

VIRGINIA SYNOD POLICY ON STATEMENT ON SEXUAL HARASSMENT

NOVEMBER, 1991

INTRODUCTION

The Virginia Synod of the Evangelical Lutheran Church in America is fully committed to treating all women and men with respect, fairness, and justice. The Virginia Synod affirms the following resolution adopted by the 1989 Churchwide Assembly of the Evangelical Lutheran Church in America:

Whereas, all persons were created by God in the divine image, and human sexuality is a gracious gift of God;

Whereas, our baptism into the family of God calls us to stand firmly and pastorally against all forms of abuse and to respect and empower our brothers and sisters in Christ;

Whereas, sexual violence of many kinds is widespread in our society (including sexual harassment on the job, rape and sexual assault, incest, and child sexual abuse); and experts estimate that two-fifths of working women experience one or more incidents of sexual assault, and one-third of American children experience sexual abuse before the age of 18; and

Whereas, sexual harassment and sexual abuse betray God's creation, inflict grievous suffering on the victims and rend the fabric of the whole community of the people of God; therefore be it

Resolved, that the Evangelical Lutheran Church in America commit itself to work to make our church a safe place for all persons by working to eliminate these abuses; and be it further

Resolved, that the Evangelical Lutheran Church in America will not tolerate any forms of sexual abuse or harassment by any of its personnel; and be it further

Resolved, that each congregation commit itself to be a safe place by working to:

- a. Provide an atmosphere where sexual abuse can be discussed with the freedom and compassion of the Gospel, and where specific acts of ministry be encouraged;
- b. Engage in education and prevention of all forms of sexual abuse and harassment;
 1. The word "be" has been substituted for the word "become" in the ELCA document by the Virginia Synod Council. The rationale for the change is that the word "become" is an indictment of every congregation, and it said nothing about ongoing activity while the word "be" encompasses the meaning of "become" and requires continuous compliance.
- c. Provide pastoral care for survivors and referrals for treatment of offenders;

- d. Create policies and procedures that assist and support the members of the congregation and its leadership to cope in healing and redemptive ways with these abuses; and
- e. Manifest its concern for problems of this kind in its community, e.g., families, schools, and workplaces.

DEFINITION OF SEXUAL HARRASSMENT

The Virginia Synod is helped by the further definition of sexual harassment in the Title VII of the U.S. Civil Rights Act of 1964.

The Virginia Synod defines sexual harassment as:

- (1) unwelcome sexual advances, requests for sexual favors, or verbal or physical conduct of a sexual nature, when
- (2) submission to or rejection of that conduct is used as a factor in decisions affecting an individual's employment or education; or
- (3) that conduct has the purpose or effect of substantially interfering with an individual's employment or education, or creating an offensive, hostile or intimidating environment for work or education.

Sexual harassment covers patterns of conduct that cause discomfort or humiliation, or both, such as sexually explicit statements, questions, jokes, anecdotes, use of or display of visual materials, or literature. An example of sexual harassment by creating an offensive or intimidating environment for work would be making repeated demeaning remarks about women.

EXPECTATIONS FOR THE CHURCH

Clergy and lay leaders should be sensitive to problems of sexual harassment because of the privileged relationship between clergy and laity. Standards of conduct of ordained ministers are stated in the ELCA Constitution (10.22) which states that an ordained minister of the church must be a person "who is diligent and faithful in the exercise of the ministry; and whose life and conduct are above reproach." ELCA Bylaw 19.15.01.b. states that an ordained minister is subject to discipline for "conduct incompatible with the character of the ministerial office."

Counseling relationships deserve special mention because it is of crucial importance that individuals in crisis situations be provided a safe environment free from sexual relationships with the ordained counselor. Individuals experiencing loss of relationship are especially vulnerable to manipulation, coercion, or simply the attraction of a powerful caring person. Consensual and non-consensual sexual relationships between counselor and counselee are inappropriate and incompatible with the character of the ministerial

office. Such relationships are both unethical and unprofessional and they will not be tolerated.

APPLICABILITY

This sexual harassment policy statement applies to all employees of the Virginia Synod of the Evangelical Lutheran Church in America and to all rostered persons of the Synod. Each congregation is urged to adopt a similar statement to apply to all employees of the congregation.

IMPLEMENTATION

Persons aware of sexual harassment may follow the procedures for discipline as set forth in the constitutions of the congregation, the synod, or the ELCA, whichever applies. The Office of the Bishop is also an appropriate place to make an initial complaint or to discuss concerns. A charge of sexual harassment can be initiated by anyone observing sexual harassment even if that person is not the victim. It is hoped that all cases can be brought to satisfactory resolution through mediation within the church community without resort to legal procedures.