

THE FUNDAMENTALS OF CHURCH BYLAWS

Christian Law Association

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INTRODUCTION

It is necessary for any organization to have a set of documents laying out the organization's organizational and operational structure. The organizational structure of an organization is how the church is set up for legal purposes, e.g. set up as a corporation¹, LLC, unincorporated association², etc. The operational structure of an organization explains the rules the organization uses for operations. For churches and other organizations, bylaws are the primary tool for creating these organizational and operational documents.³

The bylaws play a vital role in how the church functions for legal purposes. Great care must be taken when preparing your church bylaws because the provisions contained in the bylaws are legally enforceable. Thus, a church's bylaws must be specifically tailored to meet the needs, practices, and beliefs of that church. The church's bylaws do not replace the Bible as the authority for the operation of the church, but the bylaws should certainly contain the church's most important beliefs and seek to codify those beliefs in many respects. The bylaws, when properly drafted, implement the commands and principles of the Bible so that all things may "be done decently and in order."

This publication will discuss what the attorneys for the Christian Law Association believe are fundamental to every church's bylaws: IRS requirements, statement of faith, membership, organizational leadership and indemnification, meetings, bylaw adoption and amendments, and relevant supplementary provisions.

¹ Incorporated churches will have articles of incorporation for its organizational document and bylaws for its operational document.

² Typically unincorporated churches will have a constitution as its organizational document and bylaws for its operational document. However, some churches will use bylaws as both their organizational and operational document.

³ Hereinafter this publication will refer collectively to organizational and operational documents as "bylaws".

CHAPTER 1

IRS REQUIREMENTS

While income tax exemption for the church and tax deduction for members of the church are not the most important thing in the bylaws, it is necessary for the bylaws to contain certain language if the church desires to receive the benefits of income tax exemption provided by the Internal Revenue Code. Without certain specific language a church is not exempt from taxation and is not a 501(c)(3) organization. However, if a church utilizes this specific language and operates according to the terms contained herein, the church is automatically, without doing anything else, a 501(c)(3) organization and exempt from income tax on the intake of the church.

Tithes and offerings are plainly set forth in the Scriptures as the means of supporting God's men and His work. However, in order for contributions to be tax deductible, the Internal Revenue Code requires that the church be organized and operated in accordance with the requirements of IRC § 501(c)(3), whether the church is incorporated or unincorporated.

Whether a church desires to be exempt from income tax, provide deductions for contributions, or both, certain language must be included in the bylaws. Specifically, the following five requirements must be included in a church's organizational and operational documents:⁴

- 1. 501(c)(3) Purpose Statement Clause:** The Internal Revenue Code (IRC) exempts from federal income taxation those organizations that meet the qualifications listed in IRC § 501(c)(3). Section 501(c)(3) organizations are primarily religious, charitable, and educational institutions. The purpose statement should reflect that the church is organized for all three of these primary purposes: religious, charitable, and educational. In drafting your church's purpose statement, use the following language: *"The corporation is organized exclusively for religious, charitable, and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Revenue law), including, but not limited to"*

⁴ If the church is incorporated, the organizational document is its articles of incorporation and its operational document is its bylaws. If the church is not incorporated, its bylaws (sometimes referred to as "constitution and bylaws") must do "double duty" as both its organizational and operational document.

The remainder of the sentence should then set forth the specific purposes of your church, such as establishing and maintaining religious worship, proclaiming the Gospel, and providing Christian education. This purpose statement should be broad enough to cover any current and future ministry of the church. In short, you may set forth any purpose which is consistent with the tax exempt purposes of Section 501(c)(3).

2. **Private Inurement/Conflict of Interest Clause:** The church organizational document should set forth the following limitation: *“No part of the net earnings of the church shall inure to the benefit of, or be distributable to, its members, directors, officers, or other private persons, except that the church shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the tax-exempt purposes of the church.”*
3. **Political Activities Clause:** An organization which is tax exempt under Section 501(c)(3) of the IRS Code must refrain from certain political activities in order to remain tax exempt. A provision should be included in your organizational document which states *“No substantial part of the activities of the church shall be the carrying on of propaganda or otherwise attempting to influence legislation. The church shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of (or in opposition to) any candidate for public office.”*

Attempts to influence legislation are not prohibited, but they are limited. A ministry may not engage in substantial attempts to influence legislation. Legislation includes actions by Congress, state legislatures, or any local council, or similar governing body. It also includes acts, bills, resolutions, or legislative confirmation of appointive office, referendums, ballot initiatives, or constitutional amendments. It does not include, however, actions by executive, judicial, or administrative bodies.

To constitute an attempt to influence legislation, the activity must refer to specific legislation, reflect a position for or against the legislation, and include a “call to action.” If any one of these three aspects is missing, the activity is not considered an attempt to influence legislation. (A call to action involves asking people to contact the legislator or

other government officials; stating how the legislators or officials might be reached by mail, email, or telephone; providing a response mechanism such as a petition to facilitate the contact; or specifically identifying one or more legislators who can vote on the legislation.)

Assuming that the church engages in attempts to influence legislation, the most significant question is how much is too much? The answer is that for churches there is no “bright line” measurement of “substantial.” The IRS considers both the amount of time devoted by both compensated and volunteer workers to lobbying, and the amount of money expended by the ministry for the lobbying activity. Historically, expenditures on attempts to influence legislation that average 5% or less of the annual revenues of the organization are not considered substantial. Because a church might mobilize a large volunteer effort in lobbying that involves very little expense, an expenditures test is not necessarily a valid measure of the overall priorities of that church. Therefore, the IRS also uses a balancing test that examines the lobbying activities of the organization in the context of the larger pattern of the objectives and circumstances of the organization.

Political campaign intervention is prohibited. While this means that a church cannot take sides with respect to candidates for elective political office, it does not mean that a church cannot speak to political issues. In fact, it is essential that the members be taught what the Scriptures have to say about the political issues of our time. A church may take positions on public policy issues, including issues that divide candidates in an election for public office. A church, however, must avoid engaging in issue advocacy that functions as political campaign intervention. A statement advocating for or against a particular policy should not identify one or more candidates for a given public office. It should state what the church believes about the issue without expressing approval or disapproval of the position or action of a particular candidate. The timing of the statement is significant, as the closer it is to the time of the election, the stricter the scrutiny of the motivation of the church. A statement by the church that is part of an ongoing series of statements by the church on the same issue that have been made independent of the timing of any election is not likely to be considered political campaign intervention. An issue advocacy statement is particularly at risk of being

considered political campaign intervention when it makes reference to candidates or voting in an upcoming election.

NOTE: Simply because a person holds a position of authority in the church or is a member of it does not mean that the activities of the individuals are considered actions of the church. The person must be acting in his official capacity for his actions to be attributable to the organization. Campaigning by the pastor on his own time and by his own initiative is not attributable to the church as long as the pastor's actions are not endorsed or funded by the church.

- 4. Dissolution Clause:** The organizational document should include a provision which states that, *“upon the dissolution of the corporation, after paying or making provision for payment of all its liabilities, the corporation shall dispose of all of its remaining assets to such organization or organizations formed and operated exclusively for religious purposes as shall at the time qualify as an exempt organization or organizations under Section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law).*

The bylaws may add provisions to this statement relating to the procedure by which the dissolution and distribution will be carried out.

EXAMPLE: “Any action to dissolve the church must be approved by a two-thirds (2/3) vote of the members of the church present at a meeting called to specifically consider such action, for which meeting written notice has been issued to all members in accordance with the provisions of these bylaws.”

EXAMPLE: “Assets may be distributed only to organizations that agree with the church’s Statement of Faith.”

- 5. Exempt Activities Clause:** Finally, the organizational document should include a clause which states, *“Notwithstanding any other provision of these Articles, the corporation shall not carry on any other activities not permitted to be carried on by an organization exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law)*

or by an organization, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law). ”

CHAPTER 2

STATEMENT OF FAITH

Perhaps the single most important item contained in a church's bylaws is a section setting forth what the ministry believes about the traditional doctrinal areas of the faith, the doctrinal distinctives of the church, and its position on social matters. This "Statement of Faith" specifically describes the various beliefs of the church. Because churches are granted broad religious protection for their sincerely held religious beliefs and practices, it is vitally important that the Statement of Faith fully enunciate the core beliefs of the church as well as beliefs that are likely to stand apart from those held by society.

In order for the church to protect itself, the bylaws must state clearly and unequivocally what the church believes as a matter of the Biblical faith. By doing so, a church will legally position itself to retain or terminate a staff or volunteer members, refuse church membership, and discipline members who are in violation of the church's beliefs. If appropriate provisions are included in the Statement of Faith, a church may make employment/staff and membership decisions based upon its religious faith. If a church refuses employment/staff and membership based upon religious beliefs without having a strong Statement of Faith in place, the church will open itself up to discrimination lawsuits.

Because some social issues create more litigation than others, it has become necessary for churches to clearly define their positions with regarding those particular subjects. While the Statement of Faith should not be limited to these matters, we recommend that, at a minimum, the church address the following social issues:

Sexual Immorality. In these days where gay marriage, polygamy, gender reassignment, pornography usage, and sex outside of marriage is searching for acceptance and approval, the church needs to explicitly state its position on sexual immorality. This statement should encompass all forms of potential sexually immoral behavior and should also define what your church considers to be a valid marriage.

Abortion.	The church needs to take a strong stand on the rights of the unborn.
Euthanasia.	The “right-to-die” and so-called “death-with-dignity” political lobbies have become very active in America. Churches should have a clear statement on the issue of euthanasia.
Divorce / Remarriage.	The church needs to voice its position on divorce. Any proper grounds for divorce and potential for remarriage need to be clearly stated.
Role of Women.	The church needs to clearly explain its position on the role of women in the church and any limitations imposed on certain offices or positions of service within the church.
Separation.	Separation issues are prevalent in American society today, and your church should clearly state its position on specifics such as tattoos, piercings, and modest appearance.
Believers’ Disputes.	The church needs to state its position on the Biblical prohibition on taking a brother to court, as sometimes, an offended person’s first response is legal action.

CHAPTER 3

MEMBERSHIP

The church bylaws should carefully specify the qualifications, rights, discipline, and termination of members. Most churches will want members to be believers who give full assent to the Statement of Faith and the Church Covenant and who have been baptized subsequent to conversion. The church bylaws should specifically set forth the procedures for admission to church membership. For example, *may members be admitted at any service of the church? Does the church vote on the admission of members? Is it merely a voice vote? Is the membership subject to the prospective member completing a membership class or signing a statement of assent to the Statement of Faith and the Church Covenant? Also, do the church bylaws specifically set forth the basis for the termination of church membership?* The following issues concerning members should be specifically addressed in a church's bylaws.

Qualifications of Membership. Church bylaws must clearly state the church's qualifications for membership. This section should not only state the formal ways by which a person may become a member of your church, but it should also state the minimum standards of Christian conduct and agreement with your statement of faith that must be met before your church would accept someone as a member. For instance, you should set a membership standard which provides you with the solid legal authority to refuse to accept or retain members who are openly living in sin or who do not subscribe to your statement of faith. Setting this standard will protect your church from people who are openly living in sin and want to make a cultural or political statement by trying to join your church. Unless the church has language setting this stricter standard, this type of person will claim he is entitled to membership just because he is saved, baptized, and accepts the statement of faith and bylaws. Membership is a privilege and should be treated as such.

Member's Legal Rights: Membership creates a special legal status in the law. Therefore, the church bylaws should clearly state that members have no contract, property, or civil legal rights in the property or other ministry affairs of the church. Furthermore, members by law have the right to review the minutes of a meeting, the bylaws of the church, and any prepared financial

statements. The church can limit these default legal rights by placing a reasonable restriction in the bylaws.

Members' Right to Vote. Many states allow for voting by proxy unless the bylaws specifically prohibit it. The bylaws should limit voting rights to only members who are eighteen and older and present at a meeting. Absentee and proxy voting should not be allowed as it can cause severe damage in a church when a decision is hijacked by a group of disgruntled members who choose to vote as a bloc even though they have not been to church in years. Even if a member has only been to church once in the past five years, if the church has not removed the member, they can vote in any church meeting on any matter. Furthermore, the bylaws should authorize the pastor and deacons to remove any member from a meeting if they determine that the member is being disruptive.

Members' Right to Sue. All members have the right to bring a lawsuit against the leadership of the church. A non-member, however, may not sue to challenge the actions of the church leadership. Until a member is terminated, therefore, he can sue the church to undo the actions of the leadership. The bylaws should also require binding arbitration of all disputes between members and the church. It is important to make sure the church's bylaws provide that any and all disputes between a church member and the church cannot be litigated in the civil courts as this is Biblically forbidden; but, if such a dispute were to arise, the matter would be arbitrated in a Biblically-based, Christian manner.

Discipline of Members. Similar to our recommendation concerning what qualifies a person for membership in your church, we also recommend that your church bylaws clearly define what disqualifies a person from membership. The church's bylaws need to provide detailed procedures that the church will follow in dealing with an erring member. While Scripture references provide the Biblical foundation of the church's decision, the specific steps should be stated. In any discipline situation, a church's bylaw provisions should be followed to the letter, and the discipline committee should be given the authority to determine whether and when the process has been properly followed.

Please note in our sample provision concerning discipline that there is an allusion to a public offense. The determination of what is a public offense should be left to the discretion of the

discipline committee. A public offense does not Biblically require the procedure of church discipline as normally laid out. Instead, the matter may be expedited to prevent any additional shame or contention within the church. For an example of Biblical discipline of a public offense, see 1 Corinthians 5.

Termination of Membership. The bylaws should automatically terminate members who have not attended services in six months. The bylaws should automatically remove from membership any member that joins another church. By far, the most common source of trouble for a church is non-attending members. **We believe it is legally imperative that an automatic termination provision for church membership be included.** An automatic termination provision automatically removes from the church membership rolls any person—other than a college student, military member, shut-in, missionary, or evangelist—who has not attended a regular church service in the preceding period of time (as defined in your bylaws), or any member who is engaged in lifestyle conduct (e.g., homosexuality, adultery, abortion) which is identified in your bylaws as being Biblically prohibited, or who has brought a lawsuit against the church or another Christian. As previously discussed, all members have the right to bring a lawsuit against the leadership of the church. A non-member, however, may not sue to challenge the actions of the church leadership. Therefore, until membership is terminated, the church member can sue the church to undo the actions of the leadership.

CHAPTER 4

ORGANIZATIONAL LEADERSHIP AND INDEMNIFICATION

The types, qualifications, election, terms, duties and authority, and termination of a church's leadership and church administration (officers, board members, pastors, elders, deacons, trustees, clerk, treasurer, recording secretary, and all paid staff) must be outlined in the church bylaws. Do not create such an elaborate set of checks and balances that none of the church leadership has sufficient liberty to get anything done on behalf of the church and its ministries. The church leadership should have sufficient authority to effectively lead and conduct the ministries of the church. If the church is incorporated, the bylaws should designate who is to serve as corporate officers. Furthermore, any reference or provision for special committee or ministry director/leader (e.g. pulpit committee, music director, and children's ministry director) should include an explanation of the duties for the position and the process whereby such individuals are appointed. We recommend that committees should be flexible in the bylaws. The church should not list all committees in the bylaws, but should retain the authority to create and dissolve committees as it chooses. Most committees are temporary and should be treated in the bylaws as such.

Indemnification is an important protection for those in authority in the church. It assures the officers and paid staff that the church is willing to support their good-faith decisions on behalf of the church. Indemnification simply means the church is able to pay for the defense or any damage arising from an officer's decision for which he is later sued. We suggest that indemnification be subject to the approval of the deacons or other authority so that the church has the option of indemnification. The church may decide to purchase an insurance policy to pay for the defense of church staff members or volunteers and for the payment of any judgment against him for his actions on behalf of the church.

If a staff member or volunteer of the church is sued because of his connection with the church, a church may decide to reimburse him for expenses he incurs in defending that legal action. The church staff member or volunteer is entitled to the reimbursement only if he believed he was both acting in the best interests of the church and in a lawful manner when he performed the actions for which he is being sued. The fact that he loses the legal action does not necessarily

mean that he did not perform his duties with the best interests of the church in mind or that he knew his actions were unlawful; therefore, even if he loses the legal action, the church staff member or volunteer could still be entitled to reimbursement if he acted in what he believed to be the church's best interests and in a lawful manner. If the staff member or volunteer of the church is successful in defending the legal action against him, he may be reimbursed for expenses actually and reasonably incurred by him in connection with that legal action. This means the expenses may not be unreasonably high for a legal action of the type in which he is involved. Attorneys' fees are considered to be an expense for which the staff member or volunteer may be reimbursed.

Before the staff member or volunteer may be reimbursed, the church must determine that he is entitled to the reimbursement because he acted in what he believed to be the best interests of the church or because he acted with no knowledge that what he was doing was unlawful. The determination of whether the staff member or volunteer complied with this standard of conduct is to be made in one of three ways:

1. by a majority vote of a quorum of the pastor and deacons who are not also involved in the legal action;
2. if a quorum of the pastor and deacons is not possible because they are also involved in the legal action, or if a majority of the quorum so directs, by an attorney who is not involved in the legal action will be asked to give a written legal opinion as to whether the staff member or volunteer complied with the standard of conduct; or
3. by a majority vote of the church congregation.

The church may choose to reimburse staff member or volunteer for incurred legal expenses, but before the legal action is over, if the person being reimbursed agrees to repay that amount if it is ultimately determined that he is ineligible for reimbursement by the church. For instance, he may be ineligible because he actually knew that he was breaking a law when he performed the action for which he was sued. The deacons must decide whether the church will reimburse the staff member or volunteer as the expenses are incurred or whether they will be reimbursed only after the legal action is finally completed.

The church will have the discretion to reimburse or not to reimburse the staff member or volunteer, unless the church has agreed to reimburse him in any other agreement, including an insurance agreement purchased by the church. The church has the discretion to reimburse whether the person was sued in his official capacity or in any other capacity while he was holding that office. For instance, whether the pastor is sued in his official capacity as Pastor John Smith or in his private, individual capacity as John Smith for his actions connected with the church, the church may decide to reimburse him in both capacities. If he is removed from his duties, or if he passes away during the course of the legal action against him, the church may decide to continue to reimburse him – or his heirs – for expenses in defending the actions brought against him.

CHAPTER 5

MEETINGS

It is important that the church's bylaws carefully spell out the rules and procedures for all church administration meetings. Where provisions are missing state law will fill in the terms. State law provisions were not designed to give flexibility to leaders in the same way that can be done in well thought out bylaws. Some concerns that should be addressed include: *How often and where will meetings be held? How will special meetings be called? And what are the procedures for notifying members of annual, regular, and special meetings? What are the rules governing church meetings? And, who will preside over church business meetings?*

The provisions that can be utilized for determining notice provisions, dates of meetings, procedures, etc. are limitless. However, as a matter of practicality, the Christian Law Association strongly discourages the use of Robert's Rules of Order to govern meetings because they are too specific and inflexible. Entire college courses are taught on the procedures contained in Robert's Rules. We are familiar with court cases in which the issue is whether the correct procedure as outlined in Robert's have been followed by the Church. If a rule is adopted and not followed any action taken inappropriately will likely be considered invalid. It is preferable to create your own workable rules based upon the Bible and common sense and remove any reference to Robert's Rules. Additionally, in contrast to Robert's Rules of Order, we recommend that the pastor act as the moderator for member meetings and that: "the moderator shall determine the rules of procedure according to his sense of fairness and common sense, giving all members a reasonable opportunity to be heard on a matter. The moderator is the final authority on questions of procedure, and his decision is final and controlling."

CHAPTER 6

ADOPTION AND AMENDMENTS

We recommend churches make the amendment process simple, as circumstances may arise which create a need to change the bylaws. A simple amendment process leaves the church flexible in addressing new concerns and developments. Make certain you follow the amendment procedure found in your current bylaws when making any changes to your bylaws.

A church may include a provision that a particular bylaw can never be amended; however, the provision has no legal effect. Whatever the organization adopts, it may always amend or repeal using the bylaws' amendment procedure. A vote to amend a bylaw or bylaws automatically operates to repeal or to supersede all previous versions of the amended bylaw or bylaws. The same is true if you adopt a whole new set of bylaws.

Once the church has adopted bylaws or followed its amendment procedures and the amendments are formally adopted, a copy of the new adopted bylaws needs to be maintained in the minutes of the church. The church should have a book in which it keeps all of its minutes and copies of adopted documents such as the bylaws and its amendments. The church is not required, and the state is not equipped, to have the bylaws be filed with the government. Therefore, unless the bylaws are specifically requested as part of an application process (property tax exemption, sales tax exemption, etc.) they are not to be filed with the government.

Bylaws may not simply be ignored. A church may create any rules for the operation of the organization that it wishes; however, if it has a bylaw, the church must follow it. If a church does not adhere to its own bylaws, it renders itself susceptible to government involvement and interpretation. The First Amendment to the United States Constitution prohibits courts from reviewing the ecclesiastical actions of a church in such matters as the selection and discipline of members and the selection or termination of the pastor. Courts may, however, review whether the church followed its own procedures for the selection and discipline of members and the selection or termination of the pastor. Once the court finds out that the church followed its own procedures, the court must cease all further review of the church proceedings.

CHAPTER 7

SUPPLEMENTARY PROVISIONS

Day School Operations: If the church owns and operates a day school of any kind, it will need to amend its bylaws to appropriately reflect the relationship and governing authority of the church over the school. The bylaws need to outline the purpose of the school, the expected teaching and Christian walk of the school's staff, and the appropriate hierarchy of authority.

Ordination: Ordination is a local church matter. It is up to the leadership of the local church to decide the criteria by which an individual is recognized as ordained. Therefore, from a legal standpoint, the church bylaws should set forth the qualifications for a candidate for licensing or ordination and should direct who will determine whether the candidate should be presented to the church for licensing or ordination. The bylaws need to outline the qualifications and procedures for ordination.

Designated Giving: Contributions/tithes that are designated by the contributor for a specific purpose impose a "trust" obligation upon the recipient church to use the designated funds for that purpose only. For example, if a designation is made for the building fund, the amount designated must be used solely for the purpose of that building fund. Often, churches establish separate bank accounts to keep track of various types of designated funds. This is not legally necessary but if the treasurer of church is not comfortable with setting up subsidiary ledgers for each type of fund (general, missions, building, etc.), separate bank accounts is certainly acceptable.

If the church receives a designated contribution, there are only three things the church may legally do with the money: use it for the purpose designated, return the gift to the donor, or have the donor change or remove the designation. To avoid being required to ask the donor for permission to use the funds for a purpose other than the designated purpose, the bylaws should contain a specific provision making gift designation advisory only.

CHAPTER 8

POLICIES AND PROCEDURES

The bylaws are not intended to govern every facet of an organization; rather, they are meant to layout the basic governance for the organization. Policies and procedures are necessary for creating order and setting up protocols for the practicalities which come with the daily operation of an organization. The types of policies and procedures that can be adopted are as endless as the ideas of leadership. However, there are several policies which most every organization, especially churches, should consider. Specifically, child abuse prevention policies, facility use policies, and wedding policies have become highly desirable in today's society. Other policies and procedures which frequently prove useful to churches include: record keeping policies, conflict of interest policies, arbitration procedures, ministry vehicle use policies, and counseling policies.

CONCLUSION

The recommendations contained herein are made in light of the thousands of cases and controversies our firm has seen over the many years we have advised and represented churches through the ministry of the Christian Law Association. The sample provisions have been born out of actual cases and controversies we have witnessed. The suggested language in our template and the strategic recommendations will legally and spiritually protect your ministry in light of real and present issues. For these reasons, we urge you to prayerfully consider our recommendations and suggested language.

Having legally, practically, and spiritually solid written policies and procedures will help facilitate your church ministry's objectives and shield your ministry from legal liability. However, the same written policies and procedures that are intended to be a shield will become a sword that may be used against you if they are not carefully followed in the day-to-day administration and operation of your church. Therefore, you must not only maintain accurate information in your bylaws but also make certain the church is governed according to the bylaws.

A complete and full sample set of bylaws is contained in the Appendix. If legal questions or issues arise outside the scope of these recommendations, we encourage you to contact the Christian Law Association or a local attorney to obtain legal counsel. You may contact the Christian Law Association at:

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APPENDIX

- ❖ SAMPLE BYLAWS FOR INCORPORATED CHURCHES
- ❖ SAMPLE CONSTITUTION & BYLAWS FOR UNINCORPORATED CHURCHES
- ❖ SAMPLE SUPPLEMENTARY PROVISIONS:
 - Churches Operating a Christian Day School
 - Ordination
 - Designated Giving
 - Morality Clause
- ❖ SAMPLE FACILITY USAGE POLICY
- ❖ SAMPLE WEDDING POLICY
- ❖ SAMPLE ARBITRATION PROCEDURES
- ❖ BYLAW CHECKLIST

SAMPLE BYLAWS FOR INCORPORATED CHURCHES

Bylaws of [Church Name, Inc.]

ARTICLE 1 NAME AND PURPOSE

SECTION 1.01—NAME

This congregation of believers shall be known as _____. It is incorporated as a non-profit corporation under the laws of the state of _____.

SECTION 1.02—PURPOSE

This congregation is organized as a church exclusively for charitable, religious, and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Revenue Law), for such purposes including, but not limited to, the proclaiming of the Gospel of the Lord Jesus Christ; the establishing and maintaining of religious worship; the educating of believers in a manner consistent with the requirements of Holy Scripture; and the maintaining of missionary activities in the United States and any foreign country.

ARTICLE 2 STATEMENT OF FAITH AND COVENANT

SECTION 2.01—STATEMENT OF FAITH

- (A) **The Holy Scriptures.** We believe the Old and New Testament Scriptures are the verbally and plenary inspired Word of God. The Scriptures are inerrant, infallible and God-breathed and are, therefore, the final authority for faith and life. The sixty-six books of the Old and New Testaments are the complete and divine revelation of God to Man. The Scriptures shall be interpreted according to their normal grammatical-historical meaning, and all issues of interpretation and meaning shall be determined by the pastor. The King James Version of the Bible shall be the official and only translation used by the church. (2 Tim. 3:16-17; 2 Pet. 1:20-21)
- (B) **Dispensationalism.** We believe that the Scriptures interpreted in their natural, literal sense reveal divinely determined dispensations or rules of life that define man's responsibilities in successive ages. These dispensations are not ways of salvation, but rather are divinely ordered stewardships by which God directs man according to His purpose. Three of these dispensations—the law, the church, and the kingdom—are the subjects of detailed revelation in Scripture. (Gen. 1:28; 1 Cor. 9:17; 2 Cor. 3:9-18; Gal. 3:13-25; Eph. 1:10; 3:2-10; Col. 1:24-25, 27; Rev. 20:2-6)

- (C) **The Godhead.** We believe in one triune God, eternally existing in three persons—Father, Son, and Holy Spirit—each co-eternal in being, co-identical in nature, co-equal in power and glory, and having the same attributes and perfections. (Deut. 6:4; Matt. 28:19; John 14:10, 26; 2 Cor. 13:14)
- (D) **The Person and Work of Christ.**
- (1) We believe that the Lord Jesus Christ, the eternal Son of God, became man, without ceasing to be God, having been conceived by the Holy Spirit and born of the virgin Mary, in order that He might reveal God and redeem sinful men. (Isa. 7:14; 9:6; Luke 1:35; John 1:1-2, 14; 2 Cor. 5:19-21; Gal. 4:4-5; Phil. 2:5-8)
 - (2) We believe that the Lord Jesus Christ accomplished our redemption through His death on the cross as a representative, vicarious, substitutionary sacrifice, and that our justification is made sure by His literal, physical resurrection from the dead. (Acts 2:18-36; Rom. 3:24-25; Eph. 1:7; 1 Pet. 2:24; 1 Peter 1:3-5)
 - (3) We believe that the Lord Jesus Christ ascended to Heaven and is now exalted at the right hand of God where, as our High Priest, He fulfills the ministry of Representative, Intercessor, and Advocate. (Acts 1:9-10; Rom. 8:34; Heb. 9:24; 7:25; 1 John 2:1-2)
- (E) **The Person and Work of the Holy Spirit.**
- (1) We believe that the Holy Spirit is a person who convicts the world of sin, of righteousness, and of judgment; and, that He is the Supernatural Agent in regeneration, baptizing all believers into the body of Christ, indwelling and sealing them unto the day of redemption. (John 16:8-11; Rom. 8:9; 1 Cor. 12:12-14; 2 Cor. 3:6; Eph. 1:13-14)
 - (2) We believe that He is the divine Teacher who assists believers to understand and appropriate the Scriptures and that it is the privilege and duty of all the saved to be filled with the Spirit. (Eph. 1:17-18; 5:18; 1 John 2:20, 27)
 - (3) We believe that God is sovereign in the bestowal of spiritual gifts to every believer. God uniquely uses evangelists, pastors, and teachers to equip believers in the church to do the work of the ministry. (Rom. 12:3-8; 1 Cor. 12:4-11, 28; Eph. 4:7-12)
 - (4) We believe that the sign gifts of the Holy Spirit, such as speaking in tongues and the gift of healing, were temporary. Speaking in tongues was never the common or necessary sign of the baptism or filling of the Holy Spirit. Ultimate deliverance of the body from sickness or death awaits the consummation of our salvation in the resurrection, although God frequently chooses to answer the prayers of believers for physical healing. (1 Cor. 1:22; 13:8; 14:21-22)
- (F) **The Total Depravity of Man.** We believe that man was created in the image and likeness of God; but that in Adam's sin the human race fell, inherited a sinful nature, and

became alienated from God. Man is totally depraved and, of himself, utterly unable to remedy his lost condition. (Gen. 1:26-27; Rom. 3:22-23; 5:12; 6:23; Eph. 2:1-3; 4:17-19)

- (G) **Salvation.** We believe that salvation is the gift of God brought to man by grace and received by personal faith in the Lord Jesus Christ, Whose precious blood was shed on Calvary for the forgiveness of our sins. We believe that all sins, except blasphemy of the Holy Spirit, are forgivable. (Matt. 12:31-32; John 1:12; Eph. 1:7; 2:8-10; 1 Pet. 1:18-19; 1 John 1:9)

(H) **The Eternal Security and Assurance of Believers.**

- (1) We believe that once a person is saved, he is kept by God's power and remains secure in Christ forever. (John 6:37-40; 10:27-30; Rom. 8:1, 38-39; 1 Cor. 1:4-8; 1 Pet. 1:4-5)
- (2) We believe that it is the privilege of believers to rejoice in the assurance of their salvation through the testimony of God's Word, which, however, clearly forbids the use of Christian liberty as an occasion to the flesh. (Rom. 13:13-14; Gal. 5:13; Titus 2:11-15)

(I) **The Church**

- (1) We believe that the local church, which is the body and the espoused bride of Christ, is solely made up of born-again believers. (1 Cor. 12:12-14; 2 Cor. 11:2; Eph. 1:22-23; 5:25-27)
- (2) We believe that the establishment and continuance of local churches is clearly taught and defined in the New Testament. (Acts 14:27; 20:17, 28-32; 1 Tim. 3:1-13; Titus 1:5-11)
- (3) We believe in the autonomy of the local church free of any external authority or controls, and any affiliations, societies, organizations, associations, or agencies this church affiliates with to further the objectives stated in the Purpose Statement are not authoritative in matters of church practice or belief. (Acts 13:1-4; 15:19-31; 20:28; Rom. 16:1, 4; 1 Cor. 3:9, 16; 5:4-7, 13; 1 Pet. 5:1-4)
- (4) We recognize water baptism by immersion and the Lord's Supper as the Scriptural ordinances of obedience for the church in this age. (Matt. 28:19-20; Acts 2:41-42; 8:36-38; 1 Cor. 11:23-26)

- (J) **Separation.** We believe that believers should maintain a godly testimony and live in such a way that that their lives do not bring reproach upon their Savior. God commands His people to separate from all religious apostasy, all worldly and sinful pleasures, practices, and associations, and to refrain from all immodest and immoderate appearances, piercings, and bodily markings. We stand against any and all worldly philosophies that seek to destroy or undermine the truth of Biblical Christianity. (Lev. 19:28; Rom. 12:1-2; 14:13; 1 Cor. 6:19-20; 2 Cor. 6:14-7:1; 2 Tim. 3:1-5; 1 John 2:15-17; 2 John 9-11)

- (K) **The Second Coming of Christ.** We believe in that *blessed hope*, the personal, imminent return of Christ, Who will rapture His church prior to the seven-year tribulation period. At the end of the Tribulation, Christ will personally and visibly return with His saints, to establish His earthly Messianic Kingdom, which was promised to the nation of Israel. (Ps. 89:3-4; Dan. 2:31-45; Zech. 14:4-11; 1 Thess. 1:10; 4:13-18; Titus 2:13; Rev. 3:10; 19:11-16; 20:1-6)
- (L) **The Eternal State.**
- (1) We believe in the bodily resurrection of all men, the saved to eternal life, and the unsaved to judgment and everlasting punishment. (Matt. 25:46; John 5:28-29; 11:25-26; Rev. 20:5-6, 12-13)
 - (2) We believe that the souls of the redeemed are, at death, absent from the body and present with the Lord, where in conscious bliss they await the first resurrection, when spirit, soul, and body are reunited to be glorified forever with the Lord. (Luke 23:43; 2 Cor. 5:8; Phil. 1:23; 3:21; 1 Thess. 4:16-17; Rev. 20:4-6)
 - (3) We believe that the souls of unbelievers remain, after death, in conscious punishment and torment until the second resurrection, when with soul and body reunited, they shall appear at the Great White Throne Judgment, and shall be cast into the Lake of Fire, not to be annihilated, but to suffer everlasting conscious punishment and torment. (Matt. 25:41-46; Mark 9:43-48; Luke 16:19-26; 2 Thess. 1:7-9; Jude 6-7; Rev. 20:11-15)
- (M) **The Personality of Satan.** We believe that Satan is a person, the author of sin and the cause of the Fall of Man; that he is the open and declared enemy of God and man; and that he shall be eternally punished in the Lake of Fire. (Job 1:6-7; Isa. 14:12-17; Matt. 4:2-11; 25:41; Rev. 20:10)
- (N) **Creation.** We believe that the Genesis account of creation is neither allegory nor myth, but a literal, historical account of God's creation of the universe in six literal, 24-hour periods. We reject evolution, the Gap Theory, the Day-Age Theory, and Theistic Evolution as unscriptural theories of origin. (Gen. 1-2; Ex. 20:11)
- (O) **Civil Government.** We believe that God has ordained and created all authority consisting of three basic institutions: 1) the home, 2) the church, and 3) the state. Every person is subject to these authorities, but all (including the authorities themselves) are answerable to God and governed by His Word. God has given each institution specific Biblical responsibilities and balanced those responsibilities with the understanding that no institution has the right to infringe upon the other. The home, the church, and the state are equal and sovereign in their respective Biblically assigned spheres of responsibility under God. We believe that we must obey the state unless it requires us to act contrary to our faith at which time we must obey God rather than the state. (Matt. 22:15-22; Acts 5:29; Rom. 13:1-7; Eph. 5:22-24; Titus 3:1-2; Heb. 13:17; 1 Pet. 2:13-14)

(P) Human Sexuality.

- (1)** We believe that God has commanded that no intimate sexual activity be engaged in outside of a marriage between one naturally-born man and one naturally-born woman. We believe that any form of homosexuality, lesbianism, bisexuality, bestiality, incest, fornication, adultery, and pornography are sinful perversions of God's gift of sex. We believe that God disapproves of and forbids any attempt to alter one's gender by surgery or appearance. (Gen. 2:24; Gen. 19:5, 13; Gen. 26:8-9; Lev. 18:1-30; Rom. 1: 26-29; 1 Cor. 5:1; 6:9; 1 Thess. 4:1-8; Heb. 13:4)
- (2)** We believe that the only Scriptural marriage is the joining of one naturally-born man and one naturally-born woman for life. (Gen. 2:24; Rom. 7:2; 1 Cor. 7:10; Eph. 5:22-23)

(Q) Family Relationships

- (1)** We believe that men and women are spiritually equal in position before God but that God has ordained distinct and separate spiritual functions for men and women in the home and the church. The husband is to be the leader of the home, and men are to be the leaders (pastors and deacons) of the church. Accordingly, only men are eligible for licensure and ordination by the church. (Gal. 3:28; Col. 3:18; 1 Tim. 2:8-15; 3:4-5, 12)
- (2)** We believe that God has ordained the family as the foundational institution of human society. The husband is to love his wife as Christ loves the church. The wife is to submit herself to the Scriptural leadership of her husband as the church submits to the headship of Christ. Children are an heritage from the Lord. Parents are responsible for teaching their children spiritual and moral values through consistent lifestyle example and appropriate discipline, including Scriptural corporal correction. (Gen. 1:26-28; Ex. 20:12; Deut. 6:4-9; Ps. 127:3-5; Prov. 19:18; 22:15; 23:13-14; Mk. 10:6-12; 1 Cor. 7:1-16; Eph. 5:21-33; 6:1-4, Col. 3:18-21; Heb. 13:4; 1 Pet. 3:1-7)

(R) Divorce and Remarriage. We believe that God disapproves of and forbids divorce and intends marriage to last until one of the spouses dies. Divorce and remarriage is regarded as adultery except on the grounds of fornication. Although divorced and remarried persons or divorced persons may hold positions of service in the church and be greatly used of God for Christian service, they may not be considered for the offices of pastor or deacon. (Mal. 2:14-17; Matt. 19:3-12; Rom. 7:1-3; 1 Tim. 3:2, 12; Titus 1:6)

(S) Abortion. We believe that human life begins at conception and that the unborn child is a living human being. Abortion constitutes the unjustified, unexcused taking of unborn human life. Abortion is murder. We reject any teaching that abortions due to rape, incest, birth defects, gender selection, birth or population control, or the physical or mental well-being of the mother are acceptable. (Job 3:16; Ps. 51:5; 139:14-16; Isa. 44:24; 49:1, 5; Jer. 1:5; 20:15-18; Luke 1:44)

- (T) **Euthanasia.** We believe that the direct taking of an innocent human life is a moral evil, regardless of the intention. Life is a gift of God and must be respected from conception until natural death. Thus we believe that an act or omission which, of itself or by intention, causes death in order to eliminate suffering constitutes a murder contrary to the will of God. Discontinuing medical procedures that are extraordinary or disproportionate to the expected outcome can be a legitimate refusal of over-zealous treatment. (Ex. 20:13, 23:7; Matt. 5:21; Acts 17:28)
- (U) **Love.** We believe that we should demonstrate love for others, not only toward fellow believers, but also toward those who are not believers, those who oppose us, and those who engage in sinful actions. We are to deal with those who oppose us graciously, gently, patiently, and humbly. God forbids the stirring up of strife, the taking of revenge, or the threat or use of violence as a means of resolving personal conflict or obtaining personal justice. Although God commands us to abhor sinful actions, we are to love and pray for any person who engages in such sinful actions. (Lev. 19:18; Matt. 5:44-48; Luke 6:31; John 13:34-35; Rom. 12:9-10; 17-21; 13:8-10; Phil. 2:2-4; 2 Tim. 2:24-26; Titus 3:2; 1 John 3:17-18)
- (V) **Lawsuits Between Believers.** We believe that Christians are prohibited from bringing civil lawsuits against other Christians or the church to resolve personal disputes. We believe the church possesses all the resources necessary to resolve personal disputes between members. We do believe, however, that a Christian may seek compensation for injuries from another Christian's insurance company as long as the claim is pursued without malice or slander. (1 Cor. 6:1-8; Eph. 4:31-32; Matt. 18:15-17)
- (W) **Missions.** We believe that God has given the church a great commission to proclaim the Gospel to all nations so that there might be a great multitude from every nation, tribe, ethnic group, and language group who believe on the Lord Jesus Christ. As ambassadors of Christ, we must use all available means to go to the foreign nations and not wait for them to come to us. (Matt. 28:19-20; Mark 16:15; Luke 24:46-48; John 20:21; Acts 1:8; 2 Cor. 5:20)
- (X) **Giving.** We believe that every Christian, as a steward of that portion of God's wealth entrusted to him, is obligated to financially support his local church. We believe that God has established the tithe as a basis for giving, but that every Christian should also give other offerings sacrificially and cheerfully to the support of the church, the relief of those in need, and the spread of the Gospel. We believe that a Christian relinquishes all rights to direct the use of his tithe or offering once the gift has been made. (Gen. 14:20; Prov. 3:9-10; Acts 4:34-37; 1 Cor. 16:2; 2 Cor. 9:6-7; Gal. 6:6; Eph. 4:28; 1 Tim. 5:17-18; 1 John 3:17)

SECTION 2.02—AUTHORITY OF STATEMENT OF FAITH

The Statement of Faith does not exhaust the extent of our faith. The Bible itself is the sole and final source of all that we believe. We do believe, however, that the foregoing Statement of Faith accurately represents the teachings of the Bible and, therefore, is binding upon all

members. All literature, whether print or electronic, used in the church shall be in complete agreement with the Statement of Faith.

SECTION 2.03—COVENANT

Having been led, as we believe, by the Spirit of God, to receive the Lord Jesus Christ as our Savior, and on profession of our faith, having been baptized in the name of our Father, and of the Son, and of the Holy Ghost, we do now, in the presence of God and this assembly, most solemnly and joyfully enter into covenant with one another, as one body in Christ.

We engage, therefore, by the aid of the Holy Spirit, to walk together in Christian love; to strive for the advancement of this church in knowledge, holiness, and comfort; to promote its prosperity and spirituality; to sustain its worship, ordinances, discipline, and doctrines; to give it a sacred preeminence over all institutions of human origin; and to contribute cheerfully and regularly to the support of the ministry, the expenses of the church, the relief of the poor, and the spreading of the Gospel through all nations.

We also engage to maintain family and personal devotions; to educate our children in the truth of God's Word; to seek the salvation of our families, acquaintances, and all others; to walk circumspectly in the world; to be just in our dealings, faithful to our engagements, and exemplary in our deportment; to avoid excessive anger, tattling, backbiting, and all gossip or secretive meetings regarding personal issues of church members, church leadership, or practice; to abstain from such worldly amusements as watching ungodly movies, gambling, rock music, and dancing; to be free from all oath-bound secret societies and partnerships with unbelievers; to abstain from the sale or use of tobacco in any form, intoxicating drink, pornography, and the abuse of drugs; and to be zealous in our efforts to advance the Kingdom of our Savior.

We further engage to watch over one another in brotherly love; to remember each other in prayer; to aid each other in sickness and distress; to cultivate Christian sympathy in feeling and courtesy of speech; to be slow to take offense, but always ready to secure reconciliation without delay.

We moreover engage, that when we remove from this place, we will as soon as possible unite with some other church where we can carry out the spirit of this covenant and the principles of God's Word.

ARTICLE 3 MEMBERSHIP

SECTION 3.01—QUALIFICATIONS FOR MEMBERSHIP

Those seeking membership must, through their actions, words, lifestyle, and affiliations, evidence a genuine experience of regeneration through faith in and acceptance of the Lord Jesus Christ as personal Savior.

(A) They must renounce sin and endeavor to live a consecrated life wholly unto the Lord.

- (B) Candidates for membership will be required to attend a 6 week pre-membership class led by a member of the pastoral staff, in which they will study the Statement of Faith, the bylaws of this church, general church practices, and expectations of members.
- (C) At the conclusion of the class, the pastor may direct that candidates be interviewed by the pastoral staff and/or deacon board prior to being recommended for membership to ensure they fully subscribe to the Statement of Faith contained herein and agree to submit to the authority of the church and its leaders.
- (D) After such recommendation, membership will be granted upon a majority vote of the members present at any church service or meeting, and upon compliance with any one of the following conditions:
 - (1) By baptism (immersion) at this local church following a profession of faith as a believer in Christ Jesus as personal Savior;
 - (2) By letter of transfer from another Bible-believing church of like faith and practice, or other written statement of good standing from the prior church if the applicant has been baptized by immersion subsequent to a profession of faith;
 - (3) By testimony of faith, having been baptized by immersion in another Bible-believing church of like faith and practice; or
 - (4) By restoration, if having been removed from membership, upon majority vote of the congregation after confession is made publicly before the church membership of the sin or sins involved, and satisfactorily evidencing repentance to the pastor (or the board of deacons if the office of pastor is vacant).

SECTION 3.02—DUTIES OF A MEMBER

On becoming a member of this church, in addition to the covenant contained in Section 2.03, each member further covenants to love, honor, and esteem the pastor; to pray for him; to recognize his authority in the spiritual and day-to-day affairs of the church; to cherish a brotherly love for all members of the church; to support the church in prayer, tithes, offerings, and with other financial support as the Lord enables; and in accordance with Biblical commands, to support through a lifestyle walk affirming the beliefs and practices of the church.

SECTION 3.03—PRIVILEGES OF MEMBERSHIP

- (A) Only members at least eighteen years of age who are physically present at a duly called meeting of the church shall be entitled to vote. There shall be no proxy or absentee voting. The eligible membership of the church may only exercise voting privileges in those areas that are defined and limited by these bylaws. Members may not vote to initiate any church action, rather the vote of a member is to confirm and ratify the direction of the church as determined by the pastor and the board of deacons.

- (B) This congregation functions not as a pure democracy, but as a body under the headship of the Lord Jesus Christ and the direction of the pastor as the under-shepherd with the counsel of the board of deacons. Determinations of the internal affairs of this church are ecclesiastical matters and shall be determined exclusively by the church's own rules and procedures. The pastor shall oversee and/or conduct all aspects of this church. The board of deacons shall give counsel and assistance to the pastor as requested by him.
- (C) Membership in this church does not afford the members with any property, contractual, or civil rights based on principles of democratic government. Although the general public is invited to all of the church's worship services, the church property remains private property. The pastor (or in his absence, an individual designated by the board of deacons) has the authority to suspend or revoke the right of any person, including a member, to enter or remain on church property. If, after being notified of such a suspension or revocation, the person enters or remains on church property, the person may, in the discretion of the pastor, (or in his absence, an individual designated by the board of deacons), be treated as a trespasser.
- (D) A member may inspect or copy the prepared financial statements of the church and the minutes of the proceedings of church and committee meetings, provided he shall have made a written request upon the church and the church has received the written request at least five business days before the requested inspection date. Minutes from deacon board and discipline committee meetings are exempt from this provision and are not subject to inspection or copy.
 - (1) A member may not, under any circumstances, inspect or copy any record relating to individual contributions to the church, the list of names and addresses of the church members, or the accounting books and financial records of the church.
 - (2) The church may impose a reasonable charge, covering the costs of labor and material, for copies of any documents provided to the member before releasing the copies to the member.

SECTION 3.04—DISCIPLINE OF A MEMBER

- (A) There shall be a discipline committee consisting of the pastor and the board of deacons. These men shall have sole authority in determining heretical deviations from the Statement of Faith and violations of the church covenant. If the pastor or a deacon is the subject of a disciplinary matter, he shall not sit as a member of the discipline committee. The pastor and deacons shall be entitled to the same steps as other church members and be subject to the same discipline.
- (B) Members are expected to demonstrate special loyalty and concern for one another. When a member becomes aware of an offense of such magnitude that it hinders the spiritual growth and testimony of an individual in the local church or the body as a whole, he is to go alone to the offending party and seek to restore his brother. Before he goes, he should

first examine himself. When he goes, he should go with a spirit of humility and have the goal of restoration.

- (C) If reconciliation is not reached, a second member, either a deacon or the pastor, is to accompany the one seeking to resolve the matter. This second step should also be preceded by self-examination and exercised in a spirit of humility with the goal of restoration.
- (D) If the matter is still unresolved after the steps outlined in subsections (B) and (C) have been taken, the discipline committee, as the church representatives Biblically responsible for putting down murmuring, shall hear the matter. If the matter is not resolved during the hearing before the discipline committee, the committee shall recommend to the members of the church that they, after self-examination, make an effort personally to go to the offending member and seek that member's restoration.
- (E) If the matter is still unresolved after the steps outlined in subsections (B), (C), and (D) have been taken, such members who refuse to repent and be restored are to be removed from the membership of the church upon a majority vote of the membership present at a meeting called for the purpose of considering disciplinary action. The member subject to disciplinary action is not entitled to vote on his/her own discipline.
- (F) No matter may be heard by the discipline committee or the church unless the steps outlined in subsections (B) and (C) have been taken, except in the case of a public offense.
- (G) If an unrepentant offending party is removed from the church membership, members of the church should have no social contact with him, and any contact from that point forward (except by family members) must be for the sake of restoration. Persons placed under church discipline must immediately return any property belonging to the church.
- (H) The procedures provided in this section are based on Matt. 18:15-20; Rom. 16:17-18; 1 Cor. 5:1-13; 2 Cor. 2:1-11; Gal. 6:1; 1 Thess. 5:14; 2 Thess. 3:6, 10-15; 1 Tim. 5:19-20; and Titus 3:10-11.

SECTION 3.05—TRANSFER OF MEMBERSHIP

Members not under the disciplinary process of Section 3.04 may request that letters of transfer be sent to another church.

SECTION 3.06—AUTOMATIC TERMINATION OF MEMBERSHIP

- (A) The membership of any individual member shall automatically terminate without notice if the member in question has not attended a regular worship service of the church in the preceding six months. Upon good cause being shown to the pastor, this provision for termination may be waived in the case of any individual member at the discretion of the pastor.

- (B) No member of this church may hold membership in another church. The membership of any individual member shall automatically terminate without notice if the member unites in membership with another church.
- (C) The membership of any individual member shall automatically terminate without notice if the deacons or pastor become aware of a member's open and unrepentant involvement in any sexual misconduct described in Section 2.01(P) or if a member files a lawsuit in violation of Section 2.01(V).
- (D) The membership of any individual member shall automatically terminate without notice if the member openly and unashamedly disagrees with any provision found in the Statement of Faith.
- (E) The membership of any individual member shall automatically terminate without notice if the member in a spirit of dissension actively engages in secretive discussions and/or intentionally organized, secretive meetings in a concerted effort to overthrow the pastor or present church leadership.
- (F) The membership of an individual will automatically terminate upon his or her death.
- (G) No provision contained in this section shall be subject to or governed by the procedures regarding discipline of members set forth in Section 3.04.
- (H) A member may resign at any time, but no letter of transfer or written statement of good standing will be issued upon such resignation, except at the discretion of the pastor.

SECTION 3.07-- AFFILIATED CO-LABORER

Those desiring fellowship, accountability, and opportunities for service with this assembly on a temporary basis but who maintain active membership in a like body of believers outside this city, may be granted affiliated co-laborer status with this church. The affiliated co-laborer may be eligible to serve in certain capacities determined by the pastor and deacons, and may attend fellowship events granted for members. This affiliation does not grant membership or the rights of membership to the individual(s) so granted. Affiliated co-laborers shall not be entitled to hold any office, vote in or have any say in any church matter, and shall not be counted for quorum purposes. A person wishing to become an affiliated co-laborer with this assembly must request so of the pastor, who will, in consultation with the deacons if necessary, decide if affiliated co-laborer status may be granted to the individual. If the pastor so determines, the person may be granted such upon a majority vote of the church membership at any public service or church administration meeting.

ARTICLE 4 OFFICERS

SECTION 4.01—CHURCH OFFICERS

The church officers are pastor, deacon, church clerk, financial secretary, and church treasurer. One person may hold two or more offices, with some exceptions. The church treasurer and

financial secretary may not be the same person, and the pastor may not hold any other offices. Officers of the church must be elected by a majority of the present, voting membership at a regular church administration meeting. The pastor, from time to time as he deems appropriate, may appoint other church officers, subject to a majority confirmation vote by present, voting church members at any regular or special church administrative meeting.

SECTION 4.02—DESIGNATION OF CORPORATE OFFICERS

As an accommodation to legal relationships outside the church, the pastor shall serve as president of the corporation; the church clerk shall serve as secretary of the corporation; the church treasurer shall serve as treasurer of the corporation; and the chairman of the board of deacons shall serve as vice president of the corporation. The pastor and the board of deacons shall constitute the board of directors of the corporation.

SECTION 4.03—GENERAL ELIGIBILITY FOR ALL OFFICERS

- (A) The church shall not install or retain an officer who fails to adhere to or expresses disagreement with the Statement of Faith set forth in Article 2. All church officers, upon request of the pastor, shall affirm their agreement with the Statement of Faith.
- (B) All church officers must be approved initially and thereafter annually by the pastor in order for them to commence or continue in their offices.
- (C) Only church members are eligible for election or appointment to any church office or position. Affiliated co-laborers with this ministry are not eligible for such election or appointment.
- (D) Upon termination of membership any officer of the church shall immediately forfeit his position and return any church property to the church office.

SECTION 4.04—TERMS OF OFFICE

- (A) The relationship between the pastor and the church shall be permanent unless dissolved at the option of either party by the giving of a month's notice, or less by mutual consent. The severance of the relationship between the pastor and the church may be considered at any regular or special church administration meeting by following the procedures outlined in 6.04, provided notice of the meeting shall have been given from the pulpit to the church two Sundays prior to the meeting. A two-thirds majority of the eligible members present and voting shall be required to sever the relationship between the pastor and the church. Disciplinary removal of the pastor from office automatically terminates his membership. A restoration to membership after disciplinary removal will be subject to the requirements of Section 3.01(D).
- (B) The term of service for all offices and positions in the church, except the pastor, shall be one year, at the expiration of which the officers may be re-elected or re-appointed.

- (C) A vacancy occurring in any office or board, except in the case of the pastor, may be filled at any regular church administration meeting by a majority vote of present members.
- (D) All elected and appointed officers shall serve in their respective offices until their successors are duly elected or appointed.
- (E) Members of the board of deacons may be removed from office for unbiblical conduct, as determined by the other board members, upon a majority vote of the remaining members of the board of deacons.

SECTION 4.05—CALLING A PASTOR

Upon the resignation, death or dismissal of the Pastor, the church shall seek a candidate who subscribes to the Statement of Faith, the Covenant and bylaw provisions of this church, and whose life aligns with the qualifications of a pastor as described in I Timothy 3:1-7 and Titus 1:6-9. The church shall abide by the following guidelines for calling a pastor:

- (A) The deacons shall select a pulpit committee to consist of all deacons and up to five other members elected by a simple majority of the deacons. The pulpit committee shall interview potential candidates and will only consider men who completely subscribe to the Statement of Faith and Covenant contained herein;
- (B) Prior to being announced to the congregation as a formal candidate, any man being considered for pastoral candidate must preach at least one Sunday service. Thereafter, upon a majority vote of the deacons, the pulpit committee may formally announce the candidate to the church, after which the candidate must preach at least two regularly scheduled services and be available for a church-wide question/answer time prior to being voted upon by the congregation;
- (C) Notice from the pulpit must be given 2 consecutive Sundays prior to a formal candidate's preaching services, and 2 consecutive Sundays prior to the church congregational vote;
- (D) The candidate must be elected as Pastor by a majority vote of qualified, present voting members. The pulpit committee will only present for consideration to the church one candidate at a time, and an up or down vote must be cast prior to consideration of other potential candidates.

SECTION 4.06—ELECTION OF OFFICERS

The annual election of officers by the church membership shall occur during the month of December at the annual church administration meeting.

SECTION 4.07—PASTORAL OVERSIGHT OF OFFICERS AND STAFF

- (A) Subject to appropriate budgetary allowance, and on the condition that they shall become a member of the church upon assuming their duties, the pastor may hire associates and assistants to assist him in carrying out his God-given responsibilities.

- (B) All church staff, whether paid or volunteer, shall be under the supervision of the pastor who has the sole authority to dismiss the same. No employee or volunteer shall be hired, appointed, or retained who fails to adhere to or expresses disagreement with the Statement of Faith.

ARTICLE 5

DUTIES AND POWERS OF OFFICERS

SECTION 5.01—THE PASTOR

- (A) The pastor shall preach the Gospel regularly and shall be at liberty to preach the whole counsel of the Word of God as the Lord leads him. He shall administer the ordinances of the church, act as moderator at all church meetings for the transaction of church matters, supervise the teaching ministries of the church, and tenderly watch over the spiritual interests of the membership.
- (B) The pastor shall appoint the members of the various committees at the annual church administration meeting or, in the case of a vacancy or newly created committee, at other duly called special meetings. He shall serve as the president of the corporation and publicly inform all newly elected officers of the function and responsibilities of their respective offices. He shall extend the right hand of fellowship to all new members on behalf of the church and shall perform such other duties as generally appertain to such a position. The pastor shall be free to choose the means and methods by which he exercises the ministry God has given him.
- (C) All appointments for public worship and Bible study and the arrangements thereof, including time and place and the use of the property belonging to the church for purposes other than the stated appointments, shall be under the control of the pastor, who shall be able to determine the appropriateness of practices as well as persons permitted to use the church property.
- (D) The pastor shall be responsible to fill the pulpit for each regularly scheduled church service as well as any special services. In the event of his absence, he (or the chairman of the deacon board in the case of a vacancy in the office of pastor or where the pastor is ill and unable to perform his duties) shall be responsible to invite speakers from within the membership or outside the church to preach in a manner consistent with the beliefs articulated in the Statement of Faith.
- (E) The pastor shall be responsible, in coordination with the deacons, to establish mandatory safety and security procedures for all ministries and programs involving minors.

SECTION 5.02—THE BOARD OF DEACONS

- (A) The board of deacons shall assist the pastor, in such manner as he shall request, in promoting the spiritual welfare of the church, in conducting the church services, and in performing all other work of the church. The deacons are responsible for making

preparations to observe church ordinances and shall, if requested by the pastor, consider applications for church membership and affiliated co-laborers. They shall disburse the benevolence fund in cooperation with the pastor, and shall assist him in visitation and all other evangelistic efforts of the church. The board of deacons shall assist the pastor in caring for the administrative needs of the church's various ministries. They shall provide the pulpit supply and choose a moderator for church meetings if the pastor is unavailable or the office of pastor is vacant. Upon the death, resignation, or dismissal of the pastor, the board of deacons may appoint a pulpit committee.

- (B) Immediately following the annual church administration meeting, the board of deacons shall assemble and elect, from their own number, a chairman who shall be vice president of the corporation, a vice chairman, and a secretary.
- (C) The pastor and the board of deacons shall constitute the board of directors of the corporation.
- (D) The board of directors shall exercise the following specific powers only upon authorization by a majority vote of the members present at a duly called church administration meeting:
 - (1) To purchase, lease, or otherwise acquire real and personal property on behalf of the church, and to take real and personal property by will, gift, or bequest on behalf of the church;
 - (2) To sell, convey, alienate, transfer, lease, assign, exchange, or otherwise dispose of, and to mortgage, pledge, or otherwise encumber the real and personal property of the church, to borrow money and incur indebtedness for the purpose and use of the church; to cause to be executed, issued, and delivered for the indebtedness, in the name of the church, promissory notes, bonds, debentures, or other evidence of indebtedness; and to secure repayment by deeds of trust, mortgages, or pledges; and
 - (3) To exercise all powers necessary for the dissolution of the church corporation.
 - (4) All powers of the directors, (whether deacons or other appointed group) shall be compatible with the laws of the state of _____.

SECTION 5.03—CHURCH CLERK

The church clerk shall:

- (A) Certify and keep at the office of the church, the original bylaws or a copy, including all amendments or alterations to the bylaws, minutes of meetings, the membership roll, baptisms, and certificates of ordination and license; and deliver such documents to successor upon leaving office;

- (B) Keep minutes of all church administration and deacon meetings (unless a separate secretary of deacons has been elected or appointed), including the time and place of holding, the notice given, and the names of those present (unless a church-wide meeting), and an accurate record of all church business approved at each meeting. A copy of these minutes shall be kept as a permanent record of the church and shall be made available at all reasonable times to any proper person on terms provided by law and pursuant to these bylaws.
- (C) Sign, certify, or attest documents as may be required by law; see that reports, statements, certificates, and all other documents and records required by law are properly kept and filed;
- (D) See that all notices are duly given in accordance with the provisions of these bylaws. (In case of the absence or disability of the secretary, or his or her refusal or neglect to act, notice may be given and served by the pastor or by the chairman of the board of deacons.);
- (E) Keep an account of any special events in the life of the church which are of historical interest and give a report at the annual church administration meeting of the status of the church membership roll in the past year;
- (F) Keep all records at the office of the church and deliver them to any successor upon leaving office; and
- (G) Serve as the secretary of the corporation and be a member in good standing.

SECTION 5.04—FINANCIAL SECRETARY

The financial secretary shall:

- (A) Count, along with two other persons so appointed, and record in a permanent record all the monies received in offerings for the church. This shall be done following each service or day of services of the church.
- (B) Convey in a timely manner all funds received to the treasurer for verification and deposit in the bank, including moneys received from outside sources, and shall provide the treasurer with a record of all monies received, specifying the distribution into various funds as designated. A copy shall be provided to the pastor each week or upon request.
- (C) Maintain a permanent weekly record of individual giving for all donations, offerings, contributions and gifts, and shall guard said records confidentially as a sacred trust. The financial secretary shall issue an official receipt to each contributor quarterly and at the end of the fiscal year.
- (D) The chairman of the deacons may assume the duties of the financial secretary in the absence of a financial secretary, unless already serving in the capacity of the treasurer.

SECTION 5.05—TREASURER

The Treasurer shall:

- (A) Keep in the church office an accurate and permanent record of all financial transactions of church funds. Make reports of itemized disbursements and the financial condition of the church as requested by pastor and deacons, and for annual, quarterly or otherwise special or regular administration meetings; deliver such records to successor upon leaving office;
- (B) Receive and give receipt for all contributions, gifts, and donations to the church;
- (C) Verify all funds received from the church financial secretary, and deposit these and all other funds received in appropriate amounts at an approved banking facility or trust company as shall be selected by the pastor or board of deacons.
- (D) Write, sign, record, and mail checks in payment of church bills and routine expenses approved by the pastor and/or deacons as well as disburse funds and salaries as directed by the church.
- (E) At least two directors of this corporation shall be authorized to sign church checks in the treasurer's absence. The chairman of the deacons shall not perform this duty if functioning as the financial secretary. No persons shall be permitted to sign checks written to themselves, and no expenditures of the church (except miscellaneous petty cash disbursements) shall be made by cash.
- (F) Serve as treasurer of the corporation and be a member in good standing.

SECTION 5.06—ASSOCIATE PASTORS

Under the direction and guidance of the pastor, the associate pastor(s) of the church shall assist the pastor in carrying out the ministries of the church.

SECTION 5.07—DUTIES OF ALL OFFICERS

- (A) All officers shall prepare a written report of their work for the annual church administration meeting and shall surrender all records in their possession to the church clerk at the close of their term of office to be filed as a permanent record of the work of the church. All records are the property of the church and must be kept in the church office.
- (B) Any officer who neglects his duties as outlined in the bylaws for a period of three months may be removed from his office, at the discretion of the pastor, and another may be appointed by the pastor to serve the un-expired term.

SECTION 5.08—INSTALLATION OF OFFICERS

A public installation service in which all newly elected officers of the church are to be dedicated to their respective offices and the ordination of newly elected deacons shall be held at a public church service following their election at the annual church administration meeting.

ARTICLE 6 MEETINGS

SECTION 6.01—MEETINGS FOR PUBLIC WORSHIP

Unless otherwise determined by the pastor, the church shall meet each Sunday for public worship, both morning and evening, and at least once during the week for Bible study and prayer.

SECTION 6.02—MEETINGS FOR CHURCH ADMINISTRATION

- (A) The annual church administration meeting, for the election of officers and the transaction of other business, shall be held on _____. A quorum shall consist of the members present. Public notice of the meeting shall be given from the pulpit for two successive Sundays immediately preceding the meeting.
- (B) The moderator shall determine the rules of procedure according to his sense of fairness and common sense, giving all members a reasonable opportunity to be heard on a matter. The moderator is the final authority on questions of procedure, and his decision is final and controlling. The following order shall generally be observed at the regular church administration meetings:
 - 1. Devotions & prayer
 - 2. Reading of minutes
 - 3. Reception of members
 - 4. Dismissal of members
 - 5. Report of officers
 - 6. Reports of standing committees
 - 7. Reports of special committees
 - 8. Unfinished matters
 - 9. Election of officers
 - 10. New matters
 - 11. Adjournment
 - 12. Benediction
- (C) For any meeting under this article, the moderator, in his sole discretion, shall have full and unilateral authority to require nonmembers to leave the meeting room and to order the immediate removal of any member or other person present who is deemed by the moderator to be disruptive to the proceedings by act or presence. The moderator shall have full authority to order the removal of all children (ages to be determined by the moderator) if the moderator determines, in his sole discretion, that circumstances so warrant. If the moderator determines that compliance with his order of removal is unsatisfactory, the moderator may, in his sole discretion, revoke the disruptive person's

right to remain on the premises in accordance with Section 3.03(C) and treat the person as a trespasser.

SECTION 6.03—SPECIAL MEETINGS

- (A) The pastor (or deacons if the office of pastor is vacant or the pastor is the subject of possible disciplinary action) may call a special meeting by giving notice of such a meeting and the purpose for which it is called to the church from the pulpit at least one Sunday and not less than one week prior to said meeting. A meeting for the calling of a pastor or the severance of the relationship between the church and pastor shall be called in accordance with the provision of Sections 4.04(A) and 4.05.
- (B) Bible conferences, missionary conferences, and revivals may be held as the pastor deems beneficial.

SECTION 6.04—MOTIONS

Members who desire that a certain motion be made or subject matter be discussed during an annual, regular, or special business meeting must file a written recommendation with the pastor and deacons two weeks prior to the set meeting. The church leadership will then consider the proposal and proceed according to their conscience and what they understand to be in the best interests of the church. All other motions will be presented by the pastor and/or chairman of the board of deacons (or other moderator if the office of pastor is vacant) unless the pastor and/or deacons has delegated authority to another member and/or officer to raise certain motions.

SECTION— 6.05 FISCAL YEAR

The fiscal year of the church shall begin January 1st and end December 31st.

SECTION 6.06 –EXTRA-BUDGET EXPENDITURES

The treasurer may, in the ordinary course of his duties, make or authorize the making of any expenditure or obligation in any amount not exceeding One Hundred dollars (\$100). The pastor and board of deacons may make or authorize the making of any expenditure or obligation in any amount not exceeding Five Hundred dollars (\$500). The membership may make or authorize the making of any expenditure or obligation in any amount whatsoever.

SECTION 6.07-EMERGENCY EXPENDITURES

The pastor and the board of deacons may, in an emergency situation, make or approve the making of any expenditure or obligation exceeding the limit imposed on them in Section 6.06 under the following conditions:

- (A) The pastor and the board of deacons, by a majority vote, must determine that the matter is of such urgency that it cannot wait until the next regular meeting of the membership or until a special meeting can be held.
- (B) Before making any decision, the pastor and the board of deacons shall make a good faith effort to obtain the opinions of as many of the members as can be reached. The actual

decision shall then be taken at a meeting of the pastor and the board of deacons, any action requiring the approval of at least two-thirds (2/3) of the board.

- (C) The pastor shall report the action taken by the pastor and the board of deacons to the next meeting of the members for approval. If the members refuse to approve, the action shall be reversed insofar as possible, but the pastor and the board of deacons shall not be personally liable for such action, provided that they have, in good faith, followed the procedures set forth in this section.

ARTICLE 7 INDEMNIFICATION

SECTION 7.01—ACTIONS SUBJECT TO INDEMNIFICATION

- (A) The church may indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit, or proceeding, whether civil, criminal, administrative, or investigative, including all appeals (other than an action by or in the right of the church) by reason of the fact that the person is or was a pastor, deacon, officer, employee, or agent of the church, against expenses, including attorneys' fees, judgments, fines, and amounts paid in settlement actually and reasonably incurred by him in connection with the action, suit, or proceeding; and if that person acted in good faith and in a manner he reasonably believed to be in or not opposed to the best interests of the church and, with respect to any criminal action or proceeding, had no reasonable cause to believe his conduct was unlawful.
- (B) The termination of any action, suit, or proceeding by judgment, order, settlement, conviction, or on a plea of *nolo contendere* or its equivalent, shall not, of itself, create a presumption that the person did not act in good faith and in a manner that he reasonably believed to be in or not opposed to the best interests of the church and, with respect to any criminal action or proceeding, had no reasonable cause to believe that his or her conduct was unlawful.

SECTION 7.02—EXPENSES SUBJECT TO INDEMNIFICATION

To the extent that a pastor, deacon, officer, employee, or agent has been successful on the merits or otherwise in defense of any action, suit, or proceeding referred to in this Article, or in defense of any claim, issue, or matter in that action, suit, or proceeding, he or she may be indemnified against expenses, including attorneys' fees, actually and reasonably incurred by him or her in connection with the action, suit, or proceeding.

SECTION 7.03—LIMITATIONS OF INDEMNIFICATION

Any indemnification made under this Article, may be made by the church only as authorized in the specific case on a determination that indemnification of the pastor, deacon, officer, employee, or agent is proper in the circumstances because he has met the applicable standard of conduct set forth in Section 5.01. The determination shall be made (a) by a majority vote of a quorum consisting of the pastor and deacons who were not and are not parties to or threatened with the action, suit, or proceeding; (b) if the described quorum is not obtainable or if a majority

vote of a quorum of disinterested deacons so directs, by independent legal counsel in a written opinion; or (c) by a majority vote of the members of the church.

SECTION 7.04—TIMING OF INDEMNIFICATION

Expenses of each person seeking indemnification under this Article may be paid by the church as they are incurred, in advance of the final disposition of the action, suit, or proceeding, as authorized by the board of deacons in the specific case, so long as the pastor, deacon, officer, employee, or agent agrees to repay the amount if it is ultimately determined that he or she is not qualified to be indemnified by the church.

SECTION 7.05—EXTENT OF INDEMNIFICATION

The indemnification provided by this Article shall be deemed to be discretionary unless otherwise required as a matter of law or under any agreement or provided by insurance purchased by the church, both as to action of each person seeking indemnification under this Article in his official capacity and as to action in another capacity while holding that office, and may continue as to a person who has ceased to be a pastor, deacon, officer, employee, or agent and may inure to the benefit of the heirs, executors, and administrators of that person.

SECTION 7.06—INSURANCE

The church may purchase and maintain insurance on behalf of any person who is or was a pastor, deacon, officer, employee, or agent of the church against any liability asserted against him and incurred by him in that capacity, or arising out of his status in that capacity, whether or not the church would have the power to indemnify him against liability under the provisions of this Article.

ARTICLE 8 COMMITTEES

SECTION 8.01—STANDING COMMITTEES

The pastor (or the board of deacons if the office of pastor is vacant) shall appoint standing committees as he deems appropriate and shall designate a chairperson and the membership for each standing committee except when otherwise specifically provided in these bylaws.

SECTION 8.02—SPECIAL COMMITTEES

The board of deacons, in its discretion, may create special committees to provide the board with advice and information regarding matters submitted to the committee by the board for consideration. The committee shall have no authority to act on behalf of the corporation. Nominations for special committee members shall be made by the pastor or such persons as he shall appoint to make such nominations. The members of the committee shall be chosen by a majority vote of the board of deacons and shall serve solely at the pleasure of the board of deacons. The special committee shall be subject to the control and direction of the board of deacons at all times.

SECTION 8.03 — ACTIONS OF COMMITTEES

Committees, whether standing or special, have no authority to act on behalf of the corporation. Their primary function is to research and recommend. Committees shall make available upon

request all records and materials to the pastor or deacons, who shall have the right to overrule any plans or decisions made by the committee. Each committee shall have a secretary that keeps minutes of each meeting and shall timely submit the minutes to the pastor and church clerk to be filed with church records. If deemed appropriate by the pastor and deacons, the committee secretary, in conjunction with the chairman, shall submit an annual report to the church of the decisions and plans of the committee.

ARTICLE 9 BINDING ARBITRATION

SECTION 9.01—SUBMISSION TO ARBITRATION

Believing that lawsuits between believers are prohibited by Scripture, all members of this church agree to submit to binding arbitration any matters which cannot otherwise be resolved, and expressly waive any and all rights in law and equity to bring any civil disagreement before a court of law, except that judgment upon the award rendered by the arbitrator may be entered in any court having jurisdiction thereof.

SECTION 9.02—NOTICE OF ARBITRATION

- (A) In the event of any dispute, claim, question, or disagreement arising out of or relating to these bylaws or any other church matter, the parties shall use their best efforts to settle such disputes, claims, questions, or disagreement as befits Christians and in accord with Matthew 5:15-17.
- (B) To this effect, they shall consult and negotiate with each other in good faith and, recognizing their mutual interests not to disgrace the name of Christ, seek to reach a just and equitable solution.
- (C) If they do not reach such solution within a period of sixty (60) days, then upon notice by either party to the other, disputes, claims, questions, or differences shall be finally settled by arbitration as described in Section 9.01, above, and such Procedures for Arbitration as are adopted pursuant to Section 9.04, below.

SECTION 9.03—LIMITATIONS ON ARBITRATION DECISIONS

- (A) Should any dispute involve matters of church discipline, the arbitrators shall be limited to determining whether the procedures for church discipline, as outlined under Section 3.04, were followed.
- (B) Should any dispute involve the removal from office of the pastor or any church officer, the arbitrators shall be limited to determining whether the procedures set forth in Sections 4.04, 4.07, or 5.07 were followed.

SECTION 9.04—ARBITRATION PROCEDURES

The Procedures for Arbitration shall be as adopted by the pastor and the board of deacons.

ARTICLE 10

CONFLICT OF INTEREST

SECTION 10.01—PURPOSE

The purpose of this conflict of interest policy is to protect the Church's interest when it is contemplating entering into a transaction or arrangement that might either benefit the private interest of an officer or trustee of the Church or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state or federal laws governing conflicts of interest applicable to nonprofit and charitable organizations.

SECTION 10.02—DEFINITIONS

- (A) Interested Person:** Any trustee or officer who has a direct or indirect financial interest.
- (B) Financial interest:** A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:
 - 1. An ownership or investment interest in any entity with which the Church has a transaction or arrangement,
 - 2. A compensation arrangement with the Church or with any entity or individual with which Church has a transaction or arrangement, or
 - 3. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which Church is negotiating a transaction or arrangement.
 - 4. A financial interest is not necessarily a conflict of interest. A person who has a financial interest may have a conflict of interest only if the board decides that a conflict of interest exists.
- (C) Compensation:** Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

SECTION 10.03—PROCEDURES

- (A)** In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the trustees considering the proposed transaction or arrangement.
- (B)** After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he shall leave the board meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board members shall decide if a conflict of interest exists.

- (C) An interested person may make a presentation at the board meeting, but after the presentation, he shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
- (1) The chairman of the board shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
 - (2) After exercising due diligence, the board or committee shall determine whether Church can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
 - (3) If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the board shall determine by a majority vote of the disinterested trustees whether the transaction or arrangement is in the best interests of Church, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.
- (D) If the board has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
- (E) If, after hearing the member's response and after making further investigation as warranted by the circumstances, the board determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

SECTION 10.04—RECORDS OF PROCEEDINGS

- (A) The minutes of the board shall contain the names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the board's decision as to whether a conflict of interest in fact existed.
- (B) The minutes of the board also shall contain the names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

SECTION 10.05—COMPENSATION

A voting member of the board who receives compensation, directly or indirectly, from the church for services rendered may not vote on matters pertaining to that member's compensation.

ARTICLE 11 DESIGNATED CONTRIBUTIONS

From time to time the church, in the exercise of its religious, educational, and charitable purposes, may establish various funds to accomplish specific goals. All contributions to these funds shall be deemed advisory rather than mandatory in nature and shall remain subject to the exclusive control and discretion of the pastor and the board of deacons. No fiduciary obligation shall be created by any designated contribution made to the church other than to use the contribution for the general furtherance of any of its tax-exempt purposes.

ARTICLE 12 AMENDMENTS

These bylaws may be revised or amended by a majority vote of the members present and voting at any regular church administration meeting, provided that said revision or amendment has been submitted in writing and announced from the pulpit for at least two consecutive Sundays, and at least fourteen (14) days before the vote is taken.

Proposed amendments or changes must be made available to voting members for review at least one week prior to the meeting at which the vote to amend the bylaws will be taken.

ADOPTION

These bylaws were adopted by a two-thirds majority vote of the members present and voting at a duly called meeting of the church in which a quorum was present.

These bylaws supersede any other bylaws of _____ church.

Date

Church Clerk

SAMPLE CONSTITUTION & BYLAWS FOR UNINCORPORATED CHURCHES

CONSTITUTION OF [NAME OF UNINCORPORATED CHURCH]

ARTICLE 1 NAME AND PURPOSE

SECTION 1.01—NAME

This congregation of believers shall be known as the _____.

SECTION 1.02—PURPOSE

This congregation is organized as a church exclusively for charitable, religious, and educational purposes within the meaning of Section 501 (c) (3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Revenue Law), for such purposes including, but not limited to, the establishing and maintaining of Christian worship; the evangelizing of the unsaved by the proclaiming of the Gospel of the Lord Jesus Christ; the educating of believers in a manner consistent with the requirements of Holy Scripture, both in Sunday and weekday schools of Christian education; and the maintaining of missionary activities in the United States and any foreign country.

ARTICLE 2 STATEMENT OF FAITH AND COVENANT

SECTION 2.01—STATEMENT OF FAITH

The following comprise the Scriptural beliefs of this church and its members.

- (A) The Holy Scriptures.** We believe the Holy Scriptures of the Old and New Testament to be the verbally and plenary inspired Word of God. The Scriptures are inerrant, infallible and God-breathed and, therefore, are the final authority for faith and life. The sixty-six books of the Old and New Testament are the complete and divine revelation of God to Man. The Scriptures shall be interpreted according to their normal grammatical-historical meaning, and all issues of interpretation and meaning shall be determined by the pastor. The King James Version of the Bible shall be the official and only translation used by the church. (2 Tim. 3:16-17; 2 Pet. 1:20-21)
- (B) Dispensationalism.** We believe that the Scriptures interpreted in their natural, literal sense reveal divinely determined dispensations or rules of life which define man's responsibilities in successive ages. These dispensations are not ways of salvation, but

rather are divinely ordered stewardships by which God directs man according to His purpose. Three of these dispensations—the law, the church, and the kingdom—are the subjects of detailed revelation in Scripture. (Gen. 1:28; 1 Cor. 9:17; 2 Cor. 3:9-18; Gal. 3:13-25; Eph. 1:10; 3:2-10; Col. 1:24-25, 27; Rev. 20:2-6)

(C) The Godhead. We believe in one triune God, eternally existing in three persons—Father, Son, and Holy Spirit—each co-eternal in being, co-identical in nature, co-equal in power and glory, and having the same attributes and perfections. (Deut. 6:4; Matt. 28:19; John 14:10, 26; 2 Cor. 13:14)

(D) The Person and Work of Christ.

(1) We believe that the Lord Jesus Christ, the eternal Son of God, became man, without ceasing to be God, having been conceived by the Holy Spirit and born of the virgin Mary, in order that He might reveal God and redeem sinful men. (Isaiah 7:14; 9:6; Luke 1:35; John 1:1-2, 14; 2 Cor. 5:19-21; Gal. 4:4-5; Phil. 2:5-8)

(2) We believe that the Lord Jesus Christ accomplished our redemption through His death on the cross as a representative, vicarious, substitutionary sacrifice, and that our justification is made sure by His literal, physical resurrection from the dead. (Acts 2:18-36; Rom. 3:24-25; Eph. 1:7; 1 Pet. 2:24; 1 Peter 1:3-5)

(3) We believe that the Lord Jesus Christ ascended to Heaven and is now exalted at the right hand of God where, as our High Priest, He fulfills the ministry of Representative, Intercessor, and Advocate. (Acts 1:9-10; Rom. 8:34; Heb. 9:24; 7:25; 1 John 2:1-2)

(E) The Person and Work of the Holy Spirit.

(1) We believe that the Holy Spirit is a person who convicts the world of sin, of righteousness, and of judgment; and, that He is the Supernatural Agent in regeneration, baptizing all believers into the body of Christ, indwelling and sealing them unto the day of redemption. (John 16:8-11; Rom. 8:9; 1 Cor. 12:12-14; 2 Cor. 3:6; Eph. 1:13-14)

(2) We believe that He is the divine Teacher who assists believers to understand and appropriate the Scriptures and that it is the privilege and duty of all the saved to be filled with the Spirit. (Eph. 1:17-18; 5:18; 1 John 2:20, 27)

(3) We believe that God is sovereign in the bestowal of spiritual gifts to every believer. God uniquely uses evangelists, pastors, and teachers to equip believers in the assembly in order that they can do the work of the ministry. (Rom. 12:3-8; 1 Cor. 12:4-11, 28; Eph. 4:7-12)

(4) We believe that the sign gifts of the Holy Spirit, such as speaking in tongues and the gift of healing, were temporary. Speaking in tongues was never the common or necessary sign of the baptism or filling of the Holy Spirit. Ultimate deliverance of the body from sickness or death awaits the consummation of our

salvation in the resurrection, though God frequently chooses to answer the prayers of believers for physical healing. (1 Cor. 1:22; 13:8; 14:21-22)

- (F) **The Total Depravity of Man.** We believe that man was created in the image and likeness of God; but that in Adam's sin the human race fell, inherited a sinful nature, and became alienated from God. Man is totally depraved and, of himself, utterly unable to remedy his lost condition. (Gen. 1:26-27; Rom. 3:22-23; 5:12; 6:23; Eph. 2:1-3; 4:17-19)
- (G) **Salvation.** We believe that salvation is the gift of God brought to man by grace and received by personal faith in the Lord Jesus Christ, Whose precious blood was shed on Calvary for the forgiveness of our sins. We believe that all sins, except blasphemy of the Holy Spirit, are forgivable. (Matt. 12:31-32; John 1:12; Eph. 1:7; 2:8-10; 1 Pet. 1:18-19; 1 John 1:9)
- (H) **The Eternal Security and Assurance of Believers.**
 - (1) We believe that all the redeemed, once saved, are kept by God's power and are thus secure in Christ forever. (John 6:37-40; 10:27-30; Rom. 8:1; 38-39; 1 Cor. 1:4-8; 1 Pet. 1:4-5)
 - (2) We believe that it is the privilege of believers to rejoice in the assurance of their salvation through the testimony of God's Word, which, however, clearly forbids the use of Christian liberty as an occasion to the flesh. (Rom. 13:13-14; Gal. 5:13; Titus 2:11-15)
- (I) **The Church**
 - (1) We believe that the local church, which is the body and the espoused bride of Christ, is solely made up of born-again persons. (1 Cor. 12:12-14; 2 Cor. 11:2; Eph. 1:22-23; 5:25-27)
 - (2) We believe that the establishment and continuance of local churches is clearly taught and defined in the New Testament Scriptures. (Acts 14:27; 20:17, 28-32; 1 Tim. 3:1-13; Titus 1:5-11)
 - (3) We believe in the autonomy of the local church free of any external authority or control. (Acts 13:1-4; 15:19-31; 20:28; Rom. 16:1, 4; 1 Cor. 3:9, 16; 5:4-7, 13; 1 Pet. 5:1-4)
 - (4) We recognize water baptism and the Lord's Supper as the Scriptural ordinances of obedience for the church in this age. (Matt. 28:19-20; Acts 2:41-42; 8:36-38; 1 Cor. 11:23-26)
- (J) **Separation.** We believe that all the saved should live in such a manner as not to bring reproach upon their Savior and Lord. God commands His people to separate from all religious apostasy, all worldly and sinful pleasures, practices, and associations, and to refrain from all immodest and immoderate appearances, piercings, and bodily markings.

(Lev. 19:28; Rom. 12:1-2; 14:13; 1 Cor. 6:19-20; 2 Cor. 6:14-7:1; 2 Tim. 3:1-5; 1 John 2:15-17; 2 John 9-11)

- (K) The Second Coming of Christ.** We believe in that *blessed hope*, the personal, imminent return of Christ, Who will rapture His church prior to the seven-year tribulation period. At the end of the Tribulation, Christ will personally and visibly return with His saints, to establish His earthly Messianic Kingdom which was promised to the nation of Israel. (Ps. 89:3-4; Dan. 2:31-45; Zech. 14:4-11; 1 Thess. 1:10, 4:13-18; Titus 2:13; Rev. 3:10; 19:11-16; 20:1-6)
- (L) The Eternal State.**
- (1)** We believe in the bodily resurrection of all men, the saved to eternal life, and the unsaved to judgment and everlasting punishment. (Matt. 25:46; John 5:28, 29; 11:25-26; Rev. 20:5-6, 12-13)
- (2)** We believe that the souls of the redeemed are, at death, absent from the body and present with the Lord, where in conscious bliss they await the first resurrection, when spirit, soul, and body are reunited to be glorified forever with the Lord. (Luke 23:43; 2 Cor. 5:8; Phil. 1:23; 3:21; 1 Thess. 4:16-17; Rev. 20:4-6)
- (3)** We believe that the souls of unbelievers remain, after death, in conscious punishment and torment until the second resurrection, when with soul and body reunited, they shall appear at the Great White Throne Judgment, and shall be cast into the Lake of Fire, not to be annihilated, but to suffer everlasting conscious punishment and torment. (Matt. 25:41-46; Mark 9:43-48; Luke 16:19-26; 2 Thess. 1:7-9; Jude 6-7; Rev. 20:11-15)
- (M) The Personality of Satan.** We believe that Satan is a person, the author of sin and the cause of the Fall of Man; that he is the open and declared enemy of God and man; and that he shall be eternally punished in the Lake of Fire. (Job 1:6-7; Isaiah 14:12-17; Matt. 4:2-11; 25:41; Rev. 20:10)
- (N) Creation.** We believe that God created the universe in six literal, 24-hour periods. We reject evolution, the Gap Theory, the Day-Age Theory, and Theistic Evolution as unscriptural theories of origin. (Gen. 1-2; Ex. 20:11)
- (O) Civil Government.** We believe that God has ordained and created all authority consisting of three basic institutions: 1) the home, 2) the church, and 3) the state. Every person is subject to these authorities, but all (including the authorities themselves) are answerable to God and governed by His Word. God has given each institution specific Biblical responsibilities and balanced those responsibilities with the understanding that no institution has the right to infringe upon the other. The home, the church, and the state are equal and sovereign in their respective Biblically assigned spheres of responsibility under God. We believe that we must obey the state unless it requires us to act contrary to our faith at which time we must obey God rather than the state. (Matt. 22:15-22; Acts 5:29; Rom. 13:1-7; Eph. 5:22-24; Titus 3:1-2; Heb. 13:17; 1 Pet. 2:13-14)

(P) Human Sexuality.

- (1)** We believe that God has commanded that no intimate sexual activity be engaged in outside of a marriage between one naturally-born man and one naturally-born woman. We believe that any form of homosexuality, lesbianism, bisexuality, bestiality, incest, fornication, adultery, and pornography are sinful perversions of God's gift of sex. We believe that God disapproves of and forbids any attempt to alter one's gender by surgery or appearance. (Gen. 2:24; Gen. 19:5, 13; Gen. 26:8-9; Lev. 18:1-30; Rom. 1: 26-29; 1 Cor. 5:1; 6:9; 1 Thess. 4:1-8; Heb. 13:4)
- (2)** We believe that the only Scriptural marriage is the joining of one naturally-born man and one naturally-born woman for life. (Gen. 2:24; Rom. 7:2; 1 Cor. 7:10; Eph. 5:22-23)

(Q) Family Relationships

- (1)** We believe that men and women are spiritually equal in position before God but that God has ordained distinct and separate spiritual functions for men and women in the home and the church. The husband is to be the leader of the home, and men are to be the leaders (pastors and deacons) of the church. Accordingly, only men are eligible for licensure and ordination by the church. (Gal. 3:28; Col. 3:18; 1 Tim. 2:8-15; 3:4-5, 12)
- (2)** We believe that God has ordained the family as the foundational institution of human society. The husband is to love his wife as Christ loves the church. The wife is to submit herself to the Scriptural leadership of her husband as the church submits to the headship of Christ. Children are an heritage from the Lord. Parents are responsible for teaching their children spiritual and moral values and leading them, through consistent lifestyle example and appropriate discipline, including Scriptural corporal correction. (Gen. 1:26-28; Ex. 20:12; Deut. 6:4-9; Ps. 127:3-5; Prov. 19:18; 22:15; 23:13-14; Mk. 10:6-12; 1 Cor. 7:1-16; Eph. 5:21-33; 6:1-4, Col. 3:18-21; Heb. 13:4; 1 Pet. 3:1-7)

(R) Divorce and Remarriage. We believe that God disapproves of and forbids divorce and intends marriage to last until one of the spouses dies. Divorce and remarriage is regarded as adultery except on the grounds of fornication. Although divorced and remarried persons or divorced persons may hold positions of service in the church and be greatly used of God for Christian service, they may not be considered for the offices of pastor or deacon. (Mal. 2:14-17; Matt. 19:3-12; Rom. 7:1-3; 1 Tim. 3:2, 12; Titus 1:6)

(S) Abortion. We believe that human life begins at conception and that the unborn child is a living human being. Abortion constitutes the unjustified, unexcused taking of unborn human life. Abortion is murder. We reject any teaching that abortions of pregnancies due to rape, incest, birth defects, gender selection, birth or population control, or the physical or mental well being of the mother are acceptable. (Job 3:16; Ps. 51:5; 139:14-16; Isaiah 44:24; 49:1, 5; Jer. 1:5; 20:15-18; Luke 1:44)

(T) Euthanasia. We believe that the direct taking of an innocent human life is a moral evil, regardless of the intention. Life is a gift of God and must be respected from conception

until natural death. Thus we believe that an act or omission which, of itself or by intention, causes death in order to eliminate suffering constitutes a murder contrary to the will of God. Discontinuing medical procedures that are extraordinary or disproportionate to the expected outcome can be a legitimate refusal of over-zealous treatment. (Ex. 20:13, 23:7; Matt. 5:21; Acts 17:28)

- (U) **Love.** We believe that we should demonstrate love for others, not only toward fellow believers, but also toward both those who are not believers, those who oppose us, and those who engage in sinful actions. We are to deal with those who oppose us graciously, gently, patiently, and humbly. God forbids the stirring up of strife, the taking of revenge, or the threat or the use of violence as a means of resolving personal conflict or obtaining personal justice. Although God commands us to abhor sinful actions, we are to love and pray for any person who engages in such sinful actions. (Lev. 19:18; Matt. 5:44-48; Luke 6:31; John 13:34-35; Rom. 12:9-10; 17-21; 13:8-10; Phil. 2:2-4; 2 Tim. 2:24-26; Titus 3:2; 1 John 3:17-18)
- (V) **Lawsuits Between Believers.** We believe that Christians are prohibited from bringing civil lawsuits against other Christians or the church to resolve personal disputes. We believe the church possesses all the resources necessary to resolve personal disputes between members. We do believe, however, that a Christian may seek compensation for injuries from another Christian's insurance company as long as the claim is pursued without malice or slander. (1 Cor. 6:1-8; Eph. 4:31-32; Matt. 18:15-17)
- (W) **Missions.** We believe that God has given the church a great commission to proclaim the Gospel to all nations so that there might be a great multitude from every nation, tribe, ethnic group, and language group who believe on the Lord Jesus Christ. As ambassadors of Christ, we must use all available means to go to the foreign nations and not wait for them to come to us. (Matt. 28:19-20; Mark 16:15; Luke 24:46-48; John 20:21; Acts 1:8; 2 Cor. 5:20)
- (X) **Giving.** We believe that every Christian, as a steward of that portion of God's wealth entrusted to him, is obligated to financially support his local church. We believe that God has established the tithe as a basis for giving, but that every Christian should also give other offerings sacrificially and cheerfully to the support of the church, the relief of those in need, and the spread of the Gospel. We believe that a Christian relinquishes all rights to direct the use of his tithe or offering once the gift has been made. (Gen. 14:20; Prov. 3:9-10; Acts 4:34-37; 1 Cor. 16:2; 2 Cor. 9:6-7; Gal. 6:6; Eph. 4:28; 1 Tim. 5:17-18; 1 John 3:17)

SECTION 2.02—AUTHORITY OF STATEMENT OF FAITH

The Statement of Faith does not exhaust the extent of our faith. The Bible itself is the sole and final source of all that we believe. We do believe, however, that the foregoing Statement of Faith accurately represents the teaching of the Bible and, therefore, is binding upon all members. All literature, whether print or electronic, used in the church shall be in complete agreement with the Statement of Faith.

SECTION 2.03—COVENANT

Having been led, as we believe, by the Spirit of God, to receive the Lord Jesus Christ as our Savior, and on profession of our faith, having been baptized in the name of our Father, and of the Son, and of the Holy Ghost, we do now, in the presence of God, angels, and this assembly, most solemnly and joyfully enter into covenant with one another, as one body in Christ.

We engage, therefore, by the aid of the Holy Spirit, to walk together in Christian love; to strive for the advancement of this church in knowledge, holiness, and comfort; to promote its prosperity and spirituality; to sustain its worship, ordinances, discipline, and doctrines; to give it a sacred preeminence over all institutions of human origin; and to contribute cheerfully and regularly to the support of the ministry, the expenses of the church, the relief of the poor, and the spreading of the Gospel through all nations.

We also engage to maintain family and personal devotions; to educate our children in the truth of God's Word; to seek the salvation of our families, acquaintances, and all others; to walk circumspectly in the world; to be just in our dealings, faithful to our engagements, and exemplary in our deportment; to avoid excessive anger, tattling, backbiting, and all gossip or secretive meetings regarding personal issues of church members, church leadership, or practice; to abstain from such worldly amusements as watching ungodly movies, gambling, rock music, and dancing; to be free from all oath-bound secret societies and partnerships with unbelievers; to abstain from the sale of use of tobacco in any form, intoxicating drink, pornography, and the abuse of drugs; and to be zealous in our efforts to advance the Kingdom of our Savior.

We further engage to watch over one another in brotherly love; to remember each other in prayer; to aid each other in sickness and distress; to cultivate Christian sympathy in feeling and courtesy of speech; to be slow to take offense, but always ready to secure reconciliation without delay.

We moreover engage, that when we remove from this place, we will as soon as possible unite with some other church where we can carry out the spirit of this covenant and the principles of God's Word.

ARTICLE 3 MEMBERSHIP

The church shall have members. The qualifications, rights, privileges, duties, and classifications of members shall be stated in the church bylaws.

ARTICLE 4 TRUSTEES

The corporation shall have a minimum of three (3) trustees. The qualifications, duties, and election of trustees shall be stated in the church bylaws.

ARTICLE 5 OFFICERS

The church officers are pastor, deacon, church clerk, and treasurer. The qualifications, duties, and election of church officers shall be stated in the bylaws.

ARTICLE 6 TAX-EXEMPT PROVISIONS

SECTION 6.01—PRIVATE INUREMENT

No part of the net earnings of the church shall inure to the benefit of or be distributable to its members, trustees, officers, or other private persons, except that the church shall be authorized and empowered to pay reasonable compensation for the services rendered and to make payments and distributions in furtherance of the purposes set forth in Section 1.02 hereof.

SECTION 6.02—POLITICAL INVOLVEMENT

No substantial part of the activities of the church shall be the carrying on of propaganda or otherwise attempting to influence legislation. The church shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.

SECTION 6.03—DISSOLUTION

Upon the dissolution of the church, after paying or making provision for payment of all the liabilities of the church, the trustees shall dispose of all of the assets of the church to such organizations formed and operated exclusively for religious purposes as shall at the time qualify as an exempt organization or organizations under Section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law). Assets may be distributed only to tax-exempt organizations which agree with the church's Statement of Faith.

SECTION 6.04—LIMITATION OF ACTIVITIES

The church shall not carry on any activities not permitted to be carried on by an organization exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law) or by an organization, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law).

ARTICLE 7 AMENDMENTS

This Constitution may be revised or amended by a majority vote of the members present and voting at any regular church administration meeting, provided that said revision or amendment has been submitted in writing and announced from the pulpit fourteen (14) days before the vote is taken.

ADOPTION

I, the undersigned officer of the church, certify that this Constitution was adopted by a two-thirds majority vote of the members present and voting at a duly called meeting of the church in which a quorum was present.

This Constitution supersedes any and all previous constitutions of _____ church.

Date

Church Clerk

**BYLAWS
OF
[NAME OF UNINCORPORATED CHURCH]**

**ARTICLE 1
MEMBERSHIP**

SECTION 1.01—QUALIFICATIONS FOR MEMBERSHIP

Those seeking membership must, through their actions, words, lifestyle, and affiliations, evidence a genuine experience of regeneration through faith in and acceptance of the Lord Jesus Christ as personal Savior.

- (A) They must renounce sin and endeavor to live a consecrated life wholly unto the Lord.
- (B) Candidates for membership will be required to attend a 6 week pre-membership class led by a member of the pastoral staff, in which they will study the Statement of Faith, the bylaws of this church, general church practices, and expectations of members.
- (C) At the conclusion of the class, the pastor may direct that candidates be interviewed by the pastoral staff and/or deacon board prior to being recommended for membership to ensure they fully subscribe to the Statement of Faith contained herein and agree to submit to the authority of the church and its leaders.
- (D) After such recommendation, membership will be granted upon a majority vote of the members present at any church service or meeting, and upon compliance with any one of the following conditions:
 - (1) By baptism (immersion) at this local church following a profession of faith as a believer in Christ Jesus as personal Savior;
 - (2) By letter of transfer from another Bible-believing church of like faith and practice, or other written statement of good standing from the prior church, if the applicant has been baptized by immersion subsequent to a profession of faith;
 - (3) By testimony of faith, having been baptized by immersion in another Bible-believing church of like faith and practice; or
 - (4) By restoration, if having been removed from membership, upon majority vote of the congregation after confession is made publicly before the church membership of the sin or sins involved, and satisfactorily evidencing repentance to the pastor (or the board of deacons if the office of pastor is vacant).

SECTION 1.02—DUTIES OF A MEMBER

On becoming a member of this church, in addition to the covenant contained in Section 2.03, each member further covenants to love, honor, and esteem the pastor; to pray for him; to recognize his authority in spiritual affairs of the church; to cherish a brotherly love for all members of the church; to support the church in prayer, tithes, offerings, and with other financial support as the Lord enables; and in accordance with Biblical commands, to support through a lifestyle walk affirming the beliefs and practices of the church.

SECTION 1.03—PRIVILEGES OF MEMBERSHIP

- (A) Only members at least eighteen years of age who are physically present at a duly called meeting of the church shall be entitled to vote. There shall be no proxy or absentee voting. The eligible membership of the church has certain limited areas to exercise a vote. Members may not vote to initiate any church action, rather the vote of a member is to confirm and ratify the direction of the church as determined by the pastor and the board of deacons.
- (B) This congregation functions not as a pure democracy, but as a body under the headship of the Lord Jesus Christ and the direction of the pastor as the under-shepherd with the counsel of the board of deacons. Determinations of the internal affairs of this church are ecclesiastical matters and shall be determined exclusively by the church's own rules and procedures. The pastor shall oversee and/or conduct all aspects of this church. The board of deacons shall give counsel and assistance to the pastor as requested by him.
- (C) Membership in this church does not afford the members with any property, contractual, or civil rights based on principles of democratic government. Although the general public is invited to all of the church's worship services, the church property remains private property. The pastor (or in his absence, an individual designated by the board of deacons) has the authority to suspend or revoke the right of any person, including a member, to enter or remain on church property. If after being notified of such a suspension or revocation, the person enters or remains on church property, the person may, in the discretion of the pastor (or in his absence, an individual designated by the board of deacons), be treated as a trespasser.
- (D) A member may inspect or copy the prepared financial statements of the church and the minutes of the proceedings of church meetings and of board meetings, provided he shall have made a written request upon the church and the church has received the written request at least five business days before the requested inspection date.
 - (1) A member may not, under any circumstances, inspect or copy any record relating to individual contributions to the church, the list of names and addresses of the church members, or the accounting books and financial records of the church.
 - (2) The church may impose a reasonable charge, covering the costs of labor and material, for copies of any documents provided to the member before releasing the copies to the member.

SECTION 1.04—DISCIPLINE OF A MEMBER

- (A) There shall be a discipline committee consisting of the pastor and the board of deacons. These men shall have sole authority in determining heretical deviations from the Statement of Faith and violations of the church covenant. If the pastor or a deacon is the subject of a disciplinary matter, he shall not sit as a member of the discipline committee. The pastor and deacons shall be entitled to the same steps as other church members and be subject to the same discipline.
- (B) Members are expected to demonstrate special loyalty and concern for one another. When a member becomes aware of an offense of such magnitude that it hinders spiritual growth and testimony, he is to go alone to the offending party and seek to restore his brother. Before he goes, he should first examine himself. When he goes, he should go with a spirit of humility and have the goal of restoration.
- (C) If reconciliation is not reached, a second member, either a deacon or the pastor, is to accompany the one seeking to resolve the matter. This second step should also be preceded by self-examination and exercised in a spirit of humility with the goal of restoration.
- (D) If the matter is still unresolved after the steps outlined in subsections (B) and (C) have been taken, the discipline committee, as the church representatives Biblically responsible for putting down murmuring, shall hear the matter. If the matter is not resolved during the hearing before the discipline committee, the committee shall recommend to the members of the church that they, after self-examination, make an effort personally to go to the offending member and seek that member's restoration.
- (E) If the matter is still unresolved after the steps outlined in subsections (B), (C), and (D) have been taken, such members who refuse to repent and be restored are to be removed from the membership of the church upon a majority vote of the membership present at a meeting called for the purpose of considering disciplinary action.
- (F) No matter may be heard by the discipline committee or the church unless the steps outlined in subsections (B) and (C) have been taken, except in the case of a public offense.
- (G) If an unrepentant offending party is removed from the church membership, all contact with him from that point forward (except by family members) must be for the sake of restoration.
- (H) The procedures provided in this section are based on Matt. 18:15-20; Rom. 16:17-18; 1 Cor. 5:1-13; 2 Cor. 2:1-11; Gal. 6:1; 1 Thess. 5:14; 2 Thess. 3:6, 10-15; 1 Tim. 5:19-20; and Titus 3:10-11.

SECTION 1.05—TRANSFER OF MEMBERSHIP

Members not under the disciplinary process of Section 1.04 may request that letters of transfer be sent to another church.

SECTION 1.06—TERMINATION OF MEMBERSHIP

- (A) The membership of any individual member shall automatically terminate without notice if the member in question has not attended a regular worship service of the church in the preceding six months. Upon good cause being shown to the pastor, this provision for termination may be waived in the case of any individual member at the discretion of the pastor.
- (B) No member of this church may hold membership in another church. The membership of any individual member shall automatically terminate without notice if the member unites in membership with another church.
- (C) The membership of any individual member shall automatically terminate without notice if the deacons or pastor become aware of a member's open and unrepentant involvement in any sexual misconduct described in Section 2.01(P) or if a member files a lawsuit in violation of Section 2.01(V).
- (H) The membership of any individual member shall automatically terminate without notice if the member openly and unashamedly disagrees with any provision found in the Statement of Faith.
- (I) The membership of any individual member shall automatically terminate without notice if the member in a spirit of dissension actively engages in secretive discussions and/or intentionally organized, secretive meetings in a concerted effort to overthrow the pastor or present church leadership.
- (J) The membership of an individual will automatically terminate upon his or her death.
- (K) No provision contained in this section shall be subject to or governed by the procedures regarding discipline of members set forth in Section 1.04.
- (H) A member may resign at any time, but no letter of transfer or written statement of good standing will be issued upon such resignation, except at the discretion of the pastor.

ARTICLE 2 OFFICERS

SECTION 2.01—CHURCH OFFICERS

The church officers are pastor, deacon, church clerk, financial secretary, and church treasurer. One person may hold two or more offices, with some exceptions. The church treasurer and financial secretary may not be the same person, and the pastor may not hold any other offices. Officers of the church must be elected by a majority of the present, voting membership at a regular church administration meeting. The pastor, from time to time as he deems appropriate,

may appoint other church officers, subject to a majority confirmation vote by present, voting church members at any regular or special church administrative meeting.

SECTION 2.02—DESIGNATION OF LEGAL OFFICERS

As an accommodation to legal relationships outside the church, the pastor shall serve as president of the church; the church clerk shall serve as secretary of the church; the church treasurer shall serve as treasurer of the church; and the chairman of the board of deacons shall serve as vice president of the church. The pastor and the board of deacons shall constitute the board of directors of the church.

SECTION 2.03—GENERAL ELIGIBILITY FOR ALL OFFICERS

- (A) The church shall not install or retain an officer who fails to adhere to or expresses disagreement with the Statement of Faith set forth in Article 2. All church officers, upon request of the pastor, shall affirm their agreement with the Statement of Faith.
- (B) All church officers must be approved initially and thereafter annually by the pastor in order for them to commence or continue in their offices.
- (C) Only church members are eligible for election or appointment to any church office or position. Affiliated co-laborers with this ministry are not eligible for such election or appointment.
- (D) Upon termination of membership any officer of the church shall immediately forfeit his position and return any church property to the church office.

SECTION 2.04—TERMS OF OFFICE

- (A) The relationship between the pastor and the church shall be permanent unless dissolved at the option of either party by the giving of a month's notice, or less by mutual consent. The calling of a pastor or severance of the relationship between the pastor and the church may be considered at any regular church administration meeting, provided notice to that effect shall have been given from the pulpit to the church two Sundays prior to said regular church administration meeting. A three-fourths majority of the eligible members present and voting shall be required to call a pastor or to sever the relationship between the pastor and the church. Disciplinary removal of the pastor from office automatically terminates his membership. A restoration to membership after disciplinary removal will be subject to the requirements of Section 1.01(D).
- (B) The term of service for all offices and positions in the church, except the pastor, shall be one year, at the expiration of which the officers may be re-elected or re-appointed.
- (C) A vacancy occurring in any office or board, except in the case of the pastor, may be filled at any regular church administration meeting.

- (D) All elected and appointed officers shall serve in their respective offices until their successors are duly elected or appointed.
- (E) Members of the board of deacons may be removed from office for unbiblical conduct, as determined by the other board members, upon a majority vote of the remaining members of the board of deacons.

SECTION 2.05—CALLING A PASTOR

Upon the resignation, death or dismissal of the Pastor, the church shall seek a candidate who subscribes to the Statement of Faith, the Covenant and bylaw provisions of this church, and whose life aligns with the qualifications of a pastor as described in I Timothy 3:1-7 and Titus 1:6-9. The church shall abide by the following guidelines for calling a pastor:

- (A) The deacons shall select a pulpit committee to consist of all deacons and up to five other members elected by a simple majority of the deacons. The pulpit committee shall interview potential candidates and will only consider men who completely subscribe to the Statement of Faith and Covenant contained herein;
- (B) Prior to being announced to the congregation as a formal candidate, any man being considered for pastoral candidate must preach at least one Sunday service. Thereafter, upon a majority vote of the deacons, the pulpit committee may formally announce the candidate to the church, after which the candidate must preach at least two regularly scheduled services and be available for a church-wide question/answer time prior to being voted upon by the congregation;
- (C) Notice from the pulpit must be given 2 consecutive Sundays prior to a formal candidate's preaching services, and 2 consecutive Sundays prior to the church congregational vote;
- (D) The candidate must be elected as Pastor by a majority vote of qualified, present voting members. The pulpit committee will only present for consideration to the church one candidate at a time, and an up or down vote must be cast prior to consideration of other potential candidates.

SECTION 2.06—ELECTION OF OFFICERS

The annual election of officers by the church membership shall occur during the month of December at the annual church administration meeting.

SECTION 2.07—PASTORAL OVERSIGHT OF OFFICERS AND STAFF

- (A) Subject to the approval of the church membership and on the condition that they shall become a member of the church upon assuming their duties, the pastor may hire associates and assistants to assist the him in carrying out his God-given responsibilities.
- (B) All church staff, whether paid or volunteer, shall be under the supervision of the pastor who has the sole authority to dismiss the same. No employee or volunteer shall be hired,

appointed, or retained who fails to adhere to or expresses disagreement with the Statement of Faith.

ARTICLE 3

DUTIES AND POWERS OF OFFICERS

SECTION 3.01—THE PASTOR

- (A) The pastor shall preach the Gospel regularly and shall be at liberty to preach the whole counsel of the Word of God as the Lord leads him. He shall administer the ordinances of the church, act as moderator at all church meetings for the transaction of church matters, supervise the teaching ministries of the church, and tenderly watch over the spiritual interests of the membership.
- (B) The pastor shall appoint the members of the various committees at the annual church administration meeting. He shall serve as the president of the church and publicly inform all newly elected officers of the particular function and the responsibilities of their respective offices. He shall extend the right hand of fellowship to all new members on behalf of the church and perform such other duties as generally appertain to such a position. The pastor shall be free to choose the means and methods by which he exercises the ministry that God has given him.
- (C) All appointments for public worship and Bible study and the arrangements thereof, including time and place and the use of the property belonging to the church for purposes other than the stated appointments, shall be under the control of the pastor, who shall be able to determine the appropriateness of practices as well as persons permitted to use the church property.
- (E) The pastor shall be responsible to fill the pulpit for each regularly scheduled church service as well as any special services. In the event of his absence, he (or the chairman of the deacon board in the case of a vacancy in the office of pastor or where the pastor is ill and unable to perform his duties) shall be responsible to invite speakers from within the membership or outside the church to preach in a manner consistent with the beliefs articulated in the Statement of Faith.
- (F) The pastor shall be responsible, in coordination with the deacons, to establish mandatory safety and security procedures for all ministries and programs involving minors.

SECTION 3.02—THE BOARD OF DEACONS

- (A) The board of deacons shall assist the pastor, in such manner as he shall request, in promoting the spiritual welfare of the church, in conducting the religious services, and in performing all other work of the church. They shall make provision for the observance of the ordinances of the church. They shall, if requested by the pastor, consider applications for church membership. They shall, in cooperation with the pastor, disburse the benevolence fund. They shall assist the pastor in visitation and all other evangelistic

efforts of the church. The board of deacons shall assist the pastor in caring for the administrative needs of the church's various ministries as requested by the pastor. They shall provide the pulpit supply and choose a moderator for church meetings if the pastor is unavailable or the office of pastor is vacant. Upon the death, resignation, or dismissal of the pastor, the board of deacons may appoint a pulpit committee.

- (B) Immediately following the annual church administration meeting, the board of deacons shall assemble and elect, from their own number, a chairman who shall be vice president of the church, a vice chairman, and a secretary.
- (C) The pastor and the board of deacons shall constitute the board of trustees of the church.
- (D) The board of trustees shall exercise the following specific powers only upon authorization by a majority vote of the members present at a duly called church administration meeting:
 - 1. To purchase, hold, lease, or otherwise acquire real and personal property on behalf of the church, and to take real and personal property by will, gift, or bequest on behalf of the church;
 - 2. To sell, convey, alienate, transfer, lease, assign, exchange, or otherwise dispose of, and to mortgage, pledge, or otherwise encumber the real and personal property of the church, to borrow money and incur indebtedness for the purpose and the use of the church; to cause to be executed, issued, and delivered for the indebtedness, in the name of the church, promissory notes, bonds, debentures, or other evidence of indebtedness; and to secure repayment by deeds of trust, mortgages, or pledges; and
 - 3. To exercise all powers necessary for the dissolution of the church.

SECTION 3.03—THE CHURCH CLERK

The church clerk shall:

- (A) Certify and keep at the office of the church, the original bylaws or a copy, including all amendments or alterations to the bylaws, minutes of meetings, the membership roll, baptisms, and certificates of ordination and license; and deliver such documents to successor upon leaving office.
- (B) Keep minutes of all church administration and deacon meetings (unless a separate secretary of deacons has been elected or appointed), including the time and place of holding, the notice given, and the names of those present (unless a church-wide meeting), and an accurate record of all church business approved at each meeting. A copy of these minutes shall be kept as a permanent record of the church and shall be made available at all reasonable times to any proper person on terms provided by law and pursuant to these bylaws.

- (C) Sign, certify, or attest documents as may be required by law; see that reports, statements, certificates, and all other documents and records required by law are properly kept and filed.
- (D) See that all notices are duly given in accordance with the provisions of these bylaws. (In case of the absence or disability of the secretary, or his or her refusal or neglect to act, notice may be given and served by the pastor or by the chairman of the board of deacons.).
- (E) Keep an account of any special events in the life of the church which are of historical interest and give a report at the annual church administration meeting of the status of the church membership roll in the past year.
- (F) Keep all records at the office of the church and deliver them to any successor upon leaving office.
- (G) Serve as the secretary of the church.

SECTION 3.04—FINANCIAL SECRETARY

The financial secretary shall:

- (A) Count, along with two other persons so appointed, and record in a permanent record all the monies received in offerings for the church. This shall be done following each service or day of services of the church.
- (B) Convey in a timely manner all funds received to the treasurer for verification and deposit in the bank, including moneys received from outside sources, and shall provide the treasurer with a record of all monies received, specifying the distribution into various funds as designated. A copy shall be provided to the pastor each week or upon request.
- (C) Maintain a permanent weekly record of individual giving for all donations, offerings, contributions and gifts, and shall guard said records confidentially as a sacred trust. The financial secretary shall issue an official receipt to each contributor quarterly and at the end of the fiscal year.
- (D) The chairman of the deacons may assume the duties of the financial secretary in the absence of a financial secretary, unless already serving in the capacity of the treasurer.

SECTION 3.05—THE TREASURER

The treasurer shall:

- (A) Keep in the church office an accurate and permanent record of all financial transactions of church funds. Make reports of itemized disbursements and the financial condition of the church as requested by pastor and deacons, and for annual, quarterly or otherwise

special or regular administration meetings; deliver such records to successor upon leaving office.

- (B) Receive and give receipt for all contributions, gifts, and donations to the church.
- (C) Verify all funds received from the church financial secretary, and deposit these and all other funds received in appropriate amounts at an approved banking facility or trust company as shall be selected by the pastor or board of deacons.
- (D) Write, sign, record, and mail checks in payment of church bills and routine expenses approved by the pastor and/or deacons as well as disburse funds and salaries as directed by the church.
- (E) At least two directors of this corporation shall be authorized to sign church checks in the treasurer's absence. The chairman of the deacons shall not perform this duty if functioning as the financial secretary. No persons shall be permitted to sign checks written to themselves, and no expenditures of the church (except miscellaneous petty cash disbursements) shall be made by cash.
- (F) Serve as treasurer of the church.

SECTION 3.06—ASSOCIATE PASTORS

Under the direction and guidance of the pastor, the associate pastor(s) of the church shall assist the pastor in carrying out the ministries of the church.

SECTION 3.07—DUTIES OF ALL OFFICERS

- (A) All officers shall prepare a written report of their work for the annual church administration meeting and shall surrender all records in their possession to the church clerk at the close of their term of office to be filed as a permanent record of the work of the church. All records are the property of the church and must be kept in the church office.
- (B) Any officer who neglects his duties as outlined in the bylaws for a period of three months may be removed from his office, at the discretion of the pastor, and another may be appointed by the pastor to serve the un-expired term.

SECTION 3.08—INSTALLATION OF OFFICERS

A public installation service in which all newly elected officers of the church are to be dedicated to their respective offices and the ordination of newly elected deacons shall be held at a public church service following their election at the annual church administration meeting.

ARTICLE 4 MEETINGS

SECTION 4.01—MEETINGS FOR WORSHIP

Unless otherwise determined by the pastor, the church shall meet each Sunday for public worship both morning and evening and at least once during the week for Bible study and prayer.

SECTION 4.02—MEETINGS FOR CHURCH ADMINISTRATION

- (A) The annual church administration meeting, for the election of officers and the transaction of other business, shall be held on _____. A quorum shall consist of the members present. Public notice of the meeting shall be given from the pulpit for two successive Sundays immediately preceding the meeting.
- (B) The moderator shall determine the rules of procedure according to his sense of fairness and common sense, giving all members a reasonable opportunity to be heard on a matter. The moderator is the final authority on questions of procedure, and his decision is final and controlling. The following order shall generally be observed at the regular church administration meetings:
 - 1. Devotions & prayer
 - 2. Reading of minutes
 - 3. Reception of members
 - 4. Dismissal of members
 - 5. Report of officers
 - 6. Reports of standing committees
 - 7. Reports of special committees
 - 8. Unfinished matters
 - 9. Election of officers
 - 10. New matters
 - 11. Adjournment
 - 12. Benediction
- (C) For any meeting under this article, the moderator, in his sole discretion, shall have full and unilateral authority to require nonmembers to leave the meeting room and to order the immediate removal of any member or other person present who is deemed by the moderator to be disruptive to the proceedings by act or presence. The moderator shall have full authority to order the removal of all children (ages to be determined by the moderator) if the moderator determines, in his sole discretion, that circumstances so warrant. If the moderator determines that compliance with his order of removal is unsatisfactory, the moderator may, in his sole discretion, revoke the disruptive person's right to remain on the premises in accordance with Section 3.03(C) and treat the person as a trespasser.

SECTION 4.03—SPECIAL MEETINGS

- (A) The pastor (or deacons if the office of pastor is vacant or the pastor is the subject of possible disciplinary action) may call a special meeting by giving notice of such a meeting and the purpose for which it is called to the church from the pulpit at least one Sunday and not less than one week prior to said meeting. A meeting for the calling of a

pastor or the severance of the relationship between the church and pastor shall be called in accordance with the provisions of Sections 2.04(A) and 2.05.

- (B) Bible conferences, missionary conferences, and revivals may be held as the pastor deems beneficial.

SECTION 4.04—FISCAL YEAR

The fiscal year of the church shall begin January 1st and end December 31st.

SECTION 4.05 –EXTRA-BUDGET EXPENDITURES

The treasurer may, in the ordinary course of his duties, make or authorize the making of any expenditure or obligation in any amount not exceeding One Hundred dollars (\$100). The pastor and board of deacons may make or authorize the making of any expenditure or obligation in any amount not exceeding Five Hundred dollars (\$500). The membership may make or authorize the making of any expenditure or obligation in any amount whatsoever.

SECTION 4.06-EMERGENCY EXPENDITURES

The pastor and the board of deacons may, in an emergency situation, make or approve the making of any expenditure or obligation exceeding the limit imposed on them in Section 4.05 under the following conditions:

- (A) The pastor and the board of deacons, by a majority vote, must determine that the matter is of such urgency that it cannot wait until the next regular meeting of the membership or until a special meeting can be held.
- (B) Before making any decision, the pastor and the board of deacons shall make a good faith effort to obtain the opinions of as many of the members as can be reached. The actual decision shall then be taken at a meeting of the pastor and the board of deacons, any action requiring the approval of at least two-thirds (2/3) of the board.
- (C) The pastor shall report the action taken by the pastor and the board of deacons to the next meeting of the members for approval. If the members refuse to approve, the action shall be reversed insofar as possible, but the pastor and the board of deacons shall not be personally liable for such action, provided that they have, in good faith, followed the procedures set forth in this section.

ARTICLE 5 INDEMNIFICATION

SECTION 5.01—ACTIONS SUBJECT TO INDEMNIFICATION

- (A) The church may indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit, or proceeding, whether civil, criminal, administrative, or investigative, including all appeals (other than an action by or in the right of the church) by reason of the fact that the person is or was a pastor, deacon, officer, employee, or agent of the church, against expenses, including attorneys' fees,

judgments, fines, and amounts paid in settlement actually and reasonably incurred by him in connection with the action, suit, or proceeding; and if that person acted in good faith and in a manner he reasonably believed to be in or not opposed to the best interests of the church and, with respect to any criminal action or proceeding, had no reasonable cause to believe his conduct was unlawful.

- (B) The termination of any action, suit, or proceeding by judgment, order, settlement, conviction, or on a plea of *nolo contendere* or its equivalent, shall not, of itself, create a presumption that the person did not act in good faith and in a manner that he reasonably believed to be in or not opposed to the best interests of the church and, with respect to any criminal action or proceeding, had no reasonable cause to believe that his or her conduct was unlawful.

SECTION 5.02—EXPENSES SUBJECT TO INDEMNIFICATION

To the extent that a pastor, deacon, officer, employee, or agent has been successful on the merits or otherwise in defense of any action, suit, or proceeding referred to in this Article, or in defense of any claim, issue, or matter in that action, suit, or proceeding, he or she may be indemnified against expenses, including attorneys' fees, actually and reasonably incurred by him or her in connection with the action, suit, or proceeding.

SECTION 5.03—LIMITATIONS OF INDEMNIFICATION

Any indemnification made under this Article, may be made by the church only as authorized in the specific case on a determination that indemnification of the pastor, deacon, officer, employee, or agent is proper in the circumstances because he has met the applicable standard of conduct set forth in Section 5.01. The determination shall be made (a) by a majority vote of a quorum consisting of the pastor and deacons who were not and are not parties to or threatened with the action, suit, or proceeding; (b) if the described quorum is not obtainable or if a majority vote of a quorum of disinterested deacons so directs, by independent legal counsel in a written opinion; or (c) by a majority vote of the members of the church.

SECTION 5.04—TIMING OF INDEMNIFICATION

Expenses of each person seeking indemnification under this Article, may be paid by the church as they are incurred, in advance of the final disposition of the action, suit, or proceeding, as authorized by the board of deacons in the specific case, on receipt of an undertaking by or on behalf of the pastor, deacon, officer, employee, or agent to repay the amount if it is ultimately determined that he or she is not qualified to be indemnified by the church.

SECTION 5.05—EXTENT OF INDEMNIFICATION

The indemnification provided by this Article shall be deemed to be discretionary unless otherwise required as a matter of law or under any agreement or provided by insurance purchased by the church, both as to action of each person seeking indemnification under this Article in his official capacity and as to action in another capacity while holding that office, and may continue as to a person who has ceased to be a pastor, deacon, officer, employee, or agent and may inure to the benefit of the heirs, executors, and administrators of that person.

SECTION 5.06—INSURANCE

The church may purchase and maintain insurance on behalf of any person who is or was a pastor, deacon, officer, employee, or agent of the church against any liability asserted against him and incurred by him in that capacity, or arising out of his status in that capacity, whether or not the church would have the power to indemnify him against liability under the provisions of this Article.

ARTICLE 6 COMMITTEES

SECTION 6.01—STANDING COMMITTEES

The pastor (or the board of deacons if the office of pastor is vacant) shall appoint standing committees and designate a chairperson for each standing committee and, except when otherwise specifically provided in these bylaws, shall determine the membership of each standing committee. In addition to the discipline committee, the pastor may appoint other standing committees as he deems appropriate.

SECTION 6.02—SPECIAL COMMITTEES

The board of deacons, in its discretion, may create special committees to provide the board with advice and information regarding matters submitted to the committee by the board for consideration. The committee shall have no authority to act on behalf of the church. The members of the committee shall be chosen by a majority vote of the board of deacons and shall serve solely at the pleasure of the board of deacons. The special committee shall be subject to the control and direction of the board of deacons at all times.

SECTION 6.03 — ACTIONS OF COMMITTEES

Committees, whether standing or special, have no authority to act on behalf of the corporation. Their primary function is to research and recommend. Committees shall make available upon request all records and materials to the pastor or deacons, who shall have the right to overrule any plans or decisions made by the committee. Each committee shall have a secretary that keeps minutes of each meeting and shall timely submit the minutes to the pastor and church clerk to be filed with church records. If deemed appropriate by the pastor and deacons, the committee secretary, in conjunction with the chairman, shall submit an annual report to the church of the decisions and plans of the committee.

ARTICLE 7 BINDING ARBITRATION

SECTION 7.01—SUBMISSION TO ARBITRATION

Believing that lawsuits between believers are prohibited by Scripture, all members of this church agree to submit to binding arbitration any matters which cannot otherwise be resolved, and expressly waive any and all rights in law and equity to bringing any civil disagreement before a court of law, except that judgment upon the award rendered by the arbitrator may be entered in any court having jurisdiction thereof.

SECTION 7.02—NOTICE OF ARBITRATION

- (A) In the event of any dispute, claim, question, or disagreement arising out of or relating to these bylaws or any other church matter, the parties shall use their best efforts to settle such disputes, claims, questions, or disagreement as befits Christians and in accord with Matthew 18:15-17.
- (B) To this effect, they shall consult and negotiate with each other in good faith and, recognizing their mutual interests not to disgrace the name of Christ, seek to reach a just and equitable solution.
- (C) If they do not reach such solution within a period of sixty (60) days, then upon notice by either party to the other, disputes, claims, questions, or differences shall be finally settled by arbitration as described in Section 7.01, above, and such Procedures for Arbitration as are adopted pursuant to Section 7.04, below.

SECTION 7.03—LIMITATIONS ON ARBITRATION DECISIONS

- (A) Should any dispute involve matters of church discipline, the arbitrators shall be limited to determining whether the procedures for church discipline as outlined under Section 1.04, were followed.
- (B) Should any dispute involve the removal from office of the pastor or any church officer, the arbitrators shall be limited to determining whether the procedures set forth in Sections 2.04 or 3.06 were followed.

SECTION 7.04—ARBITRATION PROCEDURES

The Procedures for Arbitration shall be as adopted by the pastor and the board of deacons.

ARTICLE 8 CONFLICT OF INTERESTS

SECTION 8.01—PURPOSE

The purpose of this conflict of interest policy is to protect the Church's interest when it is contemplating entering into a transaction or arrangement that might either benefit the private interest of an officer or trustee of the Church or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state or federal laws governing conflicts of interest applicable to nonprofit and charitable organizations.

SECTION 8.02—DEFINITIONS

- (A) **Interested Person:** Any trustee or officer who has a direct or indirect financial interest.
- (B) **Financial interest:** A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:
 1. An ownership or investment interest in any entity with which the Church has a transaction or arrangement,

2. A compensation arrangement with the Church or with any entity or individual with which Church has a transaction or arrangement, or
 3. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which Church is negotiating a transaction or arrangement.
 4. A financial interest is not necessarily a conflict of interest. A person who has a financial interest may have a conflict of interest only if the board decides that a conflict of interest exists.
- (C) **Compensation:** Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

SECTION 8.03—PROCEDURES

- (A) In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the trustees considering the proposed transaction or arrangement.
- (B) After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he shall leave the board meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board members shall decide if a conflict of interest exists.
- (C) An interested person may make a presentation at the board meeting, but after the presentation, he shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
- (1) The chairman of the board shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
 - (2) After exercising due diligence, the board or committee shall determine whether Church can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
 - (3) If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the board shall determine by a majority vote of the disinterested trustees whether the transaction or arrangement is in the best interests of Church, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.

- (D) If the board has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
- (E) If, after hearing the member's response and after making further investigation as warranted by the circumstances, the board determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

SECTION 8.04—RECORDS OF PROCEEDINGS

- (A) The minutes of the board shall contain the names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the board's decision as to whether a conflict of interest in fact existed.
- (C) The minutes of the board also shall contain the names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

SECTION 8.05—COMPENSATION

A voting member of the board who receives compensation, directly or indirectly, from the church for services rendered may not vote on matters pertaining to that member's compensation.

ARTICLE 9 DESIGNATED CONTRIBUTIONS

From time to time the church, in the exercise of its religious, educational, and charitable purposes, may establish various funds to accomplish specific goals. All contributions to these funds shall be deemed advisory rather than mandatory in nature and shall remain subject to the exclusive control and discretion of the pastor and the board of deacons. No fiduciary obligation shall be created by any designated contribution made to the church other than to use the contribution for the general furtherance of any of its tax-exempt purposes.

ARTICLE 10 AMENDMENTS

These bylaws may be revised or amended by a majority vote of the members present and voting at any regular church administration meeting, provided that said revision or amendment has been submitted in writing and announced from the pulpit fourteen (14) days before the vote is taken.

ADOPTION

I, the undersigned officer of the church, certify that these bylaws were adopted by a two-thirds majority vote of the members present and voting at a duly called meeting of the church in which a quorum was present.

These bylaws supersede any and all previous bylaws of _____ church.

Date

Church Clerk

SUPPLEMENTARY PROVISIONS

ARTICLE _____ EDUCATIONAL MINISTRIES

SECTION __.01—PURPOSE

The church believes that the home and church are responsible before God for providing a Christian education. To help fulfill this responsibility of imparting biblical truth and furthering the Great Commission, this church shall establish and maintain an educational program (or Sunday School program) for the purpose of winning souls to Christ, and teaching Bible doctrine, godly worship, and biblical Christian living. To this end, the church shall engage in educational ministries in keeping with the following dictates.

SECTION __.02—CHURCH PARTICIPATION

All educational programs or courses of instruction formulated and offered by the church shall be primarily for the benefit of the members of the church; however, the pastor may permit non-church members to participate in church educational programs or courses of instruction if he deems it in the best interest of the church.

SECTION __.03—STAFF MEMBERSHIP

All instructors, teachers, and administrators shall be members of this church. This provision shall not apply to visiting missionaries, evangelists, or preachers engaged for the purpose of delivering sermons, conducting revivals, or other special meetings on a temporary basis.

SECTION __.04—AGREEMENT WITH STATEMENT OF FAITH

All educational programs or courses of instruction shall be taught and presented in full agreement with the Statement of Faith of the church. The church shall not hire, appoint, or retain any employee or volunteer for its educational programs who fails to adhere to or expresses disagreement with the Statement of Faith or who adopts or lives a lifestyle inconsistent with the beliefs and practices of Statement of the Faith or this church, whether in or out of the classroom.

SECTION __.05—UNITY

All educational programs or courses of instruction shall be conducted as an integral and inseparable ministry of the church.

SECTION __.06—TEACHING

All educational programs or courses of instruction shall be conducted consistent with the teaching of the inerrant Word of God. Any assertion or belief that conflicts with or questions a Bible truth is a pagan deception and distortion of the truth which will be disclaimed as false. It is the responsibility of every instructor or teacher to present the inerrant Word of God as the sole infallible source of knowledge and wisdom.

ARTICLE __ ORDINATION AND LICENSING

SECTION __.01 ORDINATION QUALIFICATIONS

- (A) Any male member who meets the qualifications stated in 1 Timothy 3:1-7 and Titus 1:6-9, may be considered for ordination as a minister of the Gospel. Candidates for ordination must be members of this local assembly or one its mission churches. No other persons may be ordained by this church.
- (B) The candidate must have an experience of conversion, a divine call to the ministry, a consistent Christian walk, a vital concern for the souls of men and for the edification of the church at home and abroad.
- (C) The candidate must affirm his unequivocal adherence to the Statement of Faith set forth in Article 2 of these bylaws. His doctrinal position on matters not specifically addressed in the Statement of Faith must be based on the Scriptures as the Word of God.
- (D) Graduation from a four-year Bible college, or its equivalent, is recommended. Any uncertainty as to call or other obvious disqualifications should bar a man from ordination regardless of educational attainments.
- (E) All persons licensed or ordained by this church must be convinced Baptists who accept the historic Baptist distinctives in all matters pertaining to church order and practice.
- (F) A Bible college or seminary graduate should spend at least one year after graduation engaged exclusively in preaching and pastoral work before being considered for ordination. Exceptions to this rule will be made when the candidate has had adequate pastoral experience before and during his formal biblical education, or when he must seek early ordination to satisfy requirements for pastoral service of a mission church, missionary service or chaplaincy.

SECTION __.02 – ORDINATION PROCEDURES

- (A) Upon a majority vote at a duly noticed church administration meeting, the church may call an ordination council for the purpose of considering the qualifications for the

ordination candidate. The ordination council shall consist of ordained ministers of like faith invited by the pastor to participate in the examination of the candidate.

- (B) After organizing itself, the council will examine the candidate with respect to his spiritual experience, call to the ministry, and view of Christian doctrine and Baptist distinctives. The council should take its responsibility seriously and examine the candidate carefully. The outcome of the examination will be a recommendation to the church whether or not to ordain. If the council recommends ordination, the church shall vote to adopt or reject the council's recommendation at a duly noticed church administration meeting.
- (D) If the candidate is recommended for ordination by the council and the church adopts the recommendation, the pastor and the chairman of the deacons shall arrange for the ordination service. The following parts are usually included in the ordination service: Introduction consisting of the reading of Scripture relating to the qualifications for ordination, prayer, special music, and reading of the determination of the examining council; Ordination charge to the church; Ordination prayer accompanied by laying on of hands by the council; Charge to the candidate; Benediction by the newly ordained minister.

SECTION __.03 REVOCATION OF ORDINATION

- (A) Should a minister ordained by the church be found living a life unbecoming a servant of the Lord or preaching and teaching contrary to the Word of God, the pastor may call a council to hear the charges and the minister's defense.
- (B) The reviewing council shall consist of the board of deacons and ordained ministers of like faith invited to participate in the hearing of the charges and the minister's defense.
- (C) Upon a recommendation by a majority vote of the council, the church will then revoke the minister's ordination certificate.

SECTION __.04 LICENSE

- (A) Those who desire to prepare for the gospel ministry may be issued a license to preach by this church after the pastor and board of deacons have examined the candidate's divine call and qualifications.
- (B) The pastor and the board of deacons may license an associate or assistant pastor as a preliminary step to ordination at a later date.
- (C) A license to the ministry shall be considered the equivalent to ordination, but shall be considered probationary in nature. It is expected that the licensed minister will be considered for ordination within four years of being licensed.

ARTICLE ____
DESIGNATED CONTRIBUTIONS

From time to time the church, in the exercise of its religious, educational, and charitable purposes, may establish various funds to accomplish specific goals. All contributions to these funds shall be deemed advisory rather than mandatory in nature and shall remain subject to the exclusive control and discretion of the pastor and the board of deacons. No fiduciary obligation shall be created by any designated contribution made to the church other than to use the contribution for the general furtherance of any of its tax-exempt purposes.

ARTICLE ____

MORALITY CLAUSE MINISTRY BYLAWS AMENDMENT

The membership of {Ministry Name}, in accordance with its governing bylaws,⁵ resolves to protect the Bible-based moral values of this ministry. The following amendments are made to governing ministry bylaws.

Statement of Faith

Whereas, the ministry is committed to preserve Scriptural morals in the face of outside societal influences seeking to degrade the Biblical family, pervert the moral values of our nation, and intimidate God's people from speaking God's truth in love, the following paragraphs shall be added to Article ___, the ministry's Statement of Faith:

(P) Sexual Immorality

1. We believe that God has commanded that no intimate sexual activity be engaged in outside of a marriage between one naturally-born man and one naturally-born woman. We believe that any form of homosexuality, lesbianism, bisexuality, bestiality, incest, fornication, adultery, and pornography are sinful perversions of God's gift of sex. We believe that God disapproves of and forbids any attempt to alter one's gender by surgery or appearance. (Gen. 2:24; Gen. 19:5, 13; Gen. 26:8-9; Lev. 18:1-30; Rom. 1: 26-29; 1 Cor. 5:1; 6:9; 1 Thess. 4:1-8; Heb. 13:4)
2. We believe that the only Scriptural marriage is the joining of one naturally-born man and one naturally-born woman. (Gen. 2:24; Rom. 7:2; 1 Cor. 7:10; Eph. 5:22-23)

(V) Lawsuits Between Believers.

We believe that Christians are prohibited from bringing civil lawsuits against other Christians or the church to resolve personal disputes. We believe the church possesses all the resources necessary to resolve personal disputes between members. We do believe, however, that a Christian may seek compensation for injuries from another Christian's insurance company as long as the claim is pursued without malice or slander. (1 Cor. 6:1-8; Eph. 4:31-32; Matt. 18:15-17).

⁵ *The ministry must follow the provisions of its existing bylaws governing the process for amendments which will likely include a vote by the membership. The ministry leadership must carefully follow any notice or quorum requirements applicable to passing an amendment to the bylaws.*

Membership

Whereas, membership in this body is a privilege and not a right and carries with it specific responsibilities and moral obligations, the following provision shall be added to Article ___, Membership:

The membership of any individual member shall automatically terminate without notice if the member states that he or she is actively involved in any conduct described in 2.02(P)⁶ or files a lawsuit in violation of 2.02(V).

RESOLUTION

The governing board of {Ministry Name}, resolves to protect the Bible-based moral values of this ministry. The following policies represent the ministry's commitment to preserve Scriptural morals in the face of outside societal influences seeking to degrade the Biblical family, pervert the moral values of our nation, and intimidate God's people from speaking God's truth in love.

THEREFORE, be it hereby resolved that the following policies be communicated to each staff member and ministry volunteer and enforced as the guiding policies of this ministry:

Staff Training

All volunteers or staff that have contact with the general public on behalf of the ministry are perceived to be speaking on behalf of the ministry. These positions include, but are not limited to, receptionists, ushers, greeters, and anyone else who has contact with the general public as a representative of the ministry. All staff with contact with the general public are required to exhibit the utmost display of Christian character. Use of abusive or pejorative language of any kind is strictly prohibitive and shall be grounds for discipline. No staff member shall ever be disrespectful to any person for any reason.

Ushers

Ushers are required to conduct their activities with decorum and respect. Any conduct that an usher observes that may be distracting to the activities of the ministry should be brought to the attention of the pastor immediately. An usher should never touch any person in an effort to remove that individual from the premises except when absolutely necessary to prevent the individual from injuring himself or others. If directed by the pastor, an usher may contact the authorities to respond to the scene in an effort to remove the individual(s) causing the disturbance and restore order.

Receptionists

Receptionists are responsible for greeting anyone who contacts the ministry by telephone or visits the ministry. Receptionists are not official spokespersons for the ministry. As such, any

⁶ These number references relate to the CLA Sample Ministry Bylaws. The ministry leadership should update these citations to accurately reflect the location of the referenced paragraphs in the ministry's own bylaws.

questions regarding the Scriptural position or activities of the ministry should be directed to the pastor for further handling. Prospective participants in the ministry should be mailed an information packet. Receptionists shall not answer questions regarding the position of the church in matters of faith, practice, or policy over the phone or to persons unknown to the ministry. Answering such questions shall be grounds for immediate removal from the position including termination of employment.

Church Attendance/Services

Attendance in the general worship services of this church shall be open to the general public subject to the standards and expectations contained in this resolution and other applicable ministry policies.

Behavior Standards

In all services and programs of this ministry, reasonable standards of decorum and order shall be maintained at all times. As such, no one shall, by appearance or behavior, be permitted to draw attention to themselves in contravention to the ministry's purposes. Any individual who, in the sole discretion of the pastor or ministry leadership, is found to be in violation of this policy shall be removed from the ministry premises immediately.

Special Class Designations

Where appropriate, the pastor, in his sole discretion, shall designate specific assignments and qualifications for various special classes or group activities. Such assignments and qualifications shall be enforced for all individuals who wish to attend the ministry function. Individuals who do not meet the qualifications for a specific class or activity, in the sole discretion of the pastor, shall not be allowed to participate in the designated activity.

SAMPLE FACILITY USAGE POLICY

[CHURCH NAME]

[ADDRESS]

[CITY/STATE/ZIP]

[TELEPHONE]

INTRODUCTION

[CHURCH NAME] makes its facility available for activities in furtherance of the purposes and Statement of Faith of [CHURCH NAME] and for members of the church. Use of the facilities must be in compliance with the Statement of Faith of [CHURCH NAME] and this Policy. Further, it should be remembered that the facilities discussed herein are the House of the Lord and should be treated in a manner that demonstrates due reverence.

PRIORITIES OF USE

Church-sponsored events take precedence over all other events. Active [CHURCH NAME] members' personal events (such as weddings, parties, anniversaries, etc.) have second priority. Any other use which is deemed in furtherance of the Church's purposes and Statement of Faith may be permitted as stated hereinafter.

While no rental fee is assessed, those using the facilities are asked to pay costs to help defray the custodial expenses, depreciation, and utility fees.

Should a conflict arise after a schedule for an event has been set, the Facility Usage Team may reschedule a lower priority event only in the case of an emergency. Solutions acceptable to all parties will be sought in all cases.

APPLICATION AND SCHEDULING

Before the facility may be used, a thorough understanding of responsibilities of all parties involved shall be determined and acknowledged by signatures on the *Facility Usage Application* form. Outside groups wishing to use the facility will furnish a certificate of insurance for liability and property damage naming and protecting the interests of the church.

All applications shall be received by the Church office and will be approved as soon as it can be reviewed by the Facility Usage Team. Applications may also be reviewed by the Church [COUNCIL] as needed. The decisions of the Church [COUNCIL] regarding all facility use shall be final.

All fees are to be paid to [CHURCH NAME]. The security deposit is due when the application is submitted. Once an event is approved, a copy of the *Facility Usage Application* form will be sent to the requestor. If an application is denied, the deposit will be returned within 2 weeks. The balance of the fees will be due two weeks prior to the event. In the event of a cancellation, please let the [CHURCH OFFICE MANAGER] know as soon as possible. To receive a refund, notice of your cancellation should be received 48 hours in advance.

A facility key will be issued to members of the church upon request.

Each year by October 1, each Church Committee and Team leaders will fill out a *Facility Usage Application* form, and return it to the [CHURCH OFFICE MANAGER] Manager in order to reserve rooms for their meetings and events. Usage is reserved on a space available basis thereafter. All groups using the facilities on a regular basis must fill out an application and have it reviewed for approval annually for continuing use.

RULES

FAILURE TO FOLLOW THE RULES WILL CAUSE YOU TO FORFEIT YOUR DEPOSIT OR LOSE RENTAL PRIVILEGES

1. Permission to use the facilities does not constitute endorsement of a group's policies or beliefs by [CHURCH NAME].
2. [CHURCH NAME] has a no smoking, no alcohol, no gambling, no weapons and no pets (other than service dogs) policy.
3. There must be a supervising adult 21 years or older from the user group present at all times.
4. Use of the kitchen facility requires a complete clean-up. All food items must be removed and the trash taken out to the trash area.
5. No furnishings may be moved from other parts of the facility. If you need additional items, put them on your application and it will be discussed with the [FACILITY USAGE TEAM].
6. Due to wear and tear from transportation and use, tables, chairs and other equipment may not be borrowed by members or friends for use outside of the facility.
7. No nails, tacks or tape are to be used on any wall or furnishing.
8. The group may adjust the thermostat for the area being used, but must change it back to the original temperature at the event's conclusion.
9. The facility must be left in an orderly condition. This includes cleaning up the restrooms and removing the trash.
10. Upon leaving, all tables and chairs must be returned to their proper location, all lights must be turned off, and the doors secured.
11. All groups must vacate the building by ____ p.m. unless prior approval has been applied for and granted.
12. All incidents of damage must be reported to the [CHURCH OFFICE

MANAGER]. The group using the facility is responsible and will be charged for damage to any property or furnishings. Payment is expected within 30 days.

- 13 If using the organ, piano, or keyboard, you must have prior approval.
14. In NO CASE shall the sound and lighting system be operated by anyone other than AUTHORIZED PERSONNEL.
15. Use of the facilities for a wedding is covered in the Wedding Policy.
16. No profit making businesses or enterprises are allowed.

[CHURCH NAME]
Facility Usage Application

Today's Date: _____

Name of Organization: _____

Requester's Name: _____

Address: _____

Phone: _____ Email: _____

[CHURCH INITIALS] Member? YES ☐ NO ☐

[CHURCH INITIALS] Member/Sponsor: _____

Purpose of Meeting/Event: _____

Is this organization non-profit? YES ☐ NO ☐

Will a fee be charged to attend? YES ☐ NO ☐

Date requested: _____ Start Time: _____ Finish Time: _____

Number of attendees expected: Adult: _____ Child: _____

Facilities/Rooms requested: _____

Is use of Kitchen requested? YES ☐ NO ☐

Will food and/or beverages be served? YES ☐ NO ☐

Is MPC Audio/Visual Equipment requested? YES ☐ NO ☐

A/V Equipment requested: _____

By signing this request, I hereby agree to the terms and conditions as stated in the attached [CHURCH NAME] Facility Usage Policy.

Requestor: _____

Sponsor (if requestor is not a member): _____

Approved: YES ☐ NO ☐

[CHURCH INITIALS] Representative: _____

Amt. Received: _____

Comments: _____

SAMPLE WEDDING POLICY

As a church, we believe that marriage is a God-ordained institution, and as such it should be governed by what God has to say about it. In an age when marriage is often looked upon as a temporary state, we stand unequivocally for the permanence of marriage. To this end, we have adopted the following policies. The purpose of these policies is not to judge or to discriminate, but to uphold the sacredness of marriage and the vows made before God and man during the marriage ceremony.

We shall endeavor to keep the spirit of love in our dealings in these matters as we follow the commands of our Savior.

I. THOSE QUALIFYING FOR MARRIAGE in the use of the church facilities are limited to:

- a. Members and/or attendees of _____ providing their marriage meets the scriptural standards of God's Word.
- b. Special permission may be granted to another church of like precious faith to use the facilities, providing the parties married are both Christian and have not been married before, and that those performing the ceremonies are fundamental ministers.
- c. Because the union of marriage is for the lifetime of the partners, and because of the Scripture in passages such as Matthew 5:32, Matthew 19:9, Romans 7:2-3, and I Corinthians 7: 10-11, no person whose former spouse is still alive shall be married in the Church.
- d. Because the Bible forbids an unequal yoke (I Corinthians 6:14), the use of the church and services of our pastors are not available to a believer marrying an unsaved person.
- e. If pregnancy is a fact, use of the sanctuary is denied, but pastors may marry the couple in a quiet ceremony elsewhere.
- f. Requests from community members will be considered on an individual basis by the pastor.
- g. Same-sex marriages will not be performed.

II. REQUIREMENTS OF THE BRIDE AND GROOM

- a. Both must agree to one or more counseling sessions as required by the pastor.
- b. Both must meet all legal requirements for marriage.

- c. Since we as a Church have made a solemn covenant before God to refrain from the sale and use of alcohol as a beverage, alcoholic beverages will not be served at the reception of those who are married in the Church facilities.
- d. Since a wedding in the church denotes the connotation of worship to God, and a desire to do His will, then every part of the ceremony, including word, music, and symbols, will be appropriate for the occasion and will be subject to the pastor's approval.
- e. The couple will be responsible in letting their guests know that no smoking, drinking, swearing, or immodest attire is permitted on church property.
- f. If other pastors are used or share in the ceremony, they must be fundamental in doctrine and affiliation, and special permission must be granted by the official board.
- g. The couple must be responsible for remuneration of organist, custodian, and others whose services are solicited.

The above requirements are justified and demanded for a Christian wedding in a building dedicated to the glory of God. If you feel that you do not meet the standards or wish to comply with the requirements, we ask that you understand and respect our reasons.

III. PASTOR'S HONORARIUM / RESPONSIBILITY OF THE BRIDE & GROOM

- a. The fees stated in the wedding contract must be paid to the church one month prior to the wedding date along with a security deposit of _____. Half will be returned following the event after the wedding inspection is made and facilities have been found in order.
- b. The bride and groom are required to sign the enclosed reservation form agreeing to comply with the aforementioned rules. When the "Wedding Application Form" has been completed, returned to the receptionist and approved by the Pastor, reservations for the building will be considered firm when the deposit is received.
- c. Checks for the wedding fees should be made out to the Soloists or organists, other than those secured by this church, or persons hired by the wedding party, shall be paid directly to them. It is then understood that the church is not responsible for any legal obligations that may arise from the hiring of such persons. The telephone number of the church is _____. Office hours are from ____ to _____, _____ through _____.

IV. SETTING THE TIME OF YOUR WEDDING. Careful planning is necessary for ALL weddings. Please make plans as early in advance as possible so that the use of the church can be arranged without a scheduling conflict. Upon receipt of the Wedding

Application Form, you will be contacted concerning the availability of your requested wedding date and the date of your first counseling conference with the pastor.

It is extremely important that the exact time indicated for the rehearsal and wedding be observed, having all members of the wedding party present at the time indicated.

The wedding will generally be held in the sanctuary. Should the couple wish to have the wedding in a private home, garden, etc., they still need to check with the receptionist regarding the availability of the pastor.

V. WEDDING MUSIC. It is important to keep in mind that a church wedding is a service of the church, and the music should be in keeping with the reverence that is observed upon entering the house of the Lord. Music for the wedding must be approved by the pastor or officiating pastor.

If there is to be a soloist, it will be the bride's responsibility to contact the church organist/pianist to arrange rehearsal time. If a sound technician is required, it will also be the bride's responsibility to arrange for rehearsal time.

If the reception is held in the church social hall, the pastor must approve all activities.

VI. FEES Wedding fees are divided into two categories: Church members and non-church members. Unless otherwise specified, the fees are as follows:

a. For Members: (Bride, Groom, or at least one of their parents must be members of this church.)

Use of Sanctuary	No charge
Organist	Honorarium
Soloist	Honorarium
Sound technician	Honorarium
Custodian	_____ (for Sanctuary & Social Hall)
Kitchen attendees	Honorarium

b. For Non-Members:

Date Reservation fee	_____ (non-refundable)
Use of Sanctuary and/or Social Hall	_____ (half refundable)
Organist	_____ (if provided by the church)
Soloist	_____ (if provided by the church)
Sound technician	_____
Custodian	_____
Kitchen attendees	Based on service provided (+ cost of food)

VII. FLOWERS AND DECORATIONS (Please note and give to florist):

- a. The Sanctuary is a setting for a sacred service, which is dignified and beautiful. The use of decorations should be carefully planned. It is the responsibility of the wedding party to arrange for decorations.
- b. When candles are used, they must be of the dripless variety and must be in candelabras, which will catch and contain all drippings, so the floor will be thoroughly protected. Florists or responsible parties will be expected to clean any wax spills from all floor coverings and furniture.
- c. Under no conditions shall decorations be attached to the pews and/or walls or other furniture by pinning, gluing, nailing, taping, etc.

Please complete the Evaluation and Preparation for Marriage Form and the Wedding Application Form and return them to the Pastor. The pastor will review them and respond to you at his earliest convenience.

WEDDING APPLICATION FORM

This application is to be completed and presented to the church receptionist. A _____ date reservation fee is requested for nonmembers. After the pastor has reviewed your application you will be contacted concerning the availability of the requested date for your wedding and the date of your first counseling session. Your wedding date will not be confirmed until the Wedding Application Form, Evaluation and Preparation for Marriage Form and required fees have been received and counseling requirements have been scheduled.

BRIDE: _____ Phone: _____

Address: _____

Parent/Guardian: _____ Phone: _____

Church Membership: _____ Age: _____

GROOM: _____ Phone: _____

Address: _____

Parent/Guardian: _____ Phone: _____

Church Membership: _____ Age: _____

Post Wedding Address: _____

Wedding Date: _____ **Time:** _____

Rehearsal Date: _____ **Time:** _____

Officiating Minister(s): _____

Organist: _____ **Pianist:** _____

Soloist(s) and/or Other Musician(s): _____

Song Selections: _____

Photographer: _____ Phone: _____

Florist/Decorator: _____ **Phone:** _____

Do you plan to leave flowers for the Sunday service? ☐ Yes ☐ No

We have read and we accept the Wedding Policy of _____.

Bride's Signature

Date

Groom's Signature

Date

SAMPLE ARBITRATION PROCEDURES

SECTION 1—SCOPE OF ARBITRATION

The parties must, prior to the selection of arbitrators, agree to the scope of the matters to be considered by the arbitrators. In doing so the parties must conduct themselves with the utmost courtesy as befits believers in Jesus Christ. If the parties cannot agree upon the scope of the dispute for arbitration, the scope shall be determined by the arbitrators.

SECTION 2—SUBMISSION TO ARBITRATION

(A) The parties, as Christians, believing that lawsuits between Christians are prohibited by Scripture, and having agreed, according to Article 12 of the church bylaws, to submit disputes to binding arbitration, and to waive any legal right to take the dispute to a court of law, will refer and submit any and all disputes, differences, and controversies whatsoever within the agreed scope of arbitration to a panel of three arbitrators, to be selected as follows:

- (1) All arbitrators must be born-again Christians of good reputation in the community who affirm the church's Statement of Faith in its entirety.
- (2) Each party shall submit a list of three proposed arbitrators to the other party, and the other party will choose one of the three proposed arbitrators to serve on the panel.
- (3) The third arbitrator will be selected by mutual agreement of the other two arbitrators.
- (4) In selecting the arbitrators, each party shall act in good faith in choosing Christian arbitrators who have no prior knowledge of the facts leading up to the dispute, are not related to or close friends with the selecting party, and who will act impartially and with fundamental fairness.
- (5) No arbitrator may be an attorney.
- (6) No arbitrator may be employed or ever have been employed by, or under the authority of, either party or any other arbitrator.
- (7) The arbitrators will be selected as soon as possible but no later than 30 days after the parties have agreed to the scope of the arbitration.
- (8) The arbitration will be held at a neutral site agreed to by the arbitrators.

(B) The arbitrators shall, subject to the provisions of these procedures, arbitrate the dispute according to the terms of these procedures, the Bible as interpreted by the church's

Statement of Faith, and any applicable church documents.

- (C) Each party may be represented by counsel throughout the process at the party's own expense. Discovery will be allowed as needed, as determined in the discretion of the arbitrators. Formal rules of evidence shall not apply.

SECTION 3—TERMS AND CONDITIONS OF ARBITRATION

- (A) The arbitrators shall have full power to make such regulations and to give such orders and directions, as they shall deem expedient in respect to a determination of the matters and differences referred to them.
- (B) The arbitrators shall hold the arbitration hearing as soon as possible, but no later than thirty (30) days after the selection of the third arbitrator.
- (C) There shall be no stenographic record of the proceedings, and all proceedings shall be closed to the media and any other individuals not directly involved in the proceedings.
- (D) Normally, the hearing shall be completed within three (3) hours. The length of the hearing, however, may be extended by the arbitrators in their discretion or an additional hearing may be scheduled by the arbitrators to be held promptly.
- (E) There will be no post-hearing briefs.
- (F) The arbitrators are to make and publish their award, in writing, signed by each of them concerning the matters referred, to be delivered to the parties no later than 48 hours from the conclusion of the hearing, unless otherwise agreed by the parties. The arbitrators may, in their discretion, furnish an opinion.

SECTION 4—CONDUCT AND RULES OF HEARING

- (A) The arbitrators may, in their absolute discretion, receive and consider any evidence they deem relevant to the dispute, whether written or oral, without regard to any formal rules of evidence.
- (B) The parties and their respective witnesses must, when required by the arbitrators, attend and submit to examination and cross-examination under oath as to all or any of the matters referred to in the proceedings and to produce and deposit with the arbitrators any or all evidence within their possession or control concerning such matters.
- (C) If a party defaults in any respect referred to in subsection 4(B), above, the arbitrators may proceed with the arbitration in their discretion as if no such evidence were in existence, insofar as it may be favorable to the party in default.
- (D) All presentations shall be controlled by the arbitrators. Any disputes regarding procedure shall be decided solely by the arbitrators.

SECTION 5—DUTIES OF ARBITRATORS

- (A) The arbitrators are to receive all evidence, prayerfully consider such evidence in an impartial manner, and render a decision which, based upon Scriptural principles, is fair to all parties.
- (B) The arbitrators have full power to order mutual releases to be executed by the parties, and either of the parties failing, such orders shall have the effect of a release, and may be duly acknowledged as such.
- (C) In the event that either party or a witness for either party shall fail to attend the arbitration hearing, after such written notice to such party as the arbitrators shall deem reasonable, the arbitrators may proceed in the absence of such party or witnesses without further notice.

SECTION 6—DECISION OF ARBITRATORS

- (A) It is preferred that the arbitrators reach a unanimous decision, but if a unanimous decision cannot be obtained, a majority decision will be accepted. The written decision of a majority of the arbitrators shall be final and binding on all parties, and judgment upon the award rendered by the arbitrators may be entered in any court having jurisdiction thereof. There is no appeal from the decision of the arbitrators.
- (B) The decision of the arbitrators is to be kept confidential by all parties for a period of one year. For purposes of these procedures, the church membership may be informed of the decision if the church or any church pastors, officers, directors, employees, or board members were a party to the proceeding.
- (C) Should any party commence legal proceedings against another party with respect to the agreed scope of the dispute or the binding decision of the arbitrators, with the exception of an action to enforce the decision of the arbitrators, that party shall pay to the other party all expenses of said proceedings, including reasonable attorneys' fees. In the event it becomes necessary for one party to commence legal proceedings to enforce the decision of the arbitrators, the non-prevailing party must bear all of the costs of said proceedings, including reasonable attorneys' fees.

SECTION 7—PARTIES TO COOPERATE

No party shall unreasonably delay or otherwise prevent or impede the arbitration proceedings. No party will involve the news media in the dispute in any way. No party shall publicize the dispute in any way to anyone not a party to the proceedings, except as permitted by the arbitrators and except that a party may disclose the proceedings of this arbitration to his or her spouse, legal counsel, accountants, insurance carrier, and as otherwise required by law.

SECTION 8—COSTS AND EXPENSES

Each party shall pay his or her own costs and expenses related to presenting the party's case to

the arbitrators. The costs of the arbitration, including any fees for the arbitrators is to be shared equally by both parties.

SECTION 9—AMENDMENTS

These Procedures for Arbitration may be revised or amended by a majority vote of the board of deacons present and voting at any regular board meeting.

SECTION 10—ADOPTION

- (A) These Procedures for Arbitration were adopted by a majority vote of the board of deacons in a meeting at which a quorum was present.
- (B) These Procedures for Arbitration supersede any other Procedures for Arbitration previously adopted by the board of deacons, if any exist.

Date Approved

Chairman, Board of Directors/Deacons

BYLAW CHECKLIST

The following checklist is provided to help ensure that necessary provisions are included in your church bylaws.

☐ **Article # ____: Name & Purpose**

- ☐ Church Name
- ☐ Church Purpose
 - ☐ Statement of 501(c)(3) compliance

☐ **Article # ____: Statement of Faith and Covenant**

- ☐ Statement of Faith generally
 - ☐ General doctrinal positions
 - ☐ The Church
 - ☐ who constitutes the church
 - ☐ affiliations or lack thereof
 - ☐ Separation
 - ☐ Creation
 - ☐ Civil Government
 - ☐ Human Sexuality
 - ☐ sinful sexual activity
 - ☐ definition of marriage
 - ☐ Family Relationships
 - ☐ spiritual positions/functions of men/women
 - ☐ family as institution
 - ☐ spiritual roles of husbands/wives
 - ☐ Divorce and Remarriage
 - ☐ Abortion
 - ☐ Euthanasia
 - ☐ Love (towards those who oppose us)
 - ☐ Lawsuits between believers
 - ☐ Giving (relinquish rights to donations once given)
- ☐ Authority of the Statement of Faith
 - ☐ not beliefs in entirety
 - ☐ binding upon members
 - ☐ all literature must be in compliance with
- ☐ Church Covenant

- ☐ **Article # ____: Membership**
 - ☐ Qualifications for Membership
 - ☐ Duties of a Member
 - ☐ Privileges of Membership
 - ☐ who may vote
 - ☐ 18 and older
 - ☐ no proxy/absentee
 - ☐ may not vote to initiate action; only to confirm
 - ☐ congregational function in relation to pastor/deacons
 - ☐ disclaim of any property, contractual, or civil rights to members.
 - ☐ church is private property; trespass provision
 - ☐ members' rights to copy prepared financial statements of church and minutes of meetings
 - ☐ no authority to view/copy individual giving, name/address records or accounting books or financial records; or records of discipline or deacon meetings
 - ☐ church may charge for copies
 - ☐ Church Discipline of a Member
 - ☐ discipline committee members; authority;
 - ☐ confrontation/restoration provisions
 - ☐ contact with disciplined member
 - ☐ not applicable to those subject to automatic termination
 - ☐ Transfer of Membership by members not under discipline
 - ☐ Automatic termination of membership
 - ☐ absent from attendance for specific time period (6m)
 - ☐ waiver provision upon good cause to pastor
 - ☐ dual membership
 - ☐ involvement in any sexual misconduct
 - ☐ blatant, public behavior exhibiting violation of Statement of Faith
 - ☐ member who files a lawsuit against church or other member
 - ☐ death
 - ☐ Termination provisions not subject to procedures governing church discipline
 - ☐ No letters of transfer or good standing written upon resignation except at discretion of pastor
 - ☐ Affiliated co-laborers (temporary persons who wish to fellowship/serve)

☐ **Article # ____: Officers**

- ☐ Church officers
 - ☐ list of officers
 - ☐ how many offices one can hold
 - ☐ how officers are voted in generally (majority of vote; annually)
 - ☐ pastor authority to appoint other officers subject to vote
- ☐ Designation of corporate officers
- ☐ Eligibility for Office
 - ☐ affirmation of Statement of Faith
 - ☐ approved initially and annually by pastor
 - ☐ available only for members (affiliated co-laborers not eligible)
- ☐ Terms of Office
 - ☐ pastor (include term; notice to leave; meetings to consider termination of relationship; percentage of votes necessary to terminate pastor)
 - ☐ terms of office for all other positions; how renewed
 - ☐ vacancies in positions; when can be filled; how many votes necessary
 - ☐ necessity for officers to be in positions until successors
 - ☐ removal of deacon board members
- ☐ Calling a Pastor
 - ☐ qualifications
 - ☐ procedures/proper notice for calling a pastor
- ☐ Election of Officers
 - ☐ when officers will be elected/re-elected;
 - ☐ nomination procedures
- ☐ Pastoral oversight of officers and staff
 - ☐ pastor has authority to hire assistants/staff subject to budget
 - ☐ staff agreement with Statement of Faith

☐ **Article # ____: Duties and Powers of Officers**

- ☐ Pastor
 - ☐ general duties
 - ☐ approves use of church property for purposes not stated in bylaws
 - ☐ establish safety and security procedures for children's ministries
- ☐ Deacons
 - ☐ general duties
 - ☐ appoint deacon chair, who is VP of corporation

- ☐ deacons as directors; powers of directors
 - ☐ contractual powers relating to church property
 - ☐ powers as to financial matters
 - ☐ dissolution powers
 - ☐ powers consistent with laws of state of incorporation
- ☐ Church clerk
 - ☐ Duties
 - ☐ keeping records, documents at church office
 - ☐ keep minutes of all meetings; copies made available
 - ☐ ensure proper notice is provided for meetings
 - ☐ ensure legal compliance with keeping proper documentation
 - ☐ sign, certify or attest documents as required by law
 - ☐ keep historical records of church; annually report on members
 - ☐ Serve as secretary of the corporation
- ☐ Financial Secretary
 - ☐ Duties
 - ☐ Count and record money received
 - ☐ convey funds to church treasurer; designate where it goes
 - ☐ keep accurate records of individual giving and provide stmts.
 - ☐ guard records with confidentiality
 - ☐ chairmen of deacons may assume duties if he is not treasurer
- ☐ Treasurer
 - ☐ Duties
 - ☐ keep accurate records of all church financial transactions
 - ☐ present reports as requested and at least annually
 - ☐ verify and deposit funds received from financial secretary
 - ☐ write, sign, record and mail checks for church bills/salaries
 - ☐ 2 directors can sign checks in absence of treasurer
 - ☐ serve as treasurer of the corporation
- ☐ Associate Pastors
 - ☐ Duties
- ☐ Duties of all officers
 - ☐ prepare annual report of work; surrender records at close of term; records kept in church office and are permanent;
 - ☐ Officer who neglects duties for 3 months- can be removed
- ☐ Installation of Officers: Service

☐ **Article # ____: Meetings**

- ☐ Meetings for public worship: When to be held
- ☐ Meetings for church administration
 - ☐ when they will be held
 - ☐ quorum requirement
 - ☐ notice requirement (how long in advance; type of notice)
 - ☐ moderator's role and authority
 - ☐ order of meetings
- ☐ Special Meetings
 - ☐ pastor may call special meetings
 - ☐ notice required
 - ☐ notice for calling or terminating a pastor or
 - ☐ types of special meetings (Preaching meetings)
- ☐ Motions
 - ☐ by members: procedures by which motions may be raised
 - ☐ all other motions by pastor/board of deacons
- ☐ Fiscal Year

☐ **Article # ____: Educational Ministries**

- ☐ Purpose
- ☐ Church participation
- ☐ Staff membership required and exceptions
- ☐ Programs and staff must be in agreement with Statement of Faith
- ☐ Unity of programs with ministry of church
- ☐ Teaching must be adherent to Scripture
- ☐ Testimony/Christian walk of staff

☐ **Article # ____: Ordination and Licensing**

- ☐ Ordination qualifications
- ☐ Ordination procedure
- ☐ Revocation of ordination
- ☐ License

☐ **Article # ____: Indemnification**

- ☐ Actions subject to indemnification
 - ☐ who may be indemnified

- ☐ determination of good-faith intent
- ☐ Timing of indemnification
- ☐ Extent of indemnification
- ☐ Insurance

- ☐ **Article # ____: Committees**
 - ☐ Standing Committees
 - ☐ Special Committees
 - ☐ Limitations of authority; requirements

- ☐ **Article # ____: Designated Contributions** (advisory rather than mandatory)

- ☐ **Article # ____: Immorality Resolution** (advisory rather than mandatory)

- ☐ **Article # ____: Facility Usage Policy** (advisory rather than mandatory)

- ☐ **Article # ____: Binding arbitration**
 - ☐ Purpose; submission to
 - ☐ Notice
 - ☐ Limitations
 - ☐ Procedures adopted by pastor/deacons (attached as exhibit)

- ☐ **Article # ____: Conflicts of Interest**
 - ☐ Purpose
 - ☐ Definitions
 - ☐ Procedures
 - ☐ Records of Proceedings
 - ☐ Compensation

- ☐ **Article # ____: Amendments**
 - ☐ Voting requirement
 - ☐ Notice requirements (verbal/written)

- ☐ **Adoption Declaration**

Provisions for Churches Operating a Christian Day School

☐ **Article # ____: Educational Ministries**

- ☐ Purpose
- ☐ Participation in
- ☐ Staff membership required and exceptions
- ☐ Programs and staff must be in agreement with Statement of Faith
- ☐ Unity of programs with ministry of church
- ☐ Teaching must be adherent to Scripture
- ☐ Hierarchy of Authority
 - ☐ pastor has final authority
 - ☐ pastor may hire administrators, teachers and staff subject to membership condition
 - ☐ deacon board role(s)

Procedures for Arbitration

☐ **Arbitration Procedures**

- ☐ Scope of Arbitration
- ☐ Submission to
- ☐ Qualifications of arbitrators; procedure for selecting
- ☐ Terms and conditions of arbitration
- ☐ Conduct and rules of hearing
- ☐ Duties of arbitrators
- ☐ Decision of arbitrators
- ☐ Cooperating parties
- ☐ Costs and expenses
- ☐ Amendments
- ☐ Adoption (Signature/date)

Tax Exempt Provisions for Unincorporated Churches

☐ **Article # ____: Tax Exempt provisions for unincorporated churches**

- ☐ Private inurement
- ☐ Political involvement
- ☐ Dissolution
- ☐ Racial non-discrimination
- ☐ Limitation of activities