

Congregational Boundaries Working Group
Report to UUA Board of Trustees
June 2015

Moderator Key and I met with the Executive Committee of the Ministerial Fellowship Committee on April 8 to discuss the Best Practices Report recommendations and their implementation. Our discussion was framed by a chart (see pp. 3-4) drafted by Wayne Arnason that divided responsibility for implementation among the MFC, staff and UUA Board.

The MFC has adopted several policy changes in response to the report (full text of changes is included in separate MFC Report to Board). These changes:

- Clarify the roles of the intake person and the Consultant in referring a matter to the Executive Committee Policy (19A) (**Staff response to Best Practice 3**)
- Provide decisions to *not* refer a complaint to the Consultant or the Executive Committee require review and unanimous agreement of the Director of Ministries and Faith Development and the Chief Operating Officer of the UUA. The Chair of the EC may also be consulted. (Policy 19A) (**Staff and EC response to Best Practice 5**)
- If interviews are required as part of an investigation, both the individual(s) bringing the complaint and the minister have a right to an individual interview, and to know the identity of the interviewer(s) and the makeup of the investigation team before the interview. (Policy 19D) (**EC response to Best Practice 6 (adopts Best Practice)**).
- Add the UUMA Executive Director as a person to be notified if there are sufficient grounds for a Fellowship Review. (Policy 19E) (**EC Response to Best Practice 11.**
- Allow individual bringing a complaint an opportunity to request, on the basis of newly discovered evidence, reconsideration of a decision to not terminate Fellowship within the reasonable time periods described in Policy 19B. (Policy 19G) (**Response to Best Practice 10**)

- Amend the complaint procedure with respect to candidates to allow complainants to meet with the Full Committee and offer their views about recommendation for removal. (Policy 20D) **(Response to Best Practice 2)**
- Require that complainants and the UUMA Executive Director (in addition to candidates) be informed of decisions by the Full Committee with respect to removal from candidate status (Policy 20G) **(Response to Best Practices 8 and 11)**
- Require that complainants and the UUMA Executive Director (in addition to ministers and congregations) be informed by letter of cases of fellowship termination. ((Policy 22) **(Response to Best Practices 8 and 11)**

With respect to Best Practices 8, 9, 12 and 13, further response requires study and action by the MFC Policy Working Group. (The Group also will respond to those questions in the Addendum to the Best Practices Report.) The Board will request, for its October meeting, an update on the Working Group's timeline and process. These Best Practices include policies for training MFC members, for providing the parties comparable access to information, and policies related to support persons. Rev. Sarah Lammert is developing an advocate training program to be implemented this fall. MFC policies related to support persons will require staff recommendations based on that program.

With respect to Best Practice 1, members of the Advisory Group are welcome to provide comment on these policy revisions. While the MFC will not seek out additional individuals to consult with the MFC in this review process, a general invitation to prior complainants or survivors will be offered in the GA General Session and the "Building Restorative Justice" workshop. We discussed that one representative of survivors/prior complainants could be authorized to directly meet with the MFC in the fall to provide further comment, at Board expense.

With respect to Best Practice 2, we discussed a possible addition to Rule 16B and 21 (complaints in the cases of Preliminary Fellowship and Final Fellowship), if recommended by the Board. That revision simply allows more than one individual or victim to meet with the MFC Executive Committee if a case warrants it:

The Executive Committee may invite additional representatives or alleged victims to personally meet with it, accompanied by an advocate designated by the Office of Ethics and Safety, if (1) the Executive Committee deems such meeting essential to fully understand the nature of the complaint and ensure its appropriate resolution, and (2) the Board of Trustees approves its payment of expenses involved in the travel and appearance of such person(s).

Once all policy revisions are in place, staff will be able to address ensuring the parties are clearly informed of the process.

Respectfully submitted,
Susan Weaver

BEST PRACTICES: RESPONSIBILITY FOR IMPLEMENTATION 1. Revision of the complaint process to reflect best practices includes direct consultation by the MFC with survivors of clergy sexual misconduct to ensure their concerns and recommendations are fully heard.	MFC ✓ Exec	STAFF Consults with Board	✓ BOARD -Authorizes a Survivor Rep and - Figures out \$
2. The individual bringing a complaint, the alleged victim(s), and the minister or candidate each have a right to be heard and taken seriously.	MFC/ PWG?	Consultant/ Advocate language cleanup	Decide whether Rule 20 language is inadequate/tell us – or change it yourself
3. The parties in the complaint process, and individuals considering bringing a complaint, are clearly informed in writing of the process, including its expected timeline.		✓	
4. The parties receive prompt responses to their concerns and participate in a process that is reasonably prompt, with clear timeframes for resolution of the complaint.		✓	
5. Decisions to not refer a complaint to the UUA Consultant or the EC of the MFC require review and agreement of the Director of Ministries and Faith Development and two additional persons designated by the Office of Ethics and Safety in Congregational Life.	✓ MFC/PWG	Consulting	
6. If interviews are required of the parties as part of an investigation, both the individual bringing the complaint and the minister have a right to an individual interview, and to know the identity of the interviewer(s) and makeup of the investigation team before the interview.	✓ MFC/PWG		?? “makeup”?? please clarify intent here
7. The process avoids conflicts of interest and minimizes perceptions of bias by ensuring staff, consultants, investigators, support persons and MFC members involved in the process disclose potential conflicts of interest with the parties and alleged victim(s), and recuse themselves in the event of a conflict of interest.	✓ MFC Exec – WA thinks conflict of interest policy applies	Consulting	
8. The parties have, except where confidentiality and privacy concerns otherwise warrant, comparable access to information shared in the	✓ MFC/PWG	Consulting	

process.			
9. The parties, as well as an individual considering bringing a complaint, are offered a support person. No support person should be likely, by reason of his or her professional stature or relationships, to unduly influence the investigation or decision process. The support person may be present in interviews, in meetings, and at the time of learning of decisions. The families of the parties in the process are offered resources for support.	PWG receives recs from staff and considers changes	✓ Staff makes initial Rec's to PWG	
10. The individual bringing a complaint has an opportunity, on the basis of newly discovered evidence, to request reconsideration of a decision to not terminate Final Fellowship.	✓ MFC/PWG		
11. Any decision of the EC and the MFC regarding a minister that involves a finding of misconduct is promptly communicated to the UUMA.	✓ MFC/PWG		
12. Members of the EC and MFC, in order to consider complaints related to clergy sexual misconduct, have training on clergy sexual misconduct in general, the UUMA Code of Conduct/Ethical Standards related to clergy sexual behaviors and relationships with those they serve as minister, the UUMA Standards of Professional Practices provisions relating to best practices regarding personal or romantic relationships, and the UUA Human Resources Manual definition of sexual harassment.	✓ MFC/PWG		
13. MFC members receive training that familiarizes them with (1) restorative justice principles that promote healing of the parties and affected communities and (2) trauma that is likely to affect some of the parties involved in these allegations including victims of clergy sexual misconduct. Such training is intended to assist MFC members in interviewing parties in the complaint process and in considering appropriate resolution of a complaint.	✓ MFC/PWG		

