

**A BRIEF OVERVIEW OF THE PROCESS FOR  
CONDUCTING A FITNESS REVIEW  
IN THE ASSOCIATIONS OF THE CONNECTICUT CONFERENCE,  
UNITED CHURCH OF CHRIST**

**INTRODUCTION**

The purpose of a Fitness Review is to ensure that those who are authorized for ministry in the United Church of Christ carry out that ministry according to the highest ethical standards and that persons are held accountable to the Association that holds their authorization. A Fitness Review is a very serious proceeding that involves a reassessment of a person's fitness for authorized ministry in and on behalf of the UCC and may result in discipline, including the loss of authorization. "Guiding Principles" to help ensure that a Fitness Review is fair and just are attached to this document.

**PRELIMINARY PHASE**

**Information Surfaces That Calls into Question Fitness for Ministry**

A Fitness Review often begins when a representative of the Association or Conference is made aware of information that calls into question a person's continuing fitness for authorized ministry in and on behalf of the UCC. This information may come from a person directly involved with the authorized minister or from a third party. While a question about fitness may surface as the result of a formal written complaint, the Committee may also determine that a Fitness Review is called for based on serious concerns and information received from a Conference staff person or through other means (such as media reports of criminal or civil suits in process.)

**The Association Committee on Ministry Makes an Initial Decision**

The Association representative<sup>1</sup> must notify secular authorities if the concern raised allegedly involves physical or sexual abuse of a minor and/or adult afforded statutory protection. (Activation of civil or criminal procedures need not impede or accelerate the ecclesiastical review process.)

The Association representative will notify the full Committee on Ministry regarding the type of information that has surfaced that calls fitness for ministry into question. To introduce the information without bias, the identity of the authorized minister in question and the identity of the person raising the question of fitness are not disclosed at this stage of the process. The Committee needs to know only the type of question being raised.

<sup>1</sup> Customarily the Association Representative is the Committee on Ministry Chairperson, but the Committee may designate another member to act in this capacity.

The Committee will determine which of the following options is most consistent with the information it has:

Even if found to be true, the information does not call into question the authorized minister's fitness for ministry. No further action is required.

Even if found to be true, the information does not call into question the person's fitness for ministry but does point to the need for a Situational Support Consultation.

Additional information is needed to determine whether there is a question of fitness for ministry and the committee directs such information to be gathered.

The information, if found to be true, does call into question a person's fitness for continued ministry on behalf of the United Church of Christ. The Association Committee on Ministry votes to begin a Fitness Review and may request that additional information be gathered.

### **Fitness Review Is Pending**

When the Association Committee on Ministry decides to initiate the fitness review, the review is considered "pending." Proceeding with the following steps, some of which may take place simultaneously, the Committee:

- Confirms that it has formally adopted the Association Process (as described in the **OVERSIGHT** document);
  - Focuses the proceeding on the question raised regarding ministerial fitness and states the nature of the question in a statement that avoids a high degree of detail since more specific information will be forthcoming;
  - Takes steps to ensure that no person has a potential conflict of interest;
  - Identifies (in consultation with the Regional Minister and the Associate Conference Minister for Clergy Concerns) support persons<sup>2</sup> for each party affected by the fitness question (i.e. the person bringing the allegation, the pastor, and the local church or calling body);
  - Communicates with the authorized minister under review, stating the general nature of the question and explaining that a fitness review is underway, describing the process and offering pastoral support;
  - Communicates with the person raising the question regarding fitness, noting that the fitness review is underway, describing the process, and offering pastoral support;
  - Notifies Local Church Ministries (Cleveland UCC offices) that a fitness review is pending;
  - Consults with the Conference to clarify who is to serve as staff to the Committee on Ministry;
  - Identifies (in consultation with the Regional Minister and the Association Conference Minister for Clergy Concerns) two persons (previously trained) to serve as members of the Response Team<sup>3</sup>;
  - Informs leaders of the local church or other calling body that a question about fitness has been raised; typically a meeting is held with leaders of the local church;
  - Makes certain that the insurance provider is notified;
- Should the person initially raising the fitness question decide not to participate in the Fitness Review, the Committee on Ministry should continue the review if, based on the information before it, it determines that there is continuing concern about a person's fitness for ministry.

<sup>2</sup> & <sup>3</sup> *GUIDELINES FOR RESOURCING COMMITTEES ON MINISTRY* (A Resource for Response Teams, Conference Staff Persons, and Others Assisting Association Committees on the Ministry in the UCC during Fitness Reviews) describes in detail the functions of the Response Team and the responsibilities of Support Persons.

## **THE INFORMATION-GATHERING PHASE**

The Committee usually gathers information by sending the Response Team to interview principal parties involved in the review. The Response Team conducts the interviews, writes summaries of the interviews, and provides opportunity for the persons interviewed to review and make written comments on the summaries. The interview summaries are then provided to the Association Committee on Ministry.

Information is typically gathered from:

--The person raising the question of fitness. This person may write a formal letter to the Association Committee on Ministry outlining the specific concerns about fitness. In some cases, the Committee may determine that it needs information in addition to that provided in the letter to determine the full extent of the concern. The Committee may then send the Response Team to secure information from this person or other sources. In other cases the information provided in the letter may be sufficient for the Committee to proceed.

*(During the interview, the Response Team will ask the person who has raised the question of fitness to sign a non-communication form. This document asks the person not to contact the minister or the minister's family during the review process.)*

--Other persons having information regarding the concern that has been raised about the authorized minister's fitness for ministry.

--The authorized minister under review. The Response Team asks this person for her or his perspective and response to information presented at this time. The person is entitled access to the content of what is being said about her or him, and by whom, so she or he can adequately respond, in writing if desired. Summarized accounts that have been compiled by the Response Team may be one means of sharing this information. The authorized minister under review should not have actual written or taped information offered by other parties, but should be able to review, although not retain, any summarized documents.

*(During the interview, the Response Team will ask the authorized minister to sign a non-disclosure and non-communication form. In this document the minister agrees not to contact the person who has initiated the fitness process nor that person's family. The minister also agrees not to disclose the person's identity to anyone not immediately involved in the fitness review. Failure to abide by the agreement may result in disciplinary action.)*

--The local church or calling body.

--Public records or media reports.

--Experts with specialized knowledge.

### **The Committee Reviews Information**

The Association Committee on Ministry meets to receive the information gathered, which may include copies of written letters, interview summaries, and other relevant. The Committee may also meet with the members of the Response Team and, in some cases, request additional

information. Once all information is reviewed, the Committee develops a plan to meet with the persons directly involved in the review. The Committee discusses:

What specifically are the concerns about fitness?

Who are the principal parties who should be offered an opportunity to speak directly to the Committee?

How will the Committee provide opportunity for the various parties to be heard by the Committee?

What questions does the Committee have for the various parties that may help the Committee in its deliberation regarding fitness for ministry?

### **The Committee Meets with the Parties**

Meetings held by the Association Committee on Ministry after the information-gathering provide an opportunity for those persons most directly involved with the question of a person's fitness for ministry to speak directly to the Committee. The Committee notifies the primary parties that the meeting will include and the records will reflect:

--Written statements outlining the Fitness Review process followed, including a summary of Committee activities and actions to date.

--A presentation raising the concern about continued fitness for ministry. This often includes the presence of the person(s) raising the fitness question.

--A presentation in support of fitness for ministry. Usually, this includes having the authorized minister under review present her or his perspectives.

The written statements by the Association Committee on Ministry are provided to the primary parties at least one week prior to the meeting. Every effort is made to notify the authorized minister and secure his or her presence and participation in the meeting. A registered letter may be sent to accomplish this. If the person in question refuses to meet with the Committee, the Committee on Ministry should proceed and determine an outcome without benefit of the information the person may have provided.

A party raising a concern about fitness and the person whose fitness is being questioned are permitted to have support persons present and to have others present information that speaks directly to the fitness question for a specified amount of time determined in advance of the meeting. These persons should be identified prior to the meeting.

Sometimes the parties request to have an attorney present. Care should be taken to explain that there is no role for attorneys in ecclesiastical proceedings. If the Committee allows an attorney to be present, the attorney may sit and listen as her or his client presents information or responds to questions from the Committee, but the attorney may not make the presentation, question any participant, represent her or his client, or participate in the meeting in any way. The attorney is dismissed when the client is not present.

Some committees choose to meet individually with each principal person making a presentation, while others choose to conduct the meeting with all parties present at the same

time. All parties offering information must have a timely opportunity to respond to any information shared with the Committee regarding them. However, it is important to remember that persons have not been asked to meet with the Committee in order to seek reconciliation or have a face-to-face confrontation between parties. Rather, persons must have an opportunity to offer information directly to the Committee and to hear its response.

### **DELIBERATION AND DECISION PHASE**

The Association Committee on Ministry considers all of the information and determines:

--Were the specific concerns found to have merit, and what is the rationale for this decision?

--Is this person currently fit for ministry in the United Church of Christ?

--Based on the Committee's faithful deliberation, what outcome is discerned to be appropriate?

The decision of the Committee is written with sensitivity and clarifies the decision on behalf of the whole church. The Committee makes every effort to meet with the authorized minister to communicate and interpret the Committee's decision. The Committee also offers to meet with those who raised the fitness question to communicate and interpret its decision. The decision is also communicated to the local church.

(In some Associations the bylaws require the Committee on Ministry to make a recommendation to the Association governing board or other designated body, and that body considers the recommendation and makes the final decision. The task of the designated body, in those situations, is not to repeat the deliberative process of the Committee but to assure that the process used was consistent with the process adopted by the Association.)

### **OUTCOMES**

The Committee on Ministry may choose from six outcomes. Two of these outcomes affirm the person's continued authorization and four are disciplinary actions. The four disciplinary actions become a part of the person's permanent record. In making its decision, the Association Committee on the Ministry should take into account the person's repentance, the probability of rehabilitation and restoration of the person's fitness for ministry, the impact on the persons who have been harmed by the authorized minister, and the possibility of future behaviors by the authorized minister that may be harmful to others.

**Reaffirmation of Fitness for Ministry:** The person's current fitness for ministry is reaffirmed.

**Referral to a Situational Support Conference:** The person's current fitness for ministry is affirmed unconditionally, and the concern is referred to a Situational Support Consultation.

**Conditional Affirmation of Fitness with a Prescribed Program of Growth:** The person's current fitness for ministry is affirmed if certain conditions are met.

**Censure:** The person's current fitness for ministry is affirmed but the Committee recognizes that behavior unbefitting the ministries of the United Church of Christ has occurred. The person is censured, and a growth program may be prescribed.

**Suspension:** The concern about this person's present fitness for ministry is sustained and authorization for ministry is suspended for a period of time. Conditions are established that must be met in order for consideration to be given to lifting the suspension..

**Termination:** The person is determined to be unfit for ministry in and on behalf of the United Church of Christ, and authorization for ministry is terminated.

### **THE FOLLOW-UP PHASE**

#### **Signed Documents**

In the case of the third, fourth, and fifth outcomes, the authorized minister and a representative of the Committee on Ministry sign a statement of understanding—a written document outlining a program of rehabilitation and other conditions related to the Committee's action. Failure to sign or comply with this statement of understanding constitutes a basis for termination of ministerial authorization.

The authorized minister also is required to sign a release permitting the communication of the Fitness Review outcome to future or prospective employers as a basis for continued authorization. Failure to sign this release constitutes a basis for termination of ministerial authorization.

#### **Requests for an Appeal**

If there is a provision for appeal in the Association bylaws, the appeal body determines whether or not the process used was consistent with the one adopted by the Association.

### **RECORD KEEPING AND REPORTING**

The minutes of a Fitness Review should contain a record of all decisions and actions related to the Fitness Review. Care needs to be taken to ensure appropriate safeguards for the privacy and confidentiality of the proceeding. Therefore the details and information that informed each of the decisions and actions are not included in the minutes but rather are maintained in the Association's confidential files.

The outcome of a Fitness Review is reported to the appropriate Association body, the Conference office, and to Local Church Ministries.

## **PASTORAL ISSUES**

The Committee on Ministry should work collaboratively with the appropriate parties to ensure the pastoral concern of the church is offered to all involved parties during and following the conclusion of a Fitness Review.

## **REINSTATEMENT OF AUTHORIZATION**

The procedures for reinstatement of ministerial authorization are outlined in **MANUAL ON MINISTRY**. When considering reinstatement, the Committee needs to consider the perspective of those who have been harmed by the authorized minister's behavior, pending civil or criminal legal action, progress in treatment/compliance with outlined conditions, degree to which responsibility is acknowledged, signed agreements that there will be full disclosure in future ministry settings, and an extensive examination of patterns of repeat offenses.

The church is called to practice justice and forgiveness, but it is not required to authorize persons for ministry who have demonstrated inability to uphold the behaviors and responsibilities the ministerial role requires. The church may forgive persons and restore them to the community of the church, but not return them to the practice of authorized ministry if the person could pose a risk to the safety of others or compromise the faithful witness of the church.

The preceding material is excerpted—in very abbreviated form—from pp 31-63 of **THE OVERSIGHT OF MINISTRIES AUTHORIZED BY THE UNITED CHURCH OF CHRIST: NURTURE AND ACCOUNTABILITY FOR AUTHORIZED MINISTRY**. Much of the **OVERSIGHT** material is quoted directly in this summary document; however, there are no quotation marks for easier reading. Complete copies of **OVERSIGHT** may be ordered from United Church Resources, 800-325-7061.

**OVERSIGHT** is a new section of the United Church of Christ **MANUAL ON MINISTRY**. The **MANUAL**, first published in 1984, provides perspectives and procedures for Ecclesiastical Authorization of Ministry; **MANUAL** is the primary resource and guidebook for the ongoing work of Association Committees on Ministry.

On February 24, 2001, the Board of Directors of the Connecticut Conference took the following action: *“The Board authorizes the Conference Minister to forward to the Associations of the Conference the current information and recommendations regarding pastoral misconduct, and revisions of the Manual on Ministry, The Oversight of Ministries Authorized by the United Church of Christ, together with other relevant materials in order that procedures for responding to allegations of pastoral misconduct become more uniform across the Conference and thereby set aside the “Disciplinary Review for Pastoral Misconduct: Policies and Procedures recommended by the Board in January 1998.”*

This summary was prepared November 24, 2001, by Rev Carole Carlson, Associate Conference Minister for Clergy Concerns, Connecticut Conference of the United Church of Christ. The document was reviewed and revised on March 28, 2002.