

Chapter 25 | Candidate and Clergy Files: Personnel and Supervisory Files

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Personnel Record Guidelines For Clergy, Candidates, and Diaconal Ministers in The United Methodist Church *Effective Date: August 18, 2017*

The guidelines that follow have been prepared by the General Council on Finance and Administration to fulfill the requirements of ¶ 606.9 of *The 2016 Book of Discipline*. The guidelines are intended for use by annual conferences in relation to personnel records they maintain with respect to candidates for licensing as local pastors or ordination as deacons or elders, deacons and elders in full connection, provisional members, associate members, affiliate members, diaconal ministers, local pastors, and ministers of other denominations under appointment. They have not been prepared for use in relation to files or records that may be kept for other lay employees or volunteers in local churches, districts, annual conferences, or denominationally related agencies or institutions. The General Council on Finance and Administration of The United Methodist Church also maintains a separate set of guidelines for supervisory files, **Supervisory File Guidelines for Clergy, Candidates and Diaconal Ministers in The United Methodist Church**. Those supervisory guidelines are to be used by the bishops and cabinets.

I. PERSONNEL RECORDS IN THE CONTEXT OF THE ANNUAL CONFERENCE AND ITS MISSION. The relationship between the annual conference and its candidates, clergy, and diaconal ministers carries with it an obligation to ensure that the personnel records the conference maintains for those persons are kept with integrity and in a manner that will foster and enhance an atmosphere of trust. Records and files are kept as a service to candidates, clergy, diaconal ministers, the annual conference, and The United Methodist Church connection.

Records that are accurate and complete will contribute to fulfilling both the obligations of the conference to its personnel and the mission of the annual conference in several ways:

1. Conference agencies and officers who are responsible for the preparation, deployment, and support services for the clergy and diaconal ministers related to the conference will be assisted in their tasks. The goal of these agencies and officers is to fulfill their tasks in a way that will enable those ministers to serve with maximum effectiveness in all of the settings in which the conference seeks to be in mission and ministry in the name of Jesus Christ.
2. Such files can help to protect the clergy and diaconal ministers from decisions which might otherwise be less fully informed. Likewise, the annual conference can be protected from legal liability that might result from undocumented or poorly documented decisions or decisions not based on fact.
3. Clergy and diaconal ministers can be assisted as they seek to evaluate and assess their own personal and professional growth and to plan for continuing education and other experiences that will further that growth.
4. Where consistent, with limitations to access as defined in these guidelines, such records may serve as a source of data for research and study.

II. REQUIREMENTS OF THE 2016 EDITION OF *THE BOOK OF DISCIPLINE*. *The Book of Discipline* of The United Methodist Church describes the basic task of keeping personnel records and sets forth certain principles related to that task:

¶ 606.6. The secretary, treasurer, or other administrative officer named by the annual conference shall keep a complete service record of ordained and diaconal ministry personnel in the annual conference. Service records shall include but not be limited to biographical information supplied by the individual, a list of appointments, and a record of annual conference actions with regard to conference relationships. In addition to service records, the secretary, treasurer, or other administrative officer named by the annual conference shall keep descriptions of circumstances related to changes in conference relationships, credentials surrendered to the bishop or district superintendent, and confidential trial records.

¶ 606.9. All records of candidates and ordained and diaconal ministry personnel maintained by the conference secretary, treasurer, or other administrative officer named by the annual conference, Board of Ordained Ministry, board of pensions, and the district committee on ordained ministry are to be kept on behalf of the annual conference in conformity with guidelines provided by the General Council on Finance and Administration, in consultation with the General Board of Higher Education and Ministry and the General Board of Pension and Health Benefits, and the following principles: a) The annual conference is the owner of its personnel records and files; b) individuals in whose name a record is kept shall have access to the information contained in a record or file, with the exception of surrendered credentials and information for which a right of access waiver has been signed; c) access to unpublished records by persons other than the bishop, district superintendent, conference secretary, treasurer, or other administrative officer or the Board of Ordained Ministry, through its chair, board of pensions, through its chair, the district committee on ordained ministry, through its chair, counsel for the Church, and the committee on investigation, through its chair, shall require written consent of the person in whose name a record is kept; access to trial records shall be governed by the provisions of ¶¶ 2712.5, 2713.5.

Other sections of *The Book of Discipline* (especially those dealing with conference relationships of clergy and diaconal ministers and judicial proceedings) contain provisions related to content of and access to personnel records. These guidelines are intended to be in conformity with those provisions; in the event of any conflict, the provisions of *The Book of Discipline* take precedence.

III. DEFINITIONS. In these guidelines certain terms are used with specific meanings, as follows:

1. The terms “personnel” and “referent(s)” are used interchangeably to denote the candidates for licensing as local pastors or ordination as deacons or elders, deacons and elders in full connection, provisional members, associate members, affiliate members, diaconal ministers, local pastors, and ministers of other denominations under appointment, related to the annual conference and in whose name the records are kept.
2. “Personnel files” and “personnel records” denote the files and records kept on clergy and diaconal personnel related to the annual conference. The terms as used in these guidelines do not refer to any other files or records which may exist in relation to other lay employees or volunteers in the annual conference, its districts, agencies, or institutions related to it.
3. “Candidacy records” and “candidacy files” denote the personnel records kept on personnel during the period prior to their licensing as a local pastor, admission into associate membership, or membership in full connection. (See Section XI for guidelines governing disposition.)
4. “Permanent records” and “permanent files” denote the personnel records and files kept on personnel after they are admitted into associate or full connection membership (or, as local pastors, have chosen to remain in the local relationship to the annual conference), or have been consecrated as diaconal ministers.

IV. SECURITY. Personnel records and files are confidential and not to be made available to any person or organization except under the limited circumstances stated in these guidelines. Files shall be preserved from unauthorized access and guarded carefully against accidental damage and destruction. The ethical importance of maintaining proper security cannot be overemphasized. Access to digital files should be limited to those with a right to view the file and appropriate precautions should be taken, including maintaining appropriate cybersecurity systems and password protecting files.

V. OWNERSHIP AND CUSTODY. The Book of Discipline clearly identifies the annual conference as the owner of its personnel files and records, while the custodian may be the conference secretary, treasurer, or other administrative officer designated by the conference to perform this task (for permanent records); the district committee on ordained ministry, the Board of Ordained Ministry (for candidacy records); or the conference board of pensions (for material specifically related to current or potential pension and/or benefit claims).

1. Appointment outside the home conference - If the referent receives an appointment in another annual conference or is appointed in a missionary conference while retaining membership in his or her home annual conference, the conference where membership is held (“home conference”) should forward to the conference where appointed (“appointive conference”) a copy of that portion of the file that would be sent in the event of a transfer (see 2 below). During the period when the person is serving such an appointment, the appointive conference should have authority to add to that copy of the file material related to service in that conference. A copy of any such material added to the file should be sent to the home conference. Officers and agencies of the appointive conference responsible for deployment and support services for ordained clergy should have similar rights and responsibilities in relation to the file during the referent’s period of service there as the corresponding officers and agencies of the home conference.
2. Transfer. If the referent transfers from one annual conference to another, all of the files, records and proceedings, and candidacy information, unless specifically prohibited by The Book of Discipline, should be sent to the receiving conference.
3. Candidacy and Provisional Members files.
 - a) While a person is a candidate or local pastor the district committee on ordained ministry shall be the custodian of the candidate’s file. Once the person applies for associate or provisional membership the complete file should be transferred to the Board of Ordained Ministry. None of the file should be retained by the district committee on ordained ministry. Once a local pastor becomes an associate member the complete file should be held by the officer designated by the annual conference. Once a provisional member becomes a full member, the complete file should be held by the officer designated by the annual conference. The Board of Ordained Ministry does not retain files for applicants once clergy become associate or full members.

VI. CONTENT.

1. To fulfill the purposes for which personnel records are kept, their content should meet certain criteria:
 - a) The information they contain should be relevant to the purpose for which they are to be used.
 - b) The kinds of information to be maintained should be consistent for all personnel.
 - c) The records should be complete, in the sense that information which meets the tests of relevance and consistency shall not be intentionally or arbitrarily excluded from any individual’s record.
2. Content of a file:
 - a) *Identifying/directory information:* Name, address, telephone number, and e mail address.
 - b) *Census-type information:* Gender, ethnic origin, birth date, and educational background (limited to the names of higher educational institutions attended, the dates of enrollment in those institutions, and degrees earned).

- c) *Family data*: Marital status, date(s) of marriage, names of spouse and children, birth dates of spouses and children, date(s) of dissolution of marriage (if any). The custodians of the records, in consultation with those who need and are authorized to use them, may want to make decisions as to whether all of these kinds of family data are needed. Any such decisions should be applied consistently for all referents; information gathered and kept for some persons should be sought and maintained for all.
- d) *Candidacy information*: Files and records maintained by the district committee on ordained ministry and the Board of Ordained Ministry during the candidacy period and the period during which persons are provisional members or otherwise are in the process of qualifying for associate or full membership in the annual conference.
- e) *Conference relationship information*: Dates of admission to associate, provisional, and/or full connection membership, full time and part time local pastor membership, ordination, transfers into or out of the conference, leaves, termination of membership, retirement, and other changes in conference relationship shall be entered in the file. Correspondence or other documents related to circumstances surrounding entry, voluntary termination, or other voluntary changes in conference relationships should be included in the file only under one or more of the following circumstances: if required by The Book of Discipline; if requested to be included by the annual conference, another agency, or officer empowered to do so by The Book of Discipline (such as the bishop, district superintendent, conference board of pensions); or if requested in writing to be included by the referent. The inclusion of documentation related to involuntary terminations or changes in conference relationship shall be included as set forth in the applicable provisions of The Book of Discipline.
- f) *Appointment information*: A list of appointments served (or, in the case of diaconal ministers, service appointments), including the beginning and ending dates for each.
- g) *Judicial proceedings records*: Records related to complaints, investigations, church trials, and appeals related to them should be kept only as required by, and in strict conformity with, the requirements of *The Book of Discipline*, and with special attention to the *Discipline's* provisions related to their confidentiality and limitations on their accessibility.
- h) *Surrendered credentials*: Surrendered credentials shall be collected and filed in accordance with the provisions of *The Book of Discipline*.
- i) *Optional data*: With the permission of the referent, a conference may collect and maintain in its personnel files other biographical or personal information furnished voluntarily by the referent; examples of such information would be continuing education, awards, publications, military service, prior employment, board and committee membership, interests, and activities. Because such information is optional and supplied voluntarily, it need not be consistent for every individual.

VII. SOURCES OF INFORMATION. Identifying/directory information, census-type information, family data, and any optional data should be supplied by the referent.

Conference relationship information should be supplied by the Board of Ordained Ministry and/or from the official record of the conference session at which the action was taken.

Appointment information should be entered, in the case of appointments fixed at the conference session, from appointment lists certified as accurate by the bishop and cabinet. In the case of interim changes of appointment, such changes should be entered from official written notices received from or certified by the bishop or district superintendent.

The inclusion and sources of records of judicial proceedings or surrendered credentials is governed by applicable provisions of *The Book of Discipline*.

VIII. ACCESS TO INFORMATION. Access to personnel records should be governed by the purposes for which they are maintained; within the context of those purposes, the individual's rights of privacy must be protected by procedures and security that will guard against unauthorized access to or disclosure of information.

Only annual conference officers and agencies responsible for overseeing preparation, deployment, and support services for personnel in the annual conference may have access to all or specific parts of the material in personnel files, depending on their assigned function and the special nature of the various types of material. These officers and agencies include: the bishop and district superintendents; secretary, treasurer, or other administrative officer of the conference who has been designated by the conference to keep the personnel records under the provisions of ¶ 606.6 and 606.9; the Board of Ordained Ministry, through its chair; the board of pensions, through its chair; and the district committee on ordained ministry. The district committee on ordained ministry may only have access to the personnel file during the candidacy process or while someone is serving as a local pastor. The counsel for the Church, and the committee on investigation, through its chair, shall require written consent of the person in whose name a record is kept; access to trial records shall be governed by the provisions of ¶¶ 2712.5, 2713.5. The referent will also have access to all of the material in his or her own file except: 1) surrendered credentials; 2) material to which he or she has waived right of access in writing prior to its placement in the file; and 3) material to which *The Book of Discipline* specifically denies such access.

The Book of Discipline specifically delineates when information in a candidate's file may be shared during an executive session of the clergy members in full connection with the annual conference (see ¶ 635.2m).

Except for the material which is defined below as "public information," no one other than the agencies and persons listed above should have access to personnel files, unless access is specifically permitted by *The Book of Discipline* or granted in writing by the referent. A written record of access, showing the dates of access, the names of the persons who were granted access, and the basis for their access, should be kept with each file.

1. *Public information.* The following data is to be considered public information and, as such, may be printed in the conference journal, used in news stories or releases, or otherwise disclosed at the discretion of the custodian of the files:
 - a) Identifying/directory information, excluding personal address (see VI.2.a above);
 - b) Census-type information (see VI.2.b above),
 - c) Dates (only) of admission to conference membership, ordination, retirement, termination of conference membership, and other significant changes in relationship to the conference;
 - d) Appointment information (see VI.2.f above).
2. *Optional data.* Biographical or personal information supplied voluntarily by the referent (see VI.2.i above) may be treated as public information.
3. *Limited Access Information.* Access to all records, data, and documents not defined as "public information" should be limited to the persons, officers, and agencies listed in the first paragraph of this section. Those persons, officers, and agencies should only have access to the portions of a file which are relevant to their functions and responsibilities, and only when acting in their official capacity. Whenever *The Book of Discipline* specifically authorizes or limits access to particular kinds of information, its provisions shall take precedence over these guidelines.
4. *Restricted Material.* Surrendered credentials shall be retained in a place where access can be strictly controlled; no access shall be allowed to them unless they are reissued upon readmission of the individual to annual conference membership. Access to records related to judicial proceedings is governed by applicable provisions of *The Book of Discipline*.

IX. ACCURACY OF INFORMATION. All information included in a file should be accurate. Persons in whose name files are maintained should have a periodic opportunity to review for accuracy all of the material defined above as "public information" and all of the family data. If errors are discovered, the individual should report them in writing to the conference officer responsible for maintaining the records. If the requested correction is not in agreement with source documentation available in the conference's files, the individual should be asked to submit documentary evidence corroborating the correction.

Referents may also review any of the "limited access" material to which they are permitted access under the guidelines for access. If an individual believes any of that material to be in error, he or she may submit a signed statement outlining the points of disagreement. If the source of the challenged material and the individual challenging it are in agreement, the material

in question may be corrected by addition, deletion, or substitution. If they are not in agreement, the referent's statement should be placed in the file and retained along with the challenged material.

Except for surrendered credentials and material related to judicial proceedings, the source(s) of any information, documents, or other material may review items they have placed in a file and, when acting in an official capacity and within their assigned functions and responsibilities, ask that additions and/or corrections be made. The referent should be notified of such changes in any material to which he or she is entitled to access. A written log of additions and/or corrections, showing the dates of changes, the types of information changed, the source of the correction or addition, and the type of any documentation submitted, should be kept with each file.

X. PSYCHOLOGICAL ASSESSMENT REPORTS. Assessment reports prepared during the candidacy period by the conference's ministerial assessment specialist, (who is a psychologist, psychiatrist, or pastoral evaluation specialist with proper credentials), and released to the Board of Ordained Ministry with the written permission of the referent should become a part of the candidacy records of the annual conference. The ministerial assessment specialist should retain all test scores and raw material data and provide only a written assessment report to the Board of Ordained Ministry. Test scores and other data from psychological assessment should be governed by a contractual arrangement between the annual conference and the ministerial assessment specialist. This contractual arrangement should be established prior to the gathering of psychological data and be consistent with the general guidelines of record keeping above. When a Board of Ordained Ministry discontinues a relationship with a psychologist, psychiatrist, or pastoral evaluation specialist, test scores, data, and copies of reports should be given directly to another ministerial assessment specialist retained by the annual conference. With the written permission of the referent, blinded copies of test scores, and other relevant assessment data may be released for research, archival entry, or longitudinal study.

XI. RETENTION AND DISPOSITION. Records and files should be actively maintained so long as, and only so long as, they are required for the personnel support and decision making of the annual conference and as long as required by any judicial requirements or court order. If a candidate discontinues from the candidacy process for any reason, the candidate's file should be retained by the custodian of the conference's personnel files for twenty-five (25) years following the discontinuance. Other candidate/clergy files are maintained using the following guidelines.

The files of the district committee on ordained ministry should be forwarded to the Board of Ordained Ministry when a candidate or local pastor applies for associate or provisional membership in the annual conference. The files of the Board of Ordained Ministry should be maintained until a candidate becomes an associate or full member. At that time, all of the Board of Ordained Ministry files and records should be forwarded to the officer designated by the annual conference as the custodian of its clergy personnel records. The district committee on ordained ministry and the Board of Ordained Ministry should not maintain any candidate or clergy files once the candidate has moved to the next stage of membership. The custodian should not retain candidate information that is no longer relevant. However, no material deemed by the custodian, after consultation with the Board of Ordained Ministry, to be significant for future evaluation of the practice of ministry should be destroyed. At a minimum, psychological assessment reports, medical reports, and background checks should be retained in the personnel file. Each conference should establish consistent standards for what candidate records to retain and what records to destroy.

The files of the conference board of pensions shall be maintained until all claims or potential claims on pension funds have been exhausted.

The permanent personnel records and files of the annual conference, as maintained by its designated custodian, should be deposited with the conference commission on archives and history when no longer required for personnel support and decision-making. The custodian/conference commission on archives and history should retain the file twenty-five years after a clergy person retires or no longer has a relationship with the conference, or as long as required by any judicial requirements or court order. After this period of time the file should be destroyed.

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Supervisory File Guidelines For Clergy, Candidates, and Diaconal Ministers in The United Methodist Church *Effective Date: August 18, 2017*

I. SUPERVISORY RECORDS IN THE CONTEXT OF THE ANNUAL CONFERENCE AND ITS MISSION. The deployment of personnel within an annual conference carries with it an obligation to ensure that the supervisory records maintained by the cabinet are kept with integrity and in a manner that will foster and enhance an atmosphere of trust. Records and files are kept as a service to candidates and personnel, local churches, the annual conference, and The United Methodist Church.

Records that are accurate and well kept will contribute to fulfilling these obligations in several ways:

1. Bishops and cabinets, which are responsible for the appointment, support, and supervision of personnel, will be assisted in their tasks. The goal is to fulfill their tasks in a way that will enable clergy to serve with maximum effectiveness in all of the settings in which the conference seeks to be in mission and ministry in the name of Jesus Christ.
2. Such files can help to protect personnel from decisions, which might otherwise be less fully informed. Likewise, the local church, cabinet, and the annual conference can be protected from legal concerns, which might result from undocumented or poorly documented decisions.
3. Well-kept records can be used to assist personnel as they seek to evaluate and assess their own personal and professional growth and to plan for continuing education and other experiences that will further that growth.

II. REQUIREMENTS OF THE 2016 EDITION OF *THE BOOK OF DISCIPLINE*. *The Book of Discipline* of The United Methodist Church describes the basic responsibilities for keeping supervisory records:

Specific Responsibilities of Bishops:

¶ 416.7. To keep and maintain appropriate supervisory records on all district superintendents and other records on ministerial personnel as determined by the bishop or required by the Discipline or action of the annual conference. When a district superintendent is no longer appointed to the cabinet, the bishop shall give that person's supervisory file to the superintendent of record. Supervisory records shall be kept under guidelines approved by the General Council of Finance and Administration. The supervisory records maintained by the bishop are not the personnel records of the annual conference.

Specific Responsibilities of District Superintendents:

¶ 419.8. The superintendent shall maintain the appropriate records of all clergy appointed to or related to the charges on the district (including clergy in extension ministry and ministry beyond the local church), as well as records dealing with property, endowments, and other tangible assets of The United Methodist Church within the district.

Other sections of *The Book of Discipline* (especially those dealing with records and archives, conference relationships of diaconal ministers and ordained clergy, and judicial and administrative proceedings) contain provisions related to content of and access to clergy personnel records as distinct from the supervisory records of the bishop and cabinet. Since these records are kept under a separate set of guidelines provided by the General Council on Finance and Administration, **it is important that the Supervisory File Guidelines not be confused with the Personnel Record Guidelines.** While the Supervisory File Guidelines are to be used by the bishop and cabinet, the Personnel Record Guidelines are intended for use by the annual conferences in relation to personnel records they maintain with respect to candidates for licensing as local pastors or ordination as deacons or elders, deacons and elders in full connection, provisional members, associate members, affiliate members, diaconal ministers, local pastors, and ministers of other denominations under appointment.

III. DEFINITIONS. In these guidelines certain terms are used with specific meanings, as follows:

1. The terms “personnel” and “referent(s)” are used interchangeably to denote the candidates for licensing as local pastors or ordination as deacons or elders, deacons and elders in full connection, provisional members, associate members, affiliate members, diaconal ministers, local pastors, and ministers of other denominations under appointment, related to the annual conference and in whose names supervisory records are kept. Supervisory records are not only kept for those under appointment to a local church, but those in appointments in extension ministries or beyond the local church, those on leave of absence or location, those attending school or on sabbatical, and those who are retired.
2. “Supervisory files” and “supervisory records” denote the files and records kept by the bishop and cabinet on clergy and diaconal personnel related to the annual conference. They are not the permanent personnel records of the annual conference which are kept under a separate set of guidelines from the General Council on Finance and Administration, nor do they refer to any other files or records which may exist in relation to other lay employees or volunteers in the annual conference, its districts, or agencies or institutions related to it.

IV. OWNERSHIP AND CUSTODY. Supervisory records are owned by the office of the bishop. Each bishop is the custodian or should designate the custodian of his or her files.

V. CONTENT. To fulfill the purposes for which supervisory records are kept, their content should meet certain criteria:

1. The information they contain should be relevant to the purpose for which they are to be used.
2. The kinds of information to be maintained should be consistent for all clergy personnel.
3. The records should be complete, in the sense that information that meets the tests of relevance and consistency should not be intentionally or arbitrarily excluded from any individual’s record. Records that contain information that is the same as the personnel file should be consistent.

Content of a file:

1. *Appointment information:*
 - a) A list of appointments served (or, in the case of diaconal ministers, service appointments) including the beginning and ending dates for each;
2. *Evaluative information:*
 - a) As deemed relevant, documents, conversations, agreements, and supervisor perceptions and any actions which relate to them;
 - b) Letters and comments solicited and unsolicited, information from the local church, clergy personnel and committees on pastor (staff) parish relations or other clergy personnel committees for those serving in appointments to extension ministries;
 - c) Appraisals and summaries written by the district superintendent.
 - d) The eight-year assessment as required in ¶ 349.3.
3. *Biographical information:*
 - a) Identifying/directory information: name, address, and telephone number;
 - b) Census-type information: gender, ethnic origin, birth date, and educational background (limited to the names of higher educational institutions attended, the dates of enrollment in those institutions, and degrees earned);
 - c) Family data: marital status, date(s) of marriage, names of spouse and children, birth dates of spouses and children, date(s) of dissolution of marriage (if any)

4. *Conference relationship information:* Dates of admission to associate, provisional, and/or full connection membership, full time and part time local pastor membership, ordination, transfers into or out of the conference, leaves, termination of membership, retirement, and other changes in conference relationship should be entered in the file when deemed appropriate. Correspondence or other documents related to circumstances surrounding entry, voluntary termination, or other voluntary changes in conference relationships may be included at the discretion of the bishop or superintendent.
5. *Complaint and administrative fair process procedures records:* Materials related to potential complaints or involuntary status changes; copies of complaints and charges; recommendations of the Board of Ordained Ministry; requests for involuntary status change; and decisions of the annual conference or trial court.
6. *Surrendered credentials:* Surrendered credentials should be collected by the district superintendent in accordance with the provisions of The Book of Discipline but should be placed in the personnel files kept by the conference secretary or other officer designated by the annual conference. A record of the receipt and a notation on the forwarding of the credential should be made by the district superintendent and placed in the supervisory file of the referent.
7. *Optional data:* With the permission of the referent, bishops or district superintendents may collect and maintain in their supervisory files other biographical or personal information furnished voluntarily by the referent; examples of such information would be continuing education, awards, publications, military service, prior employment, board and committee membership, interests, and activities. Because such information is optional and supplied voluntarily, it need not be consistent for every individual.

Note that *The 2016 Book of Discipline*, in ¶ 324.12, requires a notarized statement from all entrants (qualifications for provisional membership) detailing any convictions for felony, or misdemeanor, or written accusations and its disposition of sexual misconduct or child abuse; or certifying that the candidate has not been convicted of a felony or misdemeanor or accused in writing of sexual misconduct or child abuse. This statement should be maintained in the supervisory file. If a bishop requests a signed disclosure statement from all members similar to the statement required by ¶ 324 for entrants, then this statement should be maintained in the supervisory file. If the entrant or member provides a response or explanatory statement regarding such matters, this statement also should be maintained in the supervisory file. “Sexual misconduct” is defined by General Conference in *The Book of Resolutions* ¶2044 and annual conference policies.

VI. SOURCES OF INFORMATION. Information pertinent to the appointment making process comes from a variety of sources: bishop, cabinet, clergy personnel, committees on pastor (staff) parish relations, and other relevant sources.

Identifying/directory information, census-type information, family data, and any optional data should be supplied by the referent.

Conference relationship information should be supplied by the Board of Ordained Ministry or from the official record of the conference session at which the action was taken.

VII. ACCESS TO AND DISCLOSURE OF INFORMATION. Access to supervisory records shall be governed by the purposes for which they are maintained. Superintendents and bishops should disclose to committees on pastor (staff) parish relations (or to appropriate boards and agencies in the case of clergy appointments in extension ministries) pertinent information regarding all admissions or current or past complaints brought to or charges from the Committee on Investigation, regarding financial misconduct or misconduct of a sexual nature. Disclosure of other types of information, including complaints about other types of clergy misconduct or performance issues, should be made when such information might be helpful in predicting the conduct of a person under appointment or assisting the receiving entity to extend care and concern to the clergy person, or when it may affect the reception of the clergy person in his/her appointment. Superintendents and bishops, in cooperation with the referent, also are encouraged to disclose other matters that may affect his/her reception in an appointment. Within the context of the purposes of supervisory files, the right of privacy for clergy and those who have furnished material for the

supervisory files of clergy must be protected by procedures and security measures that guard against unauthorized access to or inappropriate disclosure of information. Access to digital files should be limited to those with a right to view the file.

The bishop and cabinet are responsible for overseeing the appointment and support of clergy personnel in the annual conference and have a right of access to all or specific parts of the material in the supervisory files of the cabinet and the personnel files of the annual conference, boards of pension, Boards of Ordained Ministry, and district committees on ordained ministry. Access to supervisory files should be granted to the referent at the discretion of the district superintendent, bishop, or cabinet except that the referent should not have access to: 1) material to which he or she has waived right of access in writing prior to its placement in the file; 2) material to which *The Book of Discipline* specifically denies such access; 3) material determined by the district superintendent, bishop, or cabinet to be of a confidential or privileged nature for which permission to share has not been granted by the author; and 4) materials that the district superintendent, bishop, or cabinet believe to be of a confidential, privileged, or private nature (including, but not limited to, notes of meetings, conversations, personal notes, comments, or observations). If the files are digital it is advised to have information that is often retained in both the supervisory file and the personnel file only in the personnel file with access to this information given to the holder of supervisory files as well, thus limiting repetitive data and ensuring accuracy.

If the referent wishes to be transferred from one annual conference to another or to receive an appointment to a church under the provisions of ¶ 344 or be appointed in a missionary conference while retaining membership in his or her home annual conference, the cabinet of the conference where appointment is anticipated (“appointive conference”) should, with the permission of the referent, request from the cabinet of the conference where membership is held (“membership conference”) a statement on the referent’s fitness for ministry and copies of any grievances, complaints, or other relevant records contained in the supervisory files. When the cabinet of the membership conference receives such a request for information from its supervisory files, it should, with the written permission of the referent, send to the cabinet of the appointive conference a statement of fitness and any information on grievances and complaints.

The supervisory file of a referent appointed under the provisions of ¶ 344 should be retained by the district superintendent of record in the membership conference while under appointment in another annual or missionary conference. However, it is recommended that the supervisory files be kept along with the personnel files in a depository approved by the annual conference whenever the referent’s conference membership is transferred or terminated.

VIII. SECURITY. Supervisory files are confidential and are not to be made available to any person or organization except under the limited circumstances stated in these Guidelines. Files shall be preserved from unauthorized access and guarded carefully against accidental damage and destruction. The ethical importance of maintaining proper security cannot be overemphasized. Access to digital files should be limited to those with a right to view the file and appropriate precautions should be taken, including maintaining appropriate cybersecurity systems and password protecting files.

IX. ACCURACY OF INFORMATION. All information included in a file should be relevant, accurate, and up to date. Corrections made in the personnel files of the annual conference should also be made in the supervisory files.

X. RETENTION AND DISPOSITION. Supervisory records and files should be actively maintained so long as the clergy is in a relationship with the annual conference. When a conference member is placed on honorable or administrative location and membership is transferred to a local church, the pastor in charge is expected to begin a new supervisory file for the located clergy. Such files are to follow these guidelines and access to the files is available to the district superintendent and bishop of record. When a clergyperson retires, dies or no longer has a relationship with the conference, the supervisory file should be given to the secretary of the conference for retention for a period of twenty-five years.

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