

To Drew

# **UUSB Disruptive Behavior and Internal Conflict Resolution Policy**

**May 2012**

**This policy combines and replaces the existing *UUSB Internal Conflict Resolution Policy* and *Disruptive Behavior Policy* that were adopted July 2002 and reviewed March 2008.**

**Adopted by UUSB Council and endorsed by UUSB Congregation  
May 20, 2012**

## **Assumptions About the UUSB Community:**

- 1. We accept controversy in our community as inevitable and healthy.** We are guided by the principle that properly managed controversy among people in right relations with one another can be a positive force for creativity, growth and enrichment. Our task is to find appropriate ways to express and resolve our conflicts. So that conflicts, when they arise, are addressed with respect, compassion and honesty, we aim to:
  - Allow the necessary time to identify and discuss differences before making decisions
  - Listen to competing ideas with respect, tolerance and honest consideration
  
- 2. We direct controversial communications through appropriate channels** when they are related to UUSB Church. To maintain Respectful Relations even in contentious settings, we covenant to:
  - Attempt to resolve interpersonal disputes or grievances directly and privately when feasible
  - Attempt to resolve non-personal controversies, e.g., on policies, programs or finances, through the relevant committee or established lines of communication
  - Follow established procedures for resolving personal conflict, and to abide by the outcomes of that process
  
- 3. We strive to focus on issues and behaviors, not on people and personalities.** To avoid personalizing communications about issues, we covenant to:
  - Address the issues and points under review in our discussions and deliberations, avoiding assignment of blame
  - Use "I" statements to set a tone of presenting and sharing from our personal perspective, rather than attacking, criticizing, or projecting one's perspective on others
  - Consider the message on its merits, remembering that the message is about the matter at hand, not about the sender or receiver
  
- 4. We work to maintain a safe and secure church environment,** which allows openness to a wide variety of individuals. In order to promote an environment of right relations in the presence of disruptive behavior, we covenant:
  - To confront interference or disruption at church functions with firmness and compassion;
  - To refer disruptive behavior that interferes with a church-related activity or event to appropriate authorities immediately.
  - To respond to disruptive or unacceptable behavior by speaking up and making boundaries clear, and by suggesting respectful alternatives;
  - To enlist whatever support or assistance may be required to bring behaviors into compliance with constructive social intercourse;
  - To hold to the highest priority to protect those who cannot protect themselves.

We promise to address issues that arise in our relationships with kindness, forgiveness and commitment to the common good. When issues are problems that can be solved, we will work actively to resolve them. When issues have no single, permanent solution, we will manage them in an effort to achieve balance and harmony. Our aim will always be to maintain our supportive and loving fellowship as the goal of Respectful Relations.

## **Covenant of Respectful Relations:**

Our spiritual health and growth require our best efforts to maintain respectful relationships with each other, especially when we encounter conflicts among our members or with our minister or staff.

As a member of the Unitarian Universalist Society of Bangor, to the best of my ability, I covenant to :

- Treat others in our community with the same love and respect that I would like to receive
- Listen to others with attention and empathy, recognizing that it is as important to understand as to be understood
- Speak honestly and directly, with care and compassion
- Honor the right of others to form and hold differing opinions
- Within the boundaries of my safety, speak directly with anyone with whom I have a concern
- Focus on the present and the future, rather than on the past
- Participate respectfully in all church meetings and activities; if I am disrespectful or disruptive I may be asked to withdraw
- Respect myself and voice concerns if I have fears for my own or others well being or safety
- Keep an open mind and remain engaged in the process of seeking resolution when conflict occurs by using UUSB's Disruptive Behavior and Internal Conflict Resolution Policy

## **Conflict Resolution Team (CRT):**

The CRT will be a standing committee of at least three members appointed by the Minister, Council, and Committee on Ministry. Members will be selected for their mediation skills and knowledge of various aspects of church functioning. Members serve on an "as needed" basis.

CRT members will receive training that is paid for from an expense line identified in the annual budget. Members will excuse themselves from any conflict for which they have an inherent bias based on the individuals or the topics involved. Additional members may be recruited, if necessary.

A single CRT member, the entire CRT, or any combination thereof, can be employed in seeking conflict resolution. The CRT will report to the Council on the nature and outcomes of all conflicts for which they are called into service. The CRT will determine a record-keeping format that provides an abstract of events while allowing for privacy considerations.

The CRT is empowered to make recommendations, develop behavior contracts, and assign judgments. They are not limited to achieving compromises; when they believe that a situation exists where behaviors are harmful to the church or to individuals, or not expressive of our collective values, they can recommend:

- a. Counseling
- b. Limits to participation in church life
- c. Other behavior changing strategies

Should one or both parties refuse to participate in the conflict resolution process, the behavior remains unchanged, or the CRT believes the behavior is a threat to the church or individuals, the matter will be referred to the Council for consideration.

## Severity of the Disruptive Behavior or Conflict will be Considered in

### Determining a Course of Action:

- Some situations will require immediate action by church leaders
- **Repeated disruptive behavior or ongoing, unresolved conflict** can result in an increase in the perceived severity of the situation
- **Complaints of physical and sexual abuse** require UUSB personnel to report according to Chapter 1071: Child And Family Services And Child Protection Act:
  - Subchapter 2: Reporting of Abuse or Neglect **Maine Mandated Reporting:**
  - (21) Child care personnel;
  - (23) A clergy member acquiring the information as a result of clerical professional work except for information received during confidential communications;
  - C. Any person affiliated with a church or religious institution who serves in an administrative capacity or has otherwise assumed a position of trust or responsibility to the members of that church or religious institution, while acting in that capacity, regardless of whether the person receives compensation.
- **Illegal activity**, including but not limited to: theft, drug use, unauthorized access, misuse of church property, and fiscal malfeasance; these activities will be referred to local authorities
- **Behavior that threatens physical safety of the church or its community**
- **Activities that result in emotional or spiritual distress for congregants**
- **Disruptive behavior that interrupts community services or activities, including meetings**

### Dealing with Disruptive Behavior or Conflict that Requires Immediate Action:

There will arise times when immediate action is required to deal with disruptive behavior or resolve conflict. The Minister, Council member, CRT member, or Church employee will respond according to their best judgment. If none of these individuals is present, any church member may exercise their best judgment as long as such action does not violate Maine State or Federal law.

#### Steps in taking immediate action:

- Whenever possible, those present will address disruptive behavior or conflict immediately; the person or persons involved will be asked to participate respectfully
- If the behavior or conflict continues, the individual will be asked to leave the premises; the request for withdrawal may be made by the Chair of the meeting, a member of Council or CRT, or the Minister
- If the person does not leave on their own, they will be escorted from the building
- If the person refuses to be escorted from the building, the police will be called
- If they are not present, the Minister or Committee on Ministry should be informed of the situation as soon as possible

If such action is undertaken when the Minister and Chair of Council are not present, they must be notified as soon as possible. The Minister and Council will determine what further action should be taken.

### Dealing with Disruptive Behavior or Resolving Conflict Using an Informal Process:

It is preferred that parties use the Covenant of Respectful Relations in an informal process to deal with disruptive behavior or resolve conflict. This informal process should be used **up to the point** where people

*feel that their health and mental well being are being jeopardized. Each of us has a responsibility to foster*

to foster

a community of Respectful Relations. We each hold responsibility to care for ourselves, our fellow community members, and our church community.

**Steps in the disruptive behavior or conflict resolution informal process are:**

1. Talk directly with the person who is being disruptive or with whom you have the conflict. As you talk, consider:
  - a. Your role in the situation. Why is this matter important to you? Do some soul searching. Don't do anything with anonymity. Write down your thoughts to help you gain clarity.
  - b. Own your issue; anonymous complaints are not acceptable.
  - c. Get a reality check from a trusted third party. Compare your perceptions. Did they see it or hear it in the same way? Based on your telling of events and your feelings about it, would they feel the same way?
  - d. Agree on a mutually acceptable time and place to talk in private and as soon as possible after the conflict arose.
  - e. Use "I" statements such as "I feel..." rather than "You did..."; use active listening.
2. Any party in the situation may ask an intermediary or advocate to help them because of the nature of the disruption or conflict, or concerns about safety; this does not negate the need to talk directly to the person.
  - a. Intermediaries or advocates could be the minister, a member of the Committee on Ministry, a member of Council, or a church member.
  - b. Recognize that an imbalance of power among parties may exist and needs to be addressed.
3. Any party in the situation may incorporate a mediator or facilitator to help address the disruption or conflict to support good communication or address safety issues.
  - a. Mediators or facilitators could be the Minister, a member of the Committee on Ministry, a member of the Council, or another person skilled in mediation or facilitation.
  - b. Should none of these be suitable, because of a conflict of interest among the parties, an outside mediator or facilitator may be available with the approval of the Minister, the Executive Committee or Council.
4. Failure of this informal process to resolve the conflict may result in a formal process, especially if the disruptive behavior or conflict affects the entire congregation.

NOTE: If the conflict is about how a person is performing a job, whether paid staff or a volunteer, address the concern with their supervisor so that individuals are not being "supervised" from all sides.

We recognize that there are circumstances when disruptive behavior or conflict cannot be resolved using this informal process and it will become a church responsibility to help resolve the conflict through the formal process.

**Dealing with Conflict Using a Formal Process:**

The formal process will be invoked if one or more of these situations exist:

1. There is a real or perceived threat
2. Use of the informal process has failed
3. A written complaint is received
4. The situation affects the congregation, church leadership, committee operation, or church function

Written complaints must be delivered to at least one of:

1. Minister

2. Committee on Ministry
3. Executive Committee

Conflict of Interest:

If a complaint involves all or a majority of Council, CRT, Committee on Ministry, and the Minister, then outside mediation will be sought.

**Steps in the conflict resolution formal process are:**

1. Minister or Council contacts the Conflict Resolution Team (CRT)
2. CRT conducts a fact finding process, typically within 30 days, that includes:
  - a. Contacting the person against whom a complaint has been filed and informing them of the issues
  - b. Contacting people involved in the issue to determine additional facts or relevant information
  - c. Making assessment to determine:
    - i. There aren't sufficient facts or cause to proceed; notify the complainant
    - ii. Sufficient facts are found; work in conjunction with the parties to resolve according to this policy
    - iii. Report resolution or non-resolution to Council in writing; entered outcome into the church records
3. If CRT is unable to resolve the issue within 30 days:
  - a. CRT can request an extension, not to exceed an additional 30 days
  - b. If an extension is not requested or granted, the issue will return to Council
  - c. Council will review the situation and fact finding; determine whether or not to take further action
  - d. If further action is needed, Council or the Minister will refer the issue to outside mediation
4. If the CRT concludes that there should be further action:
  - a. CRT submits their recommendations to Council
  - b. Council takes action as they deem appropriate, including but not limited to these options:
    - i. Endorse and implement the committee's recommendations
    - ii. Solicit assistance from the UUA
    - iii. Set its own recommendations and require the recommended behavior
    - iv. Take action to exclude a person from attending for a period of time based on a refusal to honor our church covenant
    - v. By a two-thirds majority, can exclude a person from the church and its premises and remove their name from church membership
    - vi. Specify conditions for returning as a welcomed member of our community and set criteria for evaluation of compliance; assent by a two-thirds majority of Council will be required for return to the community
    - vii. Call a congregational meeting to address the conflict with the collective compassion and shared wisdom of the entire body

We hope that most conflicts can and will be resolved by effort on the part of individuals to live our covenant and Principles and approach the individual with whom they are having a conflict directly. We anticipate that these later steps will be necessary only when behaviors are seen to be dangerous (threatening to people or property), disruptive (interfering with essential church functions), or image tarnishing (driving people away). We further anticipate that all who participate in the process will use the Unitarian Universalist Principles and Purposes to inform their own actions and will treat everyone with compassion and dignity. Finally, when no resolution is possible, concern for the well-being, openness, safety, and stability of the congregation as a whole will be given priority over the feelings or actions of any individual

## Dealing with Disruptive Behavior Using a Formal Process:

Instances of disruptive behavior will be addressed as they arise. There will be no attempt to define "acceptable" behavior in advance. Each situation will be evaluated on its own merits.

### Steps in the disruptive behavior formal process are:

1. The CRT and Council will gather as much relevant information as available before acting
2. At least two members of the CRT or Council will jointly contact the person whose behavior is in question to get his or her point of view about the situation
3. Evaluation of the situation will consider:
  - a. **Possible danger** – Is the individual's behavior the source of real or perceived threat to persons or property?
  - b. **Disruptiveness** – To what degree does the behavior in question interfere with church functions, activities, or mission?
  - c. **Offensiveness** – How likely is it that the behavior in question is offensive to current or prospective members and friends? Is there likelihood that current or prospective members and friends will be driven away?
4. In determining the response to the behavior in question, the committee will consider factors giving rise to the situation, such as the person's history within the church and other local community institutions, and how likely it is that the person in question can alter the problematic behavior to avoid future situations that might imperil the sense of safety in the church community
5. The CRT will inform the Minister, Council, and the Committee on Ministry of its recommendations **before** acting. Any of these levels of response can be recommended:
  - a. **Level One** – The CRT decide that no action is warranted
  - b. **Level Two** – The Minister and a CRT member meet with the offending individual to communicate the concerns and present a contract stating clearly defined parameters of behavior to be signed by the individual. If such a contract can not be agreed upon, Level Four may be enacted immediately.
  - c. **Level Three** – The offending individual will be excluded from the church or specific church activities for a designated period of time. The reasons for exclusion and the conditions of return will be made clear in a letter to the individual and given to the individual by the Minister and one member of CRT.
  - d. **Level Four** – Council must vote to enact this level of response. The offending individual will be excluded from the church premises and all church activities permanently. Council Chair will send a letter, return receipt requested, to the individual explaining the expulsion and providing a contact person if the individual wants to address possible recourse.
6. Action taken by the CRT in Levels Two and Three may be appealed by the individual to the Church Council. There is no appeal of Level Four within this policy.

## **Preamble:**

In agreement with the UUA principles, we promote the free and responsible search for truth and meaning. We encourage the use of the democratic process, both within and outside of our church. The Unitarian Universalist Society of Bangor (UUSB) encourages the open exchange of opinions among all individuals. At the same time, we do our best to provide a safe environment where openness can exist. Real or perceived threats to the physical, emotional, or spiritual well-being of members and friends must be addressed firmly and promptly. We must have the freedom to express our beliefs in safety

## **Definitions:**

**Disruptive behavior** is any action that creates concern for the physical or emotional safety of children or adults. Disruptive behavior includes actions that disturb church activities or weaken UUSB's ability to serve current and future members. Disruptive behavior can happen within the church buildings, on the church grounds, or at church-sponsored events at other locations.

**Respectful Behavior** aligns with our ethical, moral and spiritual traditions. We value and respect each other. UUSB members and friends will work comprehensively and collaboratively to support sensitive and ;respectful caring and consideration of all.

## **Confidentiality versus Anonymity**

- *Anonymous complaints* that are not attributed to person or group will not be accepted
- *Confidentiality* refers to not disclosing the complainant's name except to those assigned to resolving the complaint, such as Council, CRT, Committee on Ministry, and the Minister
- Confidentiality will be respected based on emotional and safety concerns for the complainant if those handling the complaint deems it appropriate
- Confidentiality will be honored during the fact-finding period, as needed; following such a period the complainant's confidentiality will be honored, the complainant can withdraw the complaint, or the identity of the complainant will no longer be kept in confidence