

**Oklahoma Commission on Clergy
Policy and Procedures for Responding To
Clergy Misconduct**

I. Introduction

The Commission on Clergy of the Christian Church (Disciples of Christ) in Oklahoma establishes this policy and defines the following procedures so that the Commission can appropriately respond when ministers whose standing is certified by the Commission on Clergy are charged with misconduct.

II. Definitions

A. Minister: An Ordained or Commissioned minister of the Christian Church (Disciples of Christ) with standing certified by the Commission on Clergy of the Christian Church in Oklahoma.

B. Commission on Clergy: The commission appointed by the Regional Board of the Christian Church in Oklahoma that certifies standing of ministers with accountability to the Christian Church in Oklahoma.

C. Ministerial Standing: Affirmation that an ordained or commissioned minister is currently engaged in the practice of ministry, whether on an occasional, part-time or full-time basis, with continuous accountability maintained with a calling/employing body.

D. Employer: The organization that employs a minister to carry out a particular ministry.

E. Investigative File: That body of material used by the Commission on Clergy to determine the merits of a case. Such file is secured with the Office of the Regional Minister for a minimum of fifty years.

F. Clergy Misconduct: Any violation of the Ministerial Code of Ethics of the Christian Church (Disciples of Christ). (See Appendix 8 “My Ministerial Code of Ethics” page 19)

For additional information related to specific types of misconduct, see appendices 1-4.

Appendix 1: Clergy Sexual Misconduct page 10

Appendix 2: Dating, page 12

Appendix 3: Abuse of the Elderly and Disabled, page 13

Appendix 4: Clergy Financial Responsibility, page 14

III. General Policies

A. Clergy misconduct as defined above will not be tolerated by the Commission on Clergy.

B. It is the responsibility of the Commission on Clergy to have specific procedures for receiving, investigating, and adjudicating misconduct charges of ministers with standing through the Commission on Clergy. It is the purview of the Commission on Clergy to adjudicate matters related to ministerial standing; it is the purview of the employer to exercise employment supervisory responsibilities.

C. Anyone may notify the Commission on Clergy of any circumstance or situation that may result in a challenge to a person's standing.

D. The decision of the Commission on Clergy is final, except in the case of withdrawal of ministerial standing. Then the minister has the right of appeal to the General Commission on Ministry. (See the Policies and Criteria for the Order of Ministry, The Christian Church (Disciples of Christ), Section V. F.)

E. In emergency situations of alleged misconduct, ministerial standing may be temporarily suspended by the Commission on Clergy.

IV. Care for Victim(s)

A. THE REGIONAL MINISTER AND THE COMMISSION ON CLERGY WILL NEGOTIATE AND AUTHORIZE PROFESSIONAL PASTORAL CARE AND COUNSELING FOR THE VICTIM(S) OF THE ALLEGED MISCONDUCT.

B. The Regional Minister and the Commission on Clergy will negotiate AND AUTHORIZE professional pastoral care and counseling to the ministry site, as necessary.

V. Procedures:

A. Preparation for Handling Ethics Complaints

1. The Commission on Clergy shall appoint and train a standing Response Team. THE MEMBERS OF THE TEAM, NEW AND CONTINUING, WILL BE APPROVED BY THE COMMISSION AT ITS SEPTEMBER MEETING EACH YEAR AND SHALL BE TRAINED PRIOR TO THE END OF THE CALENDAR YEAR. The Response Team shall be comprised of at least four persons including both men and women. The chairperson of the Commission on Clergy or a designee shall be an ex-officio member of the team and be kept regularly informed of the team's work, but will not chair the team.

2. As necessary, the Commission on Clergy will consult with the *Guidelines for Inter Regional Cooperation on Matters of Fitness for Ministry*, see Appendix 5, page 15.

B. The Ethics Complaint

1. Any person may submit a written complaint charging misconduct by a minister. The initial complaint will be received and reviewed by the Regional Pastor and the Chair of the Commission on Clergy.

2. The complaint must be specific as to the alleged misbehavior, and where possible contain corroborating documents and statements from others who witnessed the misbehavior. When necessary, an oral complaint may be received. In such cases, the receiving party will reduce the complaint to writing.

3. If the misbehavior constitutes a potential crime under the mandatory reporting laws of the State of Oklahoma, the Regional Minister and Commission chairperson will immediately report it to the appropriate secular authorities. (SEE APPENDIX 1 AND APPENDIX 3 FOR OKLAHOMA MANDATORY REPORTING LAWS)

4. If appropriate, the Regional Minister or the Commission on Clergy will report ALL OTHER SUSPECTED illegal activities to the proper secular authorities AS APPROPRIATE.

C. First Response

1. The initial response to any ethical complaint against a minister will be made by one of the Regional Pastors. The focus of this response, to both the complainant and the minister named in the complaint, will be pastoral in nature with the aim of resolving the issue of the complaint, if possible, at the pastoral level. The subject of the complaint will be provided a copy of the complaint.

2. If pastoral resolution is not possible the Complaint will be brought to the Commission on Clergy through the Chair of the Commission with a recommendation to investigate or not to investigate.

a) If the recommendation is not to investigate and that is approved by the Commission on Clergy, both the complainant and the minister accused of misconduct will be notified of the decision, the reasons behind it and any recommendations made by the Commission.

b) If the recommendation is to investigate, and this is approved by the Commission on Clergy, throughout the process that follows it will be the responsibility of the Regional Pastors and Chair of the Commission on Clergy to ensure that appropriate pastoral care is provided to both the complainant, and the victim(s) if different, and the minister named in the complaint.

D. Investigation of the Ethics Complaint

1. Upon a decision by the Commission on Clergy to investigate, the Chair of the Commission on Clergy and the Regional Minister will assign two members of the Response

Team to proceed within 30 days to begin a timely investigation and meet with the complainant. Where sexual misconduct is involved, the response team will include one man and one woman.

2. The Response Team will first meet with the complainant and victim(s) if they are different.

a) The Response Team will explain the process to be followed as per this policy and provide a copy of this policy.

b) THE RESPONSE TEAM WILL WORK WITH THE COMPLAINANT(S) TO MAKE A WRITTEN RECORD OF ALL EVIDENCE SUPPORTING THE ALLEGATION(S) MADE.

3. The Response Team will then meet with the minister named in the complaint.

a) The Response Team will present the complaint and explain the process to be followed as per this policy and provide a copy of this policy.

b) THE RESPONSE TEAM WILL WORK WITH THE MINISTER NAMED IN THE COMPLAINT TO DEVELOP A WRITTEN RECORD OF HER/HIS RESPONSE TO THE COMPLAINT AND ANY EVIDENCE SUPPORTING THE RESPONSE. THE MINISTER WILL BE REQUESTED TO SIGN THIS STATEMENT.

4. The Response Team may also interview other persons as deemed necessary to the investigation. A written record of each interview will be made and THE PERSON INTERVIEWED WILL BE REQUESTED TO SIGN THE STATEMENT.

5. The Response Team will notify the appropriate leadership of the employing or calling body that this matter is under investigation, communicating to the appropriate leadership a copy of the complaint and response and a copy of this policy.

6. The information gathered by the Response Team will be reported to the Commission on Clergy.

E. Commission Disposition: Based on the written record reported by the Response Team, the Commission on Clergy has several options for disposition of the case.

In determining disposition, it is important to remember that the Commission's responsibility and authority pertains to the minister's standing. The Commission has no authority in matters of the minister's relationship to his/her place of employment or calling, and so the determination of the hearing panel and ultimately of the Commission is limited to the question of standing.

The actions of the Commission regarding a minister's standing affect that minister's access to search and call. The search and call system has safeguards that keep all regions informed as ministers within the system move about from region to region. Each ministerial profile contains a Disclosure and Release Form. On that form the minister must disclose any disciplinary reviews

for ministerial misconduct that may have resulted in censure, suspension of standing, or termination of standing. The minister also must disclose whether any official disciplinary proceedings are currently pending. A detailed explanation is required for any and all affirmative answers. (See “LOSS OF STANDING AND THE SEARCH AND CALL PROCESS” (Appendix 6, P. 16)

1. Dismissal of the Complaint

If the Commission determines that the complaint is without merit, they may dismiss the complaint. A confidential record of the proceedings will be kept, but the minister will not be required to disclose the complaint in any future requests for standing or in the ministerial profile for search and call.

2. Probation

If the Commission determines that the complaint has merit and determine that the minister should take action, but that the nature of the complaint is not something that needs to be reported beyond the Region, the hearing panel or the Commission may choose to place a minister on probation until the minister has completed a set of required actions to the Commission’s satisfaction. A timeline for completing the actions will be established. Satisfaction of the requirements is at the discretion of the Commission on Clergy. Should the minister fail to complete the tasks in the allotted time, the Commission may impose a Letter of Censure, Suspension of Standing or Removal of Standing for Cause.

While a minister is on probation, the regional minister will withhold the regional reference from the minister’s search and call profile. If the minister has an active profile, the regional minister will pull the regional reference, in effect removing the profile from circulation.

Once the Commission on Clergy is satisfied that the PROBATIONARY requirements have been met, the regional reference can be restored, and the minister’s profile may be circulated. A letter indicating that minister had satisfied the requirements of probation will be placed in the minister’s file.

3. Letter of Censure

If the hearing panel or the Commission determines that the complaint has merit, but either the act(s) of the minister is/are not serious enough to warrant suspension or termination of standing, or any actions taken since the complaint provide sufficient disciplinary action or accomplish restitution, the Commission may provide a letter of censure in the minister’s file.

A letter of censure would allow the minister to retain standing, and the minister would still have access to search and call. However, the minister would have to indicate on the Disclosure and Release that the complaint resulted in censure and would have to provide a detailed explanation.

4. Removal of Standing

In the event of any termination of standing, regardless of whether that termination is the result of suspension, removal for cause, or voluntary surrender, reinstatement of standing can only be granted in the region where standing was terminated. Once the Commission on Clergy of the Oklahoma Region has terminated a minister's standing, the minister must return to the Oklahoma Region's Commission on Clergy for reinstatement.

The Office of Vocation at Disciples Home Missions is notified in the event that a minister's standing is terminated. That termination is shared in a confidential letter to all regions, but the specifics of the termination are not disclosed.

A minister without standing cannot access search and call and cannot circulate a profile in the system. Removing a minister's standing removes that minister from search and call. In other words, a minister working within the system cannot seek or receive a call to another congregation if that minister does not have standing. If a minister has an active profile circulating at the time that the Office of Vocation is notified of termination of standing, the Office of Vocation pulls that minister's profile from circulation.

After a minister's standing is reinstated that minister can once again circulate a profile in the search and call system; however, the prior removal of standing must be reported on the Disclosure and Release.

4A. Suspension of Standing

If the hearing panel or the Commission determines that the complaint warrants disciplinary action against the minister's standing, one option is to suspend the minister's standing. In the event of suspension, the minister's standing is terminated, subject to the necessary notifications and requirements for reinstatement.

Suspension of standing will carry with it criteria under which the minister can apply for reinstatement of standing. These criteria might include the passage of a set amount of time or the completion of specific tasks or both.

4B. Removal of Standing for Cause

In the case of egregious actions, the hearing panel or Commission may determine to remove a minister's standing for cause, subject to the necessary notifications. When standing is removed for cause, a minister may not apply for reinstatement for 36 months from the date that termination of standing is effective. As with any termination of standing, reinstatement may only be granted by the Region that terminated standing.

4C. Voluntary Surrender of Standing

In some cases the minister may voluntarily surrender standing. When a minister surrenders standing, the Commission on Clergy has sole discretion regarding any future reinstatement of standing. Surrender of standing is handled like termination of standing as regards reporting and

reinstatement. A surrender of standing will also be reported to the Office of Vocation, and reinstatement may only be granted by the region where standing was surrendered.

F. Negotiation of Settlement of Complaint

Negotiation of a settlement may occur at any point in the process while the investigation continues. If a settlement is negotiated the investigation ends.. All negotiations will be conducted by the Chair of the Commission on Clergy and the Regional Minister.

1. If the minister admits culpability for the substance of the charge(s) in the complaint, negotiation may be held with the minister and complainant in order to determine the appropriate consequences for all involved.

a) Among the possible consequences, the minister may agree: 1) to resign his or her position; 2) to enter into mediation with the complainant to negotiate an appropriate settlement; 3) to obtain professional counseling; 3) to pay for counseling for the victim(s); 4) to accept a period of supervised probation; 5) to surrender standing for cause.

b) Any negotiated settlement will be forwarded to the Commission on Clergy and if approved will be reported in writing to those who were informed, if any, in Commission Response “2” above.

2. If the minister does not admit culpability or if negotiation fails to reach a mutually satisfactory resolution, the Commission on Clergy may proceed to a formal hearing.

VI. Formal Hearing

1. A formal hearing may be requested by the Commission on Clergy or the minister named in the complaint or by the complainant.

2. Three members of the Commission on Clergy appointed by the chair shall comprise the hearing board.

3. The hearing will seek to be fair to all concerned, but is not held to strict legal procedures. The Commission on Clergy will establish particular rules for the hearing.

4. This is an ecclesiastical and not a legal proceeding. Both the minister and the complainant may select an advocate to provide support, care and procedural guidance.

5. At least ten days prior to the formal hearing the Response Team will communicate its written report, including the charges and the response by the minister accused, to the members of the hearing board.”

6. At the Hearing, the Response Team will present a summary of their findings and in doing so may call witnesses. The minister and complainant may also call witnesses.

7. The Hearing Board will make a written report of their findings and recommendations to the Commission on Clergy.

8. The recommendations of the Hearing Board and the decision for action on the part of the Commission on Clergy may include any of the consequences listed under V. E. above.

9. All decisions and rationale of the Commission on Clergy will be recorded in the minister's investigative file. This file will be secured in the Office of the Regional Minister for a minimum of fifty years. The Regional Minister will notify, in writing, the complainant, the minister and the appropriate employer of the action taken.

See Appendix 7: "Rules and Procedures for Formal Hearings on Clergy Misconduct Charges" page 20.

VII. Right of Appeal

A. All decisions with respect to standing may be appealed to the REGIONAL EXECUTIVE COMMITTEE within 30 days from the date on which decisions are final.

B. The acceptable grounds for appeal are:

1. The appellant believes that he or she did not receive a fair hearing.
2. The appellant believes the Commission on Clergy violated its own written policies and procedures.
3. The appellant believes the Commission on Clergy violated the *Theological Foundations, Policies and Criteria for the Ordering of Ministry of the Christian Church (Disciples of Christ)*.

C. In the case of a minister being declared "unfit for ministry", the minister may appeal the decision to the General Commission on Ministry.

VIII. Restoration of Standing

A. A minister whose standing has been suspended may only apply to the Commission on Clergy in writing after a period of time established by the Commission on Clergy. In the case of Termination of Standing, a request for reinstatement of standing may occur only after a period of thirty-six months.. The Commission on Clergy will consider the request at its next regularly scheduled meeting.

1. The applicant will provide all available necessary documents and information pertaining to the standing request.

2. The Commission on Clergy will gather further information, as needed, about the circumstances which resulted in the removal of standing and the basis for the decision for removal of standing. When possible, members of the Commission on Clergy involved in the original decision will be consulted.
- B. The Commission on Clergy will determine if restitution, rehabilitation, and preparation for return to ministry have occurred in the intervening time since the loss of standing.
1. The Commission on Clergy may require documentation of professional assessment.
 2. Strategies for long-term treatment and monitoring behavior may be required.
- C. If Standing is restored, this will be communicated to the Office of Search and Call. Records of any disciplinary action and restoration, if applicable, remain in the minister's investigative file.

IX. These policies and procedures are subject to annual review and modification.

Appendix 1 **Clergy Sexual Misconduct:**

A range of behaviors defined as sexual harassment; sexual misconduct; adultery and promiscuity; and child sexual abuse between a minister and his or her parishioners, clients, and those the minister supervises or serves in a professional capacity within or outside the church.

Such behavior crosses appropriate professional boundaries and is an abuse of the trust placed in and the responsibilities and privileges of the pastoral role. Such misconduct violates pastoral ethics. In all instances, the minister is responsible for maintaining professional boundaries, regardless of the behavior of other persons.

1. Sexual Harassment¹: Generally defined to include sexual advances, requests for sexual favors, and/or other verbal, written, electronic, or physical conduct of a sexual nature when:

Submission to such is made either explicitly or implicitly a term of an individual's employment (in this case, paid or volunteer) or his or her continued status in an institution.

Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individuals.

Such conduct has the purpose or effect of interfering with work performance by creating an intimidating, hostile, or offensive work environment based on the declared judgment of the affected individual.

Such conditions create an intimidating, hostile, or offensive environment for another individual regardless of the specific setting or circumstances or the relationship between the two individuals most directly involved.

2. Sexual Misconduct includes any of the following:

Sexual contact with a minor.

Sexual harassment.

Rape or sexual contact by force, threat, or intimidation.

Sexual malfeasance, which is defined as a breach of trust resulting from sexual contact (contact with genitalia, buttocks or breasts) within a ministerial or professional relationship.

Unwelcome or offensive behaviors, including winks, leers, suggestive comments, crude language, pinching or tickling someone, or inappropriate hugs and kisses. INAPPROPRIATE COMMUNICATIONS THROUGH SOCIAL MEDIA INCLUDING WORDED MESSAGES AND DIGITAL IMAGES ALSO CONSTITUTE SEXUAL MISCONDUCT.

3. Child Sexual Abuse includes, but is not limited to, any sexualized contact or interaction between a minor and an adult. The behavior may or may not involve touching. Sexual behavior between a minor and an adult is always considered forced.

Oklahoma has Mandatory Reporting Requirements: SEE Oklahoma State Law: Statute 10A-1-2-101 Source: <http://www.oklegislature.gov/osstatuestitle.html> Title 10A. Children and Juvenile Code, §10A-1-2-101. Copied May of 2016

Appendix 2: **Dating**

Appropriate Dating Relationship:

“As a general rule, it is inappropriate for a minister to enter into a dating relationship with a member of the congregation or organization they serve. Such behavior tends to strain professional boundaries, and the subtlety of power abuse issues in such a relationship makes it problematic.”

THE ABOVE PARAGRAPH TO REPLACE THE PARAGRAPH BELOW. SUGGESTED EDITING MADE BY LISA.

A loving, caring, respectful relationship between two consenting adults where professional boundaries and power issues are clearly understood and maintained. Because of the subtlety of power abuse issues in clergy relationships, it is problematic for clergy to engage persons within their parish or professional relationships in a dating relationship. After an acknowledged dating relationship has begun, it is inappropriate for the non-clergy person to join the parish in which the minister serves.

WHERE A DATING RELATIONSHIP HAS BEGUN WITH A MEMBER OF THE CONGREGATION, IT IS PRUDENT FOR THE MINISTER TO NOTIFY HIS/HER PASTOR, SUPERVISOR OR MODERATOR OF HIS/HER BOARD OF THIS FACT.

Appendix 3: **Abuse of the Elderly and Disabled**

Adult abuse is the abuse of any older adult aged 65 and over and adults with developmental or physical disabilities or mental illness under the age of 65. Abuse can happen in a person's own home or the home of family or friends. It can also occur in a professional care setting such as a nursing facility, a residential care facility, an assisted living facility, an adult foster home, a retirement home or a room and board home.

Types of abuse can include:

- Physical harm or injury
- Failure to provide basic care
- Abandonment by the caregiver
- Verbal/emotional abuse
- Financial exploitation
- Unwanted sexual contact
- Involuntary seclusion
- Wrongful restraint
- Self-neglect

<http://www.oregon.gov/DHS/SENIORS-DISABILITIES/ADULT-ABUSE/Pages/index.aspx>

Oklahoma has Mandatory Reporting Requirements Regarding Elderly/Disabled

(Source: <https://rainn.org/public-policy/legal-resources/oklahoma/mandatory-reporting-elderly>)

Appendix 4: Clergy Financial Responsibility

The document “My Ministerial Code of Ethics” calls on Disciple clergy to be good managers of personal finances and to administer congregational and/or organizational finances with integrity. SEE APPENDIX 8 BELOW.

Financial Mismanagement Defined

Mismanagement of funds refers to instances where a person fails to observe laws or guidelines when handling finances for another person or organization. Most mismanagement involves some form of negligence or neglect on the account of the liable party. (<http://www.legalmatch.com/law-library/article/mismanagement-of-funds.html>)

There are numerous examples of financial mismanagement. The Robert Carr Fund for Civil Society Networks offers a Policy on Corruption, Fraud and Mismanagement of Funds. (SEE THE REFERENCE BELOW) IN SUMMARY THERE IS CORRUPTION WHICH INVOLVES MISUSE OF ENTRUSTED POWER FOR PRIVATE GAIN AND MISMANAGEMENT THAT INVOLVES FAILURE TO PROVIDE INTERNAL CONTROL OF POLICIES AND PROCEDURES.

(<http://www.robertcarrfund.org/wp-content/uploads/2015/06/20150622-RCNF-Concept-Corruption-fraud-and-mismanagement-policy-definitions-principles-V1.pdf?60f776>)

Appendix 5: **Guidelines for Inter-Regional Cooperation on Matters of Fitness for Ministry**

In the Christian Church (Disciples of Christ) the authority to grant and remove ministerial standing rests with the Region or General Commission on Ministry that certifies the minister's standing. While other Regions and ecclesiastical bodies may have interest and influence, the final authority to remove standing rests solely with the body where standing is certified.

However, at times, more than one Region of the Christian Church (Disciples of Christ), United Church of Christ Association, or other ecclesiastical body of another denomination may have an interest in or concern about the ministerial standing of a particular person. It is recommended that when more than one Region or ecclesiastical body is involved, the Region certifying the standing invite the other Region or ecclesiastical body to cooperate in appropriate ways. Such cooperation is often sought when a student in one Region is attending seminary located within a different Region. The authorizing Region may request the Region where the seminary is located to include the person in Regional events, offer support, and take under courtesy care.

Cooperation is essential when a minister whose fitness is questioned currently has ministerial standing in a Region other than the Region where the misconduct or situation in question occurred. The Region certifying the ministerial standing may ask the Region where the situation in question occurred to gather information on its behalf and/or provide pastoral support for the person raising the question of fitness. Only the Region certifying ministerial standing can make decisions regarding the minister whose fitness is in question. This Region is also responsible for providing pastoral care of the accused. Similar types of cooperation also may occur between a Christian Church (Disciples of Christ) Region and a United Church of Christ Association when a situation involves a person with ordained ministerial partner standing.

In all cases where Regions work together, all need to be aware of the policies operating in each. Before initiating a review of standing, it is helpful if the Regions reach an agreement on the way to proceed and clarify roles and procedures to be followed.

GCOM 8/02

APPENDIX 6

LOSS OF STANDING AND THE SEARCH AND CALL PROCESS.

CHRISTIAN CHURCH IN OKLAHOMA

In accordance with the *Theological Foundations and Policies and Criteria for the Order of Ministry*, the investigation and adjudication of violations of the Ministerial Code of Ethics are the responsibility of the Region through the Commission on Clergy. The Commission on Clergy receives complaints of clergy misconduct and determines the disposition of those complaints. Often the Commission takes action with the recommendation of a hearing panel that has been assigned to determine the facts of the complaint.

In determining disposition, it is important to remember that the Commission's responsibility and authority pertains to the minister's standing. The Commission has no authority in matters of the minister's relationship to his/her congregation, and so the determination of the hearing panel and ultimately of the Commission is limited to the question of standing.

The actions of the Commission regarding a minister's standing affect that minister's access to search and call. The search and call system has safeguards that keep all regions informed as ministers within the system move about from region to region. Each ministerial profile contains a Disclosure and Release Form. On that form the minister must disclose any disciplinary reviews for ministerial misconduct that may have resulted in censure, suspension of standing, or termination of standing. The minister also must disclose whether any official disciplinary proceedings are currently pending. A detailed explanation is required for any and all affirmative answers.

In the event of any termination of standing, regardless of whether that termination is the result of suspension, removal for cause, or voluntary surrender, reinstatement of standing can only be granted in the region where standing was terminated. Once the Commission on Clergy of the Oklahoma Region has terminated a minister's standing, the minister must return to the Oklahoma Region's Commission on Clergy for reinstatement.

The Office of Vocation at Disciples Home Missions is notified in the event that a minister's standing is terminated. That termination is shared in a confidential letter to all regions, but the specifics of the termination are not disclosed.

A minister without standing cannot access search and call and cannot circulate a profile in the system. Removing a minister's standing removes that minister from search and call. In other words, a minister working within the system cannot seek or receive a call to another congregation if that minister does not have standing. If a minister has an active profile circulating at the time that the Office of Vocation is notified of termination of standing, the Office of Vocation pulls that minister's profile from circulation.

OCTOBER 21, 2014

After a minister's standing is reinstated that minister can once again circulate a profile in the search and call system; however, the prior removal of standing must be reported on the Disclosure and Release.

In the case of censure, the minister can access search and call and circulate a profile, provided the censure is disclosed. If the minister has an active profile when censure is imposed, that profile will be pulled from circulation until the minister updates the disclosure.

In the case of retired ministers, termination of standing means that the minister can no longer claim a portion of pension income as a housing allowance. Termination of standing will also affect a minister's certification as a military or institutional chaplain.

Reinstatement of a minister's standing is at the discretion of the Commission on Clergy upon the recommendation of the regional minister.

OCTOBER 21, 2014

**RULES AND PROCEDURES FOR
FORMAL HEARINGS ON CLERGY MISCONDUCT CHARGES
OKLAHOMA COMMISSION ON CLERGY**

The Formal Hearing Process. A formal fact-finding hearing is an ecclesiastical meeting, not a trial or court proceeding. The goal is to find the truth of what happened through a fair, timely, and effective process that respects and preserves the rights of all concerned: the accused minister, the Region, the complainant, and any witnesses. Hearing Board members are neutral decision makers (clergy and laity from the Commission on Clergy) who should have no prior involvement in the case (other than as a member of the Commission), and who must be able to render a fair recommendation; they may be challenged and removed if found to be biased. The accused minister and the complainant each are given an opportunity to speak on his or her own behalf, except in unusual circumstances. They may each be accompanied by an advisor. Attorneys may not represent parties AT (before) the Hearing Board.

Hearing Procedures. Formal rules of evidence do not apply. It is expected that all parties will conduct themselves in a respectful and compassionate manner at the hearing. Hearings are closed except to the hearing Board, the accused minister, the complainant, one or more members of the Response Team and the witnesses (who are present only during the time they testify, unless they request and receive permission from the Hearing Board to remain in the room after their testimony). Others may attend the hearing only with the approval of the Hearing Board or the Commission on Clergy. The accused minister may be present at the hearing or absent. Both the Complainant and the accused minister may provide evidence and question witnesses. The Response Team may also present evidence and its findings to the Hearing Board. Hearing Board members and members of the Response Team may also question witnesses. If they testify, parties and witnesses can be questioned and must tell the truth. The accused minister may remain silent without inference of culpability.

After the hearing ends, a written report and recommendation to the full Commission on Clergy is prepared containing findings of fact (what happened, and was it more likely than not that the minister committed misconduct as accused). Any findings of fact must be based only upon material and testimony received at the hearing, including the report of the Response Team. If the Hearing Board finds the minister in violation, the Hearing Board may recommend to the Commission appropriate sanctions in accordance with the Region's CLERGY Misconduct Policy. In determining a sanction, the panel may consider the minister's complete disciplinary file, as well as testimony from the minister and other witnesses. The written report is submitted to the Commission on Clergy, and the minister is then notified in writing of the official decision.

Incorporation of Policy and Procedures. These Rules and Procedures are to be read in conjunction with the Oklahoma Commission on Clergy Policy and Procedures for Responding to Clergy Misconduct. Any conflict between these Rules and that Policy shall be resolved in favor of the Policy.

Adapted 10/23/06

W:\Commissions\Clergy\Sexual Misconduct Rules.doc

MY MINISTERIAL CODE OF ETHICS

Foreword

In 1944 a ministerial Code Of Ethics was published by the Division of Homeland Ministries for the Christian Church (Disciples of Christ). That Code was developed over a period of several years through the efforts of a widely diverse church-wide committee. It was reviewed and refined as dozens of ministers' associations and fellowships and hundreds of individuals responded to the committee's request for evaluation of the document.

A General church committee has periodically reviewed the Code Of Ethics. Occasionally, editorial changes have been made. The General Commission on Ministry and its predecessor, the General Board Task Force on Ministry, have worked over the past several years with Homeland Ministries, now Disciples Home Missions, to update the Code Of Ethics. Proposed changes have been reviewed by regional commissions on ministry as well as by many individuals. Most recently, the contents of this document were revised and adopted in 2009 by General Assembly resolution #0922 and can be found in Section II., I, of Theological Foundations and Policies and Criteria for the Ordering of Ministry of the Christian Church (Disciples of Christ). This version became official on August 1, 2011.

The revised Code Of Ethics maintains much of the language of the original; the principles that guide ministry remain the same from generation to generation. This Ministerial Code Of Ethics has withstood the test of time and is commended to be read and followed by all ministers as a high code of professional conduct.

Ministerial Code Of Ethics

Believing that Jesus is the Christ, Son of the living God and proclaiming him Lord and Savior of the world, I reaffirm my vows as a minister. Through dedication and discipline I will lead and serve with integrity. Relying on the grace of God, I commit myself to the following:

Personal Conduct

- Witnessing to the ministry of Jesus Christ
- Dedicating time, strength, vitality and energy for effective ministry
- Growing in faith, knowledge, and the practice of ministry through the spiritual disciplines, study, continuing education and service
- Living a life that honors my commitments to my family, including the need for privacy and time together
- Taking time for physical and spiritual renewal, recreation and vacation
- Being a faithful steward of God's gifts to me by managing time, talents and financial resources responsibly and generously

- Accepting responsibility for all debts which I incur
- Keeping physically and emotionally fit, and refraining from substance abuse and other abusive behaviors
- Using my position, power and authority in non-exploitive ways
- Maintaining high moral standards in my sexual behavior
- Regarding all persons with equal respect and concern, and undertaking to minister impartially
- Employing social media with integrity and grace within the context of personal, congregational, collegial, wider church and community relationships.

Relationships To The Church I Serve

- Nurturing and offering my gifts for ministry to the church
- Calling forth and nurturing the gifts of others in the church, and joining their gifts with mine for the sake of the mission of Jesus Christ and the health of the church.
- Preaching and teaching the gospel without fear or favor, and speaking the truth in love
- Administering the sacraments, ordinances and services of the Church with integrity and not for financial gain
- Working cooperatively and collegially with those whom I serve in the particular ministry to which I have been called
- Administering the corporate finances of the church with personal integrity
- Refraining from accepting any gift which would compromise the church's ministry
- Protecting confidences; covenanting to only tell those who need to know, what they need to know, when they need to know it
- Acting to prevent and to report known or suspected cases of physical or sexual abuse or neglect
- Encouraging and participating in the regular evaluation of my ministry and cooperating with the Region in an annual review of my ministerial Standing
- Seeking the counsel of the Regional Minister should divisive tensions threaten my relationship with those I serve

Relationships To Ministry Colleagues

- Engaging in covenantal relationships with colleagues which involve nurture, discipline, family support, vigorous dialogue, mutual teaching/learning and spiritual formation
- Supporting colleagues in ministry and their families while not exploiting their problems or crises
- Performing pastoral services within another congregation or for a member of another congregation only at the request of that congregation's elders and current pastor.
- Supporting and at no time speaking maliciously of the ministry of my predecessors or another minister
- Encouraging the ministry of my successor upon my retirement or other departure from a ministry position, without interfering or intruding, and by making it clear to former parishioners that I am no longer their pastor, nor will I perform any pastoral services unless requested by the congregation's elders and current pastor

Relationships To The Community and The Wider Church

- Participating responsibly in the life and work of my community, bearing prophetic witness to the Gospel of Jesus Christ, and working toward a just and morally responsible society
- Participating faithfully in the life and work of all expressions of the Christian Church (Disciples of Christ)
- Seeking to know, understand and respect the diversity of opinions and people within the Christian Church (Disciples of Christ)
- Being a responsible representative of the one Church of Jesus Christ and participating in activities that strengthen its ministry, witness and mission