

Evangelical Free Church Of Mount Shasta

1030 W.A. Barr Road - Mount Shasta CA 96067

(530 926-2700)

[Dr. Gary VanDeWalker, Senior Pastor](#) - [Jeff Summers, Executive Pastor](#)

[Jason Burkleo Associate Pastor](#) - [Don Daringer, Worship Pastor](#)

CONSTITUTION

PREAMBLE

1. We the members of the Evangelical Free Church of Mt. Shasta, in order to carry out more effectively the commission given by our Lord Jesus Christ, do ordain and establish the following Constitution, to which we voluntarily submit ourselves.

ARTICLE I - NAME

1. The name of this Corporation shall be the Evangelical Free Church of Mt. Shasta. The principle office and place of business shall be in Mt. Shasta, County of Siskiyou, California.

ARTICLE II - PURPOSE

1. The purpose of this Church is, and shall be:

a. To worship God and to preach His Word to the mutual edification, instruction, and discipline of it's members and other believers.

b. To win the Unsaved to Christ.

c. To help Christians develop their spiritual lives.

d. To instruct children in the Word of God.

e. To further the cause of Christ on the mission fields at home and abroad.

f. To own and maintain such buildings and equipment as may be required to carry out the above stated purpose.

ARTICLE III - AUTHORITY AND AFFILIATION

A. AUTHORITY:

1. The Congregation, at its Annual, Quarterly, and Special Business Meetings, is the Legislative and Governing Body of this Church.

B. AFFILIATION:

1. This Congregation shall be affiliated with the Evangelical Free Church of America and its Western District Conference.

a. It shall unite with the mutual efforts of the Evangelical Free Churches:

1) In support of the proclamation of the Gospel of Jesus Christ in the measure the Congregation itself may decide.

2) Such affiliation shall in no way abrogate the autonomy of the local Church, nor its right to hold Title to its own property.

ARTICLE IV - STATEMENT OF FAITH

1. The Statement of Faith of this Congregation shall be the same as that of the Western District Conference and the Evangelical Free Church of America which reads:

a. We believe the Scriptures, both Old and New Testaments, to be the Inspired Word of God, without error in the original writings, the complete Revelation of His Will for the Salvation of men, and the Divine and Final Authority for all Christian faith and life.

b. We believe in one God, Creator of all things, infinitely perfect, and eternally existing in Three Persons; Father, Son and Holy Spirit.

c. We believe that Jesus Christ is True God and True Man, having been conceived of the Holy Spirit, and born of the Virgin Mary. He died on the Cross, a sacrifice for our sins according to the Scriptures. Further, He arose bodily from the dead, ascended into heaven, where, at the right hand of the Majesty on High, He is now our High Priest and Advocate.

d. We believe that the ministry of the Holy Spirit is to glorify the Lord Jesus Christ, and during this age to convict men of sin, regenerate the believing sinner, indwell, guide, instruct, and empower the Believer for Godly living and service.

e. We believe that man was created in the image of God, but fell into sin. Man is therefore lost. Only through regeneration by the Holy Spirit can salvation and spiritual life be obtained.

f. We believe that the shed blood of Jesus Christ and His resurrection provide the only ground for Justification and Salvation for all who believe, and that only such as receive Jesus Christ are born of the Holy Spirit, and thus become the Children of God.

g. We believe that the Lord's Supper and Water Baptism are ordinances to be observed by the Church during this present age. They are, however, not to be regarded as means of salvation.

h. We believe that the True Church is composed of all persons who through saving faith in Jesus Christ have been regenerated by the Holy Spirit and are united together in the Body of Christ of which He is the head.

i. We believe that only those who are thus members of the true Church shall be eligible for membership in the local Church.

j. We believe that Jesus Christ is the Lord and Head of the Church, and that every local Church has the right, under Christ, to decide and govern its own affairs.

k. We believe in the personal and premillennial and imminent coming of the Lord Jesus Christ, and that this "blessed hope" has a vital bearing on the personal life and service of the Believer.

l. We believe in the bodily resurrection of the dead. We acknowledge that the Believer will have everlasting blessedness and joy with the Lord. However, the Unbeliever will be committed to Judgment, and to everlasting conscious punishment.

ARTICLE V - MEMBERSHIP

1. Membership of this Church shall be composed of individuals who:

- a. Through the saving faith in the Lord Jesus Christ, have been born again.
- b. Manifest the fruit of a true Christian life.
- c. Subscribe to the aforementioned Doctrinal Statement.
- d. Are willing to support the Church by their prayers, contributions, and attendance.
- e. Have been voted into membership by the Congregation.

ARTICLE VI - PROPERTY

1. This Corporation is not organized for, nor shall it be operated for, pecuniary gain or profit. It does not contemplate the distribution of gain, profits, or dividends, to the members thereof, and is organized solely for nonprofit purposes. All Property, Assets, Profits, and Net Income of this Corporation are irrevocably dedicated to religious and charitable purposes. No part of the profits or net income of this Corporation shall ever inure to the benefit of any Director, Officer or Member thereof, or to the benefit of any private Shareholder, or individual.

2. This Church shall have power to receive, either by gift of purchase, and to hold such Real, Personal or mixed property as is authorized by the laws of the State of California and as is deemed necessary for the business of the Church and shall have power to dispose of such property by mortgage, deed or otherwise.
3. All such property shall be held in the name of the Church. The Board of Elders shall have the power to receive, purchase, acquire, sell, lease, convey, mortgage, deed, or otherwise transfer property of the Church, but only after having been duly authorized by the Church at a regularly called business meeting.
4. All contracts, notes, mortgages, conveyances, assignments, leases, releases, and other documents and papers on behalf of the Church shall be executed by the Board of Elders.
5. All Church property, Real and Personal, shall be held and all debts by the Corporation shall be contracted by the Board of Elders in the name of the Corporation.
6. Private Property of the Church members and officers of the Corporation shall not be subject to payment of the corporate debts.
7. In case of a division of the Church (from which we pray God by His mercy preserve us), the property of the Church shall belong to those who retain and abide by these By-laws.
8. Upon the dissolution of this Congregation, its remaining assets after payment of, or provision for payment of, all debts and liabilities of this Corporation, shall be distributed to the Western District Conference of the Evangelical Free Church of America to further the work of the Lord.
 - a. The Church shall be considered dissolved if so decided by the Organization, or when the Church has not held an Annual Meeting for three years, or when fewer than ten members remain.
9. If the Corporation holds any assets in trust, such assets shall be disposed of in such a manner as may be directed by decree of the Superior Court of Siskiyou County, upon petition thereof by the Attorney General, or by any person concerned in this liquidation.

ARTICLE VII - AMENDMENTS

1. Amendments to these Articles of Incorporation and By-laws may be made at any Annual, Quarterly, or Special Business Meeting of the Church by a seventy-five percent (75%) majority of the votes cast, provided such proposed amendments have been presented in written form and discussed at a business meeting of at least three months prior to the time of adoption.
2. Upon such vote for amendment, it is incumbent upon the Board of Elders to meet within 15 days thereafter and enact such specified amendments. Upon any such amendment, it is the duty of the Officers of the Church to Subscribe, Acknowledge, File, Record and Publish such

Amendments. The Board of Elders shall take the necessary action to make such amendments legally effective. Any correction(s) , or changes to the By-laws, shall be in written form, and shall be made within a reasonable time.

ARTICLE VIII - PROVISION FOR BY-LAWS

1. The Church shall provide By-laws for its Government and Administration. The By-laws shall not conflict with the Word of God, or with this Constitution.

ARTICLE IX - INCORPORATORS

1. The Church Chairman, Secretary, and Treasurer shall be the Incorporators on behalf of the Evangelical Free Church of Mt. Shasta.

a. After incorporation, any two (2) persons holding these offices shall be authorized to sign documents concerning conveyance of Real and Personal Property. They may also sign documents concerning other major transactions at the direction of the membership of the Church.

b. All property shall be held in the corporate name of the Church.

_____ Church Chairman

_____ Church Secretary

_____ Church Treasurer

BY-LAWS OF THE EVANGELICAL FREE CHURCH OF MT. SHASTA

ARTICLE 1 - MEMBERSHIP

A. ELIGIBILITY

1. The Membership of the Evangelical Free Church of Mt. Shasta shall be composed of individuals who:

a. Have received the Lord Jesus Christ as their personal Savior (Acts 4:12, [John 3:3](#)).

b. Given evidence by confession ([Romans 10:9-11](#)) and conduct ([Col. 3:1-11](#)) that they are living in accordance with God's Word, and in fellowship with the Lord Jesus Christ.

c. Willingly support the Church and its programs and are willing to become involved in various Church activities.

1) Members demonstrate this willingness by:

- a) Faithful attendance.
- b) Volunteering their God-given talents.
- c) Returning to the Lord that which is His in the form of offerings.

B. ADMISSION

1. Any person desiring membership shall make application to either the Pastor or to any member of the Board of Elders. All membership applicants are encouraged to attend an orientation.
2. Each applicant shall be duly considered by the Board of Elders who will meet with the applicant and receive his, or her, personal testimony.
3. Each applicant must successfully complete the membership process to become a member of the Church.
4. If a member is good standing questions, or objects, to the acceptance of an applicant, the reason for objection must be given to the Board of Elders in writing prior to the Congregational vote.
 - a. The Board of Elders shall inquire into the matter. The Board will report its finding to the Congregation, along with its recommendation, no later than the next scheduled Church Business Meeting.
5. The Board of Elders may present its recommendation for membership to the Congregation at any business session of the Church. Seventy-five percent (75%) of the voting membership shall be required for acceptance.
6. A newly received applicant shall be publicly welcomed into membership at a subsequent worship service of the Church.
7. Any former member seeking to rejoin the Church shall apply for reinstatement through the admission process.

C. CONDUCT

1. Regular Church attendance, daily reading of the Bible, private and family devotions, personal and public testimony, and the winning of others to Christ are urged upon each member.
2. Parents are to provide regular Christian instruction to their children.
3. Each member is responsible to the Lord, and to the Church, to make full use of his, or her, talent(s) for the Lord's service.

4. All members shall submit to the authority of the leaders of this Church. Members will hold these leaders in high esteem in love in accordance with ([Hebrews 13:17](#), [I Thessalonians 5:12-13](#)).

5. Each member is encouraged to pray for the others, to aid each other in sickness and distress, and to be courteous in speech and slow to anger ([I Peter 3:9](#)).

6. Each member is called upon to heed the admonition of the Lord: “Do not love the world, or things of the world.” “Do not be conformed to this world, but be transformed by the renewal of you mind, that you may prove that which is good and acceptable and the perfect Will of God.” Members should seek to be examples in speech, conduct, love, faith, and in purity ([I John 2:15](#); [Romans 12:2](#); [I Timothy 4:12](#)).

7. Members are expected to abstain from any act or practice which may be harmful in its influence, or a stumbling block to the weak (Romans 14:13, 21).

D. ADMONITION FOR UNITY

1. The purpose of worship and fellowship is to honor and glorify the Lord, not to attract attention to ourselves. The Lord would have the Congregation work and pray with out ceasing, “to maintain the unity of the Spirit in the bond of peace.” ([Eph. 4:3](#))

E. SPEAKING IN TONGUES

1. Speaking in tongues had caused confusion in some Church groups. Our Church policy concerning speaking in tongues is:

a. We think that Believers who speak in tongues should not be excluded from the worship, fellowship, and service life of the Church. However:

1) Speaking in tongues is not historically within the evangelical tradition of which we are heirs.

2) We feel that it is not necessary or significant to the spiritual life and testimony of our Church.

3) We are concerned that speaking in tongues can be a divisive force in evangelical Churches where it is permitted to become an issue.

4) Consequently, those persons within the constituency of the Church who practice speaking in tongues are asked to restrict such practice to their private life.

5) The teaching, counseling, and/or fellowship opportunities of this Church shall not become a forum of teaching or practice of speaking in tongues. If a person cannot comply with this directive he, or she, shall be admonished in love by the Board of Elders to ally with

another body of believers that permits and/or encourages the public exercise of speaking in tongues.

F. DISCIPLINE

1. Each member of the Evangelical Free Church of Mt. Shasta shall accept as part of his, or her, responsibility of membership the duty to attempt to restore a brother or sister in the Lord who willfully walks in a manner inconsistent with clear biblical revelation. The progressive steps to follow in an effort to restore a brother or sister are found in [Matthew 18:15-17](#):

a. Go, alone, and confront and erring brother or sister in the Lord for purposes of clarification, admonishment, and encouragement.

b. Go and confront the individual in the company of a spiritually mature brother(s) or sister(s) in the Lord.

c. Call upon the Board of Elders to enlist the entire Church body in confronting the individual.

2. If the member continues in an unrepentant condition the individual shall be deprived of his, or her, membership. This may be done only by a seventy-five percent (75%) vote of qualified Church members after recommendation of the Board of Elders.

3. Any erring brother or sister in the Lord who responds to correction with sincere repentance and confession shall be restored to fellowship. Subsequent steps in the above process will not be necessary: [Matthew 18:15-57](#); [I Cor 5:1](#); [I Timothy 5:19-20](#); [II Thessalonians 3:6-15](#); [Galatians 6:1-5](#).

G. TERMINATION

1. Any member in good standing who moves to another locality and who wishes to join another Church shall, upon written request, receive a letter of recommendation from this Congregation.

2. Members absent from the Church for a period of six months shall be personally contacted by the Pastor and/or one or more Elders to determine reasons for the absence. If there is no intention to maintain active membership, or no valid reason why the person(s) hasn't attended Church, the person(s) name will be removed from the membership roll.

H. MEMBERSHIP REQUIREMENTS FOR POSITIONS OF RESPONSIBILITY

1. Church Membership shall be required of each head of any Church-related office, each leader of any Standing Committee, and all Teachers. Additionally, a person must be at least eighteen (18) years of age to hold any position of supervisory responsibilities under authority of the Church.

I. AMENDMENT

1. Concerning homosexuality and our church:

a. Our public worship services are open to anyone desiring to join our congregation during these services, providing they conduct themselves in a manner that is not disruptive or disrespectful of our services. This includes those who are homosexual.

b. However, membership, volunteer positions and staff positions are not open to homosexuals. If anyone who is a member, volunteer or staff is found to be homosexual, this will result in the immediate termination of membership, volunteer status, and/or employment.

c. This amendment was presented at the April 24, 2005, business meeting and was approved at the July 31, 2005, business meeting.

ARTICLE II - MEETINGS

A. PUBLIC SERVICES

1. Meetings for Worship, Edification, Fellowship, Evangelism and Stewardship, will be conducted at such times as decided by those responsible.

B. ANNUAL MEETINGS

1. The Annual Business Meeting shall be held in the month of January. The exact time will be determined by the Pastor and/or the Chairman of the Board of Elders. Annual Reports by the Pastor, the Financial Secretary, the Treasurer, and all Standing Committees, shall be presented in printed form.

2. An Agenda of the Annual Meeting shall be prepared by the Chairman of The Board of Elders. It shall be presented to the Members at least two Sundays prior to said meeting.

C. REGULAR BUSINESS MEETINGS

1. Quarterly business meetings shall be held in April, July, October, and January. The time and date shall be announced at least two weeks in advance of the meetings. Financial reports shall be presented in printed form.

D. SPECIAL BUSINESS MEETINGS

1. Special business meetings may be held when called by the Church Board of Elders providing:

a. Special meetings shall be announced at a Sunday morning worship service the week prior to the meeting.

b. An effort shall be made to notify every Church member of a special meeting at least three days prior to the date of the meeting.

c. The subject of a special business meeting shall be included in the announcements. Only that business may be acted upon at the meeting.

E. QUORUM FOR MEETINGS

1. Those members present at any announced meeting will comprise a quorum.

ARTICLE III - GOVERNMENT

SECTION I - BOARD OF ELDERS

A. AUTHORITY

1. The Head of the Church is the Lord Jesus Christ! His authority is given by the Word of God

([Col. 1:18](#); [Eph. 1:22](#), 5:23)

2. God's written inspired Word, as expressed in the Bible, reveals the Will of our Lord Jesus Christ. The Commandments of God supersede all human government ([II Timothy 3:16-17](#); [Acts 5:29](#)).

a. The Board of Elders, having been chosen by the Congregation, consists of the Senior Pastor, other Pastoral staff meeting the membership requirements of one year, and Men of God authorized by the Holy Spirit.

b. The Members of the Evangelical Free Church of Mt. Shasta acknowledge these men as the human authority to govern and shepherd this Church in accordance with the Will of God, as given in His Word.

c. The Board of Elders shall assure conformance to the purpose and objectives of this Church as stated within this Constitution and its By-laws.

B. RESPONSIBILITIES

1. The Board of Elders oversees the affairs of the Church:

a. It Shepherds the Church, including:

1) Feeding the flock ([I Timothy 5:17](#))

2) Protecting the Church from false doctrine ([Acts 20:28](#))

3) Exhorting and refuting those who contradict the Word ([Titus 1:7-9](#))

4) Setting and example ([I Peter 5:1-3](#))

5) Praying for the Body ([Acts 6:4](#))

b. It commissions others in Church office (I Timothy 4:14)

c. It serves the Church (Matthew 20:25-28)

C. QUALIFICATIONS

1. The Senior Pastor is a member of the Board of Elders. Other Pastoral staff may attend meetings, but will not be voting members until they have met the membership requirement of one year.

2. Each member of the board of Elders must have been an active member of the Evangelical Free Church of Mt. Shasta for at least one year. He must possess, and be growing in, the qualifications described in [I Timothy 3:1-7](#) and [Titus 1:5-9](#). He must:

- a. Desire to be of service in the Office.
- b. Be blameless (above reproach).
- c. Be the husband of one wife (unquestionably loyal to his own wife and having not been divorced).
- d. Be temperate (calm in frustrating situations).
- e. Be of good behavior (orderly, respectable).
- f. Be given to hospitality.
- g. Be apt to teach (capable of explaining Scripture to others).
- h. Not be given to drunkenness (doesn't turn to alcohol or drugs).
- i. Be nonviolent (doesn't resort to violence).
- j. Be patient (moderate, forbearing, gentle).
- k. Not quarrelsome (not soon angry or quick tempered).
- l. Not be covetous (not greedy of gain).
- m. Rule well his own house (maintains control in his house).
- n. Not be a novice (shows growth, not a new convert).
- o. Have a good report and reputation with outsiders.

- p. Not self-willed (considerate of others).
- q. Be a lover of good (good moral reputation).
- r. Be upright (life shows a pattern of obedience to Word of God).
- s. Be Holy (separated from worldliness).
- t. Be self-controlled (controls his mouth).
- u. Hold fast to the Word (does not compromise God's Word).

D. SELECTION

1. It is the Holy Spirit who selects men for leadership (Acts 20:28). However, His choices must be expressed through human agency. Selection of Elders will be made on the basis of spiritual qualifications, and an ability and willingness to do the job.
2. The Nominating Committee shall submit the names of prospective nominees for the position(s).
3. Each nominee will be individually voted upon by written ballot. In order to be approved, each nominee of the Board of Elders must receive seventy-five percent (75%).

E. TENURE

1. The Term of Office for a member of the Board of Elders is three years. The member may be re-elected for an additional three years. No member may serve for a period of more than six consecutive years without a year respite.
2. The Term of Office shall be staggered to allow experienced Elders to train new ones. Normally this will be done by voting annually on replacements for one third (33%) of the Elders currently serving.
 - a. Anytime this "staggered term" procedure is not in motion it is the responsibility of the Board of Elders to activate it. The Congregation can approve additional positions for Elders whenever it is necessary to activate the process.

3. A Member wishing to resign, or otherwise have time off, will submit his request to the Chairman of the Board of Elders and Senior Pastor for review and approval.

F. VACANCIES

1. A vacancy on the Board of Elders will be deemed to exist in case of death, resignation, or removal of any member.

2. A vacancy shall also be deemed to exist if there is a need for additional members to be on the Board of Elders in order to maintain effective operation of the Church.

G. QUANTITY

1. The numbers of members on the Board of Elders shall be determined by the needs of the Church, but shall not be less than three (3).

H. CHAIRMAN OF THE BOARD OF ELDERS

1. The Chairman of the Board of Elders shall be one of the Lay Members who has been on the Board of Elders for a minimum of one year. Each February, the Board of Elders will select the Chairman for the current year. In addition to presiding at all meetings of the Board of Elders, he shall also function as (or appoint) a Church Moderator at all Business and Special Meetings.

I. QUORUM AND MEETINGS

1. A majority of members of the Board of Elders present shall constitute a quorum for any meeting of the Board of Elders. No decision, however, will be made without unanimity of the entire Board. The Board shall meet once each month, or as often as necessary, to fulfill the goals and objectives of the Church. Business conducted by the Board of Elders is to be reported monthly to the Congregation by the posting of minutes.

SECTION II - SERVICE TEAM

A. NAMES AND DUTIES

1. The Service Team shall include the Secretary, the Treasurer, the Financial Secretary, and the Chairman of every Standing Committee.

a. The Secretary shall keep an accurate record of all decisions of the Congregation and the Board of Elders. He, or she, shall preserve the official records of the Church and keep the Record of Church Membership current.

b. The Treasurer is elected by the Congregation as Chairman of the Finance Committee. He, or she, shall receive records of all funds deposited by the Financial Secretary. The Treasurer shall pay all salaries and bills on time. He, or she, shall present a written report to the Membership at the Quarterly and Annual Meetings of the Church and to the Regular Meetings of the Board of Elders. The Treasurer shall maintain accurate financial records in accordance with taxation and other legal requirements.

c. The Financial Secretary shall be appointed by the Board of Elders for a term of one year. He, or she, shall receive and deposit all funds and submit a copy of each deposit to the Treasurer. He, or she, shall keep a confidential record of all individual contributions and furnish each contributor with a personal copy at the end of each fiscal year.

d. Members of the Finance Committee shall be appointed by the Board of Elders for a term of one year. The Committee shall consist of a minimum of two appointees, depending upon the needs and growth of the Church as determined by the Board of Elders. The Treasurer and the Financial Secretary are ex-officio members of this Committee. The Committee is responsible for the preparation of the annual Church budget and performing other duties as listed in their job description.

e. At its discretion, the Elder Board may create or delete committees.

B. COMPOSITION

1. Each Committee shall include an elected Service Team Member who will Chair the Committee, along with a minimum of two (2) qualified members of the Congregation who have been approved by the Board of Elders. Additional Committee members need not be Church members.

C. REQUIREMENTS

1. All Service Team Leaders of the Church shall be Church members in good standing with established Christian character and good reputation. They shall be qualified for, or willing to grow in their respective duties ([Acts 6:2-3](#); [I Timothy 3:1-13](#); Titus 1:5-9). They must be at least 18 years of age, and in full agreement with the Constitution of this Church.

D. SELECTION

1. The Service team Leaders will be elected at the Annual Business meeting by a vote of the Church Membership.
2. They shall be elected in such a manner that the terms of one-third shall expire each year.
3. They shall assume their duties on the First of February.
4. The February meeting will be a combined meeting with new, and out-going, Leaders.

E. TERM OF OFFICE

1. Chairmen of these Committees shall serve for a term of two years. They may serve a maximum of two terms and shall not be eligible to serve again on the same Committee for a period of one year. The Congregation may, as necessary, vote to make an exception to this rule because of the expertise of the individual.

F. VACANCIES

1. The Board of Elders shall appoint qualified members to fill all vacancies which occur during the year. Persons appointed in the manner shall hold office only until the next Annual Meeting. Any balance of their unexpired term shall be filled by the regular election process. An Interim

Position filled by appointment by the Board of Elders shall not be considered a part of the Term of Office.

G. MEETINGS

1. The Service Committees shall meet as often as necessary to fulfill the goals and objectives of the Committee. The Committee Chairman shall present a report at all Regular Business Meetings and a written report at the Annual Business Meeting.

SECTION III - SPECIAL COMMITTEES

A. NOMINATING COMMITTEE

1. The Nominating Committee will consist of the Board of Elders, the Pastor, and two members appointed by the Board of Elders.

- a. The Committee shall submit at least one nominee for each position.
- b. The Committee shall secure the consent of each nominee to serve.
- c. The Committee shall post a sample ballot two weeks in advance of the next Business Meeting.
- d. Additional nominations may be made from the Floor at the Annual Meeting by any qualified voter provided such nominee has given prior consent to place his name in nomination.

B. AUDITING COMMITTEE

1. The Auditing Committee will consist of at least two members appointed by the Board of Elders.

- a. The Committee shall examine the deposits and disbursements and reconcile the records of the Financial Secretary and the Treasurer with the bank statements.
- b. The Committee shall submit a written record of their findings to the Annual Business Meeting.

C. THE PULPIT COMMITTEE

1. In the event of a vacancy in the position of Senior Pastor, the Board of Elders shall immediately appoint a Pulpit Committee consisting of all members of the Board of Elders, and three members at large. The Committee shall interview and make recommendations to the Congregation.

2. The Pastor shall be included on the Committee when considering staff positions such as Director of Christian Education, Assistant pastor, or Church Secretary.

3. The Pulpit Committee shall bring before the Congregation only those men it believes it can recommend unanimously. It shall consider only one man at a time. The Will of God in Christ through the leadership of the Holy Spirit shall be sought and abided by at each step.

ARTICLE IV - PASTORAL STAFF

A. THE CALLING OF A PASTOR

1. The Pastor and other paid Pastoral Staff shall be chosen by a minimum seventy-five percent (75%) vote.
2. The paid Pastoral Staff shall be called for an indefinite time of service.
3. Thirty days notice must be given for termination of their ministry, unless other terms are mutually agreed upon.
4. The Pastor is to provide spiritual and administrative leadership for the Church in it's total ministry. He is to make his aim "equipping of the Saints for the work of service in building up the Body of Christ" (Eph. 4:12).
5. In the exercise of this divine purpose, he is to strive to meet the qualifications of [I Timothy 3:2-7](#); [Titus 1:5-9](#); [Acts 6:4](#); and [I Peter 5:2-5](#).
6. The Pastor shall be an ex-officio member of all Committees of the Church.

B. DISCIPLINE OF THE PASTOR

1. No accusation against the Pastor shall be considered unless supported by at least two witnesses

([I Timothy 5:19-20](#)).
2. The witnesses shall present a written and signed statement to the Chairman of the Board of Elders listing the nature of the charge and evidence of the alleged misconduct or wrongful teaching.
3. The Chairman then must call a meeting of the Board of Elders to consider the accusation.
 - a. Should it be proven to the satisfaction of the Board of Elders that the Pastor has erred in doctrine or conduct, he shall be charitably admonished by that Board of Elders ([Galatians 6:1](#); [Matthew 18:15-20](#))
 - b. If the admonition is not heeded or if the Pastor is found unworthy of his call by reason of immoral conduct, proven dishonesty in his life and conduct, or similar reasons, the Board of Elders shall by unanimous vote convene the Congregation in special session to consider the matter.

c. A three-quarter majority vote of the Congregation will be necessary to dismiss the Pastor on these grounds. Such dismissal shall be effective immediately with one month's severance pay.

d. Should difficulties arise between the Church and the Pastor which they cannot settle, the matter shall first be deferred to the District Superintendent. The National Committee on Ministerial Standing of the Evangelical Free Church of America shall be asked to intervene should further assistance be needed.

C. ASSOCIATE STAFF MEMBERS

1. All Pastoral Staff members who are a part of the ministry of this Church shall report to the Senior Pastor, and through him be accountable to the Congregation. Written job descriptions shall be compiled in a timely manner outlining the respective duties of each position.

D. CHURCH EMPLOYMENT POLICIES

1. Define Expected Behavior

Staff members are expected to uphold the doctrines and standards of Evangelical Free Church of Mt. Shasta in all aspects of their lives. These standards are articulated in the Bible and in Evangelical Free Church of Mt. Shasta's Statement of Faith. Said standards of conduct and doctrine are to apply both at and away from Evangelical Free Church of Mt. Shasta employment and functions.

Staff members must be loyal to the ministry leadership of Evangelical Free Church of Mt. Shasta in word and in deed. To ensure orderly operations and provide the best possible work environment, Evangelical Free Church of Mt. Shasta expects staff members to follow rules of conduct that will protect the interests and safety of all staff members and the organization.

2. Discipline Misconduct Consistently

Staff members are expected to comply with Evangelical Free Church of Mt. Shasta's standard of behavior and performance. Any deviation from these standards must be corrected. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory ministry service in the future.

Under normal circumstances, Evangelical Free Church of Mt. Shasta will use a policy of progressive discipline to attempt to provide the offending employee with notice of the deficiency in his conduct and an opportunity to improve. This policy of progressive discipline is used at the sole discretion of Evangelical Free Church of Mt. Shasta and in no way alters the at-will status of employees. Evangelical Free Church of Mt. Shasta retains the right to discipline in any manner it sees fit and to bypass the progressive discipline procedures.

Disciplinary action may call for any of four steps - verbal, written warning, suspension with or without pay, or termination of employment - depending on the severity of the offense and the number of occurrences.

Progressive discipline means that, with respect to many disciplinary problems, these steps will normally be followed: a first offense may call for a verbal warning; a next offense may be followed by a written warning; another offense may lead to a suspension; and, still another offense may then lead to termination of employment.

Any time Evangelical Free Church of Mt. Shasta determines it is necessary (such as a major breach of policy, a violation of law, and in cases involving serious misconduct) the progressive discipline procedures may be disregarded.

During the course of an investigation of an allegation of employee misconduct, the employee may be relieved of his duties and placed on administrative leave with pay pending the outcome of the investigation. Employees on administrative leave with pay remain subject to all employment rules and policies, and will continue to receive the pay and benefits to which they are otherwise entitled.

Employees who believe that they have been disciplined too severely or who question the reason for discipline may use the dispute resolution procedure.

3. Maintain "At-Will" Status for Employees

Employees who do not have a written employment contract with Evangelical Free Church of Mt. Shasta for a specific, fixed term of employment are employed at the will of Evangelical Free Church of Mt. Shasta for an indefinite period. Such employees are deemed at-will employees.

At-will employees are subject to termination at any time, for any reason or no reason whatsoever, with or without cause or notice. At the same time, these employees may terminate their employment at any time and for any reason.

4. Family Medical Leave Act Application to Ministry Employees

a. Purpose

The Family and Medical Leave Act (FMLA) as enacted in 1993 to provide a means for eligible employees to balance their work and family responsibilities by taking up to 12 weeks of unpaid leave for certain family and medical reasons. The Family and Medical Leave Act is intended to promote the stability and economic security of families as well as to enhance the nation's interest in preserving the integrity of families.

b. Employers Covered by the FMLA

The FMLA applies to any employer in the private sector who engages in commerce, or in any industry or activity affecting commerce, and who has 50 or more

employees each working day during at least 20 calendar weeks in the current or preceding calendar year.

Many churches do not have 50 or more employees so they need not comply with the Act. However, those ministries with 50 or more employees must comply with this Act - there is *no* exception for churches or religious organizations. Additionally, private church-affiliated schools are subject to the Act, *even if they do not have 50 or more employees.*

c. Employees Eligible Under the FMLA

Not all employees are eligible under this Act. Only those employees who:

1. Have been employed by the employer for at least 12 months (these months need not be consecutive), and
2. Have worked at least 1,250 hours during the 12 month period immediately prior to the start of leave, and
3. Work at a location where 50 or more employees are employed within 75 miles of the location.

ARTICLE V - VOTING

1. The voting constituency shall consist of all Church Members eighteen years of age or older.
2. All matters shall be determined by a majority vote of those qualified voting members present, unless otherwise specified in these By-Laws.

ARTICLE VI - ORGANIZATIONS

1. Any proposed organization of the Church shall present their plans and By-Laws to the Board of Elders for its approval. If approved, a Charter to operate shall be given subject to a vote of the members attending the next scheduled Congregational meeting.
2. No Organization shall be formed, or considered a part of Church activity, unless the organizers have followed these procedures.

ARTICLE VII - AMENDMENTS

1. Amendments to these By-Laws may be made at any Annual, Quarterly, or other Business Meeting of the Church provided:
 - a. Any proposed changes are submitted to the membership in writing at least two weeks prior to a Business Meeting. The proposed amendments will be presented for a vote at a scheduled business meeting three (3) months later.

2. At that Business Meeting, if accepted, such changes or new By-Laws may be fully adopted by a seventy-five percent (75%) vote of the qualified members present.

a. Upon such vote for amendment, or addition to the By-Laws, it shall be incumbent upon the Board of Elders to meet within fifteen days thereafter and enact such specified amendments.

1) Upon any such amendment, it is the duty of the Officers of the Church to Subscribe, Acknowledge, File, Record, and Publish such Amendments legally effective. Approved Changes of the By-Laws shall be in writing and posted within a reasonable time after approval.

ARTICLE VIII - GOVERNING GUIDELINES FOR BUSINESS MEETINGS

1. It is our belief and desire that the Holy Spirit be allowed to oversee our proceedings; that Christian love will prevail in every business meeting, in all discussions, and when voting. Should we need governing rules, "Robert's Rules of Order" shall be used unless they are inconsistent with this document.

ARTICLE IX - CHURCH POLICY

1. In order to provide guidance for certain activities not established in the Constitution and By-Laws, the Board of Elders, or membership of the Church when convened in an official business meeting, are authorized to enact Church Policy governing specific Church activities.

a. The purpose of Church Policy is to permit greater flexibility in enactment and change of government of certain Church activities. Policy items may be enacted, amended, or repealed, at official business meetings of the Board of Elders or Church membership.

2. Church policy contrary to this Constitution and/or By-Laws is void.

(Revision 4-30-06)