipated yearly Mission Support receipts from congregations.
- F. The Personnel Committee, in consultation with the Mutual Ministry Committee, shall recommend to the Finance and Budget committee annual salary adjustments for Synod Staff.
- G. The Assistant to the Bishop for Administration and Finance shall recommend annually to the Finance and Budget Committee the dollar amount for the line items in the Administration section of the synod budget.
- H. By March 1 each year, the Finance and Budget Committee prepares a First Draft of the following year’s budget for Synod Council review.

- I. The Synod Council reviews and approves the final draft and recommends its adoption to the Synod Assembly.

#500 - SEXUAL HARASSMENT

POLICY: It is the policy of this Synod to maintain a work place free of any form of sexual harassment or sexual intimidation. Sexual harassment is an illegal form of discrimination, a violation of professional ethics, unacceptable behavior for Christian persons, and is subject to appropriate disciplinary action.

DEFINITION: Sexual harassment includes, but is not limited to: unwelcome and unsolicited sexual advances, requests for sexual favors, discriminatory tormenting or persistent and offensive jokes or comments based on gender or sexual orientation, or other undesired verbal, visual, or physical conduct of a sexual nature. Sexual harassment is distinguished from voluntary sexual relationships by the introduction of the elements of coercion, threat, or unwanted attention. In particular, sexual harassment occurs when a person:

- (a) subjects another person to unwanted sexual attention;
- (b) attempts to coerce another person into a sexual relationship;
- (c) punishes, or threatens to punish another person for refusal to comply with demands of a sexual nature;
- (d) indicates that sexual favors are terms or conditions for participation in the work environment;
- (e) indicates that sexual favors may, in any way, enter into performance evaluation;
- (f) engages in conduct of a sexual nature which has the purpose or effect of unreasonably interfering with an individual's performance or creating an intimidating, hostile, or offensive work environment.

#600 - EDITORIAL POLICY FOR PUBLICATIONS OF THE SOUTHWEST CALIFORNIA SYNOD

(These policies of the Synod Communications Commission may also serve as guidelines for the publications of other entities within the Synod.)

1. All official publications of the Southwest California Synod which fall under the jurisdiction of the Synod Commission for Communication will be identified: "An official publication of the Southwest California Synod of the Evangelical Lutheran Church in America."
2. Each issue will furthermore contain the name of the persons responsible, whether editor or producer, as well as the words "Published [or produced] under the auspices of the Synod Commission for Communication. Permission to quote or reproduce portions of this publication is granted provided the source is identified."
3. Publications of other organizations within the synod should be clearly identified as to who has produced them.
4. An address through which the editor or producer can be reached shall also be given in each issue.

5. All reasonable efforts shall be made to distinguish news stories from opinion pieces or editorials.
6. All editorials and letters to the editor shall regularly be signed. In cases where anonymity is requested, the name and address of the writer must be known to the editor or the article will not be printed.
7. News items shall usually concern the doings of members, congregations, organizations or staff of the Synod, as they carry out the purposes of the ELCA. Occasionally, items may be of interest to the Synod where members receive honors or outside organizations work with, benefit or are benefited by Synod persons, agencies or congregations. The reporting of news will not constitute Synod endorsement of the activities reported.
8. Editorials and letters to the editor will express the opinions of the authors and not necessarily reflect the positions of the ELCA, the Synod or the Commission for Communication. A statement reflecting this policy will be made along with such items.
9. Every effort consistent with ELCA guidelines will be made to reflect the ethnic and cultural diversity of the Synod in its publications, including the use of languages other than English, inclusive photos and illustrations, and non-sexist terminology.

#601 - GUIDELINES FOR ACCEPTING ADVERTISEMENTS IN SYNOD PUBLICATIONS

Advertisements appearing in publications authorized by the Communication Commission shall be limited by the following:

- a. No ads will be carried for items deemed injurious to health, such as alcohol, tobacco or firearms;
- b. No publication will consist of more than 30% ads;
- c. All ad revenue will offset the cost of the publication;
- d. No “help or job wanted” ads will appear in the Synod Supplement to *The Lutheran*;
- e. No ads soliciting gifts to non-Lutheran organizations will be accepted;
- f. Advertisements in conflict with Lutheran organizations or agencies recognized by the synod shall not be accepted; and
- g. All ads will be in “good taste,” and refrain from exploitation of any segment of our society.

#700 - ACCESSIBILITY OF MEETING FACILITIES

It is the policy of this Synod that all meetings of the Synod, its Council, Coalitions, Task Forces, Conferences, Boards and Committees, including meetings scheduled by the synod in behalf of churchwide or deployed staff, shall be in rooms, buildings, facilities, etc., that are easily accessible to the differently-abled. If diligent search determines that no such accessible location is available, the lack of such accessibility shall be prominently noted in each announcement of the meeting and location.

Exceptions to this policy shall be allowed when all those who are expected to attend a meeting, including visitors and observers, are known by name in advance, and are known to be able-bodied.

#800 - MISSION PARTNER GUIDELINES

All requests for Mission Partner Funding must be reviewed by the Bishop, Mission Director, Mission Partner Coordinator and the Conference Ministry Coordinator for the particular conference where the Mission Partner Receiver (congregation) is located before being approved by the Mission Partner Committee.

The following process must be adhered to:

1. A Mission Partner Receiver makes the need for assistance known in writing to the Mission Director and the Mission Partner Coordinator. The written request must have congregational approval.
2. A meeting between the Mission Partner Receiver, the Mission Director, the Mission Partner Coordinator, Deployed Staff, and the Conference Ministry Coordinator will be held for the purpose of developing a mutually acceptable planned strategy for how best to proceed with the request. The meeting will clarify the scope and limitations of the planned strategy.
3. The Mission Partner Committee will review the request, including the planned strategy, before granting approval to the Mission Partner Receiver.
4. The Bishop, Deployed Staff, Conference Leadership Team and Board for Outreach will be notified of the request approval and planned strategy.

#900 - GUIDELINES ON COOPERATIVE MINISTRIES

The Synod Council and the Office of the Bishop have oversight responsibility for the ministries on the territory of the Southern California West Synod. For this reason, when new ministries are planned, and when existing congregations consider relocation or mergers/shared ministries involving changes in the present locations, early consultation among all partners locally, conference, synodical, and churchwide is essential. The Synod Council needs to give final approval to any such changes and the Bishop needs to approve any changes in the call/contract arrangements regarding the clergy who serve in these situations. The synodical Board for Outreach has the responsibility to conduct the studies and initiate the proposals for new ministry starts on the territory of this synod in cooperation with the Churchwide Division for Outreach of the Evangelical Lutheran Church in America and the synod council. When existing ministries are considering relocation as part of merger/cooperative plans, these same partners need to be consulted and approval given before such actions are finalized.

Factors to be considered when ministries enter into discussions about cooperation or merger:

- 1) How will the cooperative efforts and/or merger enhance the ministry of and outreach of the congregations involved? What factors within the congregations and in the communities they serve suggest that this is the best strategy for the future as well as the present? Both the positive and negative effects of such proposed efforts should be examined and described in any plan for cooperation and/or merger.

- 2) What professional staff is necessary to best implement these plans? How will the present called staff of congregations be affected by such a plan? What provisions are made in the planning to deal with staff, present and future?
- 3) What considerations have been given to the present and future community dynamics around the affected churches? What groups of peoples are being considered in these plans and which might be ignored and why? How can a plan be developed which affirms the stages necessary to accomplish the short term and long range goals?

The questions above will serve as a partial guide to those persons who begin such discussions. It is imperative that written reports of such discussions be submitted to the synod office for consideration by the synod council prior to the request for final approval of such mergers/cooperative ministries.

#901 - ASSESSMENT OF VIABILITY OF CONGREGATIONS

S13.24 “If any congregation of this synod has disbanded, or if the members of the congregation agree that it is no longer possible for it to function as such, or if in the opinion of the Synod Council the membership of a congregation has become so scattered or so diminished that it is necessary for the synod to protect its property from waste and deterioration, the Synod Council itself or through trustees appointed by it, may take charge and control of the property of the congregation to hold, manage, and convey the same on behalf of the synod. The congregation shall have the right to appeal the decision to the Synod Assembly.”

It shall be the policy of this Synod that when a congregation, in the opinion of the Synod, has so diminished in size and resources that it appears that it can no longer meet the requirements outlined in the “Criteria for Viable Congregations”, the Synod Council shall request the Conference Leadership Team of the Conference in which the congregation is located, to meet with the congregational leadership to review the “Criteria for Viable Congregations” document and request that the congregation respond in writing to the Synod Council and Conference Leadership Team, explaining in detail how the congregation is fulfilling Items A through G of the document.

Representatives from the Synod Council, the Conference Leadership Team and the Congregation shall then meet together to ascertain if the congregation’s ministry fulfills the “Criteria for Viable Congregations” or if, in their judgement, the Synod should “take charge and control of the property of the congregation...” as authorized in S13.24.

#1000 - STATEMENT REGARDING SEXUAL MISCONDUCT BY ROSTERED MEMBERS OF THE CHURCH

December 12, 1998

I. INTRODUCTION

The Southern California West 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, and respect 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.

A. Definitions

1. "Sexual Misconduct." Federal and state law 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 rostered person being disciplined. This policy is intended to address those types of sexual misconduct that may lead to discipline of a rostered person under Chapter 20 of *Constitutions, 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 rostered person. The Synod is concerned about all types of sexual misconduct by these persons, 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 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.

It should be noted that the Synod may not be able to assume primary responsibility for addressing all allegations of sexual misconduct. For example, if a rostered person who is working in 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; the law may prevent the Synod from interfering in the situation.

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 person." As used in this Statement of Policy, "rostered person," includes ordained persons and rostered laypersons such as associates in ministry, deaconess, and diaconal persons. 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.

B. 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 rostered person sexual misconduct. Each ELCA congregation calls its own rostered person, determines its rostered person's duties and responsibilities, supervises its rostered person's day-to-day ministry, and decides whether to terminate its rostered person's call. The Synod has neither the authority nor the ability to make those decisions for a congregation. Obviously, then, the Synod cannot be a safe place unless every one of its member congregations shares its commitment to preventing rostered person 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 rostered person sexual misconduct. 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 Rostered*

Person Sexual Abuse is available from the ELCA Division for Ministry and from Augsburg Fortress Publishers, Order Code 69-8110. This is a useful resource for congregations in addressing this issue.

C. 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 rostered person sexual misconduct invariably create an acute need for such care and leadership. Second, rostered persons who commit sexual misconduct may be disciplined, leading to possible removal 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.

Every report of rostered person 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 rostered person sexual misconduct. It will not be appropriate or even possible for the Synod to follow this approach in every case. The Synod reserves the right to depart from this Statement of Policy at any time and for any reason.

When the Synod provides pastoral care and leadership in the wake of rostered person sexual misconduct, it is performing acts of ministry. The freedom of the Synod to decide for itself how God has called it to person to those harmed by sexual misconduct is a precious one that is constitutionally protected from governmental interference. The same is true of the Synod's freedom to decide who will be on its roster, 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 legal rights or responsibilities.

In every sexual misconduct case, the bishop and his or her staff will attempt to provide pastoral care to the victim of the misconduct, the victim's family, the rostered person who allegedly committed the misconduct, the rostered person's family, members of the rostered person's present and/or former congregation(s), the rostered person's 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.

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 rostered person sexual misconduct. This Synod has decided to incorporate those nine elements as follows:

A. Adequate Preparation

The Synod is committed to preventing rostered person sexual misconduct in the following ways:

First, the Synod will not tolerate rostered person sexual misconduct. The Synod will make that clear in educational opportunities that it provides, in the manner in which it responds to reports of sexual misconduct, in discussions that it has with seminarians and others who seek to join its roster, and in its public and private statements regarding this issue.

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

Finally, the bishop and the bishop's 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. As the Synod's understanding of this problem changes, its Statement of Policy and educational efforts may 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. Initial Contact – First Response

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

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 other people listed in the attachment. Those people – include men and women, rostered persons; 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 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 misconduct.

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 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 will be invited to contact an advocate and to be accompanied by the 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.

After a report of rostered person sexual misconduct 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. This interview may occur through a combination of meetings, calls, and correspondence. 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 what she or he is seeking in coming forward and 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.

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, in unusual circumstances, the fact that the bishop or bishop's designee is responsible to the Synod may require that he or she act contrary to the wishes of the complainant. Finally, the identity of the complainant may 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 and/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.

C. 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 rostered person 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, the ELCA, or an entity affiliated with the ELCA; or (3) interviews of former bishops of the rostered person, those who served as assistants to former bishops of the rostered person, rostered persons who succeeded the rostered person at congregations that he or she served, rostered persons who served on the same staff with the rostered person at congregations that he or she served, rostered persons 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; or (4) persons identified by the complainant, or friends, family members, rostered persons, or counselors of the complainant.

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 rostered person did not commit sexual misconduct, that conclusion will be communicated to those who were contacted by the Synod in the course of its preliminary investigation.

D. 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 with the complainant. If the bishop must meet alone with the rostered person, the bishop will clarify that the meeting 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 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.

Depending upon the circumstances, the bishop may ask the rostered person to voluntarily agree to certain restrictions upon his or her ministry – such as agreeing not to have contact with children – 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. Finally, the bishop may ask the rostered person to resign his or her call or from the roster of the ELCA. The bishop cannot force the rostered person to resign. Only a discipline hearing committee can remove the rostered person from the ELCA roster.

The bishop or bishop’s designee will discuss with the rostered person his or her needs for pastoral care and 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 advocate, pastor, or counselor to the rostered person or the rostered person’s 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.

E. 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. Among options available to the bishop are the following: no further action; further investigation; requesting the rostered person to undergo a psychodiagnostic evaluation; requesting the rostered person’s congregation to take some action; convening a consultation or advisory panel; or initiating the formal disciplinary process.

F. Consultation or Advisory Panel

Reports of sexual misconduct always present a bishop with difficult decisions. To assist him or her in making these 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 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* (Nov. 20, 1995). Both of these documents are available from the Synod.

Essentially, a consultation or advisory panel is a small group of rostered persons 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/or 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 rostered person's denial of the report appear credible, and no one but the complainant and the rostered person can know for certain who is being truthful. The consensus of a panel may be the best indicator of who to believe.

G. 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* is available from the Synod.

To briefly summarize the disciplinary process, generally, the bishop will initiate the proceedings against a rostered person by filing written charges setting forth the offense that the rostered person is accused of committing – e.g., "the sexual abuse of another" – and the alleged facts supporting the charge – e.g., the name of the person that the rostered person is alleged to have abused and the date, place, time, and other circumstances of the alleged abuse. A committee of twelve persons is appointed to hold a hearing on the charges. The hearing resembles a court trial. 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. A bishop generally will not initiate formal disciplinary proceedings unless the complainant agrees to testify against the rostered person. The governing documents for the ELCA provide for certain rights for the accuser, the accused, and the complaining witnesses.

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 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 (except under the alternative process described in the preceding paragraph) are private censure and admonition, suspension

from the rostered person roster of the ELCA for a designated period of time or until the rostered person complies with specified conditions, or removal from the ELCA roster. The discipline hearing committee's decision is generally made about four months after charges are filed.

H. Disclosure

Except in unusual circumstances, the Synod will disclose all serious allegations of rostered person sexual misconduct. Although disclosure can increase the short term pain caused by rostered person 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 Church 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. Disclosure of rostered person's sexual misconduct will be made to the leadership of the rostered person's congregation, the members of the rostered person's present congregation, the members of the rostered person's family, and other rostered persons within the Synod. All rostered persons, who are considering a call or employment within a congregation where sexual misconduct has taken place, will be informed by synod staff of such circumstances, prior to making a decision to accept a call or offer of employment. In some situations, wider disclosure to previous congregations or even to the news media may be made as well.
2. Disclosure will be made when (1) the rostered person admits to committing sexual misconduct; (2) the rostered person resigns his or her call or from the rostered person 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.
3. The synod intends to work closely with the congregational leaders regarding appropriate disclosure to the members of the congregation. Disclosure to the members will usually be made by one or more of these leaders or by the bishop.
4. To protect the privacy of those harmed by the misconduct, 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 has 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 others who have agreed to be available to those persons.

I. Follow-up

The Synod will work with congregations and others to help ensure that care and support are available to those harmed by rostered person sexual misconduct. As noted above, the Synod cannot provide this care itself, but it will assist the primary and secondary victims of sexual misconduct to find resource persons and materials that might help them on their journey to healing.

#2000 - INSTITUTE FOR MINISTRY IN CHANGING COMMUNITIES**Introduction**

After a year of careful planning, the Southern California West Synod is ready to establish an Institute for Ministry in Changing Communities and launch an extensive new educational program designed both to equip lay persons for their work of ministry and to offer pastors supplemental resources to enrich their ministries. The Institute has been designed to support congregations and leaders alike as they courageously serve our Lord Jesus Christ in communities undergoing changes and growing in diversity.

The Institute is identified as one of seven mission goals in the document presented for action by the 1999 Synod Assembly entitled, "Mission Goals at the Dawn of the New Century." It is to serve as the educational wing of the Synod, providing various kinds of resources, workshops, and seminars. In addition to offering basic seminars in biblical studies, Lutheran heritage, and practical skills of ministry, it will offer workshops that address changing economic, cultural and ethnic realities within our communities. Classes will be funded from various sources, including registration fees.

In order to meet these needs the Institute will initially be developed to offer three tracks of educational services: one to support the ministry of the laity, a second to support Synodically Authorized Lay Ministries, and a third to serve both lay and ordained rostered leaders.

1. Ministry of the Laity

Individual Christians, witnessing in word and in deed, are the light of the world. The Institute will address the need of the people of God for biblical education and theological reflection, which support ministry in everyday circumstances and situations within diverse and changing communities.

The heart of the Institute's educational program is a sequence of six introductory Core courses to be offered annually: "The Promised People" (the Old Testament), "The Promised Blessing" (the New Testament), "This is Our Story" (Church History), "This is Our Song" (Lutheran Heritage), "By Grace Through Faith" (Christian Theology), and "Faith Active in Love" (Christian Living). These courses will be offered at weekend workshops and will be open to all laity of the Southern California West Synod.

In addition to attending this Core program, congregational leaders of particular ministries will have opportunities to attend special learning modules such as the "Gift of Teaching" seminar for Sunday School teachers. These specialized modules will be developed and offered by the Institute as the need for them is perceived.

2. Synodically Authorized Lay Ministers

The Institute will also administer an educational program to support the synod's new Synodically Authorized Lay Ministry (SALM) program—which is introduced below in the second half of this report. The synod expects continuous participation of these lay leaders in a program of study developed by the Institute and designed for the specific needs and contexts of the authorized ministries.

In addition to the Core Learning Modules, the SALM program will include traditional areas of theological study such as Bible, confessional theology, worship, and spirituality, and will also offer opportunities for participants to examine the context of their ministries and to grow in the many practical skills of ministry. The curriculum will include studies such as Christian perspectives on popular culture, biblical perspectives on economics and the poor, interpreting the city in the light of the gospel, intercultural communications, reaching out to inactive Christians, and citywide evangelism and transformation.

Educational objectives focus on both the satisfaction of churchwide guidelines for SALM ministries and the unique multicultural character of this synod. Innovative approaches are

sought that will both preserve what is valued from tradition and infuse what is needed to serve the emerging communities of our present and future church.

3. Pastors and Rostered Lay Ministers

Demographic, ethnic, economic, structural, political and cultural transformations daily challenge ordained and other rostered ministers serving in the Southern California West Synod. To remain effective, they need to meet these challenges with resource-fulness, flexibility and, often, with new knowledge. In its third track, the Institute addresses this need by providing several different types of educational resources.

The Institute will build and maintain a network of information about other educational resources in the territory of synod for pastors and parishes in urban and change situations. These will include courses and conferences offered by local seminaries and colleges, workshops sponsored by sister denominations, and materials found in recent publications.

The Institute for Ministry in Changing Communities will also develop and offer programs, seminars and workshops in areas such as mission research and development, parish management, interpersonal skills, worship and music and pastoral theological leadership. In addition, its educational program for rostered leaders will supplement the many opportunities for continuing education available through other educational organizations and institutes by offering a showcase of short courses on local issues, by serving as a venue for continuing education offerings by extension of Lutheran seminaries and colleges, and by maintaining a Webpage and a publication which offer opportunities for theological dialogue and reflection among rostered ministers in the Southern California West Synod.

Administration

The Adult Education Committee under the Board for Synodical Ministries will assist with oversight of the educational track for the ministry of the laity. A newly created Standing Committee for Synodically Authorized Lay Ministry will assist with oversight of the track for Synodically Authorized Lay Ministries. The Continuing Education Advocates of the Board for Rostered Ministries will provide oversight for the educational program for rostered leaders.

The Institute will be developed and guided by a four-member Coordinating Team (one from each of the three groups named to oversee the three educational tracks of the Institute and the director of the synod's Resource Center) and the Institute Director who reports directly to the Bishop. They will determine curriculum content and sequencing in consultation with synodical leaders, synodical organizations and nearby universities and seminaries. In all matters of curriculum development and pedagogy the Institute will adapt to and respond to and remain receptive to new ideas and approaches to learning.

#2001 - SYNODICALLY AUTHORIZED LAY MINISTRIES

The new program of Synodically Authorized Lay Ministries (SALM) in the Southern California West Synod is intended to increase faithful and effective outreach ministry to all people who reside in the territory of the synod through specially trained lay volunteers. Congregations and other ministries within the synod can look to Synodically Authorized Lay Ministers when certain needs for leadership cannot be met by ordained clergy or other rostered persons.

The synod may desire to strengthen mission outreach in geographically isolated or economically challenged areas. Congregations may wish to recruit leaders for ethnic outreach. There may be a desire to increase ministry where there is no full-time pastor. Congregations may have specialized needs for leaders in areas such as evangelism, youth-at-risk, senior care and social ministry. In some cases, a combination of such situations may occur in the same congregation or ministry. These circumstances suggest that lay members of our congregations

with gifts for ministry need to be identified, trained and trusted to assume new kinds of leadership in congregations and other ministries of our synod.

Therefore the synod will identify, equip, authorize, assign and oversee Synodically Authorized Lay Ministers to provide leadership for congregations and other ministries as may be deemed necessary. Such authorized leadership may include lay ministers of Word and Sacrament, lay ministers of the Word, worship leaders, catechists, evangelists, synodical missionaries, and deacons.

The authority to establish and maintain Synodically Authorized Lay Ministries is grounded in bylaws 7.61.01 and 7.61.02 of the Evangelical Lutheran Church in America:

When need exists to render Word and Sacrament ministry for a congregation or ministry of this church where it is not possible to provide appropriate ordained pastoral leadership, the synodical bishop—acting with the consent of the congregation or ministry, in consultation with the Synod Council, and in accord with standards and qualifications developed by the Division for Ministry, reviewed by the Conference of Bishops, and approved by the Church Council—may authorize a person rostered in other rostered ministry, or a nonrostered person who is a member of a congregation of the Evangelical Lutheran Church in America to offer this ministry.

Such an individual shall be supervised by a pastor appointed by the synodical bishop; such service shall be rendered during its duration under the sacramental authority of the bishop as the synod's pastor. Such an individual will be trained and licensed to fulfill this ministry for a specified period of time and in a given location only. Authorization, remuneration, direct supervision, and accountability are to be determined by the appropriate synodical leadership according to churchwide standards and qualification for this type of ministry. Authorization for such service shall be reviewed annually and renewed only when a demonstrated need remains for its continuation.

Footnote to Synod Policy #2001:

Synodical authorization to initiate and maintain the use of Synodically Authorized Lay Ministers in the Southern California West Synod has been established by the adoption of Policy #2001, *Synodically Authorized Lay Ministries*, by the Synod Council, which reads as follows:

The Synod shall initiate, maintain and oversee the use of Synodically Authorized Lay Ministers as described in ELCA Churchwide by-laws 7.60.01 and 7.60.02, following the “Guidelines Related to Synodically Authorized or Licensed Ministries” developed by the Division for Ministry and adopted by the Church Council, April 3, 1996.

The governance of the Southern California West Synod’s Synodically Authorized Lay Ministry program will follow the ELCA “Guidelines Related to Synodically Authorized or Licensed Ministries.”

A Standing Committee for Synodically Authorized Lay Ministry will be formed by adoption of S11.21 and S11.21.51. in the Synod’s constitution and by-laws.

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