

Unitarian Universalist Church of Delaware County  
Executive Limitations  
Adopted April 14, 2008 by the Board of Trustees

Simply put, executive limitations are boundaries. They do not tell the lead minister (and staff) how to do their job, but rather determine what kind of means (actions or decisions) they will allow. Monitoring of performance is measured in part by adherence to executive limitations. The use of “negative” language allows the Board to be precise in declaring what actions or decisions are unacceptable or “off-limits”. If something is not expressly stated as “off-limits”, it implies blanket approval from the Board. In other words, if it is not forbidden, it is permitted. The Board, however, reserves the right to create executive limitations in response to an action or a decision if it is determined that the action or decision violates policy or ends statements. In this way, the lead minister (and staff) are permitted to make one “mistake” without disciplinary action by the Board.

**1. General Executive Limitation**

The Lead Minister shall not cause or allow any practice, activity, decision or circumstance that is inconsistent with our Unitarian Universalist principles and congregational values, or is unlawful, imprudent, or in violation of professional ethics or commonly accepted business practices, or in violation of the UUCDC By-Laws. Further, the Lead Minister will not condone or conceal unethical or illegal acts on the part of the staff of the Church.

**2. Treatment of Staff and Volunteers**

With respect to the treatment of staff and volunteers, the Lead Minister shall not cause or allow conditions or practices that are unfair, unprofessional, or unsafe, nor shall the Lead Minister fail to apply the standards of the church’s mission, values and ends to interactions with the staff and volunteers. Accordingly, the Lead Minister shall not:

- a. Discriminate among existing or potential staff and volunteers on other than clearly job-related criteria or individual performance, or show undue bias or partiality in dealing with staff and volunteers.
- b. Operate without written policies and procedures that clarify personnel rules, specify expected standards of staff conduct and performance, and provide for effective handling of grievances.
- c. Fail to ensure that paid staff receive written reviews and professional development plans annually.
- d. Prevent staff from grieving to the Board when internal grievance procedures have been exhausted and the employee alleges either that Board policy has been violated to his or her detriment or Board policy does not adequately protect his or her rights.
- e. Fail to ensure that staff have adequate resources and training to perform their jobs, within the limitations of the budget.

**3. Treatment of Congregants**

With respect to the treatment of members, friends, and visitors (hereinafter referred to as congregants) and their children, the Lead Minister shall not cause or allow conditions or

practices that are unsafe, intrusive, disrespectful, or that fail to provide appropriate confidentiality or privacy, nor shall the Lead Minister fail to apply the standards of the church's mission, values and ends to interactions with congregants. Accordingly, the Lead Minister shall not:

- a. Show undue bias or partiality in dealing with congregants.
- b. Fail to maintain and enforce procedures in accordance with the Safe Congregation Policy to ensure the safety of congregants' children while at the church or at church functions.
- c. Fail to comply with the RE Special Needs Policy subject to broader constraints.

#### **4. Financial Planning and Budgeting**

Financial planning for any fiscal year or the remaining part of any fiscal year shall not deviate materially from the board's Ends priorities or risk fiscal jeopardy. Accordingly, the Lead Minister shall not:

- a. Allow budgeting that:
  1. Contains too little information to enable credible projection of revenues and expenses, tracking of cash flow, and disclosure of planning assumptions.
  2. Plans the expenditure in any fiscal year of more funds than are reasonably projected to be received in that period unless the Board or the Congregation authorizes the use of surplus funds for other purposes, including for the payment of recurring costs or operating expenses.
  3. Deviates materially from board-stated priorities and requirements (see Ends policies) in its allocation among competing fiscal needs.
- b. Operate without a Finance Committee.
- c. Fail to include the Finance Committee in the budgeting process, nor fail to present the Finance Committee's views when presenting the budget to the Board.
- d. Fail to present an annual budget to the Board in a timely manner to allow for congregational approval as required under the bylaws.

#### **5. Financial Condition and Activities**

With respect to the actual, ongoing financial condition and activities, the Lead Minister shall not cause or allow the development of fiscal jeopardy or a material deviation of actual expenditures from the approved budget or funds outside the approved budget, such as Restricted Funds. Accordingly, the Lead Minister shall not:

- a. Use any long-term reserve, such as the General Reserve Fund, without approval of the Board of Trustees.
- b. Conduct operating budget line items in amounts that deviate materially from the approved budget.
- c. Make decisions independently that exceed up to 2% of the operating budget and 4% for capital expenditures.
- d. Shift funds in amounts greater than can be restored to discrete fund balances by certain otherwise unencumbered revenue within 90 days.

- e. Fail to settle payroll and debts in a timely manner.
- f. Allow tax payments or other government-ordered payments or filings to be overdue or inaccurately filed.
- g. Acquire, encumber, or dispose of real property, including land, buildings & fixtures.
- h. Fail to appropriately pursue unpaid pledges after a reasonable amount of time.
- i. Fail to aggressively pursue unpaid non-pledge receivables after a reasonable period.
- j. Obtain or authorize spending a line of credit without the approval of the Board of Trustees.
- k. Incur debt to the organization in an amount greater than can be repaid by certain otherwise unencumbered revenues within 90 days.
- l. Fail to act in accordance with the Board policy on gift acceptance for both designated and undesignated monetary gifts to the organization.

## **6. Endowment Fund**

With respect to the Endowment Fund, the Lead Minister shall not:

- a. Cause to be spent Endowment funds in violation of the directives and restrictions set forth in the By-Laws or in Board policy, or in any manner not approved by the Endowment Committee.
- b. Shall not be in violation of the Endowment Fund Enabling Document.
- c. Expend any endowment or designated funds other than for the purposes determined at time of receipt or designation.

## **7. Asset Protection**

The Lead Minister shall not allow the assets of the organization to be unprotected, inadequately maintained, or unnecessarily risked. Accordingly, the Lead Minister shall not:

- a. Fail to establish and implement appropriate plans and procedures for risk management, safety and security.
- b. Fail to insure against theft and casualty loss to at least 80% of replacement value and against liability losses to board members, staff, and the organization.
- c. Subject facilities, premises, and equipment to improper wear and tear or insufficient maintenance.
- d. Unnecessarily expose the organization, its Board, or staff to claims of liability or risk the nonprofit status.
- e. Make any purchase wherein normally prudent protection has not been given against conflict of interest.
- f. Fail to protect intellectual property, information, and files from loss or significant damage, excluding the work of called Ministers of the church, who are the sole owners of their intellectual property.
- g. Allow significant architectural changes to be made to the church property without Board approval.
- h. Allow property of the church with a fair market value of more than \$1,000 to be sold, given away or otherwise disposed of without Board approval.

- i. Endanger the organization's public image or credibility, particularly in ways that would hinder its accomplishment of mission. Nothing herein shall be interpreted to limit the Lead Minister's right to freedom of the pulpit nor to limit the Lead Minister's right to express personal views within the professional role as the Lead Minister of the church.

## **8. Asset Utilization**

The minister shall not devote congregational assets to endeavors that fail to support Ends Statements or are incongruent with Unitarian Universalist principles. Accordingly, the Lead Minister shall not:

- a. Fail to maintain congregational funds and investments in socially responsible ways.
- b. Fail to develop and implement procedures for building usage that are consistent with UUCDC's Mission and Board's Ends Statements.
- c. Fail to give building usage priority to members of the congregation.
- d. Fail to develop procedures that permit the fullest practical use of the building by people with disabilities.
- e. Make any purchase:
  1. Wherein normally prudent protection has not been given against conflict of interest
  2. Over 1% of the annual budget without having obtained comparative prices and quality
  3. Over 3% of annual budget without a stringent method of assuring the balance of long-term quality and cost

## **9. Compensation and Benefits**

With respect to employment, compensation, and benefits to employees, consultants, contract workers, and volunteers, the Lead Minister shall not cause or allow jeopardy to fiscal integrity or public image. Accordingly, the Lead Minister shall not:

- a. Change his or her own compensation and benefits.
- b. Promise or imply permanent or guaranteed employment.
- c. Within the budgetary limits established by the Board and Congregation, establish current compensation and benefits that deviate materially from the geographic or professional market for the skills employed or from UUA fair compensation guidelines.
- d. Establish or change pension benefits so as to cause unpredictable or inequitable situations.
- e. Fail to include the Personnel Committee in the compensation and benefits process.
- f. Operate without a Personnel Committee.
- g. Shall not fail to consider cost of living and merit for paid staff.

## **10. Grants and Contracts**

The Lead Minister may not enter into any grant or contract arrangements on behalf of the church that fail to emphasize primarily the achievement of Ends and, secondarily, the avoidance of unacceptable means. Accordingly, the Lead Minister shall not:

- a. Allow grant funds to be used in imprudent, unlawful, or unethical ways.
- b. Fail to assess and consider a grant applicant's or contractor's capability to produce targeted and efficient results.
- c. Cause or allow any conflict of interest in awarding purchases or other contracts.

## **11. Communication and Counsel to the Board**

The Lead Minister shall not permit the Board to be uninformed or unsupported in its work. Accordingly, the Lead Minister shall not:

- a. Fail to inform the Board in a timely manner of relevant trends, public events, public policy initiatives, material external and internal changes, etc.
- b. Fail to submit monitoring data required by the Board in a timely, accurate and understandable fashion.
- c. Fail to limit public statements about the position of the organization on controversial social, political and/or congregational issues to what the congregation or Board has formally and explicitly adopted as positions of record.
- d. Fail to advise the Board if, in the Minister's opinion, the Board is in violation of its own policies on Governance process and Board Linkages.
- e. Fail to report in a timely manner an actual or anticipated non-compliance with any policy of the Board.
- f. Fail to gather as many staff and external points of view, issues, and options as needed for fully informed Board choices.

## **12. Lead Minister Professional Development**

The Lead Minister shall not fail to engage in professional development within budgetary constraints.

## **13. Lead Minister Absence**

To assure continuity, the Lead Minister shall not fail to develop and implement a succession plan in the event of his/ her absence. This shall include designating at least one other person to act in the fulfillment of his/her executive duties.

## **14. Lead Minister Well-Being**

The Lead Minister shall not fail to provide adequately for his/her well-being and spiritual care.