

Appendix 1

Process for Responding to Concerns of Clergy Sexual Misconduct Raised by an Individual or a Board

Chart 1: Summary of Stages of Review Process for Ministers in Final Fellowship

Chart 2: Flowchart of UUA Procedure for Responding to Clergy Sexual Misconduct
Allegations (Prepared by Safety Net)

Chart 1: Summary of Stages of the Process

(For Ministers in Final and Preliminary Fellowship)

The following are the basic stages of the complaint and review process for a minister in final fellowship:

1. Inquiry to Office of Ethics and Safety Re: Bringing Complaint

2. Initial Assessment of Complaint by Intake Person in Office of Ethics and Safety

3. Referral to Consultant for Ethics in Congregational Life for Further Investigation

4. Referral to MFC Executive Committee/ Invitation to Parties to Meet with EC

5. EC "Pre-Investigation" Decision:

5a. Determination that No Further Action is Needed; or

5b. EC Negotiates Resolution Agreement with Minister; or

5c. EC Determines, with respect to ministers in Final Fellowship, Further Investigation is Needed for Full MFC Fellowship Review

EC decides, with respect to ministers in Preliminary Fellowship whether the minister will be continued in Preliminary Fellowship and/or any contingencies before minister can continue in Fellowship. An EC recommendation to terminate preliminary fellowship is referred to full MFC for vote.

6. EC "Post-Investigation" Decision":

6a. Insufficient Grounds for Full Committee Fellowship Review
(Individual Bringing Complaint May Appeal)

6b. Full Committee Fellowship Review

7. Decision by MFC

8. Notification of Decision (Minister May Appeal)

Procedures for complaints against candidates are brought to the attention of the Professional Development Director and handled under Policy 20 of the MFC Policies.

1.Initial Inquiry to Office of Ethics and Safety			
Minister	Person or Board Raising Concern	UUA Staff	Ministerial Fellowship Committee (MFC)
	Individual, or member of a board that works with minister, brings concern to Intake Person in the Office of Ethics and Safety.	Intake Person hears concern, provides information on complaint process and answers questions. Intake Person may assist in reducing complaint to writing.	

2. Initial Assessment of Complaint			
Minister	Person or Board Raising Concern	UUA Staff	MFC
	<p>Individual or Board (through person authorized by Board) submits formal complaint in writing to Office of Ethics and Safety. (Assessment by Intake Person may begin earlier, with verbal complaint.)</p> <p>Note: Complaints by individuals must be signed by person directly involved in circumstances covered by the complaint (except in cases involving children and dependent adults.)</p> <p>Complaints involving events occurring more than 6 years prior to date of complaint will not be considered unless for good cause (particularly egregious behavior, cases involving abuse of children, repetitive actionable behavior)</p>	<p>Intake Person assesses, often in consultation with Director for Ministry and Faith Development, if complaint is a matter suitable for adjudication by MFC and referral to UUA Consultant. Intake Person may refer back to congregation or to District or Field Staff, Ministries and Faith Development staff, UUMA, Good Offices, etc. May also consult with Director for Congregational Life and UUA Chief Operating Officer and other staff who need to know.</p> <p>Assessment includes any statements by complainant about any victim(s) that should receive consideration if complaint is referred to MFC.</p> <p>*Items in blue are staff practice not stated in MFC Rules and Policies.</p>	

3.Referral to UUA Consultant for Ethics in Congregational Life			
Minister	Person or Board Raising Concern	UUA Staff	MFC
		<p>Intake Person may refer complaint to UUA Consultant for Ethics in Congregational Life for further investigation, who may refer to other resources (i.e.,Director of Ministries and Faith Development, Review Team, UUMA. UUA Consultant may refer to Executive Committee for further investigation.</p> <p>Note: UUA Consultant may be external consultant or Director of Ministries and Faith Development</p>	

4. Referral to Executive Committee/Invitation to Parties to Meet with Executive Committee			
Minister	Person or Board Raising Concern	UUA Staff	MFC
Minister may submit any relevant material and will be given copy of materials on which EC will rely. Minister meets with EC; is expected to be accompanied by UUMA Good Offices person in Final Fellowship. Expenses involved in travel and appearance of minister and Good Offices person are borne by MFC.	Person bringing complaint (or representative of victim(s)) may meet with EC. Expenses involved in travel and appearance before EC by is borne by MFC.	Upon receipt of complaint that warrants further investigation, UUA Consultant informs minister of complaint (if not informed during assessment phase).	<p>Executive Committee (EC) of the MFC may invite the minister to meet with the EC, accompanied by UUMA Good Offices person in Final Fellowship. Appearance may be in person or by teleconference. If minister is in final fellowship, EC decides (1) no further action is needed, (2) to negotiate a resolution with minister, or (3) to further investigate.</p> <p>[If minister is in preliminary fellowship, EC decides whether to establish contingencies for continuing preliminary fellowship or makes recommendation to full Committee to vote to terminate preliminary fellowship. Ministers in preliminary fellowship are not subject to a full MFC Fellowship Review.]</p> <p>EC invites individual bringing complaint, or representative of victim(s) to meet with EC, accompanied by support person. Appearance may be in person or by teleconference.</p>

5a. MFC Executive Committee Determines No Further Action is Needed			
Minister	Person or Board Bringing Concern	UUA Staff	MFC
			EC determines no further action is needed.
5b. Executive Committee and Minister Negotiate Resolution (Self-Disclosure)			
Minister	Person or Board Bringing Concern	UUA Staff	MFC
The minister shall enter into negotiations with the UUA Consultant and EC with respect to the resolution.	The person bringing complaint shall consult with the UUA Consultant with respect to the proposed resolution.	The UUA Consultant shall consult with the person bringing complaint with respect to the resolution.	The EC may propose a mutually agreed upon course of redress, to be negotiated by the EC and the UUA Consultant. The EC shall send a copy of the resolution agreement to the minister within 14 days of the meeting with the EC. A copy of the resolution agreement shall be placed in the minister's file. MFC sends copies to others as it deems appropriate.

5c.Executive Committee Determines Investigation is Needed			
Minister	Person or Board Bringing Concern	UUA Staff	MFC
<p>Minister may be interviewed by UUA Consultant or other member of investigative team.</p> <p>In cases where criminal charges are pending against minister, minister cooperates with MFC in providing access to any court transcript or record.</p> <p>Minister may receive terms of administrative suspension or other conditions or requirements imposed by the MFC during investigation or Fellowship review.</p>	<p>Person bringing complaint may be interviewed by UUA Consultant or other member of investigative team.</p> <p>Person approves any summary of his or her statement before it is included in report.</p> <p>[Person may be assigned a “liaison” as a point of contact between with those involved on behalf of UUA.]</p>	<p>UUA Consultant and others on investigative team conduct interviews with persons the team deems appropriate and gather information.</p> <p>Investigative team files report with Executive Secretary. Conducts further investigation if requested by MFC Chair and Executive Secretary.</p> <p>Information gathered is shared with minister and the MFC. Ministers have access to their files except for information transmitted in confidence or otherwise deemed confidential by the MFC.</p>	<p>Executive Secretary determines type and scope of investigation and appoints team outside of MFC.</p> <p>Executive Secretary and MFC receive initial report from investigative team and determines if additional information is required.</p> <p>Executive Secretary and MFC forward final report to EC.</p> <p>In cases where criminal charges are pending against minister, EC may suspend all or part of investigation until conclusion of criminal investigation.</p> <p>Upon recommendation of Executive Secretary, EC may administratively suspend a minister’s fellowship while minister’s status is being reviewed by MFC.</p>

6a.Executive Committee Determines Insufficient Grounds for MFC Fellowship Review/Right of Appeal			
Minister	Person or Board Bringing Concern	UUA Staff	MFC
Minister may file response to notice of appeal.	Person may file written appeal of EC decision. Appeal must be received by Executive Secretary within 30 days of person's receipt of notice of no action.		<p>EC determines insufficient grounds for MFC Fellowship Review.</p> <p>The Executive Secretary notifies the minister, the individual bringing a complaint, and other interested parties of the determination.</p> <p>Executive Secretary gives minister notice of appeal of EC decision. Executive Secretary presents appeal to MFC for decision. Executive Secretary notifies minister and person of decision of MFC.</p>

6b. MFC Conducts Fellowship Review			
Minister	Person or Board Bringing Concern	UUA Staff	MFC
<p>Within 14 days of receipt of notice, Minister responds to content of investigations, including name of Good Offices person and additional materials minister will submit for Review.</p> <p>Expenses for travel and appearance of minister and Good Offices person are borne by MFC.</p> <p>If minister fails to appear, Review proceeds in his or her absence.</p> <p>Minister may voluntarily resign from Fellowship.</p>		<p>UUA Consultant may decide to exclude certain parts of complaint not supported by evidence developed in the investigation.</p> <p>UUA Consultant presents case to MFC.</p>	<p>If EC (or MFC, in cases of appeal) determines there are grounds for a Fellowship Review, Executive Secretary sends written notice to minister outlining reason for Fellowship Review. The notice to the minister includes all information that will be considered, the date and location, and procedures that will be followed. Notice must be postmarked at least one month prior to scheduled date of review.</p> <p>In case of minister's resignation from Fellowship, notice of resignation shall describe stage of review process at time of resignation.</p>

7. MFC Makes Determination Following Fellowship Review			
Minister	Person or Board Bringing Concern	UUA Staff	MFC
			<p>MFC makes determination whether or not to terminate a Final Fellowship on grounds of “conduct unbecoming a minister” or for other grounds of non-compliance with requests of MFC (responses to requests for information, attendance at MFC meetings, compliance with remediation or probation requirements.)</p> <p>MFC may impose conditions, requirements and contingencies on minister for a period of probation.</p>

8. MFC Decision and Appeal Process			
Minister	Person or Board Bringing Concern	Board of Review	MFC
<p>Minister is notified of MFC decision. Minister may appeal decision to terminate Final Fellowship to Board of Review. Appeal must be made within 30 calendar days of termination. If no appeal, decision is final and binding on minister.</p> <p>In appeal, minister may request MFC consider new evidence.</p> <p>If appeal is timely filed, minister's status is "suspension from Ministerial Fellowship" until final decision by Board of Review.</p> <p>Minister learns of final decision of Board of Review. Minister has no further recourse to any proceeding or review within the UUA.</p>		<p>Board of Review affirms, modifies or reverses action by MFC.</p>	<p>MFC provides written notification to minister and congregations of termination of Fellowship. Notice of termination is also published in UU World.</p> <p>MFC takes any action and make any entries on its records required by decision of Board of Review.</p>

UUA Procedure for Responding to Clergy Sexual Misconduct Allegations

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