



## **I. Introduction**

We preface this policy by reaffirming our belief that we all should adhere to the Principles and Purposes of Unitarian Universalism. Regardless of our role in the church, each of us is expected to strive to be our best selves within the church community, respecting each person and choosing behaviors that are in alignment with our church's Covenant of Right Relations. Ways we show we are in covenant include:

- Speaking kindly and honestly
- Respecting confidentiality
- Letting others have their say
- Allowing for human fallibility
- Taking responsibility for our actions
- Respecting the boundaries of others
- Expressing sincere appreciation
- Dealing directly with each other
- Creative problem-solving
- Refraining from gossip
- Active listening and clarifying
- Direct communication (avoiding “triangulation”)

While openness to diversity is one of the prime values of our denomination, we also affirm the belief that the church has a responsibility to provide a safe and welcoming environment for everyone. This Disruptive Behavior Policy (DBP) reflects our commitment to that responsibility.

**The DBP has two main purposes:**

- 1. To establish formal behavioral guidelines designed to create a safe space within the congregation, encourage right and just relations among members, and help create an atmosphere that is reasonably secure and yet open, welcoming to all.**
- 2. To provide general guidelines and a process by which individuals can resolve differences and come back into Covenant.**

This policy shall guide the church in actively addressing situations in which an individual’s behavior may threaten the emotional and/or physical security of our members, friends and congregation.

## **II. Definition**

We define disruptive behavior as:

**Any behavior that threatens someone’s personal safety, well-being or freedom, and/or has a significantly negative impact on the church’s members, friends, visitors, activities and functions.**

We acknowledge that, by necessity, this description will be subject to interpretation.



### **III. The Right Relations Council**

To address concerns regarding disruptive behavior, the church shall create a Right Relations Council (RRC). Details:

1. The RRC is made up of three highly respected and mature members of the congregation. These individuals will need to have good facilitation skills and at least one of the three members must be comfortable speaking in public.
2. Candidates for the RRC are compiled by the Nominating Committee, with input from the minister and COSM.
3. They cannot be members of the Board of Directors (Board) or serve on the Committee on Shared Ministry (COSM).
4. They are named to the council by the Nominating Committee, and affirmed by the Board; no congregational vote is required.
5. They shall serve two-year terms, and, with the approval of the Board, have the option to serve additional terms.
6. While it is entirely possible that the RRC will never have to handle a complaint, members are encouraged to independently pursue information on facilitation, healthy communication, conflict resolution and other relevant topics.
7. In the event that the complaint involves one or more members of the RRC, those individuals shall recuse themselves, and the Nominating Committee shall select temporary substitutes.
8. In unusual circumstances, the Board President may assign the COSM to handle the investigation.

### **IV. General Guidelines**

1. It is a serious matter to file a formal complaint against a fellow member, and doing so should never be taken lightly. **Before resorting to use of this policy, the individuals involved in the disagreement should be encouraged, when practical, to attempt to resolve their differences by speaking respectfully and directly with each other.**
2. In investigating a complaint, every benefit of the doubt shall be given to the accused, and the accused individual shall be treated with respect and given a full and fair opportunity to explain his or her actions.
3. We respect the right of the individuals involved to have as much privacy as possible. At the same time, we acknowledge the importance of creating a historical record. Thus, while the process should be carefully documented and filed, this documentation should be kept

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confidential. Only the Board president, in coordination with the minister and chair of the RRC, will determine who can have access to the documents in the future.

4. We recognize that UUs have a long history of social activism. Accordingly, if an individual is accused of disruptive behavior, any acts of conscience or civil disobedience which may have resulted in criminal charges or convictions should not necessarily be held against that person.
5. In the event the complaint does not involve the minister, the RRC must notify the Board President and minister within 48 hours.
6. In the event the complaint involves the minister, the RRC must notify only the Board President within 24 hours. The President shall then take appropriate action to involve resources outside of the church, which may include the UUA, the Southern Region, and/or other UU churches.
7. While there may be some exceptions, a Disruptive Behavior complaint should be submitted by the individual directly impacted, and not by a third party.
8. If multiple people have submitted concerns about an individual or individuals, the RRC may decide to “bundle” the complaints and address them as one.
9. Apart from complaints involving the minister, we have provided a number of deadlines for actions to be completed. Every effort should be made to adhere to these deadlines, while acknowledging that circumstances must allow for some flexibility.
10. When the investigation is fully concluded, the RRC may choose to send an email to each witness, thanking the person and confirming that matter has been addressed. The witness should also be reminded to please keep all aspects of the investigation confidential.  
**Note:** In the event the investigation or issue continues for an unusually long time, the RRC may choose to send the email before the matter is fully concluded.
11. In all cases during the process, a decision by the RRC must be approved by majority vote of the Council members.
12. If the individual accused should refuse to participate in any part of the resolution process, this may be considered grounds for expulsion.
13. In some cases, it may be appropriate to have security present for a meeting.
14. In most cases, the DB process should be kept confidential. However, in extenuating circumstances, the Board may choose to send a communication to the membership, informing them that a DB action is in progress or has been concluded. Information about the individuals or the nature of the complaint do not need to be included.
15. We acknowledge that no policy can cover every possible scenario. In the event the RRC is not sure how best to handle a situation, or an issue is not clearly addressed in the policy,

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the Board shall be empowered to determine the best course of action and advise the RRC accordingly. Similarly, the RRC may draw upon other resources that may be useful in helping them address a situation.

## **V. Suspicion of Child Abuse**

The church will follow all applicable state laws and reporting procedures for an allegation of child abuse, be it verbal, physical, or sexual.

## **VI. Disruptive Behavior Requiring an Immediate Response**

When a person's disruptive behavior requires an immediate response, those present will have to use their discretion: Depending upon the circumstances, the minister, a member of the Board, the leader of the meeting, or another congregation member may need to lead the response.

1. The response may include asking the offending person or persons to leave, or suspending the meeting or activity until it can safely be resumed.
2. If further assistance is required, the police may be called.
3. Anytime such actions were required with the minister not present, the minister and the president of the Board should be notified as soon as is practicable.

## **VII. Behavior That Is Inappropriate But Not Disruptive**

1. The RRC's investigation may result in the conclusion that while an individual has demonstrated unhealthy behavior, the behavior does not rise to the level requiring corrective action. In this case:
  2. The RRC will report this conclusion to both parties.
  3. The RRC also may choose to send the accused individual an email, calling attention to positive behaviors outlined in the Covenant of Right Relations and this document.
  4. The RRC and/or the accused individual may request a meeting to discuss positive behaviors. Note that this conversation will have to be handled thoughtfully, in order to avoid revealing the identity of the complainant or creating new antagonism.

## **VIII. Disruptive Behavior Process: First Level**

### **A) Initial Steps**

1. Any allegations of disruptive behavior should be directed to the attention of the RRC. As noted, the RRC will approach the complaint with the mindset that the individual is "innocent until proven guilty."

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2. In assessing the seriousness of the complaint, the RRC may want to consider the **Assessment Guidelines**, provided at the end of this policy.
3. The RRC will notify the individual concerned that a disruptive behavior complaint has been lodged and is being investigated. The Council should emphasize to the individual that they have no presumption of guilt, and further request that the individual refrain from discussing the matter with others at this time.
4. If the individual is notified in person, a follow-up email or letter should be sent, confirming the conversation and the investigation.
5. Members of the RRC will thoroughly investigate the allegations. The Council is not required to interview the accused individual at this time.
6. The RRC shall make every attempt to respect confidentiality, and encourage those they speak with to also maintain confidentiality.
7. The investigation shall be completed within 10 days of notification.
8. Once the investigation is complete, the RRC will convene promptly, either in person or otherwise, to share their findings and make a decision on the next course of action.

**B) If the concern of disruptive behavior is found to be without merit:**

1. Within 48 hours of the completed investigation, the RRC will inform the accused individual(s) that the allegations were found to be without merit.
2. The RRC will then inform the individual who made the allegations of their findings and report that no action will be taken.
3. If the complainant disagrees with the RRC's decision, he or she has 15 days to submit a letter to the Board, asking to meet with them in order to appeal the decision. The Board's process for handling this appeal is addressed in Section D, Second Level.
4. The RRC shall offer to facilitate a conversation between the individual lodging the complaint and the accused individual; **the purpose of this meeting should be to help the parties involved amicably resolve their differences and move forward.**
5. The RRC will then submit a brief report to the Board, reporting on the individuals involved, the allegations, their conclusions and the outcome of the meeting (if one was held). This report shall be completed within 14 days; a copy also will be submitted to the minister, but it will not be made available to the congregation.

**C) If the concern of disruptive behavior is confirmed:**

1. The RRC will inform the accused individual of the allegation, and request an in-person meeting with him or her to discuss it. If the notification is verbal, it should be followed



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with a letter or email to document the notice. The meeting should take place within 14 days of the concluded investigation.

2. The RRC also will notify the accuser that the allegations have been found to have merit and that the Council will be meeting privately with the accused individual.
3. At least two members of the RRC will meet together with the accused individual. This person is allowed to bring one person along to provide support and serve as an observer. If the individual wishes, the observer also may provide a written statement.
4. The RRC will review the church's covenant and how the individual's behavior may have violated that covenant. They also will clearly explain the expected change in behavior, e.g., "Refrain from making racist remarks."
5. The RRC also shall offer to facilitate a conversation between the individual lodging the complaint and those accused; again, the purpose of this meeting should be to help the parties involved amicably resolve their differences and move forward.
6. As before, the RRC will submit a report to the Board and the minister, reporting on the individuals involved, the allegation, their actions and the outcome of the meeting (if one was held). This report shall be completed within 14 days.

## **IX. Disruptive Behavior Process: Second Level**

### **A) Initial Steps**

1. If the disruptive behavior continues or a suitable resolution is not found in Level One, this shall again be brought to the attention of the RRC. The RRC will follow the steps in the First Level, notifying the individuals, investigating in a timely manner, and reporting either that the allegations are without merit or determining that further action is needed.
2. If the RRC determines that further action is needed, they shall submit a report to the Board indicating as much and recommending suspension. The report should include:
  - The specific terms of the suspension, e.g., "cannot attend Forum" or "prohibited from all congregational activities and social media."
  - A recommended duration of the suspension, which shall not exceed six weeks, or 42 days.
  - A draft of a covenant the individual(s) needs to sign before the suspension is lifted.
3. At the next regularly scheduled Board meeting, the Board shall gather in executive session to discuss the report and covenant draft. At this time, the Board has the

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authority, by majority vote of those present, to revise the recommended terms of the suspension.

4. The Board shall vote by secret ballot on whether or not to suspend the individual.

**B) If the Board rejects the recommendation:**

1. They shall provide a written explanation to the RRC and the minister within seven days.
2. Separately, the RRC will then notify the accused individual and the complainant of the Board's decision.
3. The accused individual is then permitted to return to all congregational activities.
4. If the complainant disagrees with the Board's decision, he or she has 15 days to submit a letter to the Board, asking to meet with them in order to appeal the decision.

**C) If the Board accepts the recommendation:**

1. The Board shall draft a letter. The letter should inform the individual(s) of the perceived behavior, its perceived impact on the church, the terms of the suspension and terms of the covenant. It also should explain how the individual may appeal the decision. The letter should be delivered in person or, if necessary, delivered by certified mail, within 14 days of the decision.
2. Note that the letter also may discuss prohibiting use of church resources, including social media, the membership directory and email addresses and the return of keys or other church property.
3. Copies of this letter will be given to the minister, the RRC and kept in the Board records.
4. The Board minutes shall note a member has been suspended for violating the disruptive behavior policy and the duration of the suspension. The minutes will name the individual; however, they shall not indicate the specific disruptive behavior.

**D) Appeal of the Suspension**

The offending individual(s) may appeal the decision of the Board. The process:

1. Once notified of the suspension, the appellant shall have 15 days to appeal the decision. The appeal shall be submitted in writing to the Board.
2. Until the appeal process is complete, the appellant shall refrain from all congregational activities set forth in the suspension notification letter.
3. Once notified of the appeal, the Board of Directors shall have 15 days to conduct a closed meeting; members of the RRC and the appellant are invited to attend.
4. A quorum of the Board of Directors must be established – proxy votes are not permitted.



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5. The appellant will have up to twenty minutes to advocate against the suspension, and no one shall interrupt him or her. Throughout the meeting, all present are expected to be respectful: interruptions, speeches, yelling and debating are not permitted.
6. Member(s) of the RRC shall have up to twenty minutes to present facts (not opinions), explaining why the appellant should be suspended from congregational activities.
7. The appellant shall have up to ten minutes to respond to what was presented by the RRC.
8. The Board members present shall have the opportunity to ask factual questions of either the appellant(s) or the RRC.
9. At the end of this question and discussion period, the Board shall vote in open session by secret ballot on the question, "Shall {Person X} be suspended from congregational activities?"
10. Overturning the suspension requires a three-fourths majority vote of the Board members present.
11. If there is more than one appellant, they may collectively meet with the Board, or they can request individual meetings. The Board, by majority vote of those present, can decide whether to accept individual meetings.
12. The Board shall notify the minister and the RRC of their decision within three days.

#### **E) Returning to the congregation**

Before returning to the congregation, the individual(s) must sign the covenant. A copy of this covenant shall be given to the minister and the RRC. As always, the focus should be on compassion, forgiveness and moving forward.

## **X. Disruptive Behavior Process: Third Level**

### **A) Initial Steps**

1. If the disruptive behavior resumes, the process begins again: The RRC shall be notified, they will notify the individual, conduct an investigation and report to the Board.
2. If the RRC finds that the allegations have merit, they shall send a letter to the Board recommending either a second suspension or, more likely, that the member be permanently expelled. The RRC recommendation shall be determined by majority vote.
3. The Board shall then repeat its process, conducting a closed session, sending a letter to the member, allowing for the opportunity to appeal, listening to comments on all sides and voting by secret ballot.



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4. As before, the Board has the authority, by majority vote of those present, to revise the RRC recommendation, e.g., voting for a second suspension instead of expulsion.

**B) If the Board votes against expulsion:**

1. They shall provide a written explanation to the RRC and the minister within seven days.
2. Within three days, the RRC will separately notify the accused individual and then the complainant of the Board's decision.
3. The individual is then permitted to return to all congregational activities (assuming he or she is not being suspended.)

**C) If the Board votes for expulsion:**

In accordance with civil law, the Board has the legal authority to expel someone. If an injunction against trespassing also is needed (including use of church resources), the county sheriff can be consulted. The injunction is enforceable by police. The expulsion process:

1. The member will be notified by the Board within seven days.
2. Ideally, this will be an in-person conversation, conducted by two Board members.
3. However, the Board also should give careful thought to how the individual might respond to this news. **Thus, they are strongly encouraged to take any safety measures they consider appropriate.**
4. Regardless of whether or not the individual is informed in person, the Board shall draft a letter formally stating their decision.
5. If the member was informed in person, the letter shall be delivered or sent via certified mail, return receipt requested, within seven days of the conversation.
6. If an in-person meeting was not held, the letter shall be delivered or sent via certified mail, return receipt requested, within seven days of the Board's decision.
7. Expulsion shall be considered permanent, regardless of changes to the church.

## **XI. Returning to the Congregation after Expulsion**

Though expulsion is generally considered permanent, it is possible the expelled individual may request to return to the congregation. The process:

**A) Initial Steps**

1. The RRC will initially review the request to return. It is highly recommended that they meet with the individual at least once to gauge the person's level of sincerity.

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2. The RRC will then meet privately to determine their recommendation about reinstatement.
3. The Board will have final say in the matter.

**B) Decline to Reinstatement**

1. If the decision is against reinstatement, the RRC will send a communication to the Board briefly stating their recommendation and reasoning.
2. If the Board agrees with the recommendation, the RRC will send the individual an email or a letter informing the person of the decision. The communication does not have to include a detailed explanation for the decision.
3. The communication also may include information on whether the individual is likely to ever be permitted to rejoin the congregation.
4. If the Board disagrees with the recommendation against reinstatement, the reinstatement process begins, as noted below in Section C.

**C) Agree to Reinstatement**

1. If the decision is in favor of reinstatement, the RRC will send a communication to the Board briefly stating their recommendation and reasoning.
2. If the Board **disagrees** with the decision to reinstate, the RRC will send the individual an email or a letter informing the person of the Board's decision. The communication does not have to include a detailed explanation for the decision.
3. If the Board agrees with the recommendation, the RRC will draft a **covenant** for the individual, outlining specific expectations as well as potential consequences.
4. The RRC will then meet with the individual to review the covenant and gauge the individual's level of sincerity to the covenant.
5. The RRC also may recommend that the individual meet with the minister and/or the Board.
6. It is possible the expelled individual did something which was extremely upsetting to one or more individuals in the congregation. In this case, the RRC may want to meet with these individuals in advance to alert them about the likely return of the individual. This conversation should be kept confidential by all parties involved.
7. Once it is confirmed that the individual will be reinstated, the Board shall send a communication to the congregation, informing them of the decision.
8. During the process, both the RRC and the Board have the right to reverse their decision based upon actions by the individual.

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9. An individual who has been reinstated is subject to the same disruptive behavior policies as everyone else.

## **XII. Complaint Assessment Guidelines**

Questions for the RRC and Board to consider during their deliberations include:

- Why is this disruption occurring now?
- How frequent was the disruption in the past, and to what degree?
- How likely is it that the problem behavior will diminish or increase in the future?
- How disruptive is the behavior to church activities?
- Is this behavior likely to alienate existing and future members and visitors?
- Is the complaint submitted by a third party on behalf of individuals impacted? If yes, what are the reasons?