

REPORT TO THE BOARD ON AMENDED POLICIES OF THE MINISTERIAL FELLOWSHIP COMMITTEE RESPONSIVE TO THE BEST PRACTICES REPORT

Submitted to MFC for Review and Voted May 1 2015. MFC policies are the creation of the MFC and unlike Rule changes do not require Board action. This is an informational report. Board feedback is welcome, of course. In the interests of transparency, the amendments are still color-coded with the text in **RED** representing amendments drafted by Wayne Arnason, **BLUE** by Sarah Lammert, and **Green** proposed during the conference call discussion and accepted.

19. COMPLAINT PROCEDURES AGAINST MINISTERS

A. INITIATING A COMPLAINT.

Complaints involving alleged unprofessional/unbecoming conduct of a minister or other violation of the rules of Fellowship shall be received and reviewed by the Office of Ethics and Safety Intake person (hereafter called the Intake Person). Complaints should be from a person or persons with first-hand knowledge of the circumstances, the congregational, institutional, or agency board with whom the minister works, or the UUA Ministries and Faith Development Staff Group. **The intake person will determine whether the complaint is a congregational matter or an ethical matter requiring further inquiry, and shall refer such ethical matters to the Consultant for Ethics in Congregational Life (hereafter called the Consultant). The Consultant will determine whether the matter should go before the Executive Committee MFC for a Fellowship Review. Decisions to not refer a complaint to the consultant or the Executive Committee of the MFC 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 MFC may also be consulted.** Except in cases involving children or dependent adults, the Intake person will not generally advance complaints to the MFC that were filed by persons who were not directly involved in the circumstances covered by the complaint.

Complaints must be in writing and signed by the complainant(s) or Board and shall contain a brief statement of the facts upon which the complaint is based. If necessary, the Intake person will assist the complainant in reducing the complaint to writing. Contact information for the Intake person is: 617-948-6462 or safecongregations@uua.org.

B. TIMELINESS AND STALE MATTERS.

Complaints should be received by the Director of Ministries and Faith Development within a reasonable time period following the circumstances giving rise to the complaint. Unless the Director of Ministries and Faith Development determines otherwise for good cause, complaints regarding events occurring more

than six years prior to the date of the complaint will not be considered. Good cause shall include, but not be limited to, complaints involving abuse of children or particularly egregious behaviors or repetitive actionable behavior.

C. RESOLUTION OF COMPLAINTS

Upon receipt of a complaint, the minister may be invited to meet with the Executive Committee of the MFC and is expected to be accompanied by a UUMA Good Offices person in Final Fellowship. The cost of meeting with the Committee will be borne by the Committee.

The Executive Committee may determine that no further action is warranted, may propose to the full Committee a mutually agreed upon course of redress, or may determine that further investigation and a full Committee Fellowship Review is warranted.

Written confirmation of a resolution agreement shall be sent to the minister within 14 days. A copy will be placed in the minister's file. Additional copies may be sent to other persons or institutional representatives as deemed appropriate by the MFC.

D. COMPLAINT INVESTIGATIONS

The type of investigation required by a complaint will depend upon the alleged circumstances and the type of additional information required.

When the Executive Committee calls for a full Fellowship Committee Review, it will charge the Executive Secretary to determine the type and scope of the investigation and appoint an investigation team in consultation with the MFC Chairperson.

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 makeup of the investigation team before the interview.

The following are guidelines which are to be used by the investigators in conducting its investigation:

- In consultation with the Executive Secretary and the MFC Chair, it is the responsibility of the investigators to develop a full and complete record of the facts and circumstances surrounding the complaint and any other relevant information which may be useful to the Committee in its deliberations.
- Each individual appointed to be an investigator is expected to maintain neutrality and an open mind throughout the investigation.

All information obtained through the investigation must be held in the strictest confidence.

- In consultation with the Executive Secretary and the MFC Chair, the investigators should determine what, if any, additional information is required to assist the Committee in its deliberations and the most efficient method for obtaining that information.
- If it is determined that personal interviews would be appropriate, the appointed investigators will interview the complainant, the minister against whom the complaint has been made, and as many other individuals with knowledge of the issues or circumstances raised by the complaint. Any summary of an individual's statement must be approved by that individual to be included in the report.

The appointed investigators will file a report and all information collected with the Executive Secretary promptly after the conclusion of the investigation. All notes and other information gathered by the investigators should be transmitted to the Executive Secretary for archiving as soon as possible following the completion of the investigation.

The MFC Chair and the Executive Secretary should review the report. If it is determined that additional information is required, the investigators shall obtain the additional information before the report is forwarded to the Executive Committee.

E. RECOMMENDATION FOR FELLOWSHIP REVIEW

Once the report is complete, the Executive Committee shall determine whether or not there is sufficient concern to believe that the minister has engaged in unprofessional/unbecoming conduct or other conduct in violation of Rule 24.

If it is determined by the Executive Committee that there is insufficient grounds for a Fellowship Review, the Executive Secretary shall so notify the minister, complainant(s), and other interested parties. The determination by the Executive Committee to not recommend a Fellowship Review may be appealed by the complainant(s) to the full Committee. The appeal should be written and contain a review of the reasons why the determination to not recommend a Fellowship Review should be overturned and must be received within one month of the receipt of notice of the no cause determination. As soon as an appeal is received, the Executive Secretary should give notice to the minister involved and the minister may file a response.

If it is determined that there is sufficient grounds for a Fellowship Review, the Executive Secretary shall so notify the minister, complainant(s), **the Unitarian Universalist Ministers Association's Executive Director**, and other interested parties and schedule a Fellowship Review before the full Committee.

F. FELLOWSHIP REVIEW

The Fellowship Review before the Committee shall follow the guidelines set forth in Rule 21 of the MFC Rules.

G. Right of Appeal by the Complainant(s)

The individual (s) bringing a complaint has an opportunity, on the basis of newly discovered evidence, to request reconsideration of a decision to not terminate ~~Final~~ Fellowship within the reasonable time periods described in Policy 19 B.

20. PROCEDURES FOR COMPLAINTS AGAINST CANDIDATES

A. COMPLAINTS AND NOTIFICATION.

Any individual wishing to file a complaint against a candidate must contact the Professional Development Director. Complaints must be in writing and contain first hand knowledge or experience. As soon as appropriate after receipt of a complaint, the Professional Development Director will notify the candidate. With the initial notification, a request shall be made to the candidate to provide a written statement of the candidate's position on the allegations in the complaint within fourteen (14) days of receipt of the notice of complaint. At the "intake" stage, the Professional Development Director hears the complaint, provides information on the process, responds to questions from the complainant and conducts an assessment to determine whether the complaint should be referred for further investigation. The Professional Development Director will determine if further investigation is warranted and keep the complainant informed of the ongoing process and any actions.

B. INVESTIGATION.

If an investigation is warranted, the Ministerial Credentialing Director will be notified to conduct the investigation, which will generally include consultation with all involved parties (candidate, Ministries and Faith Development Staff Group, complainant(s), theological school, supervisor, etc.) and review of any additional information, including the candidate's file, etc. If the complaint involves either a candidate or complaint from a traditional marginalized community, the UUA [Multicultural Growth and Witness Staff](#) may also be consulted. The candidate may be invited to meet with the Ministerial Credentialing Director and the Director of Ministries and Faith Development to discuss the complaint. In consultation with the Ministerial Development Director, the Ministerial Credentialing Director will prepare a written report of relevant findings and recommendations that will be presented to the Executive Committee of the Ministerial Fellowship Committee.

C. RESOLUTIONS.

The Executive Committee may consider a range of resolutions to the complaint, including, but not limited to, a letter of reprimand, suspension, counseling, return to aspirant status or removal from candidate status, etc. The Executive Committee will inform the candidate of the resolution and a copy of the letter will become part of the candidate's permanent file and sent to the complainant.

D. REMOVAL OF CANDIDACY STATUS.

If the Executive Committee believes removal of candidacy status is warranted, they shall make a recommendation to the Full Committee.

E. CONSIDERATION OF RECOMMENDATION.

The candidate **and the complainant(s)** must be notified at least thirty (30) days prior to the meeting of the Full Committee at which the recommendation for removal will be considered. The candidate **and the complainant(s)** should be advised of their right to request a meeting with the Full Committee and to bring a ~~minister in Final Fellowship~~ as a support person. **A support person for a candidate must be a minister in final fellowship.** All costs and expenses involved in the travel and appearance of the **complainants, the** candidate and the support person(s) shall be borne by the candidate. **The appearance may be by secured conference call.** The meeting with the Full Committee shall be for the purpose of providing the candidate with an opportunity to provide any additional facts of mitigating circumstances regarding their candidate status, **and for complainants to offer their views about the recommendation for removal.**

F. DETERMINATION OF THE FULL COMMITTEE.

The Full Committee shall consider all relevant information, including the complaint, the candidate's file, written documents, the recommendation of the Executive Committee, and if requested, the meeting with the candidate **and the complainant(s)**. If the Full Committee decides to remove a candidate from candidate status, such decision shall be based on a determination that the continuation of the candidate's status is not in the best interests of the Association or its ministry.

G. NOTIFICATION OF THE DECISION OF THE FULL COMMITTEE.

The decision of the Full Committee shall be communicated as soon as possible to the candidate, **the complainant(s), and the Unitarian Universalist Ministers Association Executive Director.**

H. READMISSION TO CANDIDATE STATUS.

A candidate whose candidate status is removed may, upon furnishing appropriate evidence that the concern no longer exists, apply to the Executive Committee for readmission to candidate status.

21. PROCEDURES FOR COMPLAINTS AGAINST ASPIRANTS

When a complaint is received by the Ministerial Credentialing Director regarding the conduct of an aspirant, the Ministerial Credentialing Director will conduct an investigation and may consider a range of resolutions, including, but not limited to, a letter of reprimand, suspension, counseling, or removal of aspirant status, etc. The Ministerial Credentialing Director will draft a letter regarding the complaint and the

resolution (s) and send it to the aspirant and the Executive Committee of the Ministerial Fellowship Committee. A copy of the letter will become part of the aspirant's permanent file ~~and will also be forwarded to the administrator of the Regional Sub-Committee on Candidacy where the aspirant is expected to interview.~~

22. NOTIFICATION OF TERMINATION OF FELLOWSHIP

The Committee shall inform all ministers, ~~complainant(s), and~~ congregations, ~~and the Executive Director of the UUMA,~~ by letter, of cases of fellowship termination when Rule 24 B or C or Rule 16 A applies and shall publish such terminations in the UU world.

In the event that a minister voluntarily resigns from Fellowship during a Fellowship Review falling under rule 24 (B or C) or Rule 16 B, notification of the resignation will include a statement describing the stage of the review process at the time of resignation. For example the statement shall read: Resigned (complaint pending); Resigned (after failure to comply with probation).