

AMERICAN BAPTIST CHURCHES of the ROCHESTER GENESEE REGION PROCESS FOR REVIEW OF MINISTERIAL STANDING

The **Process for Review of Ministerial Standing** contains the policies and procedures for the review of ministerial standing of professional church leaders of the American Baptist Churches of the Rochester/Genesee Region. All policies and procedures are subject to improvement and revision at any time.

Keep watch over yourselves and over all the flock, of which the Holy Spirit has made you overseers, to shepherd the church of God that he obtained with the blood of his own Son¹ (Acts 20:28, NRSV)

PREAMBLE: Strengthening the spiritual health and vitality of the Region's constituent churches and their professional leaders are important roles for the 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 as 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 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 the individuals are the intent of the process. However, when there is evidence of professional, ethical, sexual and/or financial misconduct that puts 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.

It is important to note that this is an ecclesiastical process, not a legal one. Proper procedures for mandatory reporting will be followed prior to or during this process. In other words, the laws of New York State (where ABCRGR is incorporated) are only applicable in situations of employment discrimination of protected groups. This process is to review an individual's standing as a clergy-person credentialed through ABCRGR and ABCUSA. It does *not* address:

1. Criminal actions. If an allegation has criminal implications the complainant will need to choose if they would like to make a criminal complaint with the proper authorities. This process may continue regardless of the standing of any legal actions being taken.
2. The person's ordination. It only addresses whether that ordination *will continue to be recognized* by ABCRGR and ABCUSA and whether that person will remain listed in the

¹ [*The Holy Bible: New Revised Standard Version*](#). (1989). (Ac 20:28). Nashville: Thomas Nelson Publishers.

ABCUSA professional registry. Only the ordaining church may revoke the ordination itself. See items at the conclusion of the process outlining notifications made of decisions.

Note:

When allegations arise concerning the Executive Minister, they must be made in writing to the President of the Executive Board. Procedures will then follow those laid out in the ABCRGR Personnel Manual. After those standards of employment are followed, the Executive Board may elect to refer the allegations to the Ordination Review Committee to proceed with a Review of Ministerial Standing process.

PROCEDURES

The Ordination Review Committee (ORC) is responsible for the Review of Ministerial Standing in ABCRGR.

All participants shall exercise great care to assure that the allegations and the process shall remain confidential unless a decision is reached which requires notification. Consequently, the members of the ORC are required to sign a confidentiality agreement.

1. COMPOSITION OF THE REVIEW OF MINISTERIAL STANDING COMMITTEE (RMSC)

While all members of the ORC will be advised about allegations that necessitate the convening of a review of ministerial standing, a total of five members of the ORC will be voting members of the actual review committee. The Chair of the ORC will appoint four members of the ORC to serve as the Review of Ministerial Standing Committee (RMSC). The ORC Chair may serve as the Chair of the RMSC or, at his/her discretion, designate a fifth member and select one of the five to serve as chair of the RMSC. The Executive Minister will be an ex-officio, non-voting member of the RMSC. The Chair of the ORC will take care to ensure the members appointed to the RMSC, as best as possible given the limitation of the small pool of members from the ORC, represent the diversity of ABCRGR and have cultural understanding of the church tradition of the complainant.

2. CONFLICTS OF INTEREST

A member of the ORC 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 to the chairperson of the ORC that there is a personal conflict.

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

3. STEPS OF THE PROCESS TO REVIEW MINISTERIAL STANDING

- a. **Written Allegations:** Formal allegations regarding a professional church leader should be addressed to the Executive Minister of the Region. The allegations must be in writing, specific in content, and signed. Any supporting documentation should be included (PDFs of financial documents, emails, screen shots of text messages, etc.) or indicated that it could be provided upon request. The RMSC will only act on allegations related to the following categories:
 - a. Personal/Professional misconduct or malpractice of an ethical, sexual, or financial nature.
 - b. Violation of the expectation 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.
- b. **Pastoral Intervention:** When formal allegations have been made, there is an ongoing need for pastoral intervention for the professional church leader, his or her family/significant others, the complainant, and the congregation being served. These pastoral interventions will be coordinated by the Executive Minister and/or by members of the ORC, if the Executive Minister is being reviewed.
- c. **Informing the Accused of the Allegations:** The Executive Minister shall inform the person of the allegations, the review being undertaken, 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. The letter will be sent via certified mail with a registered return receipt. A copy of the letter will be kept in the region locked files.
- d. **Preliminary Exploration:**
 - a. 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.
 - b. 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.
 - c. 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 the review hearing. The plan must include input from for accuser as well. **Note:** If this option is pursued and a mutually acceptable plan is developed and accepted, the review process ends and **cannot be** appealed.
 - d. 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.
 1. The accused may choose to voluntarily relinquish ministerial standing or credentials. In this case, documentation is made to denominational parties as listed in Appendix A that the accused has voluntarily relinquished standing and their professional standing will be adjusted accordingly. The review process ends and **cannot be** appealed.

- e. **Review Hearing Notice:** When a review hearing is scheduled, all parties involved are to be notified and informed about the process in a manner that maintains the confidentiality of the process and all involved. The hearing should be not less than fourteen (14) calendar days or more than ninety (90) calendar days following notification.
 - a. 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 present at the hearing).
 - 1. This is an ecclesiastical process, not a legal process. Advocates may not be attorneys or legal representation.
 - 2. 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 4:00 p.m. 72 hours before the meeting or the witnesses and/or advocate will not be allowed to participate in the meeting.
 - b. Visitors and other supporters other than those outlined above will not be allowed to participate in the review hearing.
 - c. If there is documentation the accused would like considered as a part of the review hearing, the documentation must be submitted via secure online folders as PDFs to the Executive Minister before 4:30 p.m. 72 hours before the hearing. The Executive Minister will disseminate the information to the RMSC prior to the meeting via links to secure online file folders. The RMSC will not consider documentation received after the deadline.
 - d. If the accused fails to appear at the appointed time, the RMSC may proceed with the hearing.
 - e. **The Review Hearing:** The hearing is held to investigate the allegations thoroughly.
 - 1. The hearing shall be fair, impartial, and confidential for the benefit of the accused, the complainant and the wider church family. The hearing participants will be urged (but **NOT** required) to sign a confidentiality agreement.
 - 2. The RMSC may specify the amount of time allowed for presentation of the allegations, for the defense, and for summary statements.
 - 3. **The hearing shall follow this outline:**
 - a. Silence in prayer.
 - b. Introductory statement by the chair of the committee.
 - c. Reading of the allegations by the chair of the committee.
 - d. Presentation of information or testimony supporting the allegations. This may be done by the person/s bringing the allegations or in writing if the person/s are not comfortable being present.
 - e. Presentation of information or testimony refuting the allegations, including opportunities for the person in

- question, and/or by his/her witnesses and/or advocate, to speak.
- f. Questions by the RMSC to any of those offering information, testimony refutation, or response.
 - g. Closing statements by the person/s bringing allegations if they are present, and by the accused and/or their advocate.
 - h. 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.
 - i. Following the hearing, the RMSC may request a follow-up meeting and information from the person(s) making the allegations for further clarification. If substantial new information is introduced at this point, the RMSC would schedule another meeting with the accused to review the new information. If information clarifying current allegations is received, no additional meeting will be warranted.
 - j. Upon completion of the hearing process, the RMSC will meet in executive session and will make its decision as follows:
 - i. To revoke recognition of the accused's ministerial standing in ABCRGR and ABCUSA.
 - ii. To censure the accused, put a temporary hold on recognition of ministerial standing, and provide documented steps the accused must undertake to have recognition of ministerial standing returned.
 - iii. To maintain recognition of the accused's ministerial standing in ABCRGR and ABCUSA.

7. Notification of Decision: The Executive Minister will notify the accused clergy-person 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 cleric 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 returned receipt. Additionally, after five (5) business days, if the cleric 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 or affiliation and any other bodies which have relied on American Baptist recognition for endorsement, approval, or recognition shall also be notified.

After the five-day window for requesting an appeal is concluded, the Executive Minister should notify the party/ies bringing allegations of the decisions of the RMSC and, if necessary, the appeal process.

8. Appeal of a Review of Ministerial Standing Decision

The **only** eligible circumstances for appealing Review of Ministerial Standing Committee decisions are substantive violations of the established guidelines as outlined in this document.

To appeal, the cleric must send a request for appeal to the Executive Minister of the Rochester/Genesee Region within five (5) business days of the date of the notification letter. The request for an appeal must include a list of the specific violations of the Review for Ministerial Standing process. The Executive Minister will share the request of the appeal with the President of the Executive Board within 24 hours of receiving the request.

The guidelines and process for an appeal are equally applied to the complainant.

THE APPEALS PROCESS

The Executive Board Appeals Committee (EBAC) will be a five-member committee of the ABCRGR Executive Board that, as best as possible, represents the diversity of the region in regards to race/ethnicity, gender identity, age, and church tradition. It must also include at least two lay people. The EBAC will be activated on an as-needed basis.

- a. **APPOINTMENT OF THE EXECUTIVE BOARD APPEALS COMMITTEE (EBAC):** The officers of ABCRGR, including the president, vice president, clerk, treasurer, and Executive Minister as a non-voting consultant, will recommend to the full Executive Board four members of the board to serve with the president as the Executive Board Appeals Committee. The President of the ABCRGR board will serve as the Chair of the EBAC. Alternatively, the President of the ABCRGR board may step back from this duty and the officers will recommend a fifth person in her/his place. The President will then recommend one of the five appointed members to serve as chair of the EBAC. The Executive Minister will be an ex-officio, non-voting member of the EBAC. **Note:** An executive board member who participated in any way in the hearing process **cannot** participate on the EBAC for the same clergy. The EBAC appointment process will be completed within thirty (30) days of the request for an appeal. All attempts will be made by the Executive Board Appeals Committee (EBAC) to complete the appeal process within sixty (60) calendar days of receiving the request for appeal. Board members who have served on an EBAC are excused from service on another EBAC for a two-year period, unless, in the case of a conflict of interest, a board member who has recently served must be invited again to assure a proper number of members on the team.

Orientation of the Executive Board Appeals Committee

The EBAC will participate in an orientation coordinated by the Executive Minister. This orientation will include a review of the Executive Board Appeals Committee's charge, the Review of Ministerial Standing (RMS) process, Executive Board Appeals process, 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.

Appeal of a Review of Ministerial Standing Committee (RMSC) Decision.

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

The eligible appeal will be to the Executive Board of the Rochester/Genesee Region via a request for appeal sent to the Executive Minister. 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 Executive Minister will forward it to the President of the Executive Board within 24 hours of receipt.
- 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 48 hours of the receipt of the appeal. When the date for the EBAC meeting has been confirmed, the Executive Minister will notify the cleric 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 cleric 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 p.m. 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 cleric would like considered as a part of the appeal, the documentation must be submitted by secure online folders as PDFs to the Executive Minister before 4:30 p.m. 72 hours before the meeting. The Executive Minister will disseminate the information to the EBAC prior to the meeting via links to the secure online file folder. 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 cleric. In addition to a confidential email, a decision letter with the ABCRGR seal will be sent via certified

mail with a returned 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 notify within three (3) business days of the EBAC decision, 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 or affiliation and any other bodies which have relied on American Baptist recognition for endorsement, approval, or recognition shall also be notified.

See Appendix A for notification information for ABCUSA.

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.

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 church 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 recognized again, the candidate must begin the process by meeting with the Executive Minister. If the Executive Minister feels the candidate is ready to begin the ordination review process, the candidate will meet with ORC.

The ORC 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 ABCRGR seal will be sent to the candidate within five (5) calendar days of the meeting.

If the ORC discerns that there is evidence of a call and that the candidate possesses the gifts and qualities for ordained ministry, the ORC 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 the ABCUSA, and that 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 on 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, funerals, and/or pastoral counseling under the auspices of American Baptist Churches USA

Approved by the ORC September 14, 2006

Approved by the Executive Board November 15, 2006

Adopted by the ABCRGR Delegates February 11, 2007

Adopted by the ABCRGR Delegates February 5, 2022

AMERICAN BAPTIST CHURCHES OF THE ROCHESTER/GENESEE REGION

1230 Long Pond Rd.

Rochester, NY 14626

APPENDIX A:
Templates for Notification of Region Action in Misconduct Cases

April 13, 2021

Dear Colleagues in Ministry,

The ABC Professional Ministry Team is creating templates for Regional Executive Ministers and their Administrative staffs for the purpose of communicating region actions with misconduct cases. With the numerous staff changes that occur across the regions, we want to ensure that persons do not “fall between the cracks” and somehow find a way back into ministry in a different region. Therefore, we have created a sample letter as well as a check list to ensure full and complete notification. We hope this is helpful for your administrative purposes.

Each notification needs to say what action has been taken with a brief explanation. Sample actions are:

- a. Removal of ordination recognition
- b. Temporary suspension of the recognition of one’s ordination – (please indicate how long the suspension is in effect)
- c. Voluntary withdrawal of one’s ordination
- d. Placing a “Hold” on ABPS Profile circulation
- e. Reinstatement following a suspension or removal

Whenever action is taken, the notification needs to be sent to the following individuals.

1. ABPS, Rev. Erica Van Brakle, erica.vanbrakle@abhms.org
2. ABCIS, Ms. Geri Blier, Geri.blier@abc-usa.org
3. REMC, Dr. Cheryl Dudley, cdudley@abcmny.org
4. Ministers Council Executive Director; Dr. Randolph Miller, rtmiller.mc@gmail.com
5. Ordaining church (if the ordination is removed or if there is a voluntary withdrawal)
6. General Secretary, ABCUSA, Dr. C. Jeff Woods, jeff.woods@abc-usa.org (Interim General Secretary)
7. Interim Ministries Executive Director, Dr. Patricia Hernandez, Patricia.Hernandez@abc-usa.org
8. International Ministries Executive Director, Rev. Sharon Koh, Sharon.Koh@internationalministries.org
9. American Baptist Home Mission Societies Executive Director, Dr. Jeffrey Haggray, Jeffrey.Haggray@abhms.org

We also suggest that your office keep permanent records of the notifications received should questions arise in the future.

SAMPLE LETTER

Date:

To: REMC, General Secretary, ABCUSA
ABHMS Executive Director
International Ministries Executive Director
Ministers Council Director,
Interim Ministries Director, ABPS Director

From:

Please be informed that on _____ (date) _____, the recognition of the ordination of _____ (name) _____ was removed by the _____ (Region), Commission on the Ministry.

Or

Please be informed that on _____ (date) the recognition of ordination has been suspended for a period of _____ year/months until further investigation is completed.

CHECKLIST FOR NOTIFICATION OF MISCONDUCT DECISIONS

<i>Action</i>	<i>Date</i>
<input type="checkbox"/> Letter sent to all appropriate ABC leaders Includes brief explanation	_____
<input type="checkbox"/> Letter sent (if appropriate) to Ordaining Church	_____
<input type="checkbox"/> Notification made on ABCIS	_____