

United Fitness Review Committee (UFRC)

Association Presentations

Submitted by the UFRC Sub-Committee:

Virnette Hamilton, Erica Thompson, Chuck Ericson, Derek Austin

I. INTRO: *What is a Fitness Review?*

Currently: When a concern is brought against an authorized minister with standing in the Association (except the Conference Minister, Associate and Regional Ministers), the Association Committee on Ministry is responsible for determining whether the concern raises the question of ministerial fitness in and on behalf of the United Church of Christ. Upon voting in the affirmative to initiate a Fitness Review for said minister, the COM will establish the process outlined in the UCC Manual on Ministry and begin the work of the fitness review. An outside response team will do interviews and report back to the Committee. Then a determination will be made whether or not the minister is fit for ministry in the UCC.

How would using a UFRC be different?

With a Unified Fitness Review Committee: The local COM will still determine if the concern raises the question of the minister fitness of the pastor. If they feel that the concern does raise a question of fitness, the UFRC team will be notified and will continue the process as defined in the MOM .

II. WHY a U.F.R.C. ?

Why is a Unified Fitness Review Committee being proposed? What are the advantages?

Fitness Reviews are difficult to do within a local setting:

- In a local setting it is not unusual for members of the COM to be familiar with the minister or members of the local church. It can happen that many members have to recuse themselves from the process, leaving the committee shorthanded.
- There is a chance for a breach of confidentiality within a local setting.
- Fitness reviews take an unusual amount of time, sometimes several months to complete, requiring committees to put other work aside for that time. The delay in a decision can have a detrimental effect on the local congregation involved as well as the minister being reviewed.
- Association COM's are not trained to undertake a fitness review. The regional ministers give support to the committees while working through the process, but they are ultimately responsible for acquiring the necessary training to implement the review, which mandates much additional time and a great attention to detail. It requires both confidentiality and impartiality which are hard to realize in close proximity to the issue at hand.

Fitness Review Team and training:

With a Unified approach, each participating Association will be asked to appoint one member, with the board of directors of the CT Conference appointing 5 additional members (keeping in mind the balance of lay/clergy, gender and diversity as well as experience). The UFRC will also be staffed by an Associate or regional Conference Minister.

Training will be done through the UCC and the CT Conference, based on the UCC Manual on Ministry. The UFRC would also implement and oversee the progress of any required growth plan.

Other Advantages:

- Specific training will be provided by the UCC and Regional Ministers ahead of time
- People will be recruited who have particular interest in this process
- There is more likely to be a just outcome
- There will be fewer conflicts of interest
- Time commitment does not impinge on COM members
- It will require less time from Regional ministers, dealing with trained teams
- Parties are impartial
- It is more likely the process will be well-executed
- There will be increased confidentiality
- This approach allows for a unified process across the Conference

What do Associations need to do to facilitate the change?

We are asking each Association to vote to accept the change, which will subsequently require an Association bylaw change. The UFRC will be created when no less than 6 CT Conference Associations vote to participate. If an Association votes to continue the current process they will not be able to take advantage of the UFRC. The Association will still have the support of the CT Conference resources should they need to enter into a fitness review. (Recommended bylaw language changes are provided below.)

What are other Conferences doing, and is their precedent for this approach to succeed?

The MA, NH, and VT Conferences have all implemented this change in approach to the fitness review process, and while acknowledging initial glitches and need for slight modifications during the first year, strongly endorse both its viability and preferability to the previous approach.

II. Final Document

- Document has been vetted thoroughly, and is presented to Associations for approval as is.

III. Recommended Changes for Association Bylaws

Suggested NARRATIVE for Association Bylaws Revisions

When a concern is brought against an authorized minister with standing in the (____) Association (except the Conference Minister and Regional Ministers), it is the Committee on Ministry (COM) that is responsible for determining whether the concern raises the question of ministerial fitness in and on behalf of the United Church of Christ. Upon voting in the affirmative to initiate a Fitness Review for said minister, the COM will refer such review to the Unified Fitness Review Committee (UFRC), a Conference-wide team of clergy and lay people specially elected (or appointed) and trained for the implementation of a fitness review.

The UFRC will follow the process for conducting a Fitness Review as described in the current Manual on Ministry of the UCC, and will follow any additional processes agreed upon by our and all

of the participating Associations. The COM will accept the outcome of the UFRC as its own, and report the same to the appropriate settings of the United Church of Christ.

If an oversight decision of the UFRC is appealed, the Executive Committee shall be convened as a Board of Appeal. The grounds for appeal of oversight decisions shall be limited to questions of process. The appeal will determine whether the approved process of the COM and UFRC were adhered to. The outcomes of an appeal are as follows:

- Affirmation that the process used was consistent with the UFRC's process and with the COM's process – in which case the decision of the UFRC stands.
- Recognition that the process used was not consistent, in which case the Executive Committee will refer the case back to the UFRC and the COM to be completed pursuant to the adopted process.

The Executive Comm. shall appoint (or elect) one member to the UFRC. The appointee must have been a member of the Committee on Ministry within the last six years. The term of service for each member will be three years. The (____) Association may choose to renew the appointee for up to two more terms of service. Attention to the importance of balancing gender, clergy, lay and the needed skills and experience on the UFRC shall be considered in making or renewing its appointments.

Any member of an Association board or committee, or participant in an Association oversight action, who has a financial, personal, or official interest in, or conflict or appearance of a conflict with any matter pending, of such nature that it prevents or may prevent that member from acting in an impartial manner, will offer to voluntarily excuse him/herself and refrain from discussion of, participation in and/or voting in the activity where the conflict or appearance of a conflict exists. If there is a conflict either real or perceived and the individual does not voluntarily excuse him/herself, the Association board or committee may, by a super majority vote of two thirds of the members then present and voting, require involuntary recusal.

(Anticipated) FREQUENTLY ASKED QUESTIONS (FAQ'S)

1. Don't we lose our power by turning all fitness reviews over to the UFRC?

ANSWER: "Losing power" is not the best way to view this. The association will relinquish their right to determine a fitness review's outcome, but also divests itself of the responsibility to form, sufficiently train, oversee, and defend a fitness review team and their process... handing such over to much more highly trained individuals who are recruited for exactly that task.

2. What happens if we disagree with the UFRC's decision, or the outcome of a FR is not accepted by the Association or minister's church? Can we overturn it?

ANSWER: Once an association decides to participate in the UFRC, it does surrender the right to revoke its decision. When the outcome is rendered, the process is considered completed; and while an appeal can be made, it can only be to the issue of process and not to outcome. The local church can, of course, ignore the decision – but may find themselves doing so with a pastor whose standing has been suspended, revoked, or subject to a growth plan.

3. Does allowing the UFRC to implement a fitness review require our Association to invest more funds in the process than if we were simply doing it ourselves?

ANSWER: No. It is rare that significant funding is needed for fitness reviews in the first place; but when some funds are available, it would be requested from the association's budget item allocated for such.

4. Why is this even necessary? Do these reviews even happen?

ANSWER: Sometimes there can be more than one at any given time, and sometimes there can be years between them. We simply are not able to predict when or how often they will be necessary.

5. What if our Association doesn't wish to participate in this? Do we lose our regional Conference support?

ANSWER: You would continue to be supported by Regional staff of the Conference, but lose the many advantages of the unified process.

6. How successful has this approach been in other states and Conferences?

ANSWER: MA, NH and VT have adopted this process in their Conferences. MA and NH both report that, while it took more time at the front to get the UFRC in place and properly trained, the advantages are as they are listed above, and far outweigh the inconveniences of its implementation. VT has not yet had to activate the process with their UFRC.

7. Isn't giving this process over to potential strangers more likely to result in an unfair outcome?

ANSWER: Actually just the opposite. Using participants who neither know the individuals being reviewed or the situation being considered offers the advantage of both more confidentiality and a more just and fair outcome.

8. Once we have joined this effort, can we pull out at a later date? What are the ramifications?

ANSWER: Since Associations are autonomous, they can retract their participation at any point. Their respective nominee would then be dismissed from the UFRC, and the association would no longer have access to its services, and be solely responsible for conducting future reviews.

9. How long do fitness reviews typically take? Does using the UFRC increase or decrease that amount of time?

ANSWER: Fitness reviews can take anywhere from two to six months, depending on the nature of the complaint and the number of people needing to be interviewed. The more significant difference in time comes when the gathering and training of the response team is taken into consideration. This part of the preparatory process can take months to execute, and would be a non-issue when a UFRC is in place.

10. This seems a little "big-brother-ish" to me. Can you address that?

ANSWER: This criticism could be valid if associations (1) had no choice in the adopting of the process, (2) were not nominating their own member to the UFRC, and (3) the claimed advantages had only to do with relinquishing an aspect of their responsibility. None of these are true.

11. Where will the financing of Fitness Reviews come from?

ANSWER: When funds are necessary, which would be rare, most associations typically have budget line items for the oversight of their ministers and/or the duties of their respective Comm.'s on Ministry.

12. What about legal liability? Are the members of the UFRC protected from any legal proceeding resulting from their actions or decisions?

ANSWER: Don Clark (UCC legal counsel in Cleveland) assures us that we are covered. He has won several law suits that came from fitness reviews, and is not at all worried about this aspect of the plan.

13. Why is the BOD able to choose 5 additional members?

ANSWER: The need (not simply the right) of the Board of Directors for the CT Conference to nominate additional members to the UFRC has strictly to do with the need for diverse, fair and balanced representation, as described in the proposal document.

14. How would a response team be called from the UFRC to address an issue? What is the process?

ANSWER: Any Fitness reviews must still follow the process detailed in the UCC Manual on Ministry. Once the larger team is formed, it will create its own organizational pattern with regard to who performs which duties on the team.

15. What is the criteria for nominating people to the UFRC? The response team?

ANSWER: They are nominated by the Associations participating in the creation of the UFRC. A set of criteria is listed in the UFRC document.

16. Does their decision have to be unanimous, majority vote, or consensus?

ANSWER: The hope is that it will be by consensus. Majority vote will apply if this cannot be achieved, as outlined in the Manual on Ministry.

17. How are the results/decisions of the review communicated back to the pastor's church?

ANSWER: The regional minister is always the communication coordinator with the association, and will be involved with the UFRT in the event that a fitness review comes out of our association.

18. How do we approach modifying our Constitution or bylaws to adequately reflect this new Committee and its role in association matters?

ANSWER: We will be providing a suggested narrative for bylaw changes in the Association Constitution.

19. Why do Conference, Regional, and Associate Conference Ministers have an exception to this process?

ANSWER: It is standard practice in the UCC, as well as adopted policy by the CT Conf. Board of Directors, to utilize a different vetting process for response team members when the fitness for ministry of a Conference, Regional, or Assoc. Conf. minister is brought to question. This is due primarily to typical conflicts of interest that surface because of the relationship between pastors and Conference staff, when fitness must be reviewed.