

**AN ECCLESIASTICAL POLICY AND A PROCESS  
FOR REVIEW OF MINISTERIAL STANDING  
of the  
AMERICAN BAPTIST CHURCHES OF NEBRASKA**

**PREAMBLE:**

**DEFINITION: Professional Church Leader**

All employees or former employees (whether full-time or part-time – lay, licensed, ordained, or non-ordained) of the ABC/NE churches currently residing in Nebraska who are or were professionally engaged in local church, regional or national ministries (including but not limited to: Pastoral Ministry, Directors of Christian Education, Worship Leaders, Music Ministry, Youth Ministry, Family Ministry, and other specialized ministries) are understood to be Professional Church Leaders (PCLs).

The American Baptist Churches of Nebraska will not tolerate sexual or ethical misconduct by *Professional Church Leaders* (PCLs). The Region is concerned about all forms of sexual and ethical misbehavior by PCLs, regardless of whether or how the behavior is characterized by the law.

The American Baptist Churches of Nebraska, seeking to be faithful disciples of Jesus Christ, acknowledge that sexual misconduct does occur within our churches. As clergy and lay persons, we have a responsibility to minister to the needs for justice, forgiveness and reconciliation of persons who are involved in situations of sexual misconduct. This concern extends to the person who has been harmed, and the church, families and friends affected by the misconduct.

We seek to do this as faithful followers of Christ who acknowledge that PCLs play a role in the lives of others which carries with it a high degree of trust placed in them by those with whom they minister. This responsibility implies that PCLs are trusted to not intentionally use another person in ways that harm the other and benefit the PCL. This involves setting appropriate boundaries and seeking help to deal with the temptation to cross those boundaries. This responsibility also implies that PCLs who have been involved in sexual misconduct have an obligation to acknowledge that misconduct and to accept the consequences of their actions.

Civil authorities have created statutes that directly impact all churches, PCLs, and denominational bodies. Every attempt should be made to cooperate with criminal and civil investigations that involve a PCL. However, churches have the right and the obligation to protect themselves from excessive interference by civil authorities.

We hope that any sexual contact, such as between a PCL and a congregant, counselee, employee, volunteer, or others to whom the PCL minister will be reported to the Region. We also hope that any unwelcome sexual advance, request for sexual favor, sexually

46 motivated physical contact, or other verbal or physical contact or communication of a  
47 sexual nature will also be reported.

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49 We encourage anyone who knows or suspects that a PCL has been involved in sexual  
50 misconduct to report that information to the Region Executive Minister, who will attempt  
51 to resolve the situation promptly.

52  
53 In the ongoing care for churches and their ministerial leaders, there are occasions in  
54 which allegations may be raised about a PCL. Frequently, these allegations are handled  
55 within the ongoing service of care of the Region. In those rare instances in which a  
56 satisfactory resolution cannot be reached, it may be necessary to have a more formal  
57 process for review of the recognition of ordination with PCLs or a process of censure.  
58 This review must be seen as part of an ongoing process of care. Its primary goal ought to  
59 be concern for justice, reconciliation, and healing for both the congregation and the  
60 individual(s). For this reason all participants must exercise great care to assure that the  
61 allegations and the process remain confidential unless some decision is reached which  
62 requires notification.

63  
64 One reason Regions exist is to strengthen the spiritual health and vitality of its constituent  
65 churches and their ministerial leaders. Programs, services, and pastoral care are ways in  
66 which this central concern is expressed for local churches and their ministerial leadership.  
67 Personal, professional, and pastoral care for PCLs is an ongoing process. One aspect of  
68 that process is the recognition of ordination by which the whole denominational family  
69 gives affirmation and support to PCLs.

70  
71 The Department of Professional Ministry of a Region has the responsibility for the  
72 recognition of ordination as well as responsibility for the Region's review of the  
73 recognition of ordination in the event of misconduct by a PCL. This process is guided by  
74 the biblical mandate of Matthew 18:15-17. According to this passage, the goals are: first,  
75 to deal directly with the person (verse 15), second, to deal with a small, more informal  
76 group (verse 16); third, only when the process has failed, to bring resolution to move before  
77 the Region represented by the Department of Professional Ministry (verse 17).

78  
79 It must be stressed that this is an ecclesiastical process conducted within the confines of the  
80 church's structure and polity. It is NOT a legal process. Consequently, parties involved  
81 are not bound by the dictates of the judicial system. We are, however, bound by our  
82 commitment to justice and fairness for all concerned. Being an ecclesiastical process, there  
83 is no official role or place for attorneys in this review process. If any involved parties wish  
84 to seek legal counsel, they must do so outside the official review process. Attorneys are  
85 not permitted to participate in the preliminary exploration, the review hearing, or the appeal  
86 process. This process was recommended to Regions acknowledging the autonomy of the  
87 local church and the extremely limited authority of the ABC/USA in matters of ordination  
88 and recognition of ordination.

89  
90 In every sexual misconduct case, the Executive Minister and his/her staff will attempt to  
91 make pastoral care available to the person making the allegations of misconduct, the family

of the person making the allegations, the PCL who allegedly committed the misconduct, the PCLs family, the members of the PCLs congregation, the PCLs colleagues, and others. However, the Executive Minister and his/her staff cannot themselves function as pastor, counselor, advocate, attorney, or other “fiduciary” of any of these people. The ultimate responsibility of the Executive Minister and his/her staff is to the Region and not to any individual within the Region. If a conflict arises between what is in the Region’s best interests and what is in the interest of someone else, the Executive Minister and his/her staff are obliged to act on the Region’s behalf.

Every report of sexual misconduct by a PCL involves unique people and unique circumstances. The Process of Review merely describes a general approach that the Region will follow in responding to reports of sexual misconduct by a PCL. It will not be appropriate, or even possible, for the Region to follow this approach in every case. The Region reserves the right to depart from this Process for Review to assure a fair and just process for all persons involved.

**1. Written Allegations:** When allegations about a particular PCL have not been resolved in the ongoing process of service and care of a Region, formal allegations are to be addressed to the Chair of the Department of Professional Ministry with a copy to the Executive Minister of the Region. The allegations must be specific in content, made in writing, and signed. These allegations, which may come from Region staff, other ministerial leaders, or from lay persons, are to be related to the following categories:

- Delinquency of a moral, ethical, or financial nature that brings the church into disrepute.
- Violation of expectations the church has about ethical behavior for its PCLs as articulated in the Covenant and Code of Ethics for Professional Church Leaders of the ABC/USA.
- Any court action that would bring the church into disrepute.

These allegations do not include issues of compatibility between a PCL and congregation.

**2. Pastoral Intervention:** When the normal processes have failed to bring resolution, and formal charges have been developed, there is an ongoing need for pastoral intervention for the persons making the allegations, the PCL in question, their families, if any, and the congregation being served. These pastoral interventions may be done by members of the Region staff, by members of the Department, or by members of the Region’s Ministers Council who are not directly involved in the process.

**3. Informing the Person about the Allegations:** The Department of Professional Ministry shall inform the person in writing of the allegations. It shall provide him or her with information about the process of review and request a meeting with this person for a preliminary exploration of the allegations. The Department of Professional Ministry will request written acknowledgement that the allegation was received and the review process understood.

**4. Preliminary Exploration:** The Preliminary Exploration begins within thirty (30) days after formal allegations have been brought to the Department. The Department of Professional Ministry, either as a body or through delegated representatives, shall meet with the person making the allegations to clarify the allegations or respond to any questions. In a separate meeting, the Department of Professional Ministry, either as a body or through delegated representatives, shall meet with the person in question to explore the allegations and determine what steps to take. (If either person fails to appear, the Department may proceed.) There are five possible courses of action:

- a. The Department may discover that there is no warrant for a review hearing and exonerate the person.
- b. The person may acknowledge the truth of the allegations and work with the Department deciding which of the actions listed under #6c below will be followed.
- c. The Department may, in the event of an unusually grave or emergency situation, temporarily suspend recognition of ordination for a period of not more than ninety (90) days. During this period the Department shall convene a review hearing to consider the matter fully. Notice of this decision shall be given to the person in question and the appropriate denominational bodies.
- d. The person may dispute the allegations in full or in part, and yet work out with the Department a plan to deal with the situation without utilizing the full process of the review hearing.
- e. The person may dispute the allegations and the Department may decide to utilize the review hearing process to investigate and make a decision about the allegations.

All persons are allowed to seek whatever counsel is appropriate, including legal counsel, in preparation for the preliminary exploration. However, attorneys are not allowed to act as legal counsel in the preliminary exploration process.

**5. Review Hearing Notice:** When a review hearing is scheduled, all parties involved are to be notified and informed about the process and how to prepare for it. The hearing should not be less than thirty (30) days nor more than ninety (90) days following notification.

The PCL in question is to be supplied with a written copy of the allegations, a description of the review hearing procedure, and a notification of his or her rights. These include the right to be present, the right to present evidence including witnesses on his or her behalf, and the right to have an advocate present. This advocate may be clergy or lay and is intended to provide support and assistance to the person throughout the process.

184 **6. The Review Hearing:** The hearing is held to thoroughly investigate the allegations.

- 185  
186 a. The hearing shall be fair, impartial, and confidential for the person in  
187 question, the persons making the allegations, and the wider church  
188 family. The Department may specify the amount of time allowed for  
189 presentation of the allegations, for the defense, and for summary  
190 statements. (If a person fails to appear, the Department may proceed.)  
191

192 All persons involved in the review hearing process are allowed to seek whatever counsel  
193 is appropriate, including legal counsel in the review hearing process. However, attorneys  
194 are not allowed to act as legal counsel in the review hearing process. It is not necessary  
195 for the person making the allegations to personally confront the person in question. The  
196 Review Hearing is an opportunity for the Department to hear all relevant information in  
197 order that it may reach a decision.  
198

199 Both the claimant and respondent have the right to have an advocate throughout the  
200 review process. This advocate may be clergy or lay, and is intended to provide support to  
201 the individuals through the process. The Department of Professional Ministry will make  
202 available a list of possible advocates.  
203

- 204 b. The following is a guide for how the hearing may progress:

- 205 (1) Opening statement  
206 (2) Introduction.  
207 (3) Statement about how the hearing will be conducted.  
208 (4) Prayer  
209 (5) Reading of the allegations  
210 (6) Presentation of the information or testimony supporting the  
211 allegations.  
212 (7) Presentation of information or testimony refuting the  
213 allegations.  
214 (8) An opportunity will be given for those making allegations to  
215 respond to the presentation of refutation.  
216 (9) An opportunity will be given for the person in question, or by  
217 his/her representatives to respond.  
218 (10) Questions by the Department of Professional Ministry to any  
219 of those offering information, testimony, refutation, or  
220 response.  
221 (11) Closing statement by those making allegations or his/her  
222 designated representative.  
223 (12) Closing statement by the person in question or his/her  
224 designated representative.  
225 (13) Prayer for continuing guidance and comfort for those involved  
226 in this situation and for those who are given the responsibility  
227 to come to a decision.  
228 (14) Executive session of the Department of Professional Ministry.  
229

c. Following the hearing the Department deliberates and makes its decision from the following options.

*Make a finding that does not uphold the allegations.*

(1) Exonerate the person.

(2) Exonerate the person and take steps to stop continued allegations.

*Make a finding that upholds the allegations.*

(3) Develop a plan for addressing the issues short of censure, suspension of recognition of ordination or withdrawal of recognition of ordination.

(4) Allow the person to voluntarily relinquish recognition of ordination.

(5) Censure the person.

(6) Suspend the recognition of the person's ordination.

(7) Withdraw the recognition of the person's ordination.

The decision of the Region shall be based upon a "predominance of evidence" presented at the hearing.

**7. Notification of decision:** The Department of Professional Ministry shall notify all parties of its decision within fifteen (15) days of the review hearing. In the event a person is exonerated, that individual shall receive a letter acknowledging this action, a copy of which shall be sent to those making the allegations. In the event of suspension or withdrawal of his/her recognition of ordination, the Inter-Regional Appeal Task Force, the American Baptist Personnel Services, the Regional Executive Ministers Council, the Ministers and Missionaries Benefit Board, the Ministers Council, the originating church, the church (or church organization) being served at the time of the allegations, the church (or church organization) now being served, and any other bodies which have relied on American Baptist recognition for endorsement, approval, or recognition shall also be notified.

**8. Appeal:** A person whose recognition of ordination has been suspended or withdrawn may appeal the decision to the Executive Committee of the Region Board. If there is no action by the Executive Committee of the Region Board within sixty (60) days, the person may appeal to the Inter-Regional Appeal Task Force, provided that the appeal is filed within one hundred twenty (120) days of the receipt of the notice of the decision. All appeals will be conducted to determine the appropriateness of the process used by the region to reach its final decision. An appeal is not to determine an individual's fitness for ministry; rather, it is to determine if a fair and just process was used by the Region. The decision of the Executive Committee of the Region Board or the Inter-Regional Appeal Task Force shall be final.

**9. Pastoral Follow-up:** There is a need for pastoral care throughout the process, but particularly following a review hearing. Once the hearing is complete, decision

made, and actions taken, there needs to be intentional effort made at reconciliation and healing. The Region will assist the local church in its ongoing care and concern to those who made the allegations or who were wronged, and find ways to express forgiveness and grace to those who have been disciplined.

**10. Reinstatement:** A person's ordination may be subsequently recognized again, if there is a desire to be reinstated. The Department of Professional Ministry will meet with the person to review the original action, subsequent history and present qualifications for ministry. In the event that the Department of Professional Ministry is not the one that withdrew recognition, appropriate documentation will be secured about the prior action so that full information will be available to the Department considering reinstatement.

**Care for the Claimant:** The process of care for the claimant will include: careful consideration of requests; prompt response to requests, and referrals for advocacy. The Region cannot take responsibility for any costs incurred.

**Records:** A written summary of the Department's proceedings and a statement of findings will be maintained permanently in the minutes of the Department of Professional Ministry and in the personnel files of the Region office. Any decision to remove or clear such a file of the Department's proceedings is to be made with the consent of the Department. These files will be maintained to respond to requests for information regarding sexual misconduct from future employers of persons who are ministers of the Region.

**Civil or Criminal Lawsuits:** A claimant's decision to use the above policy and procedures for handling complaints of sexual misconduct in no way precludes a simultaneous use of the civil or criminal legal justice system.

## DEFINITIONS

**Recognition of Ordination:** In our tradition, ordination is granted by the local congregation working with the partner churches. The denomination does not ordain; it recognizes (or chooses not to recognize) ordinations of a local church, or from other denominations. A person may voluntarily give up the recognition of his or her ordination. The denomination may choose to withdraw recognition of ordination either for cause or after a period of inactivity.

**Restoration:** Restoration is the process of supervision and evaluation that returns a PCL to recognized ministry. The Department of Professional Ministry for each situation individually designs the process. The PCL must willingly cooperate and successfully complete the process for his/her ministry to be restored and recognized again.

**The Region:** The process of recognition of ordination in the denomination is decentralized; a Region acts on behalf of the whole denomination in recognizing, failing

to recognize, allowing recognition to lapse, or withdrawing recognition of ordination. There is reciprocity among ABC bodies with all Regions and National Boards agreeing to accept the process as applied in other partner Regions.

**Department of Professional Ministry** is that part of the Region structure which is charged with the responsibility for recognition (and withdrawal of recognition) of ordination

**Review Hearing** is the process by which allegations against an individual are reviewed and a decision is rendered either for against the individual. This is not a criminal or civil process; rather, it is a church process by which the churches are seeking to order their life together under the leading of God's spirit.

**Censure** is an official written statement of the Department of Professional Ministry's disapproval of a behavior as unbefitting one who is serving or who has served as a PCL of the American Baptist Churches/USA. It is offered as an indication that further similar conduct is unacceptable and, where applicable, could lead to suspension or withdrawal of his/her recognition of ordination.

## IMPLICATIONS

There are different kinds of implications of a decision by the Department of Professional Ministry to censure a PCL. It may mean:

- That person's name will be deleted from any listing of Professional Ministers of the ABC/USA,
- That the American Baptist Personnel Services will seek to deactivate any use of a person's profile, and
- That all ABC Regions will be notified of the action.

Depending on the requirements of other bodies, this decision may directly effect an endorsement, approval, or recognition which was predicated on ABC action; in some instances this may mean termination of employment. Depending on the laws of the state, this decision may mean that a person will no longer be authorized to perform pastoral functions such as weddings, funerals, and / or pastoral counseling.

**Emergency Suspension of Recognition of Ordination** is intended to interrupt the ministry and pastoral selection process while the investigative and decision-making process proceeds. The recognition of ordination may be suspended for a period not to exceed ninety (90) days in the event of an unusually grave or emergency situation. Written notice of an Emergency Suspension shall be sent to the Inter-Regional Appeal Task Force, the American Baptist Personnel Services, the Region Executive Ministers Council, the church (or church organization) being served, the Ministers and Missionaries Benefit Board, and any other bodies which have relied on American Baptist recognition for endorsement, approval, or recognition.



**Suspension of Recognition of Ordination** is a withdrawal of recognition of ordination for a specific period of time in order to implement a program prescribed by the Department of Professional Ministry. The conditions of the suspension must be clearly stated. Notice of a suspension will be given to the Inter-Regional Appeal Task Force, the American Baptist Personnel Services, the Regional Executive Ministers Council, the original ordaining church, the church (or church organization) being served at the time of the allegations, the church (or church organization) now being served, the Ministers and Missionaries Benefit Board, and any other bodies which have relied on American Baptist recognition for endorsement, approval, or recognition.

**Withdrawal of Recognition of Ordination** means that the American Baptist Churches/USA no longer recognizes the validity of an ordination. Notice of the withdrawal of recognition shall be given to the Inter-Regional Appeal Task Force, the American Baptist Personnel Services, the Ministers and Missionaries Benefit Board, the Regional Executive Ministers Council, the original ordaining church, the church (or church organization) being served at the time of the allegations, the church (or church organization) now being served, and any other bodies which have relied on American Baptist recognition for endorsement, approval, or recognition.

## IMPLICATIONS

There are different kinds of implications of a decision by the Department of Professional Ministry to suspend or withdraw the recognition of a person's ordination. It will mean:

- That person's name will be deleted from any listing of Professional Ministers of the ABC/USA,
- That the American Baptist Personnel Services will seek to deactivate any use of a person's profile, and
- That all ABC Regions will be notified of the action.

Depending on the requirements of other bodies, this decision may directly effect an endorsement, approval, or recognition which was predicated on ABC action; in some instances this may mean termination of employment. Depending on the laws of the state, this decision may mean that a person will no longer be authorized to perform pastoral functions such as weddings, funerals, and / or pastoral counseling.

ADOPTED ON MAY 22, 1997 BY DEPARTMENT OF PROFESSIONAL MINISTRY  
OF ABC/NE. REVISED, 2007.

408 **APPENDIX A**

409  
410 **PROCEDURES IN CASE OF A PROFESSIONAL CHURCH LEADER SELF**  
411 **REFERRAL IN MATTERS OF SEXUAL MISCONDUCT**  
412

413 There are times when PCLs, under the conviction of the Holy Spirit, acknowledge that  
414 they have crossed boundaries and participated in sexual misconduct and now seek  
415 restoration.

416  
417 In these cases, the self-referring PCL should meet with the Executive Minister to begin  
418 the process of restoration.

419  
420 It is assumed that these cases will enter the Ecclesiastical Process at paragraph 4b and  
421 will continue according to the Ecclesiastical Process.

422  
423 In step 4b of the Ecclesiastical Process, the self-referring PCL will provide the  
424 Department of Professional Ministry with the names(s) of the victim(s) and enough  
425 Information about the nature of the misconduct, to ensure that the Department of  
426 Professional Ministry has sufficient information on which to base its decision required in  
427 paragraph 6c of the Ecclesiastical Process.

428  
429 If the self-referring PCL has chosen to inform his/her spouse of the misconduct, the  
430 Department of Professional Ministry will ensure that the pastoral care needs of the spouse  
431 are addressed.

432  
433 As part of the department's decision in paragraph 6c, the Department of Professional  
434 Ministry will also make a determination concerning the need to communicate the results  
435 of the process to the victims(s) and the need to provide pastoral care to the victim(s).

436  
437 If the Department of Professional Ministry has chosen not to communicate with the  
438 victim(s), and at a later time the victim(s) brings an allegation that is in substantial  
439 agreement with the self-disclosure of the PCL, the victim(s) will be informed of the  
440 process already followed, and the finding already made. If the actions taken up to this  
441 point are acceptable to the victim(s) then they will continue in force. If the victim(s) is  
442 not satisfied, then the allegation will be processed according to the Ecclesiastical Process  
443 beginning at paragraph 1. Care should be taken to provide for pastoral care for the  
444 victim(s)

445  
446  
447 ADOPTED ON AUGUST 19, 1997 BY DEPARTMENT OF PROFESSIONAL  
448 MINISTRY OF ABC/NE. REVISED, 2007.

450 **APPENDIX B**

451  
452 **PROCEDURES IN CASE OF A PROFESSIONAL CHURCH LEADER SELF**  
453 **REFERRAL IN MATTERS OF ETHICAL MISCONDUCT**  
454

455 There are times when PCLs, under the conviction of the Holy Spirit, acknowledge that  
456 they have crossed ethical boundaries and now seek restoration.

457  
458 In these cases, the self-referring PCL should meet with the Executive Minister to begin  
459 the process of restoration.

460  
461 It is assumed that these cases will enter the Ecclesiastical Process at paragraph 4b and  
462 will continue according to the Ecclesiastical Process.

463  
464 In step 4b of the Ecclesiastical Process, the self-referring PCL will provide the  
465 Department of Professional Ministry with the names(s) of any victim(s) and enough  
466 information about the nature of the misconduct, to ensure that the Department of  
467 Professional Ministry has sufficient information on which to base its decision required in  
468 paragraph 6c of the Ecclesiastical Process.

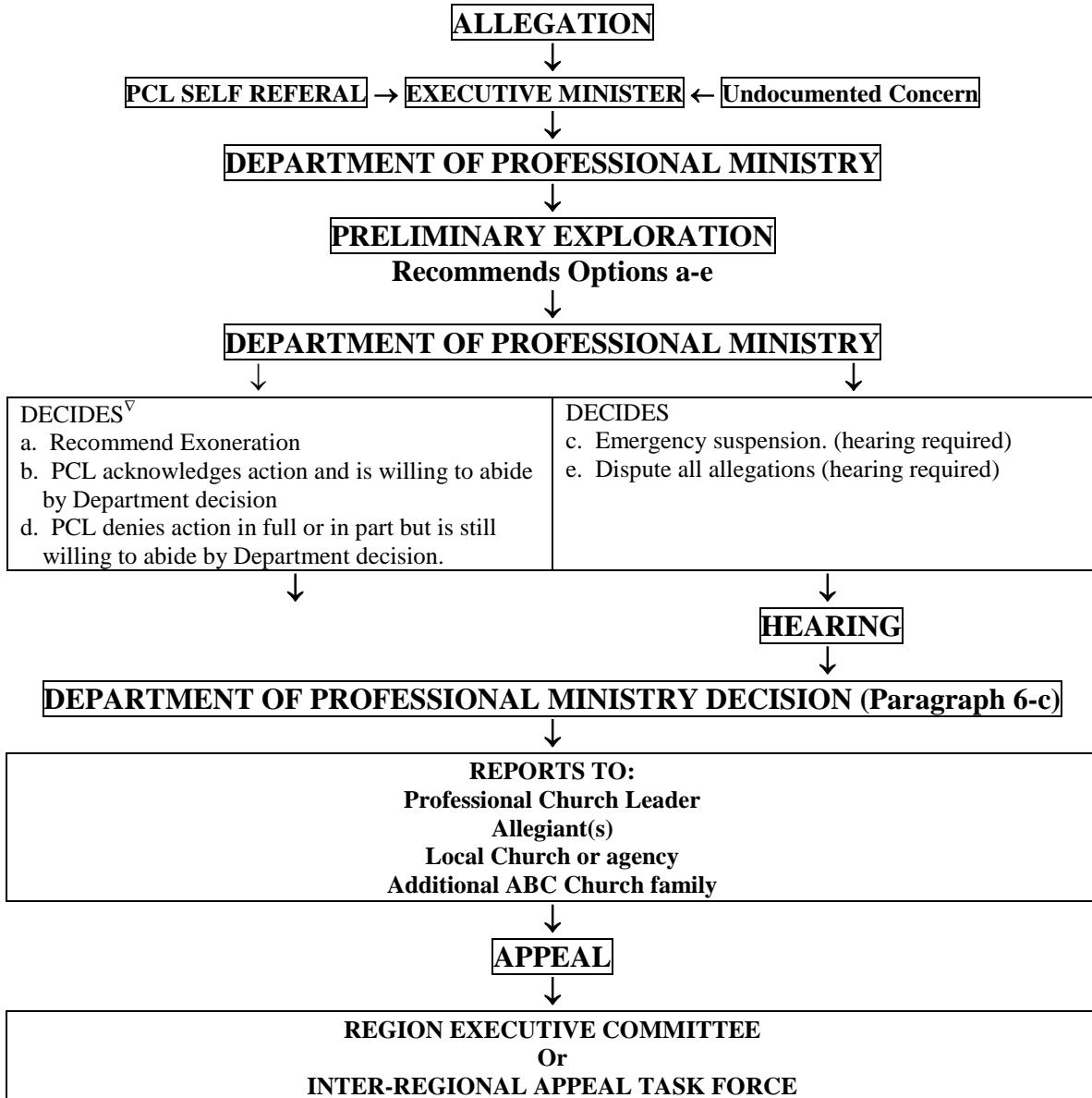
469  
470 As part of the department's decision in paragraph 6c, the Department of Professional  
471 Ministry will also make a determination concerning the need to communicate the results  
472 of the process to the victim(s) (if any) and the need to provide pastoral care to the  
473 victim(s)

474  
475 ADOPTED ON OCTOBER 24, 1997 BY THE DEPARTMENT OF PROFESSIONAL  
476 MINISTRY OF ABC/NE. REVISED, 2007. APPROVED ON FEBRUARY 16, 2008  
477 BY ABC/NE BOARD OF DIRECTORS  
478

APPENDIX C

GUIDELINES FOR RESPONDING TO  
ALLEGATIONS OF PROFESSIONAL CHURCH LEADER MISCONDUCT

FLOW CHART



ADOPTED ON AUGUST 19, 1997 BY DEPARTMENT OF PROFESSIONAL  
MINISTRY OF ABC/NE. REVISED, 2007.

<sup>∇</sup> The letters designating the five options are intentionally not in order. They refer to the sub paragraphs in paragraph 4 dealing with possible findings of the preliminary exploration.