

AMERICAN BAPTIST CHURCHES ROCHESTER GENESEE REGION

PROCESS FOR REVIEW OF MINISTERIAL STANDING

The ABCRGR Process for Review of Ministerial Standing document contains the policies and procedures for the review of ministerial standing of professional church leaders of ABCRGR. All policies and procedures are subject to improvement and revision at any time.

“He took our infirmities and bore our diseases.” (Matthew 8:17)

PREAMBLE: Strengthening the spiritual health and vitality of leaders are important roles for ABCRGR and the region’s professional staff. Programs, services, and pastoral care are ways in which support and assistance are provided to local churches and their professional leadership. When allegations and/or issues of compatibility between a professional church leader and congregation emerge, these allegations are handled within the ongoing service and care of the region.

The modeling of accountability for spiritual leaders is exhibited throughout the Scriptures such as in Nathan’s holding David accountable for his transgressions, Jesus’ corrective lessons to his disciples and the Pharisees, and Paul’s desire for accountability expressed in the Letter to the Galatians. However, when there are allegations and/or evidence of clergy behavior that is inconsistent with the region’s standards of personal and professional conduct, policy on Sexual Misconduct and/or the ABCRGR Code of Ethics, there will be a formal process to review the alleged clergy’s ministerial standing in ABCRGR.

This review must be seen as part of an ongoing process of care in which concerns for justice, reconciliation, and healing, for congregations and individuals at risk, it is necessary to review the ministerial standing of professional church leaders to protect the integrity of the church and the safety of the community.

REVIEW OF MINISTERIAL STANDING PROCEDURES

The region Executive Board shall elect a Review of Ministerial Standing Committee (RMSC) of five persons nominated from five separate congregations who will serve for five year terms. One person shall be elected each year. The member who is serving their fifth year will be the chairperson. In addition, the Ordination Review Committee (ORC) shall appoint two persons to serve on this committee when a charge is brought forward.

All committee members shall receive training and orientation and shall exercise great care that the allegations and the process remain confidential unless a decision is reached, which requires notification. Consequently, the members of the (RMSC) are required to sign a confidentiality agreement.

All members of the ORC will be advised about allegations that necessitate the convening of a review. Two (2) ORC members (without conflicts of interest) will be appointed to serve on the RMSC for a total of seven (7) voting members. The Executive Minister will be ex-officio, non-voting member of the RMSC.

To avoid the impact of conflicts of interest, a member of the RMSC will automatically recuse him/herself from any discussion or vote relating to a matter where there is a potential for or existence of a conflict of interest and state publicly that there is a personal conflict. The procedures noted below have been adopted to avoid the impact of conflicts of interest.

PROCEDURES TO AVOID THE IMPACT OF CONFLICTS OF INTEREST

A member of the RMSC will automatically recuse him/herself from any discussion or vote relating to a matter where there is a potential for or the existence of a conflict of interest and state publicly that there is a personal conflict.

The RMSC policy and procedures to avoid the impact of conflicts of interest will be included on the agenda of all RMS meetings. The voting RSMC members will be reminded that their eligibility to participate in a discussion or vote is a result of no known conflicts of interest.

PROCESS STEPS

1. Written Allegations: Formal allegations regarding a professional church leader should be addressed to the Executive Minister of the Region. Allegations involving the Executive Minister should be sent to the Chair of the RMSC. The allegations must be in writing, specific in content, and signed. The RMSC will only act on allegations related to the following categories:
 - Personal/Professional misconduct or malpractice of an ethical, sexual, or financial nature.
 - Violation of the expectations the church has for ethical behavior for its professional church leaders, as articulated in the Code of Ethics of the Statement of Personal Conduct of the ABCRGR.
2. Pastoral Intervention: When formal charges have been made, there is an ongoing need for pastoral intervention for the professional church leader, his or her family/significant others, and the congregation being served. These pastoral interventions will be coordinated by the Executive Minister and/or by members of the RMSC, if the Executive Minister is being reviewed.
3. Informing the Accused of the Allegations: The Executive Minister shall inform the person of the allegations, review and provide in writing information about the process of review. The Executive Minister will send a letter, affixed with region seal with the allegations and the date of the meeting with the RMSC for a preliminary exploration of the allegations.

4. Preliminary Exploration: The RMSC shall meet separately with the person(s) who made the allegations as well as with the person(s) in question to explore the allegations and to determine what steps to take.

The RMSC may, in the event of an emergency situation, temporarily suspend recognition of ordination. During this period of temporary suspension, the RMSC shall convene a review hearing to consider the matter fully. Written notice of this decision shall be given to the accused and to the appropriate denominational bodies. NOTE: The temporary suspension cannot be appealed.

The accused may dispute the allegations in full or in part, and develop with the RMSC a plan to deal with the situation without utilizing the full process of review hearing.

NOTE: If this option is pursued and a mutually acceptable plan is developed and accepted, the review process ends and cannot be appealed.

The accused may dispute the allegations and the RMSC may decide to utilize the review hearing process to investigate and make a decision about the allegations.

5. Review Hearing Notice: When a review hearing is scheduled, all parties involved are to be notified and informed about the process. The hearing should be not less than fourteen (14) calendar days or more than ninety (90) calendar days following notification.

- A written copy of the allegations, a description of the review hearing procedure, and a notification of his or her rights (the right to meet with the RMSC, the right to present evidence including witnesses on his or her behalf, and the right to have an advocate, who is NOT an attorney present at the hearing). *If witnesses will be participating in the hearing and/or an advocate attending the hearing, the names, affiliation and contact information for the witnesses and advocate must be submitted to the Executive Minister before 4:30 pm seventy-two (72) hours before the meeting or the witnesses and/or advocate will not be allowed to participate in the meeting.*
- *Visitors and other supporters will not be allowed to participate in the review hearing.*
- *If there is documentation the accused would like considered as a part of the review hearing, seven (7) copies must be submitted to the Executive Minister before 4:30 pm seventy-two (72) hours before the hearing. The RMSC will not consider documentation received after the deadline.*

If the accused fails to appear, the RMSC may proceed.

6. The Review Hearing: The hearing is held to investigate the allegations thoroughly.
 - The hearing shall be fair, impartial and confidential for the accused, the complainant and the wider faith community. The hearing participants will be urged but NOT required to sign a confidentiality agreement.
 - The RMSC may specify the amount of time allowed for presentation of the allegations for the defense and for summary statements.

- The hearing shall follow this outline:
 - i. Silence in prayer.
 - ii. Introductory statement.
 - iii. Reading of the allegations.
 - iv. Presentation of information or testimony supporting the allegations.
 - v. Presentation of information or testimony refuting the allegations, including opportunities for the person in question, and/or by his or her witnesses and/or advocate (who is NOT an attorney) to speak.
 - vi. Questions by the RMSC to any of those offering information, testimony refutation, or response.
 - vii. Closing statement by the accused or his/her advocate.
 - viii. Prayer for continuing guidance and comfort for those involved in this situation, and for those who are given the responsibility to come to a decision.
- Following the hearing, the RMSC may request a follow-up meeting and information from the person(s) making the allegations for further clarification. RMSC will meet in executive session and will make its decision.

7. *Notification of Decision: The Executive Minister will notify the cleric of the decision within five (5) business days of the review hearing. In addition to a confidential email, a decision letter with the ABCRGR seal will be sent via certified mail with a returned receipt. If the clergy has been exonerated, a letter acknowledging this action shall be sent to those making the allegations.*

If there is a decision to take adverse action, to suspend or withdraw the recognition of ordination, in addition to a confidential email, a decision letter with the ABCRGR seal, will be sent via certified mail with a return receipt. Additionally, after five (5) business days, if the clergy has opted not to appeal, the American Baptist Churches USA and its covenanting partners, the original ordaining church, the church being served or in which membership is held, other denominations where the clergy has dual ministerial standing, recognition for endorsement, approval, or recognition shall be notified.

8. *Appeal of a Review of Ministerial Standing Decision: The only eligible circumstances for appealing the Review of Ministerial Standing Committee decisions are substantive violations of the established guidelines. The eligible appeal will be to the Executive Board of ABCRGR within five (5) business days of the date of the notification letter.*

EXECUTIVE BOARD APPEALS PROCESS

The Executive Board Appeals Committee (EBAC) will be a five-member standing committee appointed by the ABCRGR Executive Board.

Appointment of the Executive Board Appeals Committee (EBAC)

A subcommittee of the Executive Board consisting of the President, Vice-President, Treasurer and Executive Minister as a non-voting consultant, will identify, vet and recommend to the full Executive Board four members and one alternative to serve for a term of one year as the Executive Board Appeals Committee. The President of the ABCRGR Executive Board will serve as the Chair of the EBAC or at his/her discretion may designate one of the four appointed members to serve as chair of the EBAC. The Executive Minister will be ex-officio, non-voting member of the EBAC. Note: An Executive Board member who participates as a voting member of a Review of Ministerial Standing Committee cannot participate on the EBAC for the same clergy. The alternate EBAC member will only participate if a designated member has a conflict of interest or cannot attend an appeals meeting. The President of the Executive Board is empowered to appoint additional alternates to serve for a given review if circumstances necessitate.

The annual EBAC appointment process will generally be completed within thirty (30) days of the appointment term of the new ABCRGR Executive Board. If there is a review case in process, the existing EBAC will continue to serve until the appeal has been resolved. Members of the EBAC can be reappointed and serve a total of four consecutive one-year terms.

Orientation of the Executive Board Appeals Committee

The EBAC and alternate(s) will participate in an orientation coordinated by the Executive Minister, to review the Executive Board Appeals Committee's charge, the Review of Ministerial Standing (RMS) process, Executive Board Appeals process, review of the conflict of interest policy and confidentiality policy. All EBAC members are required to adhere to the conflict of interest policy and are required to sign the EBAC confidentiality agreement.

Appeals of a Review of Ministerial Standing Committee (RMSC) Decision

The only eligible circumstances for appealing the Review of Ministerial Standing decisions are allegations of substantive violations of the established guidelines.

The eligible appeal will be to the Executive Board of ABCRGR. When there is an allegation that the RMSC did not follow the existing RMSC guidelines and there is a desire to appeal that RMSC decision, the following process will be in effect:

- *The formal appeal must be received in writing by the Executive Minister within five (5) business days of the date of the RMSC outcome letter.*
- *The written appeal must include the specific RMSC guideline violation(s).*
- *The Executive Minister will acknowledge the receipt of the appeal, confirm if the appeal was received within the period of eligibility and provide an overview of the EBAC appeals process generally within forty-eight (48) hours of the receipt of the appeal. The EBAC review will generally be resolved within sixty (60) calendar days of receiving the appeal.*
- *When the date for the EBAC meeting has been confirmed, the Executive Minister will notify the clergy and share the following:*
 - *The date, time and location of the EBAC meeting.*

- *Five members of the EBAC must participate in the review.*
- *All decisions should receive a majority vote.*
- *Formal rules of evidence do not apply. The requisite standard of proof will be a preponderance of the evidence.*
- *The clergy can meet with the EBAC alone or with one advocate who is not an attorney. If an advocate will be attending the meeting, the advocate's name, affiliation and contact information must be submitted to the Executive Minister before 4:30 pm seventy-two (72) hours before the meeting or the advocate will not be allowed to participate in the meeting.*
- *Visitors and other supporters will not be allowed to participate in the appeals process.*
- *If there is documentation related to the failure to follow the RMSC process that the clergy would like considered as apart of the appeal, seven (7) copies must be submitted to the Executive Minister before 4:30 pm seventy-two (72) hours before the meeting. The EBAC will not consider documentation that is received after the deadline.*
- *Any material deemed relevant by the EBAC shall be considered.*
- *The EBAC may invite consultants to participate in the review of the appeal as non-voting participants.*
- *The EBAC will offer an independent opinion about the merits of the appeal.*
 - *If without merit, the existing RMSC action would be upheld.*
 - *If there is evidence of a substantive violation of the RMSC guidelines, the appeal will be upheld. The EBAC is empowered to determine an appropriate resolution and/or disciplinary outcome, if any.*
- *The decision of the EBAC is final.*

Notification of Decision: The Executive Minister will communicate in writing the decision of the EBAC to the clergy. In addition, a confidential email, a decision letter with the ABCRGR seal will be sent via certified mail with a return receipt generally within three (3) business days of the EBAC decision. If there is a decision to suspend or withdraw the recognition of ordination, the Executive Minister will also within three (3) business days of the EBAC decision, notify ABCUSA and its covenanting partners, the original ordaining church, the church being served or in which membership is held, other denominations where the clergy has dual ministerial standing, recognition or affiliation and any other bodies which have relied on American Baptist recognition for endorsement, approval, or recognition shall also be notified.

CUSTODY OF THE RECORD OF THE OFFICIAL ACTIONS OF THE EBAC WILL RESIDE WITH THE EXECUTIVE MINISTER

The Executive Board members participating in the appeals hearing will surrender all documents associated with the allegations, review and appeals processes upon completion of the deliberations.

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A complete set of all documents associated with the review and/or appeals process will be retained by the Executive Minister and stored in a secure, restricted access file. All adverse findings and recommendations will become a part of the professional church leader's permanent personnel file.

Pastoral Follow-Up: There is a need for pastoral care throughout the process, but particularly following a review hearing. Once the hearing is complete, decisions made, and actions taken, there needs to be intentional effort made at reconciliation and healing. The congregation and/or the region needs to offer ongoing support and concern to those who made the allegations or who were wronged, and find ways to express forgiveness and grace to those who have been disciplined.

Reinstatement: If there is a desire to be reinstated and to have an ordination return to good standing, the candidate must begin the process by meeting with the Executive Minister. If the Executive Minister feels the candidate is ready to begin the reinstatement process the candidate will meet with the RMSC.

The RMSC will review the appropriate documentation about the prior action so that full information will be available to them. The original action, subsequent history, and present qualifications for ministry, will be reviewed with the candidate. A written decision with the ABCRGR seal will be sent to the candidate within five (5) calendar days of the meeting.

If the RMSC discerns that there is evidence of a call and that the candidate possesses the gifts and qualities for ordained ministry, the RMSC will determine a plan with specific requirements to be reinstated.

IMPLICATIONS OF THIS PROCESS

The decision by the EBAC to suspend the recognition of a professional church leader's ordination will mean:

- *The American Baptist Personnel Services will deactivate any use of a person's profile and that all ABC Regions will be notified of the action.*

The decision by the EBAC to withdraw the recognition of a person's ordination will mean:

- *A person's name will be deleted from the Directory of Professional Church Leaders of ABCUSA and the American Baptist Personnel Services will deactivate any use of a person's profile, and that all ABC regions will be notified of the action.*
- *Depending of the requirements of other bodies, this decision may directly affect an endorsement, approval, or recognition which was predicated on ABC action; in some instances, this may mean termination of employment.*
- *Depending on the laws of the state, this decision may mean that a person will no longer be authorized to perform pastoral functions such as weddings and/or pastoral counseling.*

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