

Recommended Guidelines for a Conference Minister Fitness Review

I INTRODUCTION TO THE PROCESS

In the event ethical questions are raised concerning the fitness for ministry of a Conference Minister, these guidelines offer procedures for bringing forward concerns, investigating them, adjudicating them, and providing pastoral support. Its purpose is to deal with issues of power and conflicts of interest in faithful ways. These guidelines have emerged from experience in multiple settings with a number of fitness reviews.

II ASSUMPTIONS INFORMING THESE GUIDELINES

Associations (or Conferences acting as Associations) have responsibility for ensuring ecclesiastical accountability for all authorized ministers.

Given that Ordained Ministerial Standing is conferred, transferred, suspended or terminated by Associations (or Conferences acting as Associations), when concerns about an ordained minister's fitness are raised, it is essential that there be a similar process of review for all authorized ministers.

When a Conference Minister is the subject of a fitness review, there is a high probability that many, if not most of the members of the Conference, will have conflicts of interest.

Because Conference Ministers are called by an entire Conference to provide executive and spiritual leadership, the position of power they occupy creates a unique and challenging situation for Committees on Ministry.

When the Conference Minister is the subject of a fitness concern, a commitment to justice and fairness for that Conference and Conference Minister requires a change of location for the review.

The General Minister and President of the United Church of Christ and the Ministerial Excellence, Support and Authorization (MESA) Team Leader will be consulted and kept informed during the process as will the UCC General Counsel.

III HOW IS THE PROCESS INITIATED?

The process described in the "Recommended Guidelines for a Conference Minister Fitness Review" is initiated when a concern is raised that calls into question a Conference Ministers' fitness for authorized ministry in and on behalf of the United Church of Christ.

The concern may be received by the Committee on Ministry of the Association where the Conference Minister holds standing, the Conference Board of Directors, the General Minister and President, a Conference or Association staff member, or the Ministerial Excellence, Support

and Authorization Team Leader. Regardless of the identity of the initial recipient, the concern will be directed to the General Minister and President; the GMP will consult with the MESA Team Leader.

The GMP and MESA Team Leader determine that the concern is plausible upon initial examination and relates to the fitness of the Conference Minister in and on behalf of the United Church of Christ. Only matters related to fitness should be presented to a Committee on Ministry. Personnel concerns (job performance, staff supervision) should be identified to the Conference Minister and, in consultation with the General Minister and President, referred to the Conference Board of Directors or its Personnel Committee.

If the concern is determined to be related to fitness, the Committee on Ministry chair in the Association where the Conference Minister has standing is informed. If an Area or Associate Conference Minister staffs said committee they are also informed. The GMP also informs the Chair of the Conference Board of Directors at this time.

The MESA Team Leader assists the Committee on Ministry with the procedural aspects of the Fitness Review. The Committee on Ministry chairperson, following procedures in the Manual on Ministry, will present the concerns without identifying factors to the members of the Committee on Ministry. Members will be guided in their decision-making by the UCC Manual on Ministry which asks the primary question:

Does this information, if found to be true, call into question a person's fitness for ministry in and on behalf of the United Church of Christ?

If the answer is “no” then the committee is asked if a “Situational Support Consultation” or any other kind of recommended follow-up is needed and then follow through as appropriate.

If the Committee on Ministry does determine that the information would call into question the person's fitness for ministry, the identity of the Conference Minister will be disclosed and the “Recommended Guidelines for a Conference Minister Fitness Review” will be interpreted to the Committee. It is the responsibility of the Chair of the Committee on Ministry to communicate to the Conference Minister whose fitness has been called into question, the Chair of the Board of Directors, a representative of the Conference Minister's Local Church, and the person who raised the concern, that a fitness review has been initiated. The originating COM submits the Fitness Review Reporting Form to MESA.

It will be the responsibility of the General Minister and President to follow-up with the Conference Leadership and the Conference Minister. The GMP also notifies the chair of the Council of Conference Ministers.

IV ADMINISTRATIVE LEAVE

When a fitness review is initiated, the Conference Board of Directors places the Conference Minister on administrative leave without prejudice and with pay until the concern is fully adjudicated. Placing the spiritual and administrative head of the Conference on administrative leave during the information gathering phase and adjudication of the fitness review reduces the possibility for actual or perceived conflict of interest. This provision is not intended to limit the Conference's authority to take any other action whatsoever with respect to the employment relationship between the Conference and the Conference Minister.

During Administrative Leave, the Conference Board of Directors, in consultation with the General Minister and President (or their designee), will select a Temporary Conference Executive to carry out the responsibilities of the Conference Minister during this period. It is strongly recommended that an Associate Conference Minister not be asked to serve in that capacity as it might constitute a conflict of interest and would compromise the ACM's current ministry. In addition to maintaining the day-to-day ministry of the Conference, the Temporary Conference Executive may be expected to provide significant leadership and assistance as the Conference responds and adapts to the particular circumstance of the review of its Conference Minister.

V ADDITIONAL STEPS

- A. The MESA Team Leader, in consultation with the GMP, will locate a qualified & willing Committee on Ministry in another Conference to adjudicate, with the following qualifications: has adopted Manual on Ministry, is equipped to conduct a fitness review, and has a clear appeal procedure (limited to the process) to that Association's Executive Committee or the Conference's Board of Directors.
- B. The MESA Team Leader will work closely with the Committee on Ministry that holds the Conference Minister's standing to facilitate the transfer of oversight of the fitness review to the Adjudicating Committee on Ministry by the following action:

Motion that the COM would make to transfer the adjudication of the fitness review:

"The Committee on the Ministry of the _____ Association of the _____ Conference formally enters into a covenant with the Committee on Ministry of the _____ Association of the _____ Conference and requests that the Committee on Ministry conduct a Fitness Review on our behalf. The review is to consider the fitness for ministry in and on behalf of the United Church of Christ of the Rev. _____. By making this request, we expect that:

1. Provision for pastoral support for Conference Minister under review will be made by the Office of General Minister and President,
 2. The _____ Association Committee on Ministry will investigate, deliberate and come to a determination using the UCC Manual on Ministry as interpreted by the adjudicating COM.
 3. The determination will be referred back to the originating Committee on Ministry where it will be formally accepted in its entirety without further investigation or debate.
 4. If an appeal is made on the process, such appeal will occur according to the procedure of and within the _____ Association of the _____ Conference.
 5. If a Program of Growth is included in the outcome of the Fitness Review it will be overseen by the adjudicating COM.
 6. Any costs incurred by the adjudicating COM will be borne by the originating Association/Conference.”
- C. The Adjudicating Committee on Ministry will vote to receive the transfer and will begin to take steps to prepare for a fitness review by the following actions:
- Motion that the adjudicating COM would make to receive the Fitness Review:
- “The COM of the _____ Association of the _____ Conference, in accordance with the “Recommended Guidelines for a Conference Minister Fitness Review,” received the fitness review of the Rev. _____ referred to us by the Committee on Ministry of the _____ Association of the _____ Conference.
- We realize that we assume responsibility for ensuring a fair and just fitness review process for Rev. _____ and that we will be responsible for determining the final outcome of the fitness review and overseeing any potential Program of Growth. At the conclusion of the Fitness Review, should Rev. _____ appeal the Fitness Review process, that appeal will follow the processes established by our Association.”
- D. The Fitness Review process moves forward in the adjudicating Association following the procedures outlined in the UCC Manual on Ministry and as practiced by the adjudicating Committee on Ministry.
- E. The General Minister and President, in consultation with the MESA Team Leader, and Conference Leadership identifies which person(s) affected should be offered additional pastoral support, and coordinates identifying and assigning such persons.

- F. Once an outcome is determined by the adjudicating COM, the chair of the COM or Conference staff member reports the outcome to the originating COM, the GPM, the MESA Team Leader, the Conference Minister under Review, the person raising the concern, leadership of the Local Church where the Conference Minister holds membership and the Chair of the employing Conference's Board of Directors.
- a. The General Minister and President and MESA Team Leader will assist the Conference leadership in developing a process for reporting the outcome to the pastors and churches of the Conference; and will be available to the board of directors as they deal with the personnel issues that emerge as a result of the outcome.
 - b. In order to continue to avoid conflict of interest, any growth plan required of the Conference Minister will be supervised by the adjudicating Committee (or a designated subcommittee) until such time as they are satisfied that the conditions have been met.
 - c. The decision of the Adjudicating Committee on Ministry is final, pending appeal, and may not be changed by the Committee on Ministry that holds the Conference Minister's standing. The originating COM must submit the updated Fitness Review reporting form to MESA as soon as they vote on receiving the adjudicating COM's outcome.

VI APPEAL PROCESS

The appeal process will be according to the accepted procedure of the Adjudicating Committee on Ministry. There is no appeal to the Committee on Ministry that holds the Conference Minister's standing.

VII LEGAL COUNSEL

Legal counsel has no role in the ecclesiastical process; however, all parties involved in a Conference Minister Fitness Review may wish to consult separate legal counsel at their own expense. There must be clarity and boundaries among those representing the legal interest of the Conference, of the Conference Minister and of the person(s) who raised the fitness concern(s). The Conference Minister whose fitness has been called into question does not participate in any decision regarding the selection of counsel for the Conference. The UCC General Counsel is available to consult for the interest of the Conference and Committee on Ministry.

VIII RECORD KEEPING

The MESA Team Leader shall maintain a confidential record of all decisions and actions related to this matter, including decisions and actions of the adjudicating Committee on Ministry and the Committee on Ministry of the Association that holds standing. The Association Committees on Ministry shall also maintain confidential records of all decisions and actions related to this matter

in accordance with their regular practices and procedures. The Board of Directors shall maintain their own employment and personnel files.

IX REINSTATEMENT

If the Fitness Review results in the termination of Ordained Ministerial Standing, the Conference Minister may apply for reinstatement based on the guidelines described in the Manual on Ministry. The request should be directed to the Committee on Ministry where standing was last held, that COM may consult the adjudicating COM in the process of making their determination.

X INTERIM CONFERENCE MINISTERS

In the case of Interim Conference Ministers, the Guidelines would be followed if the Conference Minister's ecclesiastical standing is within the Conference where the interim serves. If the Interim Conference Minister's standing is held in another Conference, the fitness review should be the responsibility of that body.

Recommended Guidelines for the Fitness Review of an Authorized Minister Serving as an Association Minister, Associate Conference Minister, Conference Program Staff or Other Conference Staff Position

When a concern is raised that calls into question the fitness for ministry of an authorized minister serving as a staff person in an Association or Conference of the United Church of Christ, the following pattern of follow-through and guidelines for dealing with the concern is recommended:

The concern comes to the attention of the Conference Minister. The Conference Minister initiates a consultation with the MESA Team Leader.

The MESA Team Leader and the Conference Minister will review together the boundary issues that will arise for the Conference Minister between the personnel/head of staff/supervisor roles and the role of staffing the standing/authorization/Committee on Ministry process. The GMP is informed as appropriate.

The Conference Minister needs to remain solely in the personnel/supervisor/head of staff role. The Conference Minister consults with MESA who will identify another COM to whom to transfer the adjudication or a staff person from another conference who will work with the originating Committee on Ministry on the review process if necessary.

The Conference Minister will take the concern to the Committee on Ministry in the Association where the staff person currently has his/her standing. The chairperson of the Committee on Ministry will present the concerns to the entire Committee without identifying factors and the Committee will respond to the question in the Manual on Ministry:

Does this information, if found to be true, call into question a person's fitness for ministry in and on behalf of the United Church of Christ?

If the answer is “no” then the committee is asked if a Situational Support Consultation or any other kind of recommended follow-up is needed and follow through as appropriate.

If the answer is “yes” then the name of the minister in question is revealed and the COM reviews its conflicts of interest policy to assess if transfer of adjudication is appropriate. If the Minister in Question staffs the originating COM, then a transfer of adjudication must take place.

The chair of the originating COM will notify the Conference Minister, the Minister in Question, the pastor of the Local Church of membership (if the staff member is also the Local Church Pastor, the chair of the governing body is informed) and the person raising the concern that a Fitness Review has been initiated. The Conference Minister of the originating Conference will ensure that the Fitness Review Reporting Form is submitted to MESA

These fitness review guidelines are not intended to interfere with the Conference's authority in taking any actions affecting the employment relationship between the Conference and the staff person whose fitness is in question.

The fitness for ministry review process as outlined in the UCC Manual on Ministry as interpreted by the adjudicating COM will be followed. Transfer of adjudication takes place by making the following motion:

“The Committee on the Ministry of the _____ Association of the _____ Conference formally enters into a covenant with the Committee on Ministry of the _____ Association of the _____ Conference and requests that the Committee on Ministry conduct a Fitness Review on our behalf. The review is to consider the fitness for ministry in and on behalf of the United Church of Christ of the Rev. _____ . By making this request, we expect that:

1. The _____ Association Committee on Ministry will investigate, deliberate and come to a determination using the UCC Manual on Ministry as interpreted by the adjudicating COM.
2. The determination will be referred back to the originating Committee on Ministry where it will be formally accepted in its entirety without further investigation or debate.
3. If an appeal is made on the process, such appeal will occur according to the procedure of and within the _____ Association of the _____ Conference.
4. If a Program of Growth is included in the outcome of the Fitness Review it will be overseen by the adjudicating COM.
5. Any costs incurred by the adjudicating COM will be borne by the originating Association/Conference.”

ADDITIONAL TRANSFERS OF FITNESS REVIEW ADJUDICATION

The above guidelines should also be used in the case where the Minister in Question is the spouse or member of the immediate family of the Conference Minister or an Association/Area/Associate Conference Minister who staffs the COM. Additionally, these guidelines should be considered in cases where a real or perceived conflict of interest exists in the COM once the COM votes to initiate a Fitness Review and the name of the minister in question is revealed. Conference-wide Unified Fitness Review Committees assist in avoiding conflicts of interest.