

FUUCA Policy for Serious Covenant Breaches

December 2010

I. Introduction

- A. The foundational principles guiding our relationships are expressed in our *UU principles*, the *FUUCA Mission Statement*, our *Covenant of Healthy Relationships*, and in FUUCA's *Values and Ends Statements*. We define a breach of Covenant to be the explicit and clear violation of FUUCA's *Covenant of Healthy Relationships* or its *Value and Ends Statements*.
- B. FUUCA strives to be an inclusive community, embracing our differences in beliefs, opinions, and life experiences. We value inclusivity and understand that freedoms are stifled when relationships are unhealthy or feel unsafe; thus we are committed to ensure that relationships in our community are strong and vibrant. Significant, repeated, and most especially, intentional breaches of our Covenant are injurious to our relationships, and threaten the vitality and viability of our community.
- C. We believe that FUUCA members and participants are each responsible for maintaining an atmosphere where both safety and openness thrive. When a breach of Covenant occurs (by which we mean a violation of our *Covenant of Healthy Relationships* or FUUCA's *Values and Ends Statements*), it is appropriate for persons in a position of leadership, or any individual who observes the breach, to address the situation promptly out of caring and with reference to our Covenant. A satisfying resolution is the desired outcome.

II. Chronic and/or Serious Covenant breaches

- A. Chronic and/or serious breaches occur when a perceived serious breach of Covenant threatens the emotional and/or physical security of members, staff, friends and guests. The privileges and inclusion of any individual must always be balanced by concern for the congregation as a whole as well as another person or group of persons.
- B. The policy applies to a situation occurring on FUUCA property, off-site FUUCA-sponsored gatherings and all forms of electronic and written communications. It applies to any individual whether a member, staff, friend or visitor, whether an adult or child, and to an individual, two or more people and groups.

- C. Some situations that might constitute a serious Covenant breach are: perceived threats to anyone's sense of safety; disruptions of activities; intentional and repeated violations or disregard for FUUCA policies, procedures and official decisions.

III. Process

- A. If an incident described in *Section II* above occurs, it is the responsibility of a leader or member of the congregation to bring this to the attention of the *Executive Team*, who will then make a decision regarding a response. The response will be to decide the incident is
1. is beneath the threshold to trigger recognition of the incident as a behavior activating this policy, and no further attention to the matter is merited.
 2. is beneath the threshold to trigger recognition of the incident as a behavior activating this policy, but requires action (possibly quickly) to deal with the matter (such as a certified letter to a non member who has acted in a threatening manner toward staff or members).
 3. is beneath the threshold to trigger recognition of the incident as a behavior activating this policy, but needs a response involving some form of mediation or reconciliation.
 4. does trigger recognition of the incident as a behavior activating implementation of this policy, in which case the process described in *point B.* below begins.
- B. A sub-committee of at least one member of the Executive Committee and Senior Minister, or a person chosen by the Senior Minister as his/her surrogate, to be called the *Healthy Relationships Team*, formed and dissolved on an as needed basis by the Senior Minister, will be formed to address serious and chronic breaches of covenant. When a serious breach requires an immediate response, this may be done by the Senior Minister, Board President, Vice President, or person delegated the role by the Senior Minister, with the understanding that this task is to be taken up by the *Healthy Relationships Team* as soon as possible. If the behavior does not stop in response to a request for such, the *Healthy Relationships Team* may choose to implement one or more of a range of options, including, but not limited to, the following: asking the person(s) to leave the committee or group they were attending in which the behavior occurred, removing them from electronic networks, suspend the meeting or activity they were engaged in until the matter can be resolved satisfactorily. The ultimate step, all other avenues and approaches failing, would be to call the police for assistance.
- C. Any time such actions are taken and a minister is not present, a member of the *Executive Team* (the Senior Minister, Assistant Minister or Executive Director) should be notified as soon as possible.

D. In the situation where a serious breach of the church covenant does not allow or require an immediate response, but merits a serious response, an oral or written report may be prepared by the *Healthy Relationships Team* and given to the *Executive Team*. Careful thought and prudent care should be given prior to making such a report.

E. Once a matter is referred, confidentiality will be maintained except in cases in which a behavior poses a threat to self or others and then the decision to reveal information must be thoroughly considered. FUUCA will follow all applicable state laws and reporting procedures for child and elder abuse.

F. When a written report is made, a member of the *Healthy Relationships Team* will inform the person that a concern has been filed about their behavior and is being assessed by the *Healthy Relationships Team*. An exception to this rule is if such action would be deemed unwise from a legal standpoint or due to the possibility of physical harm.

G. *General guidelines to be followed by the Healthy Relationships Team:*

1. Deal with people and situations on an individual basis.
2. Do not pre-judge until all the facts are known.
3. Focus on facts, and not imagination, rumor, assumptions, biased opinions, and secret agendas posing as objective opinion.
4. Avoid stereotyping.
5. Gather the information required to obtain a complete picture of the situation.
6. Consult, as needed, useful, or prudent, with appropriate individuals and resources to get clarity about relevant laws and legal implications.
7. When deemed essential to the assessment process, the Executive Team may be asked to authorize funds for a professional background check to assure the correct identity of the person in question and determine if there are records of past criminal activity involving threats, harassment, or actual harm to other persons or property. (Acts of conscience or civil disobedience which may have resulted in criminal charges or convictions may receive distinct consideration.)

H. *The following questions must be considered:*

1. *Dangerous:* Is the behavior a real or possible danger to persons or property?
2. *Disruptive:* How much interference is caused to safe, healthy interactions, the community as a whole, FUUCA events and the functions of the staff as a result of this behavior?
3. *Offensive:* How likely is it that existing or prospective members will be driven away by this behavior?

I. The following issues provide a useful framework to explore the incident in question:

1. *Causes*: Why is this disruption occurring? Is it due to a lack of information or familiarity with the FUUCA community? Is it due to cultural differences? Is it a conflict between the individual and others in the community? Is it due to a professionally diagnosed condition of mental illness?
2. *History*: What is the frequency and degree of disruption? Have there been other reported breaches of a similar or different nature in the past?
3. *Probability of change*: How responsive has the individual(s) been to previous coaching or intervention? How likely is it that the behavior will diminish in the future due to attempts at encouraging change?
4. *To what extent might others in the community have provoked the disruptive behavior?*

J. The Healthy Relationships Team may implement the following levels of response, as appropriate to the situation:

1. *No Action*: It may be determined that no action is warranted, and a designated person from one of the Team will explain and discuss this with the person(s) who filed the report. Mediation or other resources may be offered in the event of a conflict between two parties.
2. *Warning*: A designated person from the Team will meet with the individual(s) whose behavior is determined to be dangerous, destructive or offensive, to communicate the concern and behavioral expectations with reference to our Covenant.
3. *Suspension*: The individual(s) whose behavior is determined to be dangerous, destructive or offensive will be excluded from FUUCA and/or specific activities for a limited period of time, with the reasons and the conditions of return made clear in writing.
4. *Expulsion*: If the requested behavioral change is intentionally or repeatedly ignored, or the content of the breach is so serious, and after a thorough assessment and meeting with the parties involved, the Healthy Relationships Team, acting as a hearing panel, may recommend to the Board of Trustees that the individual(s) be expelled from membership and/or participation in the congregation. The Board of Trustees may accept or reject the recommendation or may consider the matter *de novo*. If expulsion is approved, the Board shall write a letter to the individual explaining the reasons for the action taken.