

# Disruptive Behavior Policy

First Unitarian Universalist Society of Burlington

## 1. Motivation

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As a large congregation that works purposefully to maintain a healthy tension between freedom and responsibility, we aspire to help one another yet are bound to sometimes hurt one another. Because we value free speech and self-expression in balance with community care; because we welcome all who are welcoming in all their beautiful diversity; and because we are human, we occasionally bend our covenant, even to the point of breaking it. This policy provides protocols and guidelines for how FUUSB leaders respond to incidents of harmful behavior that may disrupt congregational life. It addresses the requirement in our bylaws for “fair and reasonable policies and procedures approved by the Board” for removal of a person from membership “for unacceptable behavior”.

We write this policy in order to nurture congregational health. We aspire to provide a consistency of response that emphasizes fairness, not favoritism; that removes bias and personality from the response; that is grounded in our covenant and values; and that can provide guidance to our decision-makers. As a Unitarian Universalist community, we elevate our congregational covenant as a guide for all our choices and behaviors towards each other. Although we assume each other’s good intentions, we also recognize that responsible behavior includes being accountable for the unintended impacts of our speech and actions.

In the spirit of fostering responsible behavior within our shared community, this policy addresses various kinds of harmful behaviors. Such behaviors include, but are not limited to, behaviors that are contrary to the 8th Principle that our community adopted in 2022 and the Shared Values of the Unitarian Universalist Association adopted in 2024. This policy provides ways to support our commitment to dismantling oppressive systems of which we may not be aware.

Pain, fear, blame, guilt, and resistance can arise when that oppression is brought to our attention. This policy is our rudder in these troubled waters, reestablishing both equilibrium and direction, reminding us that healthy change and growth are often preceded by discomfort. We hope it will help open us all to the opportunities of transformational spiritual growth, faith development, personal discovery, and the joy that such discomfort can portend.

## 2. Scope of this policy

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This policy addresses behavior by individual adult congregants, both Members and non-Members, that may harm other members of our community or the Society as a whole, and that occurs within the context of Society activities or on the Society's property.

### Excluded categories of behavior

The following categories of behavior are specifically outside the scope of this policy:

- Behavior of FUUSB as an institution.
- Conflict between individuals that are best addressed through direct communication.
- Behavior by employees of FUUSB. Such behavior is covered in the FUUSB Employee Handbook.
- Behavior that results in or threatens **physical or sexual** harm. Such behavior is addressed in the Society's Safety Policy.
- Behavior of the Senior Minister. Any incident of disruptive behavior by the Senior Minister should be reported directly to the President of the Board of Trustees and will be addressed by the Board.

### Categories of behavior covered

This policy addresses behavior in the categories listed below. These categories are not mutually exclusive; a specific incident may be considered to be in multiple categories. This list is not exhaustive. The procedures outlined in this policy may also be applied in a good faith response to disruptive behaviors or incidents that do not fall clearly into any of the categories listed below.

Throughout this policy, the term "behavior" includes actions and words, either spoken or written.

#### *Threats to property*

- Behavior that damages or threatens to damage FUUSB property.

#### *Disruption of Society activities*

- Behavior that disrupts or threatens to disrupt activities of FUUSB.
- Misuse of Society property or resources.
- Violation of Society policy.

*Damage to belonging and welcoming*

- Behavior that can reasonably be considered likely to discourage current or prospective congregants or guests from wanting to attend congregational activities.
- Behavior that causes harm to the congregation, or to people and relationships within the congregation.
- Behavior that attacks congregational leaders, violates our values, or undermines the Society’s mission “to inspire spiritual growth, to care for each other and our community, to seek truth, and to act for justice.”
- Behavior that negatively impacts groups or individuals with marginalized identities, including (but not limited to), racist, anti-immigrant, and anti-transgender behavior.

*Behavior that is harmful to individuals or groups*

- Behavior that is dishonest, belittling, disparaging, or that fails to respect boundaries of mind, body and spirit.
- Behavior that results in or threatens emotional or psychological harm to any person or group. This includes any behavior that could reasonably be expected to frighten, intimidate, terrorize, manipulate, hurt, humiliate, blame, injure, or wound someone.

**3. Responsible Behavior Council**

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**Guidance**

When a concern arises about a disruptive impact of an action on the health of the Society, one may consult the Senior Minister and/or seek the support of the Responsible Behavior Council.

**Responsible Behavior Council (RBC) organization structure***Authority*

The Responsible Behavior Council (RBC) is a team appointed by the Board to implement the Disruptive Behavior Policy.

*Philosophy and approach*

In all deliberations, the RBC shall strive to be impartial, and to be mindful and respectful of the humanity and dignity of all parties involved in any report of alleged disruptive behavior.

The RBC shall be cognizant and responsive to the needs of reporters and respondents who may require accommodations or supports with regard to power dynamics, different processing styles, etc. in order to be able to fully participate in the process.

Whenever possible, the RBC will apply restorative justice principles, including bringing the parties together by mutual consent. The goal is to set appropriate boundaries, make amends, create healing and safety, and build community.

### *Composition*

The RBC is composed of three Members of the Society. The Board will communicate to the congregation the names of those appointed to the RBC. RBC members will elect a chair annually. Three RBC members will constitute a working team. In addition to the three regular members of the RBC, the Board will appoint two alternate members who would be available to serve temporarily on the RBC in the event that a regular member is unavailable due to recusal (see “Recusal” below) or other circumstances.

Regular and alternate members of the RBC should each:

- Be a Member of FUUSB.
- Not currently serve as a member of the Board.
- Maintain confidentiality of issues reported to the RBC, and all discussions related to those issues.
- Demonstrate a willingness to serve the entire congregation and show no favoritism.
- Demonstrate the ability to seek fairness toward everyone and remain neutral when involved in disputes.
- Exhibit good listening skills.
- Be willing to attend relevant training.
- Be able to attend meetings in person as needed.
- Demonstrate the capacity for a relatively non-anxious presence.

### *Term*

RBC members will serve staggered terms of 2 to 3 years with the possibility of renewing for one additional term. Terms start at the beginning of the FUUSB fiscal year. Vacancies that occur during the year will be filled by appointment of the Board in consultation with the Senior Minister. The Board will consult sitting members of the RBC prior to appointing new members.

### *Consultative partnership with the Senior Minister*

The Senior Minister shall serve as a consultative partner to the RBC, providing wise counsel from a pastoral perspective on matters before the RBC. The RBC shall keep the

Senior Minister fully apprised of all matters under its consideration. The Senior Minister shall not vote in RBC decisions.

### **Responsibilities**

- The RBC implements the process outlined in this policy.
- When the RBC receives a report of potentially disruptive behavior, it determines whether that behavior meets the criteria for disruptive behavior articulated in Section 2 of this policy, “Scope of this policy”.
- If a reported behavior is determined to meet the criteria for disruptive behavior, the RBC shall implement a response as outlined in Section 4, “Responses to Disruptive Behavior”.

### **Operational guidelines**

The Responsible Behavior Council shall:

- Maintain confidentiality of records, referrals, and decisions at every stage of the process.
- Respond in a timely manner to each report of potentially disruptive behavior, exercising independent judgment and guided by this policy, the FUUSB Covenant, FUUSB Bylaws, and Unitarian Universalist Values and Principles.
- Meet as needed and report a summary of activities to the Board at least twice a year. Reports to the Board must respect the confidentiality and whenever possible preserve the anonymity of all parties involved in specific incidents considered by the RBC.
- Review relevant policy and procedures after the first year of implementation, and advise the Board about any recommended revision.

#### *Recusal*

Individual members of the RBC shall recuse themselves from consideration of any incident in which they (or someone with whom they have a close relationship) are a party or a stakeholder. Any RBC member may declare a conflict of interest to exist for themselves or for another member, and recusal will follow. When a regular member of the RBC is recused, they will be replaced by a Board-appointed alternate for consideration of the specific incident (see *Composition* above).

#### *Policy review*

The Board shall review this policy after the first year of implementation, with input from the RBC. Thereafter a review of the policy should be conducted every three years.

## **4. Responses to disruptive behavior**

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### **Reporting disruptive behavior**

Since it is a serious business to lodge a formal complaint regarding a fellow congregant, doing so should never be undertaken lightly. Anyone who believes they have witnessed or experienced disruptive behavior (the Reporter) by another congregant (the Respondent) is encouraged to pursue direct communication with those involved in the situation. If this is not possible, is deemed inappropriate, or is unsuccessful, then the Reporter should contact any member of the Responsible Behavior Council or the Senior Minister to discuss and document the complaint in writing. Doing so takes courage and reflects a deep commitment to the health and values of the FUUSB community. The RBC itself may assume the role of Reporter of a disruptive behavior if such a behavior is known to them.

The Reporter need not be an official Member of the Society yet must be currently active in the congregation as confirmed by the Executive Team.

Should any staff member have concerns about congregant behavior that may be experienced as disruptive, they are to bring it to their supervisor who will, in turn, bring it to a member of the Executive Team.

One person on the RBC will serve as the Liaison to the Reporter going forward, helping them feel supported and informed about what steps in the process are happening, when they are happening, and what next steps are still pending.

The RBC will determine how and by whom timely and accurate records will be kept throughout the process.

### **Responses to reports of disruptive behavior**

#### *Complaints against the Senior Minister or staff*

If the complaint is lodged against the Senior Minister, the Reporter shall be advised to communicate directly with the President of the Board of Trustees. If the complaint is lodged against any staff member, the Reporter shall be advised to communicate directly with either the Senior Minister or the Director of Operations and Finance (the “Executive Team”), since there is an Employee Handbook which addresses staff behavior. If the complaint is lodged against a staff member who is also a Member of the Society, the Senior Minister and/or Director of Operations and Finance will determine whether the complaint relates to their role as an employee before further action is taken.

### *Complaint Summary*

The RBC will write a Complaint Summary that summarizes the facts as presented in the initial report. The Complaint Summary will be shared with all members of the RBC and the Reporter, who will be asked to confirm that the Summary is accurate, or to provide corrections to specific inaccuracies. The Complaint Summary will become part of the confidential permanent record and will be maintained on a FUUSB shared drive with access limited to as few individuals as possible.

### *Determination of disruptive behavior*

The RBC members (including any alternate member standing in for a recused regular member) will together determine whether or not the reported behavior meets the threshold at which the Responsible Behaviors policy applies. This determination shall be made according to the best judgement of the RBC, informed by the guidelines in Section 2, “Scope of this policy” and in consultation with the Senior Minister.

If the reported behavior **does not** meet the threshold for Disruptive Behavior, one of two courses will be taken, at the discretion of the RBC:

1. **No Action:** The Complaint Summary will be updated to indicate that no further action is necessary, in which case it is filed confidentially and the Reporter is informed.
2. **Referral:** If appropriate, the RBC may recommend that the reporting congregant seek current, relevant congregational resources.

If the reported behavior **does** meet the threshold for Disruptive Behavior, the case will be addressed through one or more of the following three levels at the discretion of the RBC. At each level of response, the RBC shall inform the Respondent in a timely manner of their decisions and any recommendation that the RBC may make to the Board for suspension (Level One) or removal (Level Two).

### **Levels of response to disruptive behavior**

#### *Level One: Warning*

1. If records indicate that the Respondent has been involved in past instances of disruptive behavior, the RBC may move immediately to Level 2 below via a written request and summary to the Board President, Vice-President, Senior Minister, and Director of Operations and Finance (henceforth “Executive Group of the Board”).
2. The RBC shall meet with the Respondent to communicate both the concern that has been raised and clear behavioral expectations going forward. They shall furnish the Respondent with a copy of this policy and a (non-electronic) hard copy of the

Complaint Summary and provide an opportunity for the Respondent to ask questions.

3. Also at this meeting, it will be determined whether other voices need to be heard by the RBC regarding the reported incident(s).
4. If the Respondent denies or disputes the facts alleged in the Complaint Summary, the RBC shall meet privately to decide the most appropriate next steps.
5. The RBC or the Senior Minister shall draft a written summary of behavioral expectations for the Respondent going forward, incorporating input from the in-person meeting and possible “additional voices” as described in Steps 2 and 3 above. The Respondent will be asked to sign the summary of expectations, indicating their acknowledgement of responsibility and acceptance of the expectations.
6. The Executive Group of the Board shall be informed.
7. If the above efforts are not successful, including if the Respondent declines to participate in this process, the RBC may escalate the case to Level Two below by providing a written summary to the Executive Group of the Board of what has happened so far, with a recommendation for next steps.

#### *Level Two: Suspension*

1. The Executive Group of the Board shall become involved. (Exceptions will be any Board member who is involved in the complaint or is related or partnered with either the Reporter or the Respondent, in which case that Board member must recuse him/her/themself.)
2. Suspension means temporary exclusion from FUUSB premises and activities. If the Respondent is a Member of the Society, suspension includes temporary revocation of membership privileges.
3. The RBC will make a recommendation regarding the length of the suspension which the Executive Group of the Board is strongly encouraged to follow, should they support suspending the Respondent. The Executive Group of the Board retains the discretion to meet with the Respondent and/or to change the length of the suspension while documenting their reasoning.
4. The reasons for such action and, if appropriate, the conditions of return shall be provided to the Respondent in writing.
5. The Executive Group of the Board shall report to the full Board that a suspension has been implemented and provide a summary of the circumstances leading up to the suspension.
6. At the conclusion of the stated exclusion period, the RBC shall meet to consider whether any stated conditions of return have been met.
7. If the conditions of return are not met, the case may be escalated to Level 3 by the Executive Group.

### *Level Three: Removal*

1. After careful consideration, the full Board may determine that the Respondent will be indefinitely excluded from the FUUSB premises and all activities. If the Respondent is a Member of the Society, this decision extends to removal from membership.
2. Any Board member who has a personal connection to either the Respondent or the Reporter, or who otherwise may have a conflict of interest, shall recuse themselves from deliberations and voting on this decision. A motion to exclude the Respondent is considered passed if no more than two voting Board members dissent.
3. A Respondent may request in a timely manner an opportunity to address the Board if there has been a recommendation by the RBC for removal.
4. Written notification of exclusion shall be furnished to the Respondent, along with an explanation of the Respondent's rights to appeal and to request reinstatement (as described below).
5. Written notification of exclusion of the Respondent shall be shared with the Congregation by the Board no sooner than 30 days after notification of the Respondent, or after the conclusion of an unsuccessful appeal by the Respondent (as described below). In crafting this notification the Board must be mindful of the impact on the institutional health of the Society and the importance of transparency in building trust, while recognizing but not prioritizing the privacy of those involved.

### **Process of appeal**

Any action taken under Level Two or Three may be appealed in writing to the Board of Trustees within 30 days of the written notification. If for any reason, the Respondent needs or wants assistance in composing the request for appeal, arrangements will be made for a trusted third party to assist with writing the document according to Respondent's wishes, which would be signed by the Respondent. When a request for appeal is received, the Board shall appoint an ad hoc appeal panel to be composed of

- two members of the Executive Group;
- two FUUSB Members selected by the RBC who are neither members of the RBC nor of the Board;
- one active Member of the Society chosen by the removed person or, if they have no one to propose, by the other four members of the appeal committee.

The ad hoc appeal panel will then make a recommendation to the Board of Trustees, whose decision will be final.

**Possible reinstatement of removed individual**

The individual who was removed from membership and/or excluded from Society premises, and only that person, may request reinstatement, no sooner than one year following the removal. The request must be made in writing to the Board of Trustees and must contain information concerning the rationale for the reinstatement, including:

- a statement of understanding of the reasons for the exclusion from the premises and activities of the FUUSB and/or removal from membership, and
- an explanation detailing how circumstances and conditions have changed such that reinstatement would be justified.

If for any reason, the Respondent needs or wants assistance in composing the request for reinstatement, arrangements will be made for a trusted third party to assist with writing the document according to Respondent's wishes, which would be signed by the Respondent.

The Board will review the request and respond within 60 days as to whether the removed congregant may be reinstated. Reinstatement requires the same percentage of affirmative Board votes as does removal from membership.

If the Board decides not to reinstate the removed congregant, that decision is not subject to further appeal for one year.