



Canadian
Association
of
Lutheran
Congregations

Guidelines for Diaconal Ministry in CALC

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The Office of Diaconal Ministry – Voluntary Guidelines

Preamble: The delegates to the 2017 Annual General Convention of the Canadian Association of Lutheran Congregations (CALC) approved, and our congregations ratified, amendments to our association's constitution and bylaws which established the office of the Deacon or Diaconal Minister, together with guidelines for the training, roster and discipline of Diaconal Ministers. The full text of the constitutional amendments are set forth in Schedule 1 attached hereto.

Introduction. Today, as in the early church, the role of a deacon may encompass a variety of services. The role of deacon and the services encompassed within that role, differs from denomination to denomination. In general, however, deacons function as servants, ministering to the body in practical ways. CALC's understanding of the role of the Deacon and the variety of services are set forth below. However, before proceeding further with the office of the deacon, it is important to understand CALC's teaching on lay ministry. [1]

CALC's Understanding of Lay Ministry. CALC's policy on lay ministry may be summarized as follows. [2]

As you come to him, the living Stone—rejected by humans but chosen by God and precious to him— you also, like living stones, are being built into a spiritual house to be a holy priesthood, offering spiritual sacrifices acceptable to God through Jesus Christ. (1 Peter 2:4-5) [3]

Lutherans believe all Christians are royal priests and priestesses, there is no distinction. The spiritual sacrifices we offer through Christ are: to teach, to preach and to proclaim the Word of God, to baptize, to consecrate or administer Communion, to bind and loose sins, to live sacrificial lives, to pray for others and to judge all doctrines and spirits. [4]

CALC believes and confesses that for the purpose of good order within the congregation, these functions, including the administration of holy communion should be conducted publicly by one who is called and ordained. However, if an ordained pastor is not available, congregational executive officers, church councils or congregations can appoint qualified individuals to preach, baptize and administer holy communion in the congregation. [5]

The Office of the Deacon in the New Testament. The term deacon comes from the Greek word *diákonos* which is typically translated servant or minister. The word *diákonos* appears about 29 times in the New Testament. [6]

Acts 6:1-6 describe the beginning of the office of the deacon. [7]

In those days when the number of disciples was increasing, the Hellenistic Jews among them complained against the Hebraic Jews because their widows were being overlooked in the daily distribution of food. ² So the Twelve gathered all the disciples together and said, "It would not be right for us to neglect the ministry of the word of God in order to wait on tables. ³ Brothers and sisters, choose seven men from among you who are known to be full of the Spirit and wisdom. We will turn this responsibility over to them ⁴ and will give our attention to prayer and the ministry of the word." [8]

⁵ This proposal pleased the whole group. They chose Stephen, a man full of faith and of the Holy Spirit; also Philip, Procorus, Nicanor, Timon, Parmenas, and Nicolas from Antioch, a convert to Judaism. ⁶ They presented these men to the apostles, who prayed and laid their hands on them. [9]

These verses testify that the office of deacon was developed primarily to minister to the physical needs of the members of the body of Christ. In the weeks and months following Pentecost, the church had grown by leaps and bounds. Growing pains were inevitable. Groups within the ever growing and expanding church were being overlooked. The Apostles were initially involved in decisions relating to the distribution of alms and the food served at the dinner table. The Apostles were inspired by the Holy Spirit to take positive action which would permit them to focus on prayer and ministry. The Apostles gave the congregation the authority to select seven men who served as deacons. The Apostles affirmed and blessed the congregation's work in discerning and appointing the first seven deacons by laying hands on the seven men. [10]

In Romans 16:1-2, the Apostle Paul wrote: *"I commend to you our sister Phoebe, a deacon of the church in Cenchreae. I ask you to receive her in the Lord in a way worthy of his people and to give her any help she may need from you, for she has been the benefactor of many people, including me."* As a consequence many women have been appointed and consecrated as deacons in the Church. [11]

Qualities of the Deacon: The New Testament does not spell out with specificity the responsibilities or duties of the deacon. However, the new Testament does speak to the qualities displayed by the deacon. The Apostle Paul described the qualities of the deacon in 1 Timothy 3:8-13 [12]

In the same way, deacons are to be worthy of respect, sincere, not indulging in much wine, and not pursuing dishonest gain. They must keep hold of the deep truths of the faith with a clear conscience. They must first be tested; and then if there is nothing against them, let them serve as deacons. In the same way, the women are to be worthy of respect, not malicious

talkers but temperate and trustworthy in everything. A deacon must be faithful to his wife and must manage his children and his household well. Those who have served well gain an excellent standing and great assurance in their faith in Christ Jesus. [13]

Elders and Deacons. The biblical qualities of deacons are very similar to that of elders, but there is a clear distinction in office. In his Letter to Titus, Paul added the following in reference to the office of the Elder: *He must hold firmly to the trustworthy message as it has been taught, so that he can encourage others by sound doctrine and refute those who oppose it.* (Titus 1:9) For this reason elders have been regarded as spiritual leaders or shepherds of the church. They serve as pastors and teachers and also provide general oversight on financial, organizational, and spiritual matters. Thus practical ministry of deacons in the church is vital, freeing elders to focus on prayer, studying God's Word, and pastoral care. The foregoing notwithstanding, the role of two of the first seven deacons went beyond waiting on tables. [14]

Stephen: The deacon Stephen was described as: *"... a man full of God's grace and power, performed great wonders and signs among the people.* (Acts 6:8) His bold proclamation of the Gospel in word and deed got Stephen in trouble with the Jewish authorities. He was arrested and charged with blasphemy against Moses and God. He was taken before the highest court in Judaism. False witnesses were introduced against him. He stood his ground and upheld the faith. His accusers were blinded to the truth he spoke. He was stoned to death as the Church's first martyr. *"While they were stoning him, Stephen prayed, "Lord Jesus, receive my spirit." Then he fell on his knees and cried out, "Lord, do not hold this sin against them." When he had said this, he fell asleep.*" (Acts 6:59-60) [15]

Philip: Following Stephen's stoning, the deacon Philip and other members of the church fled Jerusalem. The Holy Spirit encouraged Phillip to go south. He preached fearlessly in the towns and cities he traveled to. Many came to believe and were baptized. When the Church began to grow under Philip's evangelistic work, the Apostles went to visit the new congregations he had established. The Holy Spirit called Phillip even further south. While on the road to Gaza he met the Ethiopian eunuch. The Holy Spirit used Philip's witness to Jesus Christ's suffering, death and resurrection, to inspire the eunuch to be baptized. (See Acts 8:4-40) [16]

CALC's Mandate: The mission of our Association includes assisting member congregations in the training and discipline of a diaconal ministry. Diaconal Ministers being servants who minister to the body of Christ in practical ways. (Section 4.2.2 of Article 5 of our Constitution). Our Association's primary mandate is therefore to establish voluntary guidelines and processes for the training and discipline of Diaconal Ministers for service in our congregations. To this end our Association has prepared these voluntary guidelines and established voluntary programs and procedures for: the instruction, training, mentorship, consecration, installation, rostering and discipline of Diaconal Ministers. [17]

Divinely Instituted: We believe, trust and confess that God instituted the office of deacon for the purpose of bringing the Word to and serving His people in order that they may come to saving faith. (Acts 6:1-7, 8:4-8; 8:26-40). [18]

A Congregation's Call is God's Call: We believe, trust and confess that a congregation's choosing, electing or appointing a candidate to the office of the Diaconal Ministry is a call from God. God's call is much more than an inner conviction or belief held by a candidate that God wants the candidate to be a deacon. The inner conviction does not make that candidate a deacon; rather, it is the external election or call of the church that makes any candidate a deacon (Acts 6:3-6). Without the mediation of a call by a congregation, a candidate's service as a deacon would be self-appointed service to God and that can be a form of idolatry. We believe, trust and confess that God calls both men and women to the office of the Diaconal Ministry. [19]

Roster. All consecrated Diaconal Ministers of this Association called by a CALC congregation, or the Board of Elders acting for all of our congregations, shall be listed on the Roster of Diaconal Ministers maintained by our Association. They shall remain on said roster as long as they serve a CALC congregation or an extended ministry approved by CALC and are in good standing. [20]

Authority. CALC's governing documents declare and affirm that each Member and Associate Member congregation has both the freedom and authority to call a diaconal ministry its own choosing and the solemn responsibility of discerning any candidate's aptness for ministry and qualifications for the office of Diaconal Ministry of Word. Each calling congregation must follow the terms of its constitution at every stage in the call process. [21]

Congregational Autonomy and Mandate in the Call Process. CALC congregations are granted great autonomy in the call process. We believe that God has given each congregation the gifts necessary to discern a good candidate and call him/her as their Diaconal Minister. They shall interview and vet all candidates for consecration as a deacon and all persons applying for acceptance on CALC's roster of Diaconal Ministers and shall ensure that each candidate: (1) will accept and abide by our Association's Confession of Faith and Purposes; (2) possess the personal qualifications described in 1 Timothy 3:8-13; and, (3) possess the academic training and/or professional and personal experience necessary to fulfill the terms of the call extended to the candidate of diaconal ministry. This publication provides guidelines for assessing the general and educational qualifications

and expectations of candidates for diaconal ministry in a CALC congregation. CALC has prepared an application for use in the interview and vetting of candidates and a sample call letter which are attached hereto as Schedule 2 and 3, respectively. [22]

Consecration Defined: Consecration is defined as the formal ritual in which a candidate for diaconal ministry is “consecrated” – publicly set apart – for the high calling of Deacon in the tradition of the Acts of the Apostles. [23]

Personal Attributes: Persons rostered as Diaconal Ministers serving CALC congregations should: [24]

- ❖ Demonstrate a commitment to Christ. [25]
- ❖ Accept and adhere to the Scriptures as the divinely inspired, revealed, and inerrant Word of God, and joyfully submits to this as the only infallible authority in all matters of life and faith. [26]
- ❖ Accept and adhere to the common confession of faith and purpose as set forth in Articles 3 and 5 of CALC’s constitution. [27]
- ❖ Show willingness and ability to serve in response to the needs of the church. [28]
- ❖ Have academic and practical qualifications for ministry, including leadership abilities and competence in interpersonal relationships. [29]
- ❖ Exhibit commitment to lead a life worthy of the gospel of Christ and in so doing to be an example in faithful service and holy living. [30]

Expectations: CALC and its congregations understand the call to diaconal ministry to mean that: [31]

- ❖ Consecrated deacons, called by God through the congregation, are accountable to the Word of God for the sake of the gospel of Jesus Christ; [32]
- ❖ Consecrated deacons serve, teach and proclaim in accordance with the Holy Scriptures and the Creeds and Confessions of CALC’s statement of faith. [33]
- ❖ Consecrated deacons are diligent in their study of the Holy Scriptures and in their use of the means of grace. They pray for God’s people, nourish them with the Word and service and at times the Holy Sacraments, and lead them by their own example in faithful service and holy living. [34]
- ❖ Consecrated deacons are called by God through the congregation as an expression of the church universal, the “Una Sancta” and are not self-chosen or self-appointed and do not select a ministry context independent of the church; [35]
- ❖ Consecrated deacons are called by God through the congregation for a ministry of servanthood, and not for the exercise of domination or coercive power; [36]
- ❖ Diaconal ministry is a privilege granted by God through the call of the congregation and is not a right of the individual. [37]
- ❖ Consecrated deacons voluntarily place themselves under the legitimate authority and discipline of the congregation he or she serves and CALC, and assents to the polity of this association of congregations. All consecrated deacons in CALC should state a clear intention to live and conduct themselves in a manner consistent with these expectations. [38]
- ❖ Consecrated Deacons are expected to adhere to CALC’s policy on marriage: In accordance with our confession of faith, we define marriage as being between one man and one woman. [39]
- ❖ Consecrated Deacons are expected to adhere to CALC’s statement on Homosexuality in their service in a CALC congregation. Deacons are called to serve homosexuals on the same basis as a pastor as set forth in Paragraphs [41]-[45] below. Deacons will not be consecrated or cannot continue in diaconal ministry for the reasons set forth in Paragraph [46] below. [40]

This Association regards homosexual desires and behaviour as sinful and contrary to God's intent for His children (Lev. 18:22; 20:13; Deut. 23:18; Rom. 1:27; 1 Cor. 6:9-11). It rejects the contention that homosexual desires, behaviour and/or lifestyle are simply another form of sexuality equally valid with the God given male/female pattern. [41]

We acknowledge that each person may have a tendency or predisposition to a particular sin, or temptation to which he or she is especially prone. Being tempted is not a sin; acting on the temptation, by indulging in wrongful thoughts, words, or deeds is sinful (James 1:12-15). [42]

We urge Deacons and Congregations to initiate Scriptural teaching in appropriate situations so as to counter the growing social and cultural approval of homosexual attitudes and mindset. [43]

At the same time, we encourage pastors and congregations of this Association to minister redemptively with homosexual persons with whom they come in contact, realizing that each one is a person whom God loves and for whom His Son died. [44]

Also, we encourage congregations and Deacons to show love and compassion to those who have facilitated, encouraged, enabled or participated in homosexual activities or in its lifestyle, and assure them of God's complete forgiveness to all who repent (2 Cor. 6:11). [45]

Accordingly, we will not allow consecration or continuation in the diaconal ministry of those who advocate the acceptance of homosexual desires, activities or lifestyle. Neither shall we allow the consecration or continuation in diaconal ministry of self-professing or practising homosexuals. All those who advocate such positions, or who profess or practice homosexuality, shall not be allowed to continue in this Association, until there is evidence of repentance and amendment of life. [46]

Further teaching on marriage and human sexuality may be found in our publication entitled: "Statement on Marriage and Human Sexuality – Scriptural and Confessional Authority" which can be accessed as follows:

<http://www.calc.ca/Statement%20on%20Marriage%20and%20Human%20Sexuality.pdf>. [47]

Areas of Service: The specialized ministries and areas of service of consecrated deacons may include: [48]

- ❖ Administration and executive leadership in: congregations; missionary and evangelistic organizations; Christian hospitals and care facilities; Christian orphanages and children's homes; outdoor ministries and Christian camps; church schools (elementary and post-secondary); Bible Schools; seminaries; or other Christian organizations; [49]
- ❖ Pastoral care in a congregational setting or through a Christian organization; [50]
- ❖ Caregiving and visitation in congregational settings; [51]
- ❖ Parish Nursing, defined as the unique, specialized practice of professional nursing which focuses on the promotion of health within the context of the values, beliefs and practices of a faith community, such as a church, its mission and ministry to its members and the community it serves. [52]
- ❖ Christian Education in congregations and other Christian Organizations; [53]
- ❖ Teaching in church schools (elementary and post-secondary), Bible Schools and seminaries; [54]
- ❖ Leadership in congregational worship and music, which may include proclamation and the administration of the Sacraments if requested by the congregation. [55]
- ❖ Evangelism and outreach in congregations and other Christian organizations. [56]
- ❖ Chaplaincy in church schools (elementary and post-secondary), institutions of higher learning (both Christian and secular); hospitals, care facilities, prisons and the military; [57]
- ❖ Christian counseling, including marriage, family and grief counseling, in a congregational setting or through a Christian organization; [58]
- ❖ Ministry to youth, families and/or seniors in a congregational setting or through a Christian organization; [59]
- ❖ Marriage enrichment in a congregational setting or through a Christian organization; [60]
- ❖ Social work in a congregational setting or through a Christian organization; [61]
- ❖ Missionary work in a congregational setting or through a Christian organization; [62]
- ❖ Any other area of ministry approved by a congregation or affirmed by CALC's Board of Elders. [63]

Educational Qualifications: Diaconal Ministers may be called to serve in many and diverse areas of service. The candidate's educational qualifications must necessarily fit the specified area or areas of service. The calling congregation, or Board of Elders when acting for all our congregations, must be satisfied that the candidate for diaconal ministry possesses the formal educational training, or equivalent, necessary to fulfill the terms and expectations of the deacon's specific area(s) of service in the congregation or other setting. By way of example, if the candidate is being called to a teaching/chaplaincy position in a Christian elementary school, the candidate would have to be a licensed to teach in the school and possess training and/or significant experience in Christian education and counseling. The calling congregation should examine any transcripts, diplomas and degrees which establish the candidate's educational qualifications. The calling congregation should also contact any references provided by the candidate. The calling congregation may consider a candidate's vocational training, leadership positions held in congregations and Christian organizations, life experience and/or professional credentials in determining said candidate's aptness for the diaconal ministry. [64]

Covenant to Serve Scripturally and Confessionally: Candidates for the diaconal ministry vow to serve, care, teach and proclaim in accordance with CALC's Confession of Faith, including, CALC's understanding of the nature and authority of the Scriptures, the Lutheran confessions and ecumenical creeds. Candidates who have not been trained at a Lutheran Bible school or seminary, or may not have received any theological education, should be trained in the basics of Lutheran Theology in order to ensure they possess the training necessary to equip and empower said candidate in the fulfillment of said vow. [65]

It is recommended that candidates for diaconal ministry who have not been trained at a Lutheran Bible school or seminary, or have no formal theological training, take, complete and pass the following three on-line courses of the Pastoral Ministry Certificate (PMC) program offered by the Institute of Lutheran Theology (ILT) of Brookings, South Dakota: [66]

BT 101: Principles of Biblical Interpretation (2 Credits): This course introduces and defends the Lutheran notion of the internal clarity of Scripture. Over and against much of the preceding tradition, Lutherans have claimed that no intermediary is required to interpret Scripture: Scripture interprets itself. This understanding is defended as the necessary condition of doing Lutheran theology faithfully. Various exegetical and hermeneutical methodologies are introduced and evaluated in light of theological pre-understandings. [67]

DT 101: Luther and His Catechisms (2 Credits): This course studies the life of Dr. Martin Luther within his historical context. His theological innovations are highlighted and related to our contemporary cultural understandings. Special attention is given to his Large Catechism and Small Catechism, documents that display clearly the depth of his thinking. Students are taught to think theologically in the way of the Lutheran Reformation. Major theological doctrines forged in the Reformation are carefully considered and applied to parish ministry today. [68]

DT 201: Lutheran Reformers and the Book of Concord (2 Credits): This course examines the classical theological roots of the Lutheran Reformation, its leading figures, and its key documents -- especially those collected in the Book of Concord. Students are encouraged to think theologically in the way of the Lutheran Reformation. Major theological doctrines forged in the Reformation are carefully considered in light of how they apply to parish ministry today. [69]

If the deacon's area of service includes worship leadership, including preaching, administration of the Sacraments, and evangelism and outreach, the candidate should take, complete and pass the following three additional courses offered by ILT as a part of their PMC program. [60]

PT 101: Lutheran Worship (2 Credits): This course examines the components of Lutheran corporate worship. Students study the theological foundations of worship by examining selected historical and contemporary worship forms. Contemporary issues impacting worship are also investigated with the purpose of better understanding the presence of God in His Word and Sacrament. [70]

PT 201: Proclaiming God's Word (2 Credits): The student will learn basic techniques and methods for studying Biblical passages and discerning a suitable message for preaching. In particular, the student will be taught the proper place of both Law and Gospel in Biblical preaching. Various approaches to developing and delivering a sermon will be examined. The students will write and deliver sermons as a crucial part of their development of proclaiming God's word. [71]

PT 203: Christian Apologetics (2 Credits): This course is a survey of the nature, objectives and importance of Christian apologetics in contemporary culture with particular emphasis on the application of Christian education and Evangelism. [72]

If the deacon's area of service involves pastoral care, including, visitation of the sick and the shut in, the candidate should take, complete and pass the following course offered by ILT as a part of their PMC program. [73]

PT 102: Pastoral Theology and Counseling (2 Credits): This course investigates the relationship between the office of pastor, the content of historical faith, and concrete issues arising within a context of pastoral counseling. Emphasis is placed upon the methodological and hermeneutical priority of the law/gospel approach within a context of *Seelensorge* (care of souls). [74]

Discipline: All Diaconal Ministers of this Association shall be subject to the discipline of the Association. Our Association reserves the right to suspend, discipline, or dismiss any deacon on the Roster of Diaconal Ministers. [75]

Grounds for Discipline: This Association may discipline, suspend or dismiss a Diaconal Minister for the following reasons: (a) teaching of doctrine in conflict with the Confession of Faith of this Church as expressed in this constitution; (b) conduct unbecoming an Diaconal Minister; (c) wilful disregard of the constitution, administrative bylaws and enactments of this Association. [76]

"Conduct unbecoming a consecrated deacon" shall include: [77]

- ❖ Conviction of a criminal offence. [78]
- ❖ Membership in an organization described in Section 2 of Part 3 of CALC's Constitution and Bylaws. [79]
- ❖ Family Matters: (i) Separation or divorce that occurs without consultation with the congregation's church council and without the rostered minister taking appropriate action on any agreement reached in such consultation. Each case of separation or divorce must be considered pastorally. (ii) Desertion or abandonment of spouse or children. (iii) Abuse of spouse or children. (iv) Repeated failure to meet legally determined family support obligations. [80]
- ❖ The misuse of alcohol or non-prescription mind-altering drugs and other substances. [81]

- ❖ Financial Misconduct: (i) indifference to or avoidance of legitimate and neglected personal debts; (ii) embezzlement of money or improper appropriation of the property of others; and (iii) using the ministerial office improperly for personal financial advantage. [82]
- ❖ Inappropriate sexual acts, including, adultery, promiscuity, addiction to pornography, the sexual abuse of another, or the misuse of counselling relationships for sexual favours or other advantage. [83]
- ❖ Sexual Harassment, as defined in regulations promulgated by our Association from time to time. [84]
- ❖ Continued failure and neglect to adequately fulfill the terms of a deacon's letter of call from a congregation or other organization. Provided the deacon has been given written notice of the alleged failure and neglect and fails and refuses to fulfill the terms of said letter of call within 30 days of the date of the letter. [85]

Procedure for Discipline: Discipline shall be administered in accordance with the constitution and the bylaws of the calling congregation. If for the sake of confidentiality, or if attempts by the local congregation fail, the matter may be directed to the President of the Association for counsel (who may follow the same procedure of Matthew 18:15-20, etc.). If such counsel fails to resolve the problem, it shall be referred to the Board of Elders for hearing who shall take appropriate action (such as exoneration, suspension, or dismissal of the deacon), and the Board of Elders shall act upon such recommendation and report such action to the next General Convention. A Diaconal Minister who is suspended or dismissed by the Board of Elders may appeal such decision to the Board of Appeals and Adjudication, whose decision shall be final. CALC has developed procedures for the initiation of a complaint against a Diaconal Minister and conduct of a hearing before the Board of Elders for: (a) teaching of doctrine in conflict with the Confession of Faith of this Church as expressed in this constitution; (b) conduct unbecoming an Diaconal Minister; (c) wilful disregard of the constitution, administrative bylaws and enactments of this Association and (d) sexual matters and family matters. Said process and procedures are attached hereto as Schedule 4. [86]

Termination of Call: A call to diaconal ministry may generally be terminated for the following reasons: (a) The deacon's written resignation (with the resignation taking effect some time following the date of said written resignation); (b) the deacon suffers from a physical or mental incapacity which severely impacts his/her ability to minister to and serve his/her congregation; (c) disciplinary action was taken against the deacon, he/she was found liable and discipline was imposed against him/her; (d) his/her continued neglect of diaconal ministry (Provided he/she was given written notice of the alleged failure and neglect and he/she failed and refused to fulfill the terms of their letter of call within 30 days of the date of the letter); (e) the deacon's stress leave or medical has lasted twelve (12) months and is expected to continue for an indefinite period of time thereafter ("extended stress leave"); and (f) the deacons inability to conduct the diaconal office satisfactorily in the parish in view of local conditions, without reflection on the moral and spiritual character of the deacon. [87]

Voluntary Procedures on Termination: The following provisions may apply if it is alleged that: (a) a Diaconal Minister suffers from a physical or mental incapacity which severely impacts his/her ability to minister to his/her congregation; (b) a Diaconal Minister has neglected and continues to neglect his/her ministry; (c) a Diaconal Minister's stress leave has lasted twelve months and is expected to continue for an indefinite period of time thereafter ("extended stress leave"); or (d) a Diaconal Minister is unable to conduct the diaconal office satisfactorily in that parish in the view of local conditions, without reflection on the moral and spiritual character of the deacon. [88]

Appointment of an Advisory Committee: Upon the request of the subject Diaconal Minister's congregational council or the receipt of a petition signed by at least one-third of the voting members of said congregation, our President shall appoint an advisory committee (AC) to investigate the allegations. Said AC shall consist of: the President, two CALC pastors or Diaconal Ministers (not affiliated with the subject congregation); and two members of the subject congregation. The AC shall attempt to mediate between the Diaconal Minister in question and the congregation and bring about a resolution. [89]

Cases of Neglect of Ministry. In the case of alleged neglect of ministry all those concerned shall be heard, by the President and the AC. Following the receipt of all relevant information, the President together with the AC shall counsel with the Diaconal Minister and the congregation on a proper course of action, which may include setting specific goals to be achieved by the Diaconal Minister in the fulfillment of the terms of his/her call. Such counsel shall be offered out of Christian love and is not to be regarded as an act of discipline. If after such counsel, the Diaconal Minister has failed to meet the agreed upon goals, the congregation may terminate the call by majority vote at a duly called congregational meeting. [90]

Cases of Incapacity and Extended Stress Leave. In the event of an alleged physical or mental incapacity, or extended stress leave, the AC shall make every effort to elicit medical testimony and other credible evidence as to the extent of the mental and physical disability or the extended stress leave, together with a prognosis for a return to work. [91]

The AC will attempt to meet with the Diaconal Minister, his/her spouse and/or his/her legal representative for the purpose of working toward an amicable solution, which may include: (a) the deacon's gradual return to work as suggested by the deacon's treating physician and/or disability carrier; and (b) the implementation workplace measures which may be taken to accommodate the deacon's return to work. If the AC and the deacon and/or his/her representatives are unable to accommodate

the deacon's return to work, or the agreed upon work place accommodations and return to work plan fail, the AC and the deacon and/or his representatives shall work toward a mutually acceptable termination of employment and severance package. Unless otherwise agreed by the parties, the compensation received by the deacon shall be equal to: (a) the Deacon's monthly compensation as of the date of the medical leave (or some fraction thereof as agreed to by the Deacon and the congregation); multiplied by the number of years of the deacon's service in the subject congregation. In determining the percentage of the monthly salary to be used in the above described formula, the deacon's length of service and the congregation's ability to pay shall be considered. [92]

If the AC determines that such physical or mental incapacity is evident, or the stress leave is expected to last indefinitely, and efforts to negotiate a mutually acceptable severance of employment failed, the AC shall make recommendations to the congregational council, which may include a recommendation to terminate the Diaconal Minister's call and declare the Deacon's position vacant. The congregation may thereafter terminate the call by a 2/3rds majority vote at a properly called congregational meeting. [93]

Cases of Changed Local Conditions. In the case of local conditions which imperil the wellbeing of the congregation and make it difficult for the Diaconal Minister to conduct ministry, all those concerned shall be heard, by the President and the AC. Following the receipt of all relevant information, the President together with the AC shall counsel with the Diaconal Minister and the congregation on a proper course of action, which may include dissolution of the congregation. The Deacon's call shall be deemed terminated as of the date of the vote to dissolve the congregation. [94].

Suspension. At any point in the foregoing proceedings, the President with the concurrence of the congregational council, may suspend the deacon from the functions of the ministry within the congregation, pending completion of the formal proceedings.

[95]

Not Discipline. The procedures set forth in Paragraphs [87] to [95], inclusive, may not be used for disciplinary proceedings against a Diaconal Minister. [96]

Schedule 1

To CALC's Guidelines for Diaconal Ministers

Constitutional Provisions - Diaconal Ministry

Office of the Diaconal Ministry – Constitutional Provisions

Article 8: ARTICLE EIGHT - THE PASTORS/DEACONS OF THIS ASSOCIATION

7. Office of Deacon/Diaconal Minister.

7.1 Definitions:

- 7.1.1 Deacon/Diaconal Minister: Deacons also known as Diaconal Ministers along with pastors are called to lead and equip the baptized for mission. Diaconal Ministers carry out a public ministry of service and witness. With demonstrated competence and expertise in a particular discipline or disciplines, Diaconal Ministers may serve both within and outside of congregational settings. Diaconal Ministers may thus be called to service by the Board of Elders acting for all our congregations, when called to non-parish ministries of CALC or other ministries approved by the National Council.
- 7.1.2 Service/Witness: The kinds of witness and service encompass: acts of love, including various charitable works, social work, counseling and healthcare; pastoral care, in congregational and institutional settings; teaching in congregations, schools and post secondary institutions; leadership in music and worship; church administration; and evangelism and missions (both foreign and domestic). Our member congregations are free to call a Diaconal Minister to preach, commune, baptize, marry and conduct funeral services.
- 7.1.3 Consecration: Consecration is defined as the formal ritual in which a candidate for diaconal ministry is “consecrated” – publicly set apart – for the high calling of Deacon in the tradition of the Gospels and Acts of the Apostles.

7.2 Training: Our Association shall assist member congregations on our roster to train and discipline Diaconal Ministers for service in the Church. This Association shall establish voluntary standards for the training and qualifications for candidates for the office of Diaconal Minister together with a rite for consecration.

7.3 Qualifications: Congregations, and the Board of Elders when acting for all congregations, shall interview and vet all candidates for consecration as a deacon and all persons applying for acceptance on CALC’s roster of Diaconal Ministers and shall ensure that they: (1) will accept and abide by our Association’s Confession of Faith and Purposes; (2) possess the personal qualifications described in 1 Timothy 3:8-13; and, (3) possess the academic training and/or professional and personal experience necessary to fulfill the terms of the call extended to the candidate of diaconal ministry.

7.4 Call: The call of a congregation of this Association, or of the Board of Elders acting for all the congregations, provides the authority for consecration of a Diaconal Minister.

7.5 Roster of Diaconal Ministers. All consecrated Diaconal Ministers of this Association called by a CALC congregation, or the Board of Elders acting for all of our congregations, shall be listed on the Roster of Diaconal Ministers maintained by this Association. They shall remain on said roster as long as they serve a CALC congregation or in an extended ministry approved by CALC and are otherwise in good standing.

7.6 Discipline: All Diaconal Ministers of this Association shall be subject to the discipline of the Association. Our Association reserves the right to suspend, discipline, or dismiss any deacon on the Roster of Diaconal Ministers.

7.7 Grounds for Discipline: This Association may discipline, suspend or dismiss a Diaconal Minister for the following reasons: (a) teaching of doctrine in conflict with the Confession of Faith of this Church as expressed in this constitution; (b) conduct unbecoming an Diaconal Minister; (c) wilful disregard of the constitution, administrative bylaws and enactments of this Association.

7.7.1 Conduct unbecoming a Diaconal Minister shall include:

7.7.1.1 Conviction of a criminal offence.

7.7.1.2 Membership in an organization described in Section 2 of Part 3 of our Bylaws.

7.7.1.3 Family Matters: (i) Separation or divorce that occurs without consultation with the congregation’s church council and without the rostered Diaconal Minister taking appropriate action on any agreement reached in such consultation. Each case of separation or divorce must be considered pastorally. (ii) Desertion or abandonment of spouse or children. (iii) Abuse of spouse or children. (iv) Repeated failure to meet legally determined family support obligations.

7.7.1.4 The misuse of alcohol or non-prescription mind-altering drugs and other substances.

- 7.7.1.5 Financial Misconduct: (i) indifference to or avoidance of legitimate and neglected personal debts; (ii) embezzlement of money or improper appropriation of the property of others; and (iii) using the ministerial office improperly for personal financial advantage.
 - 7.7.1.6 Inappropriate sexual acts, including, adultery, promiscuity, addiction to pornography, the sexual abuse of another, or the misuse of counselling relationships for sexual favours or other advantage.
 - 7.7.1.7 Sexual Harassment, as defined in regulations promulgated by our Association from time to time.
 - 7.7.1.8 Continued failure and neglect to adequately fulfill the terms of a deacon's letter of call from a congregation or other organization. Provided the deacon has been given written notice of the alleged failure and neglect and fails and refuses to fulfill the terms of said letter of call within 30 days of the date of the letter.
 - 7.7.1.9 Wilful disregard of the constitution, administrative bylaws and enactments of this Association shall be defined as: (a) the wilful disregard of or violation of the guidelines, functions and standards established by this Association for the office of Diaconal Minister; or (b) preaching, teaching or conducting ministerial acts in wilful disregard of the constitution, bylaws and enactments of this Association.
- 7.8 Procedure for Discipline: Discipline shall be administered in accordance with the constitution and the bylaws of the calling congregation. If for the sake of confidentiality, or if attempts by the local congregation fail, the matter may be directed to the President of our Association for counsel (who may follow the same procedure of Matthew 18:15-20, etc.). If such counsel fails to resolve the problem, it shall be referred to the Board of Elders for hearing who shall take appropriate action (such as exoneration, suspension, or dismissal of the deacon), and the Board of Elders shall act upon such recommendation and report such action to the next General Convention. A Diaconal Minister who is suspended or dismissed by the Board of Elders may appeal such decision to the Board of Appeals and Adjudication, whose decision shall be final.

Schedule 2

To CALC's Guidelines for Diaconal Ministers

Application For Entry Into Diaconal Ministry



Canadian Association of Lutheran Congregations (CALC) Application For Entry Into Diaconal Ministry

Application Form

The following materials, along with the completed application form, are to be sent to CALC's President.

1. An autobiographical statement setting forth your background and reason for wishing to enter into diaconal ministry through the Canadian Association of Lutheran Congregations (CALC). If CALC's Board of Elders is being asked to issue a call to you to Extended Ministry on behalf of an organization or Christian ministry please attach a copy of your employment agreement, job description or other documents that will help us understand the terms of your call.
2. Official transcripts of your collegiate, university and seminary education and a full description of non-credit academic work completed.
3. Letters of Reference as to Christian character and life, personality, ability and previous service from three competent references, who have known and observed you preferably for at least one recent year, including at least one from a pastor. [Letters of recommendation are to be sent by your references directly to the attention of CALC's President.]
4. A criminal record check must be obtained by the applicant and submitted along with the application. This can be obtained from the nearest police department.

I. Personal Information

1. Full Name:		
2. Street Address:		
3. City:	4. Province:	5. Postal Code:
6. Home Phone:	7. Cell:	8. Work Phone:
9. Email:		10. Date of Birth:
11. Baptism Date:	12. Baptism Place:	
13. Confirmation Date:	14. Confirmation Place:	
15. Are you currently married:	16. Were you previously married?:	
17. If answer to 16 is yes how was this marriage terminated?		
18. If you are married please provide your spouse's name:		
19. Please provide your spouse's occupation:		
20. Please provide the names of any children of the marriage.		

1. Are you consecrated as a Diaconal Minister? _____ If Yes, please provide the date, place of the consecration and the name of the denomination in which the ordination took place. Attach a copy of any certificate of consecration.

2. Are you on a rostered with a church body or other Christian organization as a chaplain, deacon, parish/youth worker, missionary, evangelist, Christian counselor, or possess another professional designation relating to Christian ministry? _____. If Yes, please provide details. Attach a copy of any certificate of membership or other document which attests to your professional designation and your current status with the credentialing body.

II. Educational Information (please give name of school, location, years attended)

1. College or university (undergraduate - please list majors and degrees received)

2. Post-baccalaureate (please list majors and degrees received)

3. Other educational experiences

III. Experience

Present church body affiliation: _____

Has there been any change in your denominational affiliation within last 10 years? _____

If so, explain why:

Chaplaincies, youth work, family ministry, teaching positions, counseling positions, or business positions:

Where: _____ Date: _____

Where: _____ Date: _____

Where: _____ Date: _____

Where: _____ Date: _____

Where: _____ Date: _____

* A résumé may be attached if so desired.

8. Do you have an addictive behavior, including a history of drug, alcohol, or pornographic addictions which might interfere with your ability to serve or continue to serve as a Diaconal Minister?
 No. Yes. If yes, explain.
9. Have you ever engaged in, been accused of, investigated for, sued, or charged with sexual misconduct, sexual harassment, substance abuse, child or spousal neglect or abuse, or financial improprieties?
 No. Yes. If yes, explain.
10. While training for the diaconal ministry or other Christian ministry or while serving in the diaconal ministry or other Christian ministry have you ever engaged in any behavior or been involved in situations that, if they became known to the church, might seriously damage your ability to continue in ministry?
 No. Yes. If yes, explain
11. While serving as a Diaconal Minister, or otherwise serving in Christian ministry, have you ever: (a) separated from or divorced your spouse without consulting with your congregation leadership; (b) deserted or abandoned your spouse or children; (c) abused your spouse or children; (d) repeatedly failed to meet legally determined family support obligations?
 Yes No. If yes, explain.

V. WAIVER OF RIGHTS TO CONTENTS OF CALC FILE

I understand that in the process of reviewing my application, CALC will receive from other individuals and organizations information and materials relating to my personal, academic and professional background. I agree that all such information and materials shall be retained solely by CALC as the property of CALC and that in no event must such information or materials be revealed to me. In consideration of CALC accepting and proceeding with my application, I agree that I have no right to such materials or information and I waive any right which I may now or later have to be informed of the contents of such materials whether or not I enter into diaconal ministry through CALC.

(Date)

(Signature of Applicant)

Please submit completed form along with other required documents to:

Pastor Ed Skutshek, President - CALC
c/o Grace Lutheran Church
1162 Hudson Road
West Kelowna, BC V1Z 1J3

Pastor Skutshek can be contacted through email and telephone:

Email: president@calc.ca

Telephone: 250-801-3860

Schedule 3

To CALC's Guidelines Diaconal Ministers

Sample Call Letter Diaconal Ministry



Canadian Association of Lutheran Congregations

Letter of Call Diaconal Minister

This call is issued in the Name of God the Father, the Son and Holy Spirit. Amen

Date: _____

To: _____

Mindful of the apostolic admonition that all things be done decently and in order, and in accordance with the practice of the Lutheran church to provide qualified persons of good report and in whom the fruits of the Spirit are manifest, the Canadian Association of Lutheran Congregations recognizes the office of the diaconal ministry established by our Lord and seeks through it to give the spiritual leadership, service and care necessary for the establishment, growth, development, and welfare of Christ's holy Church. Accordingly, the congregation of _____ Lutheran Church of _____, at a meeting of the congregation held on _____, 20__, has called you to serve as a Diaconal Minister of this congregation according to the following terms:

That You...

The specific areas of leadership and service for which the Diaconal Minister is called by the congregation are listed below. The following are for illustration only.

1. *Preach the Word, administer the Sacraments and conduct public worship in harmony with the faith and practices of the Lutheran church, as called upon by our pastor or church council;*
2. *Through the power of the Word of God, maintain your personal relationship with Jesus Christ as your personal Saviour as first priority, maintain a relationship with your spouse and family as second priority, and fulfill the duties and responsibilities to the Congregation as Diaconal Minister as third priority.*
3. *Be responsible for the pastoral care of our members and adherents.*
4. *Provide opportunities for Christian Education.*
5. *Inculcate piety in individual and family life and provide leadership to all schools and auxiliary organizations of the congregation;*
6. *Encourage the members to be generous in support of the ministry of our congregation, CALC and the wider church;*
7. *Subscribe to the Constitution and By-Laws of Canadian Association of Lutheran Congregations (CALC), and to the Constitution(s) and By-Laws of our congregation(s). Keep your ministry practices in harmony with the Word of God, the Confessions of the Lutheran Church and Articles 3 and 5 of CALC's Constitution.*
8. *Strive in word and action to be a worthy example in Christian living, avoiding conduct which might endanger the faith of others.*

That We...

1. Receive you as our Diaconal Minister and accord you the love, the respect, the good will, and the co-operation due your office, and uphold you in prayer.
2. Promise you our faithful assistance in the work to which you are called.
3. Support the work of our congregation and the Canadian Association of Lutheran Congregations.
4. Pay you an annual salary in the amount of \$_____. Your salary will be reviewed annually.

5. Pay your salary in twelve equal monthly installments, with each monthly installment to be paid as follows: a draw at midmonth and the balance at each month's end.
6. We will deduct from your salary and remit to the appropriate authority all taxes and submit all deductions payable as prescribed by law (including, but not limited to employment insurance, income tax, Canada Pension Plan).
7. Contribute to a medical/insurance/pension plan as follows:
 - (a) Make an annual contribution to a group pension fund currently administered by _____ in the amount of five percent (5%) of your wage (deducted from your wages and paid in monthly installments as a payroll deduction) and five percent (5%) of your wage contributed by the congregation (paid in monthly installments).
 - (b) Provincial Medical premiums in the amount of \$_____ (50% deducted from your wages as a payroll deduction and 50% contributed by the congregation)
 - (c) Employee benefits package including life insurance, AD&D insurance, disability insurance, extended medical, dental and vision insurance, through _____. Premiums for said benefits to be calculated and determined by the _____. Coverage to be reviewed periodically and subject to change (50% of the premium deducted from your wages as a payroll deduction and 50% contributed by the congregation).
8. Grant you an annual vacation of ___ weeks. You will be required to take all vacation days in the calendar year it is earned.
9. Grant you _____ sick days per annum, ___ bereavement days per annum, and maternity and parental leave as provided by applicable laws.
10. Provide your car reimbursement as follows: in the amount of \$_____ per kilometer.
11. Reimburse you for expenses not otherwise provided for incurred in attending regional and national conventions and other official meetings at which your attendance is required.
12. Urge you to participate in continuing education opportunities and we will support you in that regard.

Term/Termination:

Option 1: This letter of call shall be for a term of _____ years, commencing. This call may be terminated before the end of the term for the following reasons: (a) your written resignation (with the resignation taking effect 30 days following the date of said written resignation); (b) disciplinary action was taken against you, you were found liable and discipline was imposed against you; (c) you suffer from a physical or mental incapacity which severely impacts your ability to minister to and serve this congregation; (d) continued neglect of diaconal ministry (Provided you were given written notice of the alleged failure and neglect and you failed and refused to fulfill the terms of this letter of call within 30 days of the date of the letter); (e) your stress leave or medical leave has lasted twelve months and is expected to continue for an indefinite period of time thereafter ("extended stress leave") and (f) your inability to conduct the diaconal office satisfactorily in the parish in view of local conditions, without reflection on the moral and spiritual character of the deacon.

Option 2: This call, once accepted, can be terminated for the following reasons: (a) your written resignation (with the resignation taking effect 30 days following the date of said written resignation); (b) disciplinary action was taken against you, you were found liable and discipline was imposed against you; (c) you suffer from a physical or mental incapacity which severely impacts your ability to minister to and serve this congregation; (d) continued neglect of diaconal ministry (Provided you were given written notice of the alleged failure and neglect and you failed and refused to fulfill the terms of this letter of call within 30 days of the date of the letter); (e) your stress leave or medical leave has lasted twelve months and is expected to continue for an indefinite period of time thereafter ("extended stress leave"); and (f) your inability to conduct the diaconal office satisfactorily in the parish in view of local conditions, without reflection on the moral and spiritual character of the deacon. In the case of actions under paragraphs (c) through (f), inclusive, CALC's guidelines for termination of call shall be followed.

May the Lord our God grant you His Holy Spirit, to guide you according to His will in the consideration of this call.

We earnestly request you to acknowledge receipt of this Letter of Call immediately. It is our hope that your decision will not be unduly delayed, specifically not more than thirty (30) days from the date of your receipt of this Letter of Call.

Correspondence should be sent to:

If to our congregation:

_____ Lutheran Church

Telephone: _____

Email: _____

If to Diaconal Minister:

Telephone: _____

Email: _____

Dated: _____

By:

_____ Counsel Chair

I accept this call:

Dated: _____

_____ Diaconal Minister

Schedule 4
To CALC's Guidelines Diaconal Ministers

**Guidelines and Procedures for the Discipline of CALC's Diaconal
Ministers**

Guidelines and Procedures for the Discipline of CALC's Diaconal Ministers

Grounds for Discipline:

Subject to the provisions of the Constitution and Bylaws of any Member congregation of CALC, a Diaconal Minister serving a congregation of CALC may be suspended from his/her duties or dismissed and his/her call to the congregation terminated for the following causes:

- (a) teaching of doctrine in conflict with the Confession of Faith of this Church as expressed in CALC's constitution;
- (b) wilful disregard of the constitution, administrative bylaws and enactments of this Association;
- (c) conduct unbecoming a Diaconal Minister. [1]

The term "*conduct unbecoming a Diaconal Minister*" shall include, without limitation the following: [2]

- (1) **Conviction of a Criminal Offence.** Canadian society has placed a high premium upon the role of law in regulating the rights and duties of individuals. Canadian laws define certain conduct as a criminal offence. The commission of an indictable offence, in the absence of some reasonable explanation for such conduct, is conduct unbecoming a rostered Diaconal Minister and grounds for discipline. [3]
- (2) **Membership in Certain Organizations:** No rostered Diaconal Minister shall belong to any organization that, in its documents, rites or practices, contradicts the Gospel of salvation through faith in Jesus Christ. (Section 2 of Part 3 of CALC's Bylaws). [4]
- (3) **Relationship to Family:** Rostered Diaconal Ministers, whether married or single, are expected to uphold Christian ideals of marriage in their public ministry as well as in private life. A rostered Diaconal Minister's spouse and children are to be regarded by the minister with love, respect, and commitment. Any departure from this normative behavior shall be considered conduct unbecoming a rostered Diaconal Minister. Such departure might include any of the following: (i) Separation or divorce that occurs without consultation with the congregation's church council and without the rostered Diaconal Minister taking appropriate action on any agreement reached in such consultation. Each case of separation or divorce must be considered pastorally. (ii) Desertion or abandonment of spouse or children. (iii) Abuse of spouse or children. (iv) Repeated failure to meet legally determined family support obligations. [5]
- (4) **Substance Abuse:** The misuse of alcohol or mind-altering substances impairs the ability of a rostered Diaconal Minister to perform the duties of the office with full effectiveness. The failure to embark on an effective treatment program or to follow through on treatment and abide by the terms of such treatment and the consequent impairment of performance is conduct unbecoming a rostered minister and grounds for discipline. [6]
- (5) **Financial Responsibilities:** Rostered Diaconal Ministers are expected to conduct their financial affairs in accordance with ethical and legal requirements. Among those financial activities which shall be considered conduct incompatible with the character of the office of the Deacon are: (i) indifference to or avoidance of legitimate and neglected personal debts; (ii) embezzlement of money or improper appropriation of the property of others; and (iii) using the Pastoral office improperly for personal financial advantage. [7]
- (6) **Sexual Matters:** Sexual acts, including, adultery, promiscuity, addiction to pornography, the sexual abuse of another, or the misuse of counselling relationships for sexual favours or other advantage would constitute conduct unbecoming a rostered minister and grounds for discipline. [8]
- (7) **Sexual Harassment:** Sexual Harassment constitutes conduct unbecoming a rostered minister and grounds for discipline. [9]

"Sexual harassment" shall be defined as any unwelcome, unwarranted, unsolicited or offensive sexual conduct that is directed at a person or persons by one in a position of authority, power or leadership and which demeans and undermines the inherent self-worth and dignity of that person or persons or denies individual human rights as guaranteed by Provincial or Canadian Human Rights Code(s). It includes any conduct that coerces, pressures, manipulates, or threatens persons, or curtails a person from participating in the life of the church, fulfilling the duties of their position in the church workplace, freely expressing their ideas, practicing in their chosen church vocation, or freely advancing in their church employment, whether it is a single incident or several incidents over a period of time. "Sexual harassment" may involve two or more persons of the opposite or of the same gender, male or female. [10]

Sexual harassment may include, but is not limited to, the following: (i) Sexual comments that are offensive. (ii) Unwelcome jokes with sexual overtones. (iii) Subtle innuendo or open taunting regarding perfections or imperfections about a person's body. (iv) Unwelcome displays of sexually offensive material such as pictures, photographs, sexually manipulative objects or sexual desire stimulants. (v) Sexually offensive gestures or facial expressions. (vi) Sexually humiliating, insulting or intimidating behaviour including, but not limited to, boundary or space intrusion to obtain sexual favours. (vi) Unwelcome

physical contact. (i.e. touching, patting, pinching, cornering, etc.) (vii) Unwelcome invitation, direct or in person, by mail or through any other form of communication to engage in behaviour of a sexual nature. (viii) Prolonged, sexually suggestive staring. (ix) Unwelcome pressure for dates. (x) Indecent exposure. (xi) Verbal abuse or threats. (xii) Retaliation against an individual for having invoked this policy on behalf of oneself or other individuals, or participated or co-operated with any investigation under this policy; or been associated with a person who has invoked this policy or participated as a witness.

[11]

Sexual harassment does not apply in a relationship of mutual consent or in the expression of affection between friends as long as one's behaviour is not imposed on another. However, it is stressed that where one person holds power over another, either in fact or perceived, a relationship of mutual consent may be impossible to achieve. It is inappropriate for a rostered Diaconal Minister to date a parishioner or someone working under the Diaconal Minister's supervision within the congregation he or she is serving, until said Pastor's relationship with the congregation has ceased for a period of at least one year. [12]

CALC's Policy on Sexual Harassment.

The congregations of CALC recognize that every person has the right to be treated with dignity and respect as a child of God, and therefore the right to freedom from all forms of sexual abuse and sexual harassment. [13]

Sexual abuse or sexual harassment by any rostered Diaconal Minister, seminarian, or other person serving under call or appointed by CALC, will not be tolerated by the congregations of CALC. [14]

The disclosure of any abusive sexual conduct shall be in writing and signed by the complainant, the alleged victim's representative or a third party. [15]

All disclosures of abusive sexual conduct shall be addressed promptly. [16]

Throughout the process, pastoral care will be provided to the complainant, the respondent, and, as appropriate, their respective congregations or institutions. [17]

Confidentiality and discretion will be maintained by the church to the extent possible to protect the innocence and identity of those involved. [18]

Rostered Diaconal Ministers and congregational council members are responsible for discouraging non-rostered employment-related harassment or abuse and ensuring that congregational members are aware of their responsibilities to prevent harassment or abuse. [19]

Congregations are responsible for their own sexual abuse and harassment policies relating to non-rostered members or adherents of their congregations. [20]

Any allegations concerning the sexual abuse of children will be immediately reported to the appropriate civil authorities. [21]

Should criminal proceedings be initiated against a rostered minister, completion of the church's investigative and disciplinary procedures may be suspended pending completion of the criminal proceedings. [22]

Procedure to be Followed in Cases Involving Sexual Harassment:

Any complaint of sexual harassment or abuse by a rostered Diaconal Minister shall be reported to the President in all instances. [23]

A complainant also may wish to pursue other courses of action such as:

- (a) Filing a complaint with the provincial Human Rights Commission in accordance with the provincial code or Act.
- (b) Reporting to the local police department for investigation under the provisions of the Criminal Code any complaints involving sexual assault, obscene phone calls, intimidation or criminal harassment causing fear for one's safety.
- (c) Taking civil action against the person who caused the injury if mental or physical damage is deemed to have been suffered.
- (d) Employing a mediator for resolution if both parties agree and it is appropriate under the circumstances. The decision to pursue an alternative course of action does not preclude the subsequent initiation of procedures outlined in these guidelines. [24]

Procedure to be Followed For Discipline of a Diaconal Minister:

The following procedure shall be followed if it is alleged: (a) teaching of doctrine in conflict with the Confession of Faith of this Church as expressed in this constitution; (b) conduct unbecoming a Diaconal Minister; (c) wilful disregard of the constitution, administrative bylaws and enactments of this Association. [25]

Local Action: Such charges shall first be treated locally in accordance with the Word of God and with prayer. It is recommended that the following Scripture passages, among others, be consulted and practiced when such charges are being handled. (1) Deuteronomy 19:15 (the requirement of two or three witnesses). (2) Matthew 18:15-20 (one concerned brother meeting with an apparently offending brother in private; if necessary leading to another meeting with one or two others present; and if necessary, culminating in action by the congregation). (3) I Timothy 5:19-20 (the seriousness of such charges, the need for two

or three witnesses, and the objective of counteracting sin). (4) Luke 17:1-10 (If our brother sins, rebuke is necessary, and if he repents, forgiveness is necessary). [25]

The form that the local action is to take and the motivation underlying the local action are defined and shaped by the provisions of Matthew 18:15-20. The whole purpose of this local action is to restore the broken relationship between the Diaconal Minister and those who he/she has hurt and offended through, confession, contrition, repentance, forgiveness, absolution and reconciliation. If a Diaconal Minister has fallen, that is, sins or stumbles and injures a congregant or some other he/she owes a duty to, these steps must be taken in order to avert a permanent falling out between the Diaconal Minister, those hurt, and the entire congregation. A threefold procedure aimed at reconciliation is defined:

1. First, the one harmed and the Diaconal Minister are to meet privately and quietly. The one harmed is to tell the Diaconal Minister his/her fault. If the Diaconal Minister listens to the one harmed, confesses his/her sin, repents and asks forgiveness, the one harmed has repaired the broken bond and restored wholeness to the community (cf. Lev 19:7-18).
2. In the event that the Diaconal Minister is stubborn and refuses to admit or confess the sin, repent and ask forgiveness of the one harmed; then the victim must take one or two others as witnesses and try again to reason with the Diaconal Minister (cf. Deuteronomy 19:15; 2 Corinthians 13:1; 1 Timothy 5:19). If the Diaconal Minister listens to the one harmed and the witnesses, confesses his/her sin, repents and asks forgiveness, the one harmed and the witnesses have repaired the broken bond and restored wholeness to the community (cf. Lev 19:7-18).
3. If the efforts of the one harmed and the witnesses should also be in vain and the Diaconal Minister does not repent and reconcile with the one harmed, the one harmed is to take the matter to the congregation, to the solemn assembly of the sisters and brothers. The entire community is summoned to help regain one straying sheep, to hear the facts and circumstances, which led to the falling out between the Diaconal Minister and those he/she has hurt. The aim is to hold the Diaconal Minister and those he/she has hurt within the forgiving embrace of the church. However, it is possible that the exhortations of the congregation may fail to move the Diaconal Minister to repentance. In that event, the Diaconal Minister is to be treated as one who is outside the congregation. [26]

When the efforts taken pursuant Matthew 18:15-20 fail, the church council of the relevant congregation may institute disciplinary proceedings against the Diaconal Minister in accordance with its constitution and bylaws. Any decision by a congregation on a matter of discipline against a Diaconal Minister under its constitution and bylaws shall be deemed and considered full and final by CALC. [27]

Appeal to CALC:

The congregation may appeal to CALC for assistance in proceedings which may lead to the imposition of discipline against their Diaconal Minister, provided that: (1) the congregation has attempted to comply with the provisions of Matthew 18:15-20 under Paragraph [26] above, and such efforts have failed, and (2) the church council does not wish to take formal disciplinary action against its Diaconal Minister under its own constitution and bylaws by reason of conflicts of interest or similar impediments that would make a formal disciplinary hearing by the congregation even appear unfair or biased. [28]

CALC's Response to the Appeal:

Appeal to President: For the sake of confidentiality, the matter may be directed to the President of CALC for counsel. The President may follow the same procedure of Matthew 18:15-20 or may otherwise attempt to mediate between the Diaconal Minister and the congregation for the purpose bringing about a peaceful solution to the controversy between the Diaconal Minister, those hurt and the congregation. [29]

Hearing Before the Board of Elders: If such counsel of CALC's President fails to resolve the subject dispute, it shall be referred to the Board of Elders for hearing who shall take appropriate action (such as exoneration, suspension, or dismissal of the Diaconal Minister), and the Board of Elders shall act upon such recommendation and report such action to the next General Convention. The hearing before the Board of Elders shall comply with the procedures described below. [30]

Appellate Hearing Before the Board of Appeals: A Diaconal Minister who is suspended or dismissed by CALC's Board of Elders may appeal such decision to the Board of Appeals and Adjudication as provided in CALC's constitution and bylaws, whose decision shall be final. [31]

Procedure to be Followed for Disciplinary Hearings Before the Board of Elders:

Definition of Terms:

"Complainant" is the person or persons who lodge a Complaint against a rostered Deacon which, if proven, could result in discipline of the pastor. [32]

"Complaint" is the written description of the accusations made against a rostered Deacon which, if proven, could result in discipline. [33]

“Respondent” is the rostered Deacon who is the subject of a Complaint which, if proven, could result in discipline of the minister.

[34]

Discipline—Preliminary Matters.

Form of Complaint Discipline of Pastor/Notice: To initiate a disciplinary hearing before the Board of Elders, the Complainant shall use:

(a) Complaint Form 1: for all allegations not involving sexual matters found on CALC’s website and attached hereto as Appendix 1; or (b) Complaint Form 2: for allegations involving sexual matters found on CALC’s website and attached hereto as Appendix 2. Online filing is preferred.^[35]

Recusal of an Elder: When conducting a disciplinary hearing, the Board of Elders must be seen to be impartial and without bias toward either the Respondent or the Complainant. No Elder may participate in a disciplinary hearing who: (a) has any substantial prior knowledge of the matters to be reviewed by the Board of Elders; (b) is related to either the Respondent or the Complainant; (c) was or is a member of a congregation served by the Respondent; or (d) was or is a member of a congregation where the Complainant is a member. If at any time during a disciplinary hearing, a member of the Board of Elders discovers a conflict of interest, such a person shall declare the conflict and withdraw immediately from the hearing.^[36]

Chair & Secretary: The President of CALC shall serve as chairperson of the disciplinary hearing and the Secretary of CALC shall serve as the secretary. If either is ineligible to serve, the remaining Elders shall choose a chairperson and/or secretary, as the case may be, from its members to serve as its chairperson and secretary. The chairperson shall be responsible for chairing the disciplinary hearing and any of the meetings of Board of Elders which are required by the disciplinary hearing.^[37]

Hearing Date, Place and Quorum: The chairperson shall fix a time and place for the disciplinary hearing at which the Complaint will be considered. The secretary shall be responsible for keeping a record of the proceedings of the Committee, for putting together the final written report of the Committee, and for all correspondence necessary to support the work of the Committee. The quorum for a disciplinary hearing shall be the quorum for any regular meeting of the Board of Elders.^[38]

Expenses: The expenses of the Board of Elders shall be the responsibility of CALC. The expenses of the Complainant shall be borne by the Complainant and the expenses of the Respondent shall be borne by the Respondent.^[39]

The Disciplinary Hearing before the Board of Elders.

The Respondent shall be entitled to a full hearing before the Board of Elders, but the Board of Elders may refuse to consider evidence that clearly has no bearing upon the Complaint or that is unduly cumulative. Cumulative evidence is defined as repetitive testimony or facts or information that proves what has previously been established by other information concerning the same issue.^[40]

Notice of Hearing: The Respondent, the Complainant, and their representatives, if any, shall be given at least ten days notice in writing of the time and place and date of the hearing.^[41]

Continuance: The hearing before the Board of Elders shall commence at the time and place set forth in the notice issued by the President, unless in the opinion of the President, after consultation, if practical, with the parties involved or their representatives, an emergency such as snowstorm, flood, or airline strike, necessitates a postponement or change of site of the hearing.^[42]

Presumptions: In the proceedings before the Board of Elders there shall be a presumption of innocence in favour of the Respondent. Among other things this requires that: (a) the Board shall reach its finding and recommendations solely on the basis of the evidence presented at the hearing before the Board; (b) the Complainant has the burden of proof as defined below; and (c) the evidence presented at the hearing, as well as the entire process before the Board of Elders, shall be in conformity with the requirements of the constitution and bylaws of CALC and these rules, including specifically the due process requirements set forth below.^[43]

Private Proceeding: The hearing shall not be open to the public unless both the Complainant and the Respondent agree to a public hearing.^[44]

Procedures During the Hearing:

The Respondent and the Complainant may each be represented by not more than two representatives who may present or assist in the presentation of the evidence.^[45]

The Board of Elders may permit attendance by a limited number of other persons, with the consent of both the Respondent and the Complainant, or as may be otherwise determined by the Elders.^[46]

While testifying, a witness may be accompanied by a spouse or by a friend or advocate.^[47]

Witnesses (other than the Respondent and Complainant) are permitted in the hearing only when testifying. [48]

Persons permitted to attend the hearing under this rule shall not have any role in the proceedings, unless specifically authorized by an additional rule adopted by the Board of Elders in a particular case. [49]

A verbatim record of the hearing shall be made by an audio or video tape recording or by a stenographer or a court reporter. [50]

The Complainant and the Respondent may, but need not, make opening statements. Such opening statements shall be limited to no more than one hour per side. The Complainant shall be entitled to make the first such opening statement. [51]

The Complainant may first call witnesses, including the Complainant if appropriate, to present evidence in support of the Complainant. They may also present documentary evidence in support of the Complainant. After the Complainant has had the opportunity to call witnesses and to offer any documentary evidence, the Respondent may call witnesses and offer documentary evidence. [52]

After the Respondent has called witnesses and offered documentary evidence, first the Complainant and then the Respondent may call witnesses and offer documentary evidence for the purpose of rebuttal. [53]

The Respondent has the right to testify or to remain silent. [54]

Whenever a witness (including the Respondent or the Complainant) testifies, the party who has called the witness shall first question the witness, following which the other party may question the witness on any matter relevant to the Complaint. [55]

Then the party calling the witness may again question the witness, but only with respect to new matters which arose during the other party's questioning of the witness. A representative of a party, in lieu of the party, may question any witness. Members of the Board of Elders may also question the witness for the purpose of clarification. [56]

The Complainant and the Respondent or their representatives may, but need not, present closing statements. Closing statements shall be limited to no more than one hour per side. The Respondent shall make the first closing statement. The Complainant shall be entitled to make the final closing statement. [57]

The rules of evidence and other rules used in formal judicial proceedings shall not necessarily apply to the hearing. Testimony or documentary evidence shall not be excluded merely because it would be excluded under such formal rules. For example, evidence shall not be excluded merely because it is hearsay, although individual members of the Board of Elders may choose to give hearsay evidence little or no weight or importance. A witness gives hearsay evidence if the witness's testimony concerning an event is based on out of court statements made to the witness by another person about said event, and not on the witness's personal knowledge and/or observation. [58]

The Complainant shall have the burden of proof, that is, the burden of proving each allegation of the Complaint is true. The Board of Elders shall not find that any allegation contained in the Complaint is true unless the Complainant has proven that it is true by a preponderance of the evidence. An allegation has been proven true by a preponderance of the evidence if the Board of Elders, after weighing all of the evidence presented at the hearing, believes that more likely than not the allegation is true. [59]

At any time during the hearing the Board of Elders may decide to meet in-camera session for deliberations, either with the participation of the parties to the Complaint and their respective representatives, or without the participation of such parties. [60]

Failure to Appear.

If the Respondent and the Respondent's representative should fail to appear at the scheduled hearing before the Board of Elders, the Board, after making a record that the Respondent was given notice of the date, time and place of the hearing, and other information relevant to the Respondent's absence of which the Committee has knowledge, may either: (a) proceed to hear the testimony and evidence offered by the Complainant and render its written decision; or (b) adjourn the hearing to a rescheduled date, if the Committee concludes that the absence is justified. [61]

Due Process in Discipline Proceedings:

1. The Board of Elders shall afford the Respondent due process in discharging its responsibilities.
2. "Due process" means:
 - a. the right to be given specific written notice of Complaint;
 - b. in the case of the Respondent, the right to testify in person or to remain silent;
 - c. the right to call witnesses;
 - d. the right to introduce documentary evidence concerning the Complaint;
 - e. the right to confront and cross-examine all witnesses;

- f. the right to a hearing closed to the public unless both the Complainant and the Respondent agree to a public hearing;
 - g. the right to a written decision of the Board of Elders; and
 - h. the right to be treated with fundamental procedural fairness. [62]
3. “Fundamental procedural fairness” means:
- a. the members of the Board of Elders shall avoid sending written communications to or receiving written communications from either Respondent or Complainant unless a copy of the communication is also sent to the other;
 - b. avoidance by members of the Board of Elders of oral communications with either the Respondent or the Complainant outside of the presence of the other;
 - c. maintaining decorum during the hearing;
 - d. allowing both the Complainant and the Respondent to present their cases without unnecessary interruptions;
 - e. keeping a verbatim record of the hearing, either made by audio or video tape recording or a stenographer or court reporter;
 - f. allowing both the Complainant and the Respondent to be accompanied at the hearing by a representative (who may, but need not, be an lawyer) who may also participate in the proceedings;
 - g. impartiality of the members of the Board of Elders which consider the Complaint; and
 - h. the right to be treated in conformity with the governing documents of CALC.
4. “Due process” and “fundamental procedural fairness” shall be defined without regard to how these concepts may be defined in secular civil or criminal proceedings. “Due process” and “fundamental procedural fairness” shall mean nothing more and nothing less than what is provided in these Paragraphs [62] and [63], respectively. Once a complaint against a person has been considered by the Board of Elders, that person shall not be required to answer that complaint again except if a different but related complaint is laid. [63]

Determination, Report, and Post-Hearing Matters.

For the purpose of reaching its findings of fact and recommendations, the Board of Elders shall meet without the presence of the Respondent, the Complainant, their representatives or any other person who is not a member of the Board of Elders, other than any attorney/lawyer of the Board of Elders. [64]

When the Board of Elders has determined by the preponderance of the evidence (as defined above) that the Respondent should be subject to discipline, it shall recommend the appropriate disciplinary action. Otherwise the Board of Elders shall recommend the dismissal of the Complaint. [65]

At least a majority of the members of the Board of Elders who were present during the hearing when all evidence was presented to the Board must concur with the determination that the Respondent should be subject to discipline. [66]

Within fifteen days of the completion of the disciplinary hearing, the Board of Elders shall report its findings and recommendations in writing and deliver them to the President. The report shall be in two parts: (a) Findings of Fact: In this part, the Board of Elders shall set forth what it has found to be the relevant facts—that is, what it believes to be the truth of the matter. (b) Recommendation: In this part, the Board of Elders shall state whether, based upon the evidence, it believes the Respondent should be subject to discipline and, if so, what discipline the Board of Elders recommends be imposed on the Respondent. [67]

When making a determination of the discipline to be imposed, the Board of Elders should ensure that the recommendations are: (a) measurable (that it will be clear when the discipline is complete), that there is a time line attached to the discipline (with a clear process for extensions), (b) that it is clear who will supervise compliance with the discipline, and (c) that there are specific consequences made for noncompliance by the Respondent with the discipline. [68]

The disciplinary actions which the Board of Elders; may recommend are: (a) suspension from the office and functions of the rostered Pastoral ministry by the Board of Elders for a designated period or until there is satisfactory evidence of repentance and amendment; or (b) suspension from the office and functions of the rostered Pastoral ministry by the Board of Elders and removal from the roster of Diaconal Ministers by the Board of Elders. [69]

The President of CALC shall provide Complainant and the Respondent with a copy of the Board of Elders’ written report described in Paragraph [67] above, within 15 days from the time the president receives the report. The President shall report the findings and recommendations of the Board of Elders to the next meeting of the National Council and shall advise the National Council of any action taken by the President as a result of such recommendations. The National Council shall take any necessary action to suspend the Respondent from the office and functions of the rostered Pastoral ministry or to remove the Respondent from said roster in accordance with the recommendations of the Board of Elders. [70]

The action to suspend the Respondent or to remove the Respondent from the roster may be appealed to the Board of Appeals and Adjudication by the Respondent within 45 days of the Respondent receiving written notice of the action of the Board of Elders. [71]

In event of an appeal, the President shall furnish the Board of Appeals and Adjudication with the written findings and decisions of the Board of Elders together with any other information requested by the members of the Board of Appeal and Adjudication in the custody of the Board of Elders relating to the subject case and certify the completeness and accuracy of such record. [72]

In the event there is no appeal, 75 days after giving the notice referred to in Paragraph 67, above, the President shall make the following disposition of the material which would have constituted the record of appeal: (a) documentary and physical evidence and the transcript of the proceedings of the Committee on Discipline shall be delivered to the Secretary for safe keeping; and (b) the President of CALC shall keep the findings and determination of the Board of Elders in a confidential file. [73]

Notice to Complainant or Respondent: Any written notice hereunder which may be given by the Board of Elders to the Complainant or the Respondent, or their respective representatives, shall be considered given to him/her on the date the written notice is handed to him/her by any member of the Board of Elders, any officer of CALC, and/or any other Member of the National Council of CALC or any employee of CALC. If the notice is delivered by Canada Post or a courier, it shall be deemed delivered to the Complainant or the Respondent, and/or their representatives, five (5) days after it is dropped in the mail or delivered to the courier. The address for delivery of notice by mail or courier shall be to the address for the party and/or representative filed with the Complaint or otherwise communicated in writing to the Board of Elders. [74]

Notice to the Board of Elders: Any written notice which may be given by the Complainant or the Respondent, or their respective representatives, to the Board of Elders hereunder shall be considered given to the Board of Elders on the date the written notice is handed by him/her to any member of the Board of Elders, any officer of CALC, any other member of CALC's National Council or any employee of CALC. If the notice is delivered by Canada Post or a courier, it shall be deemed delivered to the Board of Elders five (5) days after it is dropped in the mail or delivered to the courier. [75]

Appendix 1

To the Guidelines and Procedures for the Discipline of CALC's Diaconal Ministers

COMPLAINT FORM 1

MISCONDUCT BY A ROSTERED DIACONAL MINISTER OF CALC

Deviation from Doctrine – Conduct Unbecoming – Wilful Disregard of Procedures

Canadian Association of Lutheran Congregations

Request For A Hearing Before The Board of Elders

Deviation from Doctrine – Conduct Unbecoming – Wilful Disregard of Procedures

Grounds for Discipline: Subject to the provisions of the Constitution and Bylaws of any Member congregation of CALC, a Diaconal Minister serving a congregation of CALC may be suspended from his/her duties or dismissed and his/her call to the congregation terminated for the following causes: (a) teaching of doctrine in conflict with the Confession of Faith of this Church as expressed in our constitution; (b) conduct unbecoming an Diaconal Minister; (c) wilful disregard of the constitution, administrative bylaws and enactments of this Association.

Definitions:

“Complainant” is the person or persons who lodge a Complaint against a rostered Diaconal Minister which, if proven, could result in discipline of the Diaconal Minister.

“Complaint” is the written description of the accusations made against a rostered Diaconal Minister which, if proven, could result in discipline.

“Respondent” is the rostered Diaconal Minister who is the subject of a Complaint which, if proven, could result in discipline of the pastor.

“Conduct unbecoming a Diaconal Minister” shall include, without limitation the following:

1. **Conviction of a Criminal Offence.** Canadian society has placed a high premium upon the role of law in regulating the rights and duties of individuals. Canadian laws define certain conduct as a criminal offence. The commission of an indictable offence, in the absence of some reasonable explanation for such conduct, is conduct unbecoming a rostered Diaconal Minister and grounds for discipline.
2. **Membership in Certain Organizations:** No rostered Diaconal Minister shall belong to any organization that, in its documents, rites or practices, contradicts the Gospel of salvation through faith in Jesus Christ. (Section 2 of Part 3 of CALC’s Bylaws).[4]
3. **Relationship to Family:** Rostered Diaconal Ministers, whether married or single, are expected to uphold Christian ideals of marriage in their public ministry as well as in private life. A rostered Diaconal Minister’s spouse and children are to be regarded by the minister with love, respect, and commitment. Any departure from this normative behavior shall be considered conduct unbecoming a rostered Diaconal Minister. Such departure might include any of the following: (i) Separation or divorce that occurs without consultation with the congregation’s church council and without the rostered Diaconal Minister taking appropriate action on any agreement reached in such consultation. Each case of separation or divorce must be considered pastorally. (ii) Desertion or abandonment of spouse or children. (iii) Abuse of spouse or children. (iv) Repeated failure to meet legally determined family support obligations.[5]
4. **Substance Abuse:** The misuse of alcohol or mind-altering substances impairs the ability of a rostered Diaconal Minister to perform the duties of the office with full effectiveness. The failure to embark on an effective treatment program or to follow through on treatment and abide by the terms of such treatment and the consequent impairment of performance is conduct unbecoming a rostered minister and grounds for discipline.
5. **Financial Responsibilities:** Rostered Diaconal Ministers are expected to conduct their financial affairs in accordance with ethical and legal requirements. Among those financial activities which shall be considered conduct incompatible with the character of the office of the Pastor are: (i) indifference to or avoidance of legitimate and neglected personal debts; (ii) embezzlement of money or improper appropriation of the property of others; and (iii) using the Pastoral office improperly for personal financial advantage.

A separate complaint form, COMPLAINT FORM 2, must be filed for alleged conduct on the Respondent's part which is of a sexual nature.

Date of this Complaint	
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Name of the Complainant	
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Name of the Respondent	
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Name and address of the congregation or agency employing Respondent:

Section 1: Allegations:

Fully describe the incident(s) by which the Respondent allegedly: (a) taught doctrine in conflict with the Confession of Faith of this Church as expressed in CALC's constitution; (b) engaged in conduct unbecoming an Diaconal Minister; (c) wilfully disregarded the constitution, administrative bylaws and enactments of this Association. Please include dates, times and places as accurately as possible. Attach as many additional pages to this Complaint as are necessary to complete this Section.

Section 2: Witnesses:

Name any witness(s) who know about or has witnessed the incident(s) described in Section 1 above, including contact information for the witnesses (mailing address, telephone and fax numbers and email addresses, if known.

Attach as many additional pages to this Complaint as are necessary to complete this Section.

Section 3: Reports to Police:

If the incident(s) is (are) criminal in nature, has it (have they) been reported to the police? Name the police department and date reported. Attach as many additional pages to this Complaint as are necessary to complete this Section.

Section 4: Other Incidents Involving the Respondent:

Are you aware of any other incident(s) involving other persons in relation to the Respondent? Identify them. Attach as many additional pages to this Complaint as are necessary to complete this Section.

Section 5: Other Information:

Is there any other relevant information regarding this complaint you wish to disclose that might prove helpful? Attach as many additional pages to this Complaint as are necessary to complete this Section.

Other Questions:

Have you received a copy of CALC's manual entitled: Guidelines for Diaconal Ministry in CALC? Yes ___ No ___.

Do you understand the disciplinary procedure which will follow from your complaint? Yes ___ No ___

Do you understand that a pastoral care support person will be assigned to you if you so desire? Yes ___ No ___

Contact Information for the Complainant:

Full Legal Name:		
Street Address		
Mailing Address (if different):		
City:	Province	Postal Code
Home Phone:	Cell Phone	Fax:
Email Address:		

Complainant's Signature
(Implies your consent to proceed with the complaint)

The original of this Complaint should be sent to the President of CALC and marked "Highly Confidential Material Enclosed – For the President's Eyes Only." Complainant is encouraged to send the Complaint by Registered Mail – Signature Required.

President's Mailing Address:
Reverend Edward P. Skutshek
Canadian Association of Lutheran Congregations
C/O: Grace Lutheran Church
1162 Hudson Road, West Kelowna, British Columbia V1Z 1J3
Telephone: (250) 769-5685
Cell Phone: (250) 801-3860
Email: president@calc.ca

Appendix 2

To the Guidelines and Procedures for the Discipline of CALC's Diaconal Ministers

COMPLAINT FORM 2

MISCONDUCT BY A ROSTERED DIACONAL MINISTER OF CALC

Conduct Unbecoming Involving Sexual Matters

Canadian Association of Lutheran Congregations

Request For A Hearing Before The Board of Elders

Conduct Unbecoming Involving Sexual or Family Matters

Grounds for Discipline: Subject to the provisions of the Constitution and Bylaws of any Member congregation of CALC, a Diaconal Minister serving a congregation of CALC may be suspended from his/her duties or dismissed and his/her call to the congregation terminated for conduct unbecoming an Diaconal Minister involving sexual harassment.

Definitions:

“Complainant” is the person or persons who lodge a Complaint against a rostered Diaconal Minister which, if proven, could result in discipline of the Diaconal Minister.

“Complaint” is the written description of the accusations made against a rostered Diaconal Minister which, if proven, could result in discipline.

“Respondent” is the rostered Diaconal Minister who is the subject of a Complaint which, if proven, could result in discipline of the Deacon.

“Sexual Harassment” shall be defined as any unwelcome, unwarranted, unsolicited or offensive sexual conduct that is directed at a person or persons by one in a position of authority, power or leadership and which demeans and undermines the inherent self-worth and dignity of that person or persons or denies individual human rights as guaranteed by Provincial or Canadian Human Rights Code(s). It includes any conduct that coerces, pressures, manipulates, or threatens persons, or curtails a person from participating in the life of the church, fulfilling the duties of their position in the church workplace, freely expressing their ideas, practicing in their chosen church vocation, or freely advancing in their church employment, whether it is a single incident or several incidents over a period of time. “Sexual harassment” may involve two or more persons of the opposite or of the same gender, male or female.

Sexual harassment may include, but is not limited to, the following: (i) Sexual comments that are offensive. (ii) Unwelcome jokes with sexual overtones. (iii) Subtle innuendo or open taunting regarding perfections or imperfections about a person’s body. (iv) Unwelcome displays of sexually offensive material such as pictures, photographs, sexually manipulative objects or sexual desire stimulants. (v) Sexually offensive gestures or facial expressions. (vi) Sexually humiliating, insulting or intimidating behaviour including, but not limited to, boundary or space intrusion to obtain sexual favours. (vi) Unwelcome physical contact. (i.e. touching, patting, pinching, cornering, etc.) (vii) Unwelcome invitation, direct or in person, by mail or through any other form of communication to engage in behaviour of a sexual nature. (viii) Prolonged, sexually suggestive staring. (ix) Unwelcome pressure for dates. (x) Indecent exposure. (xi) Verbal abuse or threats. (xii) Retaliation against an individual for having invoked this policy on behalf of oneself or other individuals, or participated or co-operated with any investigation under this policy; or been associated with a person who has invoked this policy or participated as a witness.

Sexual harassment does not apply in a relationship of mutual consent or in the expression of affection between friends as long as one’s behaviour is not imposed on another. However, it is stressed that where one person holds power over another, either in fact or perceived, a relationship of mutual consent may be impossible to achieve. It is inappropriate for a rostered Diaconal Minister to date a parishioner or someone working under the minister’s supervision within the congregation he or she is serving, until that relationship has ceased for a period of at least one year.

Inappropriate sexual acts, including, adultery, promiscuity, addiction to pornography, the sexual abuse of another, or the misuse of counselling relationships for sexual favours or other advantage.

Date of this Complaint	
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Name of the Complainant	
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Name of the Respondent	
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Name and address of the congregation or agency employing Respondent:

Section 1: Allegations:

Fully describe the incident(s) by which the Respondent allegedly engaged in conduct unbecoming a Diaconal Minister involving sexual harassment, inappropriate sexual acts or inappropriate family matters. Please include dates, times and places as accurately as possible. Attach as many additional pages to this Complaint as are necessary to complete this Section.

Section 2: Witnesses:

Name any witness(s) who know about or has witnessed the incident(s) described in Section 1 above, including contact information for the witnesses (mailing address, telephone and fax numbers and email addresses, if known.

Attach as many additional pages to this Complaint as are necessary to complete this Section.

Section 3: Corroborating Physical and Medical Evidence:

If sexual abuse or sexual assault is involved, identify what other independent corroborating physical or medical evidence is available. Attach as many additional pages to this Complaint as are necessary to complete this Section.

Section 4: Assault or Abuse of Minors - Reports to Civil Authorities:

If sexual abuse or sexual assault of a minor(s) is involved, has this been reported to the civil authorities as required by law? Name the agencies and date reported. Attach as many additional pages to this Complaint as are necessary to complete this Section.

Section 5: Reports to Police:

If the incident(s) is (are) criminal in nature, has it (have they) been reported to the police? Name the police department and date reported. Attach as many additional pages to this Complaint as are necessary to complete this Section.

Section 6: Other Incidents Involving the Respondent:

Are you aware of any other incident(s) involving other persons in relation to the Respondent? Identify them. Attach as many additional pages to this Complaint as are necessary to complete this Section.

Section 7: Other Information:

Is there any other relevant information regarding this complaint you wish to disclose that might prove helpful? Attach as many additional pages to this Complaint as are necessary to complete this Section.

Other Questions:

Have you received a copy of CALC's manual entitled: Guidelines for Diaconal Ministry in CALC? Yes ___ No ___.

Do you understand the disciplinary procedure which will follow from your complaint? Yes ___ No ___

Do you understand that a pastoral care support person will be assigned to you if you so desire? Yes ___ No ___

Contact Information for the Complainant:

Full Legal Name:		
Street Address		
Mailing Address (if different):		
City:	Province	Postal Code
Home Phone:	Cell Phone	Fax:
Email Address:		

Complainant's Signature
(Implies your consent to proceed with the complaint)

The original of this Complaint should be sent to the President of CALC and marked "Highly Confidential Material Enclosed – For the President's Eyes Only." Complainant is encouraged to send the Complaint by Registered Mail – Signature Required.

President's Mailing Address:
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1162 Hudson Road, West Kelowna, British Columbia V1Z 1J3
Telephone: (250) 769-5685
Cell Phone: (250) 801-3860
Email: president@calc.ca