

National Association of Congregational Christian Churches



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To the reader:

Misconduct in Ministry: A Handbook for Congregational Churches is the result of two years of work by the Misconduct Committee of the NACCC. It was formed in 2012 by Varnum Philbrook, then chair of the Executive Committee, in response to numerous requests from our churches for help in responding to misconduct situations. Further, in light of widespread media focus on clergy misconduct, both churches and individuals were asking where the NACCC stood on these matters.

We began by studying the policies, procedures, and guidelines of other church fellowships. We found that in spite of differences in polity and theology a general consensus existed on how to understand misconduct – whether by clergy or non-clergy leadership. Further, we were impressed with the stress on having mechanisms in place before incidents occur. That way, both accusers and accused can be assured of a fair process and churches avoid the confusions and misunderstandings caused when churches have to fly by the seat of their pants.

It also became clear that none of the guidelines developed by other groups were adequate for the NACCC. The reason is that in every case we studied clergy misconduct was adjudicated by an authority beyond the local church. In Congregationalism, however, the licensing, ordaining, calling, and authorizing of ministers are entirely local matters. The corollary is that discipline is likewise a local matter. We also felt we must address in this connection the covenantal obligations local churches have to the wider fellowship.

We hope that this handbook will be useful in two ways. One is assisting your church in developing its own policies and procedures. Models are given, but they are only suggestions. Each church must adopt its own. The models contain the “how-to’s” for responding to ethics complaints and suggest by-laws changes that make it possible. The second purpose of this handbook is educational. It aims to provide a framework for understanding good and bad conduct in relation to a church’s essential purposes. The intended audience, therefore, is not just governing boards or ethics committees but the entire congregation. We recommended it for widespread use in such groups as adult Christian education classes, boards of deacons, and church councils.

“While the NACCC exercises no authority or control over the local church, we pray that your church will find this a useful resource in claiming its own authority to enact procedural and structural changes designed to protect your membership.”

Blessings in the name of Him who is the Good Shepherd,

Rev. Dr. Arlin T. Larson, chair
Misconduct Committee of the NACCC

*Bringing together Congregational Christian Churches
for mutual care and outreach to our world
in the name of Jesus Christ.*



NACCC

MISCONDUCT IN MINISTRY: A HANDBOOK FOR CONGREGATIONAL CHURCHES

The Misconduct Committee of the NACCC

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INTRODUCTION

Hopefully, you are not reading this handbook because you are scrambling to get a handle on an incident involving allegations of misconduct against your pastor, a staff member, or a lay leader of your church. If that is the case, this handbook will be useful, but by far the best time to prepare for such things is long before they occur.

Much confusion, finger pointing, and blaming, as well as misunderstandings and personality conflicts, can be avoided when a church has policies and procedures in place that it follows.

Enforcement of ethical standards should be seen as a necessary, proper, and normal function of a well-ordered church.

Just before Jesus tells his disciples, “Where two or three meet together in my name, I am there among them,” our warrant for Congregationalism, he had been speaking to them about church discipline:

If your brother does wrong, go and take the matter up with him, strictly between yourselves. If he listens to you, you have won your brother over. But if he will not listen, take one or two others with you, so that every case may be settled on the evidence of two or three witnesses. If he refuses to listen to them, report the matter to the congregation; and if he will not listen even to the congregation, then treat him as you would a pagan or a tax-collector. (Matthew 18.15-17, REB)

Likewise, Paul writes to the Galatians:

If anyone is caught doing something wrong, you, my friends, who live by the Spirit must gently set him right. Look to yourself, each one of you: you also may be tempted. Carry one another's burdens, and in this way you will fulfill the law of Christ. (Galatians 6.1-2, REB)

This handbook is designed to encourage discussion in your church as to *why* certain actions are inappropriate or unacceptable -- not only for the clergy but for all who are engaged in service in the name of your church (see Section 2). It will help you design procedures and policies for your congregation and guide you in handling allegations of misconduct should they occur and encourage you to cooperate with secular authorities in accordance with the law.

After a broad discussion of misconduct in ministry, we will turn to concrete steps your church can take to lessen the likelihood of misconduct and how responsibly to handle allegations should they occur. You will learn about the assistance the National Association of Congregational Christian Churches (NACCC) can provide and be directed to additional resources.

Much work on these topics has been accomplished in recent years, driven in large part by well-publicized clergy sex abuse scandals. A general consensus has been reached crossing denominational lines. Our handbook relies heavily on this work that others have done.

At the same time, however, Congregational polity is different enough that a manual specifically for the churches of the NACCC is called for. When it comes to the ordained clergy, most other groups turn to a central authority. We uniquely uphold each local church as a final authority. Local churches are responsible for ordaining, calling, installing, authorizing, supervising, and, when appropriate, disciplining our clergy and lay leaders.

Church members, fellow churches in the National Association, and citizens of the communities our churches serve all depend on the integrity of the local church's actions in these areas.

1. CHURCH IS A SANCTUARY

“Come to me, all you who are weary and burdened, and I will give you rest. Take my yoke on you and learn from me, because I am gentle and humble in heart, and you will find rest for your souls. For my yoke is easy to bear, and my load is not hard to carry.”
(Matthew 11.28-30 REB)

To understand what constitutes inappropriate or unacceptable conduct, it is helpful first to remind ourselves of the central functions of a church. A church is called to be a place of *sanctuary* – a holy place, a place of safety, a place to which one may turn to find peace and rest. Christ invited his followers to experience the Kingdom of God, life lived as God would have it. The church is a place to turn to in time of need and where one can expect to be welcomed in love and treated with respect.

The Book of Revelation looks forward to a time when God is fully present and will “wipe away every tear” and where there will be no more death or crying or mourning or pain for a new order will have begun. A church is called to be such a place as far as is humanly possible where the ills of this world are taken up in the love of God.

Similar thoughts can be found in every book of the Bible. Traditionally, the work of churches has been called “the care of souls.” Joining a church is not the same as joining other institutions. It is not only for some limited purpose. To the church we entrust our whole persons, our inner selves, our very souls. Furthermore, by joining this community of mutual care, we assume responsibility for the well-being of others, both within the congregation and without.

Ministry must always be directed toward the benefit of those who have trustingly turned to the church for succor. There is no place for exploitation or abuse or neglect by those engaged in ministry. Whenever those things occur or are allowed, Christ is denied and doubt is cast upon the authenticity of the entire enterprise.

2. MINISTRY IS NOT JUST FOR MINISTERS

Your church is just filled with people who minister, actively serving others in its behalf -- Sunday School teachers, music directors, helpers in the food pantry, members of the prayer circle, greeters at worship, deacons, trustees, the moderator, ushers and acolytes, members of the choir, Bible study leaders, workers at a benefit supper – and let’s not forget the pastor and paid staff - the list goes on and on. ***Whoever engages in a ministry enters a ministerial relationship with those who receive that ministry.*** We cannot limit our thinking about appropriate and inappropriate ministerial relationships to those involving clergy.

While by virtue of their ordination, members of the clergy do have unique authority and responsibility both within the church and in civil law, it must always be remembered that all who minister to others in the name of their church make a sacred promise. We no longer just act or speak on our own authority.

When we minister, we are accountable, accountable to God and to the church we represent. Our words and actions reflect as much on our church and the Gospel as they do on us. **A church must, therefore, use care in selecting those who minister and be diligent about restraining or removing those who abuse or misuse the privilege.** It must also be diligent in following the laws of its locality and not thinking that all church matters can be handled internally.

In the Bible, ministry is often described as *shepherding*. Jesus, culminating the line of shepherds called by God that we know from the Old Testament, is described as the Good Shepherd par excellence. His last words to Peter are “Peter, if you love me, tend my sheep.” With good reason, we look to Christ’s example as our primary model of what constitutes good ministry.

In the wider world, the obligation of one in a helping or responsible role is often described as a “duty of care” or “fiduciary responsibility.” These terms have somewhat different legal definitions in various contexts, but they all go to the point that the servant must put the interests of the person being helped first. The person being helped, the one who depends on the other, must always be the “end” or goal to be served and never a “means” to be used by the agent for their own gain – whether it is an adviser, counselor, teacher, or pastor.

3. WHAT CONSTITUTES MISCONDUCT

If good conduct in ministry can be described as good shepherding, then bad or mis-conduct can appropriately be described as “bad shepherding” or misuse of the shepherd’s role and authority to harm rather than care for the sheep. The Bible’s strongest statement on these matters is in the 34th chapter of Ezekiel:

Therefore, you shepherds, hear the word of the LORD: As I live, says the Lord GOD, because my sheep have become a prey, and my sheep have become food for all the wild animals, since there was no shepherd; and because my shepherds have not searched for my sheep, but the shepherds have fed themselves, and have not fed my sheep; therefore, you shepherds, hear the word of the LORD: Thus says the Lord GOD, I am against the shepherds; and I will demand my sheep at their hand, and put a stop to their feeding the sheep; no longer shall the shepherds feed themselves. I will rescue my sheep from their mouths, so that they may not be food for them. (Ezekiel 34. 7-10 REB)

It is helpful to think of misconduct by considering related terms and concepts, such as violation of the duty of care or fiduciary responsibility, or conduct unbecoming a member of the clergy (or member of the church).

These are the contexts in which particular actions, whether of commission or omission, must be judged. The NACCC’s *Personal Code of Professional Practice* (www.naccc.org) embraces a broad understanding:

I will not invade the private and intimate bonds of others' lives, nor will I trespass on those bonds for my own advantage or need when they are disturbed. In any relationship of intimate confidentiality, I will not exploit the needs of another person for my own.

Allegations of misconduct, however, will most likely be made based on specific actions or incidents. While much attention has recently been given to sexual abuse, it is by no means the only matter that might call for discipline. The following is only a sampling of the kinds of actions commonly regarded as unacceptable or inappropriate in ministry, some of which are also illegal under civil law. Every Congregational church must come to its own understanding of these matters and is encouraged to use its own language or perhaps further define the terms, as seems appropriate.

- Conviction of a criminal offence.
- Membership in an organization that contradicts a church’s principles.
- Domestic violence, abuse, or neglect of spouse or children.
- Substance abuse.

- Sexual misconduct of many varieties. **Clergy sexual abuse should be seen as a pastor's failure to be responsible for the boundaries that are entrusted to pastors to preserve.** Any sexual contact with a congregant by a pastor, consensual or not, is illegal in some states; sexual contact or romantic involvement with someone being counseled is illegal; sexual contact of any kind with a minor is illegal. Sexual harassment includes any unwelcome sexual advance, request for sexual favor and other verbal or physical conduct of a sexual nature when: submission to such conduct is made, either explicitly or implicitly, as a term or condition of employment; submission to or rejection of such conduct is used as a factor in any employment decision affecting any individual; or such conduct has the purpose or effect of unreasonably interfering with any employee's work performance or creating an intimidating, hostile or offensive working environment. Sexual harassment of staff in a church setting can be committed by a member, not just a pastor.
- Fiscal improprieties, such as embezzlement or misappropriation.
- Disregard of the churches covenants, by-laws, policies and procedures.
- Physical abuse causing bodily harm.
- Emotional abuse that demeans, denigrates or affects one's self-esteem.
- Neglect of those under one's care.
- Neglect of one's duties in ministry.
- Betrayal of confidences.
- Dishonesty or deception.
- Failure to perform legal obligations placed on clergy, such as the duty to report suspected child abuse which is required in some states.

Again, this list is not intended to be comprehensive. Your church may well want to add to it or delete from it.

4. HANDLING ALLEGATIONS OF MISCONDUCT

Having policies and procedures in place before an incident occurs makes a favorable outcome more likely and increases the likelihood that all parties will feel they have been treated fairly. The following sample procedures are adapted from the United Church of Christ's *Making Our Churches Safe for All*¹. Your church can adapt them to its particular structure and circumstances or consult the full document for advice on creating complete policies and procedures from scratch.

The central recommendation is for churches to form a Response Team that can be on-call in case a situation arises. The NACCC has no jurisdiction over member churches. Each church is autonomous. Therefore, Response Teams must come from within the local church. Education and training for Response Team members are, therefore, highly desirable.

A. A Response Team of two or more members, at least one male and one female, will be established by the governing body of the church each year at its first meeting, in preparation for the possibility of hearing concerns or complaints. The Response Team will familiarize itself with church policies, such as those regarding child safety, counseling, and ethics, the laws of its state pertaining to these matters, and the procedures for response to concerns and complaints. (Other teams devoted to pastoral care for those affected are discussed below in section 6, "Ministering to All Parties.")

If criminal actions are alleged, law enforcement must promptly be notified in accordance with the laws of the state. In this case, the civil authorities will handle the investigation, not the church.

B. When information is received regarding alleged abuse or mistreatment of a child, the Response Team will immediately notify secular authorities and will cooperate fully in the investigation. In most states, clergy and other church workers are legally mandated reporters of allegations of child abuse or abuse of a vulnerable adult. Those procedures will also be followed to determine whether the person under investigation will continue in their present position.

C. When concerns are raised about a pastor, whether an employee or volunteer, the Response Team is strongly urged to notify the Executive Secretary of the NACCC (how the National Association can help is discussed below). It should also promptly notify the church's insurance company and the church's outside legal counsel (not a member of the church). Insurance companies specializing in church insurance will likely have experience in similar cases. An outside attorney familiar with church life is advised to either conduct or oversee the investigation to ensure that it is handled professionally and in a way that does not raise further issues. For those churches that do not have legal counsel with whom to consult on

¹ *Making Our Churches Safe for All: An Introduction to Abuse Prevention for Local Churches*, UCC Insurance Board, Gaithersburg, MD., 2004

legal matters, its insurance company is a good resource for securing appropriate legal counsel. The local church, however, retains both the right and the responsibility to make decisions regarding employment and volunteer ministries as it determines best.

D. If an informal resolution of the concern or complaint does not seem wise, appropriate, possible, or does not succeed, the person raising concerns may institute formal proceedings. The proceedings should include the following steps:

a. The Response Team will receive information from those conducting the investigation or will gather information itself from individuals involved in the incident of concern and from others who may have pertinent information.

b. The Response Team will present information gathered to the supervisor of the employee or volunteer about whom a concern has been raised and to the governing board of the church or appropriate supervisory body of that individual.

i. Finding that misconduct has occurred, the appropriate body of the church is called upon to take action, which may include one or more of the following:

- Formal reprimand with defined expectations for changed behavior, with possible public notification;
- Recommending or requiring a program of growth which may include education or counseling;
- Probation, with terms of the probation clearly defined;
- Dismissal from employment or volunteer leadership position; or, in some cases, affiliation with or membership in the church as provided for in church policies, bylaws, etc.

ii. Finding that no misconduct occurred. This may involve formal notification of those who had a “need to know” and thus were previously notified of the concern and investigation.

E. A written summary of the governing board or other supervisory body proceedings in such cases will be maintained.

F. Any person who brings a concern or complaint forward, or who assists in investigation of such a report, will not be adversely affected in terms and conditions of employment, church membership or employment, or otherwise discriminated against or discharged.

G. If the person bringing the concern or complaint, or the accused person, is not satisfied with the disposition of the matter, he or she has the right to appeal to the senior elected officer of the congregation who will refer the matter to the governing board for resolution or reconsideration. If the senior elected officer of the church is involved in the allegations, appeal would be made through the succession of officers defined in the church’s by-laws.

5. CONSULTING THE NATIONAL ASSOCIATION OF CONGREGATIONAL CHRISTIAN CHURCHES

Allegations of misconduct are invariably distressing for everyone – the complainant, the accused, those investigating the complaint, and, in all likelihood, the entire congregation. Healing typically takes years rather than weeks or months, the time needed increasing with the over-all impact the offender has previously had on the congregation. You will need all the help and support you can find! Traumatic as it is, however, similar events may have happened in other churches, and, in many cases, successful outcomes will have been achieved. Your National Association executives and others in the Association leadership cannot only serve as experienced sounding boards, but may well be knowledgeable about situations like yours and able to put you in touch with additional help, including professional consultants and advisers.

As soon as a complaint has come to your attention, have your pastor contact the Executive Secretary of the NACCC. If the accusation is against the pastor, it will be advisable for both that pastor and the congregation's lay leader to be in touch.

Understand, however, that the NACCC does not have any supervisory or disciplinary authority over your pastor. Neither does it control a minister's standing or status as an ordained member of the clergy. Congregational ministers are ordained by a local church that is the sole authority over their employment. If ordained in a different denomination, his or her ordination is given the stamp of approval only by the Congregational church that calls and installs him or her.

The Unitarian Universalist Association has a polity much like ours. Its document on handling complaints puts the governance and authority issue clearly and succinctly; we need only substitute NACCC for UUA.²

Unlike many other religious bodies, the National Association of Congregational Christian Churches (NACCC) is an association of member individual and independent congregations. ***The role of the NACCC is to provide support to its member congregations. It does not govern them.*** In our tradition of congregational polity, each member congregation has the power to ordain, call/hire, supervise and dismiss ministers and other staff; and to do so independently of the NACCC. It is the congregation, not the Association, that takes responsibility for regulation of its own policies and staff.

How the NACCC relies on member churches in case of ministerial misconduct.

However, disciplinary action taken against a pastor is not merely a concern for that particular church. It is a concern for the NACCC and the entire fellowship of Congregational churches. Any misconduct that warrants action by your church will also be of concern to any other church that

² *Process for Handling Complaints of Misconduct in Your Congregation*, www.uua.org

considers that person for ministry. To repeat, in the NACCC, there is no action that can be taken against a minister by any authority other than that minister's local church or the civil authorities.

If that action is not communicated to other churches, however, an abusive minister may well be called by another unsuspecting congregation! One of the great scandals in church abuse cases is how, in many cases, pedophiles were simply transferred to other parishes where they often continued their harmful practices. In the NACCC there is no central authority to blame. Churches of the NACCC covenant to "consult and advise together as Churches upon matters of common concern" (Articles of Association). **Alerting the wider fellowship is strictly the local church's responsibility.**

Here is what you can do and how the NACCC can help. Every minister using the NACCC's placement services to apply for a position in a church must have a *Disclosure File*. Candidates put records of their education and ordination in it. They give permission for a criminal background check. They sign an affirmation of the NACCC's *Personal Code of Professional Conduct*. If they are coming from another judicatory, they must have a letter of reference. This Disclosure File is available to any church to which that candidate applies. These documents are collected by the NACCC as a service to the local church and it is up to the church to verify the information it contains and to request a background check. It is wise for a church to only consider candidates who have established a Disclosure File.

If your church has to take disciplinary action against a pastor, a record of the complaint, the finding, and the action can be placed by the church in that pastor's Disclosure File (www.naccc.org) (allegations by individuals will not be accepted). We strongly encourage the church to do so. That way, any other church who is considering that candidate will know of the action. The candidate can also include an explanation or rebuttal into the Disclosure File, but it is all there for future churches to consider.

The National Association cannot require your church to put action against its pastor on record, but doing so is the only way we in the NACCC have of sanctioning serious misconduct and protecting our sister churches!

6. MINISTERING TO ALL PARTIES

Allegations of misconduct against a pastor, church leader or anyone involved in ministry are traumatic for all concerned. Those bringing accusations not only suffer from the injuries they have received, but, when they go public, make themselves vulnerable to the uncertain scrutiny and reaction of others. Their trust in the church has been shaken, yet they now have to rely on it in a new way. The accused faces loss of reputation, possible civil or criminal penalties and possibly loss of employment. The whole congregation experiences a tear in the fabric of its communal life, conflicting emotions, and the possibility of long-term divisions. Church leadership is caught right in the middle. Healing and reconciliation will be desperately needed!

The discussion below is adapted from the Presbyterian Church (USA)'s *Sexual Misconduct Policy and Its Procedures*.³

Recognizing the Needs of All Involved

To ensure that the governing body of the church is ready to meet the variety of pastoral needs presented, it may also appoint **Pastoral Teams** (perhaps chosen from the Board of Deacons or similar group) to minister to parties involved in the incident. These teams will not investigate the allegation or in any way function as investigating committees for disciplining members or officers, but should confine themselves to coordinating a process that will address the specific needs of victims and their families (if any), of the accused and family (if any), and of the congregation.

A. *The Needs of the Victim*

The Pastoral Team representing the church should assure that adequate treatment and care are available for alleged victims of misconduct and their families. (It is important to remember, at the same time, that the names and other private information about victims are not to be revealed except to those involved in the investigation.) Sometimes, the victim or family is so angry and alienated from the church, that offers of help may be perceived as insincere or as attempts at a cover-up. If the victim or family at first refuses, the church should continue to offer help. **Above all the church should not act in a self-protective manner by ignoring victims and their families.**

The following are some of the needs of the victim:

1. **To experience healing. Restoring the victim's sense of self and place in family, community, and church must remain the first priority. Care must be taken not to re-victimize or add to a victim's shame through loss of privacy or pressure to re-live the**

³ Presbyterian Church (U.S.A.) Sexual Misconduct Policy and Its Procedures, undated

abuse or bear the burden of forgiving to assuage the consciences of others. The church must attend to the needs of the victim with the knowledge that those needs may include distancing from the church as well as the abuser.

The church may have difficulty relating to victims because of the embarrassment the alleged incident has caused and a desire to minimize the disruption.

2. To be heard and taken seriously.
3. To receive pastoral and therapeutic support. The victim may require spiritual and professional assistance. The Pastoral Team should offer to help arrange for such support from a pastor and therapist, if the victim desires.
4. To be informed about church process and progress with regard to the accusation.
5. To be assured of an advocate of their own choosing.
6. To be assured that justice will be pursued. The victim needs to be told by the Pastoral Team, and shown by the processes of the church, that justice is being pursued through fact-finding, truth-telling, confrontation, and agreement that may well include removal or temporary exclusion of the accused from office.

B. The Needs of the Accused

Feelings of guilt, shame, anger, mistrust, lowered self-esteem, depression, unworthiness, and feelings of alienation are often experienced by the accused. In addition, there may be fear of job loss or incarceration. If allegations of misconduct are unsubstantiated or later discovered to be false, it is important for the governing body or entity to see that this information is disseminated as widely as possible to counteract the stigma of merely having been accused. It may also be helpful to offer the individual paid time off to recover emotionally.

1. Personal Care

Whether the allegations about the accused are eventually found to be true or not, the accused deserves to be treated with Christian kindness and respect. The Pastoral Team may suggest additional spiritual support or professional counseling.

2. Economic Security and Care for Family of Accused

When an allegation of misconduct has been made against a minister, the economic security of the accused is directly threatened, along with reputation, career, and family relationships.

C. The Needs of a Congregation

Misconduct by those engaged in ministry impacts congregations in many ways. The governing body and Pastoral Team should be aware of the problems a congregation may experience following allegations of serious misconduct. The allegations may polarize the congregation, damage morale, create serious internal problems, and even limit the trust a congregation may place in succeeding pastors. Church leaders who have worked closely with the offender will be especially impacted.

1. Pastoral Care

Members and staff of the congregation will need pastoral care. If the pastor leaves as a result of his/her misconduct, a trained interim pastor or consultant may need to work with the congregation for an extended period of time.

2. Information About the Case

Members of the congregation will need opportunities both to receive and give information. The pastor (if not the accused) or a consultant may hold appropriate meetings with individuals, small groups, or with the whole congregation. Such meetings should provide information about the type of misconduct in question, Congregational polity and the process now being pursued, and how others who may have been victimized may be heard and ministered to. At such meetings, one may expect members to vent their feelings.

3. Resource Persons

In light of the above needs, the following are several resource persons whose services might be valuable: a trained interim pastor, someone knowledgeable in polity and the effects of the type of misconduct in question, a consultant or therapist with knowledge and experience in dealing with misconduct, an attorney who can discuss legal aspects of a case, an insurance agent who can advise the congregation about their exposure to liability.

7. PROMOTING A SAFE ENVIRONMENT

In most cases, it is more desirable to prevent a problem than to have to remedy it. This is especially true when it comes to something that so frequently has devastating effects on people like misconduct in ministry. A church will be best served by having policies and procedures in place for handling misconduct, but one hopes that they never have to be used.

There are many things a church can do to lessen the likelihood of misconduct. As church-goers we want to be trusting and unassuming, but our faith teaches us that all are subject to temptation, even our Lord as he began his ministry. "Trust but verify!" The trusting atmosphere of a church even sometimes makes it a target for abusers or hucksters as countless sex abuse, embezzlement and investment scam scandals have demonstrated.

Clearly defined roles, formal and transparent lines of communication and decision-making, and congregational-oriented rather than clergy-oriented leadership make a big difference. Abuse by clergy tends to occur more often in churches that are authoritarian and clergy-centered. A charismatic style often leads to a blurring of the lines between the personal and the professional in the minds of both the pastor and the congregation. The congregation's trustful respect or more ardent adulation of the pastor further results in an abdication of its own responsibilities for governance.

Liability insurance from a company specializing in work with churches is highly desirable.

Steps to decrease the likelihood of misconduct can and should be taken in every area of church life. What they have in common is assuring that everything takes place in the full light of day. Below are just a few examples. For more comprehensive information, see the *Resources* section

Recent years have seen a renewed emphasis on child safety. Youth workers are being subject to background checks. It becomes policy always to have two adults present. Waiting periods before a new person can work with children are being instituted. Enrollment forms ask to whom a child may be released. Windows are added to classroom doors.

Having clear rules and guidelines for all aspects of church life is critical. Good bylaws are critical to good church order and practice, as is the development of a culture that discourages exceptions and end-runs. Clear job descriptions set expectations and boundaries. A culture that insists on civility helps check aggressive and abusive personalities.

Regular audits and separating the roles of those who spend the money and those who account for it keeps everything above board, as does having more than one person present when the offering is counted and having a clearly prescribed process for how, when, and by whom deposits are made.

Churches often have bylaws governing the termination of employment of a pastor. They should be amended to allow for immediate suspension, without a majority vote, when criminal charges have been filed, and for dismissal if further investigation leads to the conclusion that the charges were substantiated by a preponderance of the evidence. The reason for this is that it is often difficult, if not impossible, to provide enough information to the congregation to achieve a majority vote without a violation of victim's privacy rights. Without this addition, leadership may be tempted to let the pastor resign quietly, in violation of law and of their responsibility to the community and other churches.

When it comes to hiring, the NACCC's Minister's Information Form and Disclosure File will help you know better the qualifications and background of applicants.

In these and many areas of church life, long experience has resulted in commonly agreed upon "best practices" to save churches from having constantly to re-invent the wheel. For more detailed information, **consult the NACCC's Handbook, especially chapter 3, "Congregationalism in Practice"** (www.naccc.org). Church Mutual Insurance also has a wealth of helpful information on good practices and reminds us that failure to do our due diligence can have serious legal and financial consequences (www.churchmutual.com).

8. OUTCOMES: RESTORATION, REPENTANCE, FORGIVENESS

What do we want to result from dealing with, handling, managing incidents of misconduct? The phrasing of this question was chosen carefully because it hints at what tends to come first to mind. “Get back to normal.” “Put this behind us.” “Move ahead.” “Focus on the positive.”

These are natural reactions, but what we have learned from the revelations of widespread sexual abuse in churches is that they are not adequate. “Put this behind us,” “Aren’t Christians supposed to be forgiving” and similar sentiments all too often amount to “sweeping it under the rug” or “letting it go.” Genuine grace, as Dietrich Bonhoeffer reminded us, is not cheap. In particular, we have learned that justice and recompense for victims must be the first priority for an authentic response to misconduct. Scripture has told us this all along.

When the prophetic books of the Old and New Testaments look to the final “Day of the Lord,” what do they envision? For one thing, victimizers are removed and punished. Secondly, the abundance of God’s blessings is received by the righteous, blessings which were stolen from them in the former reality.

1. RESTORATION. In responding to incidents of misconduct, restoration of victim’s well-being must take priority. This is in line with the contemporary movement for “restorative justice” which seeks to make victims whole and in which contrition by offenders plays a prominent role.

“Are we doing right by the victim(s)?” should be the first question a church asks when considering its actions. A common tendency to blame the victim or whistleblower for stirring things up must be resisted. Often, since the misconduct arose from within the church, victims will need to do their healing apart from it. Still, the church can do its best to see that the victims are provided for.

2. REPENTANCE. The Gospel of Mark begins with Jesus’ proclamation that “The time has arrived; the kingdom of God is upon you. *Repent, and believe the good news.*” (1.15) The Gospel of Luke concludes with the risen Christ’s command to proclaim “repentance bringing the forgiveness of sins” to all nations. (24.47)

Everywhere in the Bible, **forgiveness is tied to repentance.** In other words, real change is required before forgiveness can be effective. Keeping this in mind can help us avoid the danger of forgiving as “letting it go” and from accepting mere verbal assurances. The burden of proof is on the guilty party to demonstrate both contrition and changed behavior. In early America, converts had a waiting period of up to three years before becoming full church members just to see if their actions lived up to their professions!

In the context of sexual abuse and other forms of exploitation, the truth is that abusers often do not feel that they have done anything wrong and will show contrition only to the extent they feel compelled to “play the game.” Owning up to fault often occurs only after consequences have been felt.

Congregations are also well-advised to do some soul-searching when misconduct occurs. Did they miss something in the hiring or selection process? Had adequate boundaries been defined? Did their promotion of an individual serve to enable their offending? Had warning signs been missed? We like to take collective credit for the successes of our ministries; there is also a place for collective repentance.

3. FORGIVENESS. *Forgiveness* represents the direct or indirect victims’ willingness to restore a relationship of good will with the offender. Where not inappropriate, it may even offer the possibility of a second chance, though perhaps not in the same role or situation. Some in a congregation will find this difficult even in cases of minor misconduct. Others will find it all too easy, preferring not really to face the facts of the case. Tensions over forgiveness can easily lead to the need for forgiveness among church members who are struggling with their responses!

Our Puritan forebear, John Calvin, writes about discipline in his *Institutes of the Christian Religion* (Book IV, chapter 12.6). For those unwilling to forgive, he reminds us that God always desires the return of the Prodigal Son and the rescue of the lost sheep. For those too willing, he reminds us that by their actions some people cut themselves off from a kingdom based on love of God and neighbor.

“It is necessary to distinguish between delinquencies and flagrant iniquities. In lighter offences, there is not so much occasion for severity, but verbal chastisement is sufficient, and that gentle and fatherly, so as not to exasperate or confound the offender, but to bring him back to himself, so that he may rejoice rather than be grieved at the correction. Flagrant iniquities require a sharper remedy. It is not sufficient verbally to rebuke him who, by some open act of evil example, has grievously offended the Church . . .”

Making these distinctions is one of the most important tasks facing a congregation confronted with incidents of misconduct. It needs to be recognized, however, that many cases will fall somewhere in the middle – not egregious enough for the offender to be cut off entirely, yet serious enough that he/she cannot be restored on the same basis. Someone misappropriating funds, for instance, would likely not be trusted with stewardship of the church’s finances. On the other hand, in the case of child abusers, an offender should never continue attending the church in which the offending occurred so as not by his/her very presence to re-traumatize victims and their families. Fellowship is sometimes offered in a different congregation, however, on the strict condition that that person have no contact with children.

What outcome is to be desired? It is the continued existence of the church as a “peaceable kingdom” or place of sanctuary, based not, however, on letting offences go and silencing victims

but rather on honest facing of facts and sincere efforts at restoration, including recompense, repentance, and forgiveness.

CONCLUSION: NO HURT OR HARM ON GOD'S HOLY MOUNTAIN

Twice, the prophet Isaiah conveys God's promise that one day "there will be neither hurt nor harm on my holy mountain" (Isaiah 11.9, 65.25). Our churches strive to be that long sought for place for the people of our communities. From time to time, however, incidents occur that remind us that for all our best efforts what we offer is only an approximation, one which we hope will be good enough to keep the promise alive. This handbook has sought to highlight this aspect of church and to help church members and leaders understand why violations of ethical standards need to be faced squarely.

Violations by clergy have drawn the most attention and are particularly important because of the clergy's moral authority and symbolic role as exemplars of the Christian faith. The clergy, however, are not the only "ministers" in our congregations nor the only ones whose actions are a matter of concern. All members assuming leadership or reaching out to others on behalf of the church are engaged in ministry. Their actions too must live up to the high standards of the Gospel.

Allegations of misconduct are wrenching. They are handled best when policies and procedures are already in place that assure a well-considered and transparent process that rises above the emotions of the moment. This handbook has offered practical suggestions in three areas. First, that churches designate "Response Teams" to investigate allegations or refer them to civil authorities. Second, that churches take advantage of the wisdom and experience of the National Association and, in cases of substantiated ethical violations by clergy, place that information in their Disclosure File so it will be available to other churches considering them for employment. Third, that in all cases particular people, "Pastoral Teams" be designated to provide pastoral care for victims/accusers, the accused, and the congregation itself.

Preventing problems always being preferable to having to fix them, we further recommend that serious consideration be given by the whole church to clear definitions to roles, expectations, and boundaries in all areas of church life. It is absolutely crucial that "safe church" policies be adopted for work with children.

A "holy mountain of safety" is exactly what people, and not only church members, look to our churches to be. We hope this handbook has proved helpful in making yours just that. Again, it is important to underline that the National Association cannot prescribe policies or procedures for your church. We offer the above in a spirit of fellowship to assist you in developing your own.

RESOURCES

DENOMINATIONAL RESOURCES

National Association of Congregational Christian Churches (www.naccc.org)

“Personal Code of Professional Practice for Ministers”

“NACCC Disclosure Protocol and Policy for Clergy Using NACCC Services”

Unitarian Universalist Association of Congregations (www.uua.org)

“Process for Handling Complaints of Misconduct in Your Congregation”, May 2001

“The UUMA Guidelines for the Conduct of Ministry”, July 2013

“Safe Congregation Handbook”, April 2011

“Balancing Acts”, April 2013

United Church of Christ (www.ucc.org)

“Making Our Churches Safe for All”, 2004

Presbyterian Church (USA) (www.pcusa.org)

“Sexual Misconduct Policies and its Procedures”

Evangelical Lutheran Church in Canada (www.elcic.ca)

“Sexual Abuse or Harassment Policy”, 2006

Lutheran Church in America (www.elca.org)

“Safe Connections: What Parishioners Can Do to Understand and Prevent Clergy Sexual Abuse”, 2005

“An ELCA Strategy for Responding to Sexual Abuse in the Church”, 2005

Episcopal/Anglican

“Faithfulness in Service: A national code for personal behaviour and the practice of pastoral ministry by clergy and church workers”, (safechurch.anglicancommunion.org), 2006

CHURCH MUTUAL INSURANCE COMPANY (www.churchmutual.com)

“Safety Tips on a Sensitive Subject, Child Sexual Abuse”, 2010

“Sample Child Abuse Prevention Program”, 2010

ORGANIZATIONS

The Faith Trust Institute. www.faithtrustinstitute.org . 2400 N. 45th St, #10, Seattle, WA 98103, (877)860-2255. Offers a wide range of sexual abuse resources, consulting and training.

Interim Ministry Network. www.imnedu.org . 5470 Executive Drive, Suite 220, Baltimore, MD 21228, (800)235-8414. Dedicated to the health and wellness of congregations.

The Alban Institute (www.alban.org), long the leader in church-related research and consulting has recently announced it is closing. Important functions will be continued by:

Consulting: Congregational Consulting, www.congregationalconsulting.org

Publications: Rowman & Littlefield publishers, (rowman.com/page/albanbooks)

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