

REGIONAL POLICY ON CLERGY MISCONDUCT (NON-SEXUAL)

Prepared by the Committee On Standing of
the Christian Church (Disciples of Christ) in Kansas
Adopted: October 21, 2000 by Regional Assembly

THEOLOGICAL PROPOSITIONS

The Christian Church (Disciples of Christ) in Kansas has adopted the Policy and Criteria for the Order of Ministry (October 1982, amended October 1984 and 1986), Ethical Affirmations for My Ministry: A Ministerial Code of Ethics (October 1992) and the Regional Policy on Clergy Sexual Conduct (October 1992) as its policy guidelines for conducting the work of the region's Commission on Ministry and its variant committees. Within the Policy and Criteria, the following propositions and criteria related to the office of minister are set forth:

Within the ministry of the whole people of God, there is and has been from the beginning a particular ministry called of God and authorized by the Church. While all Christians share in the corporate ministry, the term minister particularly describes a person to whom the Church entrusts special responsibility . . .

In all its procedures concerning the Order of Ministry, the Church seeks these qualities in the men and women it inducts:

- a. Faith in Christ Jesus and commitment to a life of Christian discipleship.
- b. Definite and informed decision, in response to God, to serve in the Order of Ministry.
- c. Mental and physical fitness sufficient to the demands of the office, emotional stability and maturity, and an appropriate standard of morality.

Persons to be inducted into the Order of Ministry are to prepare themselves for their work. That preparation shall include:

- e. Growth in personal character, Christian insight, spiritual formation, and disciplined commitment to ministry.
- f. Formation of ethical principles to guide professional relationships and personal conduct.

(Policy and Criteria for the Order of Ministry,
Christian Church in Kansas, 1986, I.C.1-3)

As a representative ministry, those called and authorized enter into special relationships of trust with those whom they serve. This trust entails certain responsibilities that must be inviolate through time and circumstances. Due to the nature of the call to Christ's ministry, it is reasonable for those served to expect physical, intellectual, spiritual, emotional and moral fitness from their ministers.

Confirmation and acceptance of Standing from the region implies accountability to the Region for conduct both in the practice of ministry and in personal relations which reflect on the quality of a representative ministry.

PURPOSE OF THIS DOCUMENT

Unfortunately, violations of said trust do occur, and the Church must respond holistically and faithfully to situations in which the fitness of a person authorized for ministry is called into question. The purpose of this document is to help the region and congregations assess the realities of a situation and take appropriate actions in support of the healing and integrity of all persons involved. For the purpose of this document, clergy misconduct of a non-sexual nature is primarily defined as a violation of the Ministerial Code of Ethics and may include but is not limited to such things as plagiarism, defrauding, embezzlement, and/or the misuse of power within the context of ministry.

Allegations of ministerial misconduct grow out of situations of great pain and contain the potential for grievous harm to all parties involved, including the congregation and region. Furthermore, even unsubstantiated allegations of misconduct may be sufficient to do great damage to the life and ministry of the accused. Therefore, all allegations of ministerial misconduct will be taken seriously and will be handled in a timely manner. All parties will be treated with respect and dignity, and persons accused of misconduct will be considered innocent until such time as the allegation has been substantiated by a preponderance of evidence.

This policy is not designed as a legal proceeding, but rather to deal with matters in terms of the life of the church. Legal recourse is the jurisdiction of the court system.

PROCEDURES

This policy applies to all clergy, licensed or ordained, with Standing in the Christian Church (Disciples of Christ) in Kansas. **Congregations with ministers, licensed or ordained, who are not endorsed by the region assume their own responsibility for such ministers as they fall outside the limits of the region's authority.**

The Committee On Standing is charged with the exercise of this policy on behalf of the region with fairness, justice and discretion. In dealing pastorally with such situations, the committee must seek to be guided by the Spirit of God, who alone knows how to apply both judgment and grace.

When informal, non-written allegations regarding ministerial misconduct are made to a member of the regional executive staff or a member of the Committee On Standing, a copy of this policy will be shared with the person(s) making the allegation in order to inform them of their options. The matter also will be brought to the attention of the Regional Minister, who may wish to pursue or appoint a designated person to pursue the matter informally.

The complainant's first line of recourse should be at the congregational level, directly with the minister and an objective third party if at all possible or through the Pastoral Relations

Committee, Elders, Cabinet, Board or an entity designated by the congregation's Constitution and/or Bylaws. The church may call upon the region for support and mediation before any further action is taken.

If the reporting party wishes the region to conduct an official inquiry, any complaint or allegation of ministerial misconduct must be brought to the attention of the Regional Minister and/or Chair of the Committee On Standing in written form that is signed by the complainant.

A. Handling a Complaint or Allegation

1. The Regional Minister will notify the accused of the allegation. A letter describing the alleged misconduct and a copy of this policy will be sent to the accused by registered mail, return receipt requested, and marked confidential.
2. Except in special and unique circumstances, the name(s) of the complainant(s) shall be made known to the accused. This is for the protection of both parties. Special and unique circumstances refer to cases in which retaliation is possible if the complainant is identified.
3. As soon as practicable but no later than 60 days after receiving a written complaint, the Committee On Standing shall meet to review the initial written documents and assess any preliminary evidence. The complainant(s) may be asked to appear before the committee to provide more information regarding the alleged misconduct and to determine whether it was part of a single incident or a continuing pattern of behavior. If the complainant(s) decide not to pursue the issue, the Committee On Standing still may take further action if it has discovered sufficient information to suggest clergy misconduct has occurred.
4. The accused will be afforded an opportunity to respond to the allegation, either verbally or in writing, and to meet with the Committee On Standing in regard to the allegation. The process of the committee, however, is not dependent upon a response from the accused.
5. When appropriate, the complainant(s) and the accused may provide supporting witnesses or documentation to substantiate their allegation and/or response. The committee may limit the number of witnesses and length of their appearance in order to be fair, just and equitable in dealing with the situation in a timely manner.
6. Although all meetings should be documented with Minutes, the proceedings should be confidential and shall remain such. Such confidentiality is binding on all parties involved.
7. The region assumes no responsibility for the costs of the accused, accuser or their witnesses throughout the review process.
8. The complainant(s) and the accused shall be notified of the committee's decision whether to proceed or not. This notification will be sent by registered mail, return receipt requested, and marked confidential.

B. Review of Standing

1. If it is determined there is sufficient cause to proceed, a negotiated date and place will be set for a Formal Review of Standing to which the accused shall be invited. This Formal Review will be held as soon as practicable but within 60 days following the committee's initial meeting regarding the matter.
2. In a Formal Review, the Committee On Standing shall adhere to its guiding policies in carefully reviewing the details of the matter including, but not limited to, the original written complaint, additional information and documentation from the complainant(s) and the accused, and other credible sources as may be appropriate.
3. Using its best judgment, the Committee On Standing shall render its opinion on the merits of the allegation and make appropriate recommendations regarding the disposition of the matter. This decision shall be made known in writing to both the complainant(s) and the accused by means of registered mail, return receipt requested, and marked confidential.

C. Choosing Appropriate Actions and Recommendations

1. ***If the allegations are not substantiated***, the inquiry will cease and every effort will be made to exonerate the accused clergy. If the accused so wishes, a record of the review and its conclusions will be provided for the minister expressing our opinion that this was a claim without merit and may be included in his/her permanent file and/or a public statement of exoneration may be made by the Regional Minister and/or Chair of the Committee On Standing.
2. ***If the allegations are substantiated***, the Committee On Standing may respond in a number of ways including, but not limited to, the following:
 - a. **An Educative Advisory** may be issued if the situation is not necessarily misconduct but shows poor professional judgment. Clear guidance will be given to accomplish the necessary corrections and his/her review of standing may be continued for a specified length of time (not to exceed two years).
 - b. **An Educative Warning** may be issued if the situation is unquestionably inappropriate and unwise, but is not clearly misconduct. This clear warning calls for an immediate cessation of the behavior in question. In such circumstances, his/her review of standing may be continued for a specified length of time (not to exceed two years).
 - c. **A Written Reprimand** may be issued if the situation involves mis-conduct which resulted in relatively minor consequences. Clear guidance will be given to accomplish the necessary corrections. This action shall be recorded and placed in the minister's permanent file.
 - d. **Censure** is appropriate if the minister has clearly participated in misconduct which has been persistent in nature and/or has resulted (or could have resulted) in

serious consequences. This action shall be recorded and placed in the minister's permanent file, but will not result in the removal of standing **IF** cessation of the behavior and rehabilitation and restitution are accomplished.

- e. **Removal of Standing** shall be the appropriate response if the accused has exhibited misconduct which has resulted in harm to others and to the ministry. The protection of others and of the integrity of the ministry from further harm must be of paramount importance. This action shall be recorded and placed in the minister's permanent file. Notice that standing has been removed shall also be made to the Center for Leadership and Ministry of the Christian Church (Disciples of Christ) and to all regional ministers.

Restoration of standing shall not be made until or unless there is clear evidence that the minister in question has changed his/her conduct and lifestyle to again meet the requirements and standards of the Order of Ministry. Such determination shall be made by the Committee On Standing.

D. Making an Appeal

1. If **the complainant(s)** is dissatisfied with the actions or recommendations of the Committee On Standing, he/she has the right of appeal to the Regional Executive Committee and, subsequently, to the Regional Board of the Christian Church (Disciples of Christ) in Kansas.
2. If **the accused** is dissatisfied with the actions or recommendations of the Committee On Standing, he/she has the right of appeal to the Regional Executive Committee and to the Regional Board of the Christian Church (Disciples of Christ) in Kansas. Further appeal may be made to the General Commission on Ministry and, ultimately, to the Administrative Committee of the General Board of the Christian Church (Disciples of Christ) in the United States and Canada, although an appeal at this level is only to determine whether the region followed its policies adequately.