

January 14, 2016

To: Board of Trustees

From: Beth Pollard, Member of the Ministerial Search Committee
and the Ministerial Agreement Negotiating Team

Re: Draft Ministerial Agreement – proposed amendment re:
conduct and counseling

As you know, the congregation recently had the opportunity to meet with Deborah Pope-Lance about AfterPastor churches such as UUCB. This conversation led the Ministerial Search Committee to invite her to meet with us to advise about how our AfterPastor experience might inform our approach to the screening and selection of a good fit for our settled minister. Out of the committee's discussion with Deborah emerged compassion for the vulnerability of even the most well-intended minister to potentially being drawn to an intimate relationship with a congregant.

Given our painful and extended AfterPastor experience, members of the Search Committee felt we owe it to our next minister, to future boards of trustees, and members to be clear that a sexual relationship between the minister and someone in our congregation is not acceptable behavior, and that there are consequences for violating this boundary: specifically that the minister is subject to termination without severance if the Board finds that the minister has engaged in such a relationship. There is the realization that the UUMA guidelines (see Attached) have provisions regarding sexual relations with congregants; however, these are not within the control of UUCB and they are not clear that such behavior can result in termination without severance.

In reflecting on our compassion for the vulnerability of ministers because of the intimacy of their work, we would additionally add language in the Agreement that makes it clear that use of Professional Expenses for mental health or spiritual counseling is allowed.

Below is the proposed new language, which was also reviewed and supported by members of the Negotiating Team.

Draft of Proposed Language (additions in *bold italic*)

3. COMPENSATION, PROFESSIONAL EXPENSES, AND BENEFITS (excerpted)

3.2. Other Benefits and Expenses

3.2.5. Professional and out-of-pocket expenses. Reimbursable up to 10 percent of Salary & Housing, payable promptly on voucher by the Minister in accordance with an Accountable Reimbursement Plan developed jointly by the Minister, President of the Board, and Treasurer. Other expenses for reimbursement include, but are not limited to, travel, automobile mileage, lodging, meals, incidentals, conference registration, entertainment, pulpit gowns, books, periodicals, dues, office equipment such as computers, and other continuing education events. *Professional spiritual and/or mental health counseling to help support the Minister in serving the congregation and maintaining appropriate boundaries is eligible for reimbursement; such counseling may also be available through the health plan.* It shall be the practice of the Congregation to reimburse professional and out-of-pocket expenses at the maximum rate allowed by the tax laws. Any items the purchase of which is reimbursed by the Plan shall be the property of the Congregation.

And

4. DISPUTE AND TERMINATION (excerpt Section 4.7)

4.7 The Minister may be dismissed with less than ninety days' notice, and without the severance payments described in Section 4.1 of this Agreement, if the Minister:

4.7.1. is convicted of a felony.

4.7.2. has his/her ministerial fellowship with the UUA terminated or suspended

4.7.3. is found by the Board of Trustees of the Congregation to have grossly neglected his/her ministerial responsibilities under this agreement and/or to have engaged in activities that bring the Congregation and/or Unitarian Universalism into disrepute in the community.

New Clause:

4.7.4. is found by the Board of Trustees of the Congregation to have engaged in a sexual relationship(s) with a member, friend, staff or anyone else in the Congregation with whom the Minister is expected to be in a spiritual, pastoral, or employment relationship.

Alternative: We had some discussion on whether to include "romantic" and/or to include reference to a relationship that violates the spirit of the Code of Professional Practice/Ethics, Guidelines of the Conduct of Ministry of the Unitarian Universalist Ministers Association, and the Covenant of Right Relations of the Congregation. The above language seemed a clearer boundary and more straightforward interpretation by a future Board.

Attachment 1

Excerpt, UUMA Guidelines, Standards of Professional Practice

Full text: uuma.org

G. Personal or Romantic Relationships

Recognizing that ministers are called to nourish the health and wholeness of the communities they serve, and recognizing the fiduciary nature of our profession, and as stated in our actionable Code of Conduct, ministers will not engage in sexual contact, sexualized behavior, or a sexual relationship with any person they serve as a minister. The following are non-actionable best practices drawn from the wisdom of much research across many religious organizations about what behaviors uphold healthy religious communities and ministries. In the spirit not of legalism but of deepening our understanding of loving, just, healthy relationships, these guidelines point towards truths about the profession of ministry and healthy ministerial conduct, understanding that no truth names the whole truth or covers every situation. To that end, ministers should engage in discerning dialogue with themselves and with their colleagues—to better understand what these best practices mean in the context of each ministers' own ministerial setting and in the context of the collective ministry we all share.

1. Ministers will conduct their behavior concerning romantic relationships in accordance with laws on ministerial misconduct.
2. In the case where a minister chooses to enter into a romantic or sexual relationship with someone for whom they have served as a minister, the minister needs to end the ministerial relationship. Here are some recommended steps to take to avoid harm while transitioning to a non-ministerial relationship:
 - a. Observe a significant period of time during which no ministerial services are rendered before initiating such a relationship, for example by resigning as minister or the other person leaving the faith community or organization
 - b. Seek spiritual direction in addition to ongoing counsel from a Good Officer or someone recommended by a Good Officer for a period of guidance and discernment before entering into such a relationship
 - c. Fully discuss with the potential sexual partner the implications for that

Attachment 1

person of a sexual relationship with the person who was previously their minister, including the likely ramifications for that person's relationship with the congregation or worksite in which they met the minister

d. If still serving in the work site where the minister met the potential sexual partner, fully disclose to the supervisors and/or relevant Board at that work site that the relationship now exists, mindful that this disclosure will change the dynamics of the congregation/work site as well as of the ministry, potentially in negative ways that will persist beyond the minister's tenure

3. Refrain from asking communities they serve to accept a succession of exploratory romantic relationships on the part of the minister.

4. All ministers are guided additionally by the expectations of the agencies or enterprises where they work, and by the standards of other professional organizations to which they may belong, regarding the establishment of sexual contact, sexualized behavior, or a sexual relationship with any person served professionally.

5. In all cases, ministers must be careful not to take advantage of those they serve, or damage the integrity of the congregation, agency, or enterprise in which they serve. Ministers must always put the needs of those they serve above meeting their own romantic or sexual needs.

6. Ministers who would like to initiate a romantic or sexual relationship with a ministerial colleague must be mindful of power differentials in the relationship and always act in ways that protect the well being and dignity of the colleague who is more vulnerable. Ministers should not be in sexual relationships with colleagues who are interns, associates, students, counselees, mentees, or others under their