

# **CONSTITUTION**

**Of MERCYhouse, Inc.**

**Amherst, Massachusetts**

Voted on December 4, 2016

### **Preamble**

MERCYhouse, Inc. hereafter referred to as MERCYhouse, the church or the corporation is a Massachusetts corporation organized under MA General Laws Chapter 180, the Commonwealth of a Massachusetts statute governing religious bodies, and the handling of property. This Constitution serves as a set of fundamental principles, based on biblical teaching and agreement amongst the members to guide church governance. This church is in association with the Massachusetts Baptist Association, the Baptist Convention of New England, and the Southern Baptist Convention.

This Constitution replaces in its entirety the Constitution dated August 21, 2005, and becomes effective immediately upon a properly authorized vote of the members of MERCYhouse.

# **1 Membership**

## **1.1 Qualifications for Membership**

- 1.1.1 A member will evidence a personal commitment of faith in Jesus Christ for salvation.
- 1.1.2 A member will participate in or have participated in believer's baptism.
- 1.1.3 A member will commit themselves to the Five Devotions (Study and Application of the Bible, Prayer, Fellowship, Worship, and Mission) found in Acts 1:8; 2:42 and Matthew 28:18-20.
- 1.1.4 A member will agree to abide by the Constitution.
- 1.1.5 A member will affirm their belief in the gospel and these qualifications for membership by signing the membership covenant. A membership covenant is attached as an Appendix A to this document. The covenant may change from time to time, but will not require less commitment to biblical principles than the covenant attached.

## **1.2 Admission of Members**

- 1.2.1 The Elders are responsible for determining each person's qualification for membership, exercising discretion as appropriate.
- 1.2.2 In making this determination, the Elders may rely on a person's profession of faith, a letter from the person's previous church, or other evidence the Elders deem appropriate.
- 1.2.3 As soon as possible, an Elder will present new members to the church during a regular worship service.

## **1.3 Duties and Privileges of Membership**

- 1.3.1 Members are privileged and expected to gather together for weekly worship services and to participate in and contribute to the ministry of the church, consistent with God's leading and with the gifts, time, and material resources each person has received from God.
- 1.3.2 Members are expected to attend all congregational meetings.
- 1.3.3 To remain in good standing, members will review and sign the membership covenant annually, to reaffirm their qualifications of membership.

- 1.3.4 Members eighteen years or older may vote in all related church matters as delineated in this Constitution.
- 1.3.5 Members may stand for church offices.

#### **1.4 Termination of Membership**

- 1.4.1 Membership is terminated by death.
- 1.4.2 Membership is terminated by letter of resignation from the member.
- 1.4.3 Membership is terminated by becoming a member of another church without resigning.
- 1.4.4 Membership may be terminated, at the discretion of the Elders, by absence from the church for more than one year without communication.
- 1.4.5 Membership may be terminated, at the discretion of the Elders, if the membership covenant is not signed by the member within three months of publication.
- 1.4.6 Membership may be terminated as an act of church discipline, following procedures set forth in Section 1.6.
- 1.4.7 Prior to terminating a person's membership, the Elders must make a reasonable attempt to communicate this intention to the affected person.

#### **1.5 Associate Membership**

- 1.5.1 Persons residing in the area not wishing to cede membership in their home church may ask for associate membership.
- 1.5.2 Unless specifically noted, when this document refers to members, it does not include associate members.
- 1.5.3 The qualifications and admission of associate members are the same as full membership, with the following exceptions:
  - 1.5.3.1 Assuming they have previously been baptized, associate members are not required to undergo believer's baptism.
  - 1.5.3.2 Associate members need not be presented to the church during a regular worship service.
- 1.5.4 The duties and privileges of associate membership are the same as full membership, with the following exceptions:

- 1.5.4.1 When absent from the Amherst area for extended periods of time, associate members are released from the expectation to attend church and congregational meetings.
- 1.5.4.2 While encouraged to participate in congregational meetings, associate members are ineligible to vote, hold teaching offices, and stand for the legal offices.
- 1.5.5 The termination of associate members is the same as full membership, with the following exceptions:
  - 1.5.5.1 Termination as a disciplinary measure is the same as for other members, except that the Elders will notify the Pastor or Elders of the person's home church, if known and at their discretion.

## **1.6 Discipline of Members**

- 1.6.1 Members will seek to build up the body of Christ, guided by an attitude of kindness and love, and will always seek reconciliation.
- 1.6.2 Any member unrepentant in conduct that dishonors the name of Jesus Christ, or found to be teaching doctrine contrary to Scripture, will be subject to the admonition of the Elders and the discipline of the church, according to Matthew 18:15-17, 1 Corinthians 5, and Galatians 6:1-5.
- 1.6.3 Having exhausted every reasonable measure toward the end of reconciliation, the Elders may decide to bring termination of unrepentant members to a membership vote. This decision will proceed to a congregational vote when it receives the 2/3 vote of the Elders. (In cases involving discipline of an Elder, see Section 3.1.10)
- 1.6.4 When discipline will include termination of a person's membership, the Elders will present this decision to the members for congregational vote (see Section 2.2.6.3). The Elders may call this special congregational meeting at their discretion.

## **1.7 Reinstatement of Membership**

- 1.7.1 Any former member whose membership was terminated for any reason other than church discipline may be reinstated to membership by signing the membership covenant.

- 1.7.2 According to the spirit of 2 Corinthians 2:6-8, the Elders may move to restore membership to any repentant person whose membership was previously terminated as an act of discipline. The Elders will then communicate this decision to the members. The Elders may call a special congregational meeting at their discretion.

## **2 Meetings**

### **2.1 General Meetings**

- 2.1.1 MERCYhouse will hold worship services on Sunday and other meetings throughout the week to worship, evangelize, teach, pray, and fellowship.
- 2.1.2 As needed, the number of worship services may be changed at the discretion of the Elders.

### **2.2 Congregational Meetings**

#### **2.2.1 Occurrence and Type**

- 2.2.1.1 Congregational meetings will be held at least twice every year.
- 2.2.1.2 The primary purpose of the December meeting is to consider and reach consensus on candidates selected for open offices, whose terms will begin the first Sunday of the month following the meeting. The selected offices of the church are found in Section 3.
- 2.2.1.3 The primary purposes of the June meeting are to consider and vote on the annual budget, which begins May 1<sup>st</sup>, and receive financial reports.
- 2.2.1.4 Special congregational meetings are called by the Elders as the need arises.
- 2.2.1.5 The members may request a special congregational meeting by submitting a written request to all the Elders, containing signatures of at least 1/5 the membership. The Elders will then call a special meeting to be held within three weeks of the receipt of this request.
- 2.2.1.6 Congregational meetings may be attended electronically. It is the sole responsibility of the person attending electronically to ensure connectivity.

#### **2.2.2 Notification**

- 2.2.2.1 The date, time, and place of all congregational meetings will be announced during the regular worship service(s), posted on the website, and emailed to the members at least two weeks in advance.

- 2.2.2.2 The agenda of all congregational meetings will be communicated in printed form and electronically to the membership at least one week in advance. When applicable, this will also include the proposed budget (see Section 7.1.4).
- 2.2.3 Meeting moderator
  - 2.2.3.1 The Moderator (see Section 3.3) will act as the meeting moderator for the biannual congregational meetings and any special meetings except the following:
    - 2.2.3.1.1 In the case of a special meeting involving matters of church discipline or removal of an Elder, an Elder will act as the meeting moderator. See Section 3.1.10 regarding removal of an Elder.
  - 2.2.3.2 In the absence of the Moderator, the Clerk will act as the meeting moderator. If the Clerk is unable or does not desire to be the meeting moderator, a member at large, selected by the Elders, can act as moderator.
- 2.2.4 Preparing the Agenda
  - 2.2.4.1 The meeting Moderator will prepare the agenda under the direction of the Lead Pastor or the Chairman of the Elders. The meeting Moderator will have copies of the agenda available at the meeting for those wishing to see it.
  - 2.2.4.2 All items for the agenda will be submitted to all the Elders at least two weeks before the congregational meeting.
  - 2.2.4.3 All items for the agenda submitted by a member of the congregation will be automatically included on the agenda, unless a majority of the Elders believe it should not be included or should be amended first. Where the membership calls for a special meeting by written request as provided in Section 2.2.1.5, this request is not subject to approval of the Elders.
  - 2.2.4.4 If the Elders reject or amend a submitted agenda item, they will provide a reason for the rejection or change to the submitter.
- 2.2.5 Running the Meeting



- 2.2.5.1 All meetings are governed by Robert's Rules of Order. Where Robert's Rules conflict with the Constitution, the Constitution will supersede. If interpretation of a ruling is required, it will be made by the meeting moderator.
- 2.2.5.2 Substantive matters for consideration at the congregational meeting must be included in the agenda.
  - 2.2.5.2.1 Substantive matters are those issues of major importance, such as, but not limited to, buying or selling property, expenditures for non-budgeted items greater than one percent of the annual church budget, changes in the Constitution, or Five Devotions, borrowing money, and other items the Elders deem substantive.
- 2.2.5.3 Routine matters not covered in the agenda may be addressed only after the business on the agenda is addressed.
- 2.2.5.4 If any member present objects to a matter being classified as routine, the matter will be declared routine only after a 2/3 vote of a quorum.
- 2.2.6 Voting Requirements
  - 2.2.6.1 A proxy or authorization to vote on behalf of another member may be given if a member is not attending the meeting.
    - 2.2.6.1.1 The proxy vote must be signed and dated by the member, and restrictions on votes, if any, must be written down.
    - 2.2.6.1.2 The proxy vote must be given to the meeting moderator prior to a vote.
    - 2.2.6.1.3 The wording of the proxy vote shall be standardized by the Clerk to eliminate misunderstanding.
  - 2.2.6.2 A quorum, defined as 2/5 the voting membership, is required for matters of church business. A quorum includes both members present and those represented by proxy.
  - 2.2.6.3 A 2/3 majority vote of a quorum will carry votes on the following:
    - 2.2.6.3.1 Amendments to the Constitution or Five Devotions.

- 2.2.6.3.2 Termination of membership under church discipline.
- 2.2.6.3.3 The confirmation of church officers.
- 2.2.6.3.4 The selection of team leaders when required by Section 6.
- 2.2.6.3.5 Declaring a matter, that is not on the agenda, substantive.
- 2.2.6.3.6 Removal of the Church Offices of Elder, including the Lead Pastor, and Moderator.
- 2.2.6.3.7 Voting to dispose of all or substantially all the assets of the Church, or any real estate owned by the Church.
- 2.2.6.3.8 The merger or dissolution of the Church.
- 2.2.6.3.9 The acquisition of real property and any indebtedness related thereto.
- 2.2.6.4 For all other matters a simple majority vote of a quorum is required.

### **3 Selected Offices**

#### **3.1 General**

- 3.1.1 The biblical offices in the church are Elders and Deacons. In addition, MERCYhouse recognizes the administrative offices under this Constitution of Moderator, Treasurer, Clerk, and President. These positions are collectively referred to as Offices throughout this document.
- 3.1.2 These positions are nominated by the Elders (Section 3.1.8.8). Nomination decisions can be based on input from the membership. If no Elders are available, nominating will be performed by the membership.
- 3.1.3 All officers will serve a renewable 1 year term confirmed annually by congregational vote (Section 2.2.6.3). In the absence of a quorum, the officer may continue to serve until a quorum is reached at a later congregation meeting.
- 3.1.4 All officers must be members of this church prior to assuming their responsibilities.
- 3.1.5 All positions in the Church are under the authority of the Elders.
- 3.1.6 In the event of the vacancy of a church office, the Elders may call in a member to serve until the next congregational meeting.

## **Elders**

### **3.1.6 General**

- 3.1.6.1 The Lead Pastor is an Elder and does not have authority over the Elders, but rather works in collaboration with them.

### **3.1.7 Qualifications**

- 3.1.7.1 Elders will be men who meet the qualifications for the office of Elder set forth in 1 Timothy 3:1-7 and Titus 1:6-9.
- 3.1.7.2 Elders will give wholehearted assent to the Five Devotions and Constitution of the Church.

### **3.1.8 Responsibilities**

- 3.1.8.1 The Elders will devote their time to prayer, the ministry of the Word, and shepherding God's flock as their first priority, in keeping with the principles set forth in Acts 6:1-6 and 1 Peter 5:1-4.
- 3.1.8.2 The Elders will lead the development of the church's vision and mission.
- 3.1.8.3 The Elders will communicate budget priorities to the Deacons, and grant final approval before submitting the church budget to the congregation.
- 3.1.8.4 The Elders will be responsible for choosing and equipping as necessary all persons who participate in the teaching ministry of the church. These functions may be delegated to a ministerial staff member or a servant team leader as determined by the Elders.
- 3.1.8.5 The Elders will conduct church discipline as appropriate and in accordance with the guidelines set forth in Section 1.6.
- 3.1.8.6 The Elders will approve persons for church membership as set forth in Section 1.2.
- 3.1.8.7 The Elders will regularly encourage and admonish one another, regarding marriage and family, commitment to prayer and the Word, and the numerous other areas of life that shape character and ministry.

- 3.1.8.8 The Elders will have the responsibilities for nominating people for church offices.
  - 3.1.8.8.1 The Elders will interview each qualified candidate to determine her or his sense of call and availability.
  - 3.1.8.8.2 The candidates selected will be presented to the congregation for approval, according to the procedures set forth in Section 2.2.6 and according to the timeline established in Section 2.2.1.
- 3.1.8.9 The Elders will have ultimate responsibility for leading the church, within the framework of authority and accountability set forth in this Constitution.
- 3.1.8.10 The Elders will meet as necessary, no less than once a month, excepting June-August when the Elders may meet no less than once. These meetings are encouraged to be in person, but attendance can be through electronic means.
- 3.1.8.11 For purposes of compliance with the non-profit Corporation laws of the Commonwealth of Massachusetts, the Elders will serve as the Board of Directors of the Corporation.
- 3.1.9 Selection
  - 3.1.9.1 The current Elders serve as the nominating body for future Elders. See Section 2.2.6 regarding voting of church offices.
  - 3.1.9.2 Prior to beginning their service, Elders selected under this procedure will be commissioned before the church, which will generally be at a weekly service.
- 3.1.10 Resignation , Discipline, or Removal
  - 3.1.10.1 An Elder's term of office may be terminated by resignation, request of the Elders or by removal.
  - 3.1.10.2 Request of the Elders
    - 3.1.10.2.1 In cases, other than discipline, 2/3 of the Elders (excluding the Elder in question) may call a special congregational meeting to discuss terminating an Elder's call.
  - 3.1.10.3 Discipline or Removal

3.1.10.3.1 Any two members in good standing with reason to believe that an Elder should be disciplined or dismissed should express this concern to the Elders (1 Timothy 5:19). This process will follow the biblical principles found in Matthew 18:15-17, 1 Corinthians 5, and Galatians 6:1-5.

3.1.10.3.2 The Elders will then investigate and conclude as to if and how the Elder should be disciplined. Discipline does not require dismissing the Elder from office, but it might.

3.1.10.3.3 If the Elders, excepting the Elder subject to discipline, with a 2/3 vote agree this person's role as an Elder should be terminated, the Elders will bring the matter to the congregation for mandatory vote (see 2.2.6).

#### 3.1.11 Chairman of the Elders

3.1.11.1 The Elders will select an Elder as Chairman of the Elders. His additional responsibilities include:

3.1.11.1.1 Chairing the Elders' meetings.

3.1.11.2 For purposes of compliance with the nonprofit corporation laws of the Commonwealth of Massachusetts, the Chairman of the Elders will serve as President of the corporation.

#### 3.1.12 Relationship to the Deacons

3.1.12.1 The Chairperson of the Deacons and a representative of the Elders will regularly communicate, no less often than the Deacons meet. This communication will both inform the Elders of the work of the Deacons and make the Deacons aware of issues needing consideration.

3.1.12.2 The Elders and the Deacons will share a meeting together no less than twice annually.

3.1.12.3 The Secretary of the Deacons will forward the minutes to the Elders no more than one week after the Deacons meet.

#### 3.1.13 Review

- 3.1.13.1 The Elders may review any major recommendation or major decision made by an officer or team prior to implementation, or, if church approval is necessary, prior to presentation for approval at a congregational meeting.
- 3.1.13.2 This power of review should not be exercised so as to distract the Elders from their primary responsibility of prayer, ministering the Word, and shepherding the flock.
- 3.1.13.3 If the Elders decide to review a recommendation or decision, the Elders may:
  - 3.1.13.3.1 Return the recommendation or decision to the officer or team for further study or consideration of different issues.
  - 3.1.13.3.2 Approve the recommendation or decision.
  - 3.1.13.3.3 Veto the recommendation or decision.

## **3.2 Deacons**

### **3.2.1 Qualifications**

- 3.2.1.1 Deacons will be persons who meet the qualifications for the office of Deacon set forth in 1 Timothy 3:8-13 and Acts 6:1-7.

### **3.2.2 Responsibilities**

- 3.2.2.1 The Deacons, under the authority of the Elders, will care for the temporal needs of the members.
- 3.2.2.2 The deacons will assist the elders in the day to day operations of the church, including but not limited to finances, facilities/property management, and worship service logistics.
- 3.2.2.3 The Deacons will meet as necessary, no less than once every other month, excepting June-August when the Deacons may meet as necessary. These meetings are encouraged to be in person, but can also be attended through electronic means.

### **3.2.3 Selection**

- 3.2.3.1 Selection of the Deacons will follow the procedures set forth in Section 3.1.2.

- 3.2.3.2 Prior to beginning their service, Deacons selected under this procedure will be commissioned before the church, which will generally be at a weekly service.
- 3.2.4 Discipline, Resignation or Removal
  - 3.2.4.1 A Deacon's term of office may be terminated by resignation, request of the Elders or by removal.
  - 3.2.4.2 Discipline or Removal
    - 3.2.4.2.1 Any two members, including Elders, in good standing with reason to believe that a Deacon should be dismissed should express this concern to the Elders. This process will follow the biblical principles found in Matthew 18:15-17, 1 Corinthians 5, and Galatians 6:1-5.
    - 3.2.4.2.2 The Elders will then investigate and conclude as to if and how the Deacon should be disciplined. Discipline does not always require dismissing the Deacon from office, but it might.
    - 3.2.4.2.3 If the Elders by 2/3 vote agree this person's role as a Deacon should be terminated, the Elders will notify the congregation of this decision.
- 3.2.5 Relationship to the Elders (see Section 3.1).
- 3.2.6 Chairperson of the Deacons.
  - 3.2.6.1 The Deacons will select a Deacon as Chairperson.
  - 3.2.6.2 His or her responsibilities include:
    - 3.2.6.2.1 Chairing the Deacons' meetings.
    - 3.2.6.2.2 Communicating regularly with the Elders as described in Section 3.1.12.
- 3.2.7 Secretary of the Deacons.
  - 3.2.7.1 The Deacons will select a Deacon as Secretary.
  - 3.2.7.2 His or her responsibilities include:
    - 3.2.7.2.1 Taking the minutes of the meeting.



3.2.7.2.2 Forwarding the minutes to the Elders as described in Section 3.1.12.3.

3.2.7.2.3 Informing other Deacons about the time and place of upcoming meetings.

### **3.3 Moderator**

3.3.1 The Moderator will not be an Elder or a Deacon.

3.3.2 The Moderator will satisfy the requirements for Deacons set forth in 1 Timothy 3:8-13 and Acts 6:1-7.

3.3.3 The Moderator will be nominated by the Elders, and approved by vote at a congregational meeting, in accordance with the procedures set forth in Section 3.1.2 and 2.2.6.3.

3.3.4 The Moderator will exercise the following responsibilities under the authority of the Elders:

3.3.4.1 Preparing the agenda as set forth in Section 2.2.4.

3.3.4.2 Preparing any other handouts and reports.

3.3.4.3 Ensure that the required announcements of the meeting are made as set forth in Section 2.2.2.

3.3.4.4 Calling the congregational meeting to order.

3.3.4.5 Calling on persons to speak in the meeting.

3.3.4.6 Moving the meeting forward to the next item on the agenda as appropriate.

3.3.5 Removal from this office follows the same procedure as for the removal of Elders set forth in Section 3.1.10.

### **3.4 Treasurer**

3.4.1 The Treasurer will not be a paid church staff member.

3.4.2 The Treasurer will satisfy the requirements for Deacons set forth in 1 Timothy 3:8-13 and Acts 6:1-7.

3.4.3 The Treasurer will be nominated by the Elders, and approved by vote at a congregational meeting, in accordance with the procedures set forth in Section 2.2.6.3.

3.4.4 Under the authority of the Elders, the Treasurer's responsibilities include:

- 3.4.4.1 Ensuring that procedures are in place so that all funds and securities of the church are properly secured in such banks, financial institutions, or depositories as the Elders designate as a depository .
- 3.4.4.2 Ensuring that full and accurate accounts of receipts and disbursements are kept in books belonging to the church, and that adequate accounting controls are in place.
- 3.4.4.3 As needed, rendering to the Elders and the church an account of all financial transactions and of the financial condition of the church.
- 3.4.4.4 Ensuring that assets are safeguarded and that risks are mitigated, with discretion as to cost and benefits.
- 3.4.5 Removal from this office follows the same procedure as for the removal of Deacons set forth in Section 3.2.4.

### **3.5 Clerk**

- 3.5.1 The Clerk will satisfy the requirements for Deacons set forth in 1 Timothy 3:8-13 and Acts 6:1-7.
- 3.5.2 The Clerk will be nominated by the Elders, and voted on at a congregational meeting, in accordance with the procedures set forth in Section 2.2.6.3. The clerk can be paid church staff.
- 3.5.3 For purposes of compliance with the nonprofit corporation laws of the Commonwealth of Massachusetts, the Clerk will serve as the Secretary of the corporation.
- 3.5.4 Under the authority of the Elders, the Clerk's responsibilities include:
  - 3.5.4.1 Recording the minutes of all regular and special congregational meetings of the church.
  - 3.5.4.2 Preserving an accurate roll of the membership, including associate membership.
  - 3.5.4.3 Providing a copy of the minutes of congregational meetings (except discipline meetings) or an up-to-date record of church membership when requested by any member.
  - 3.5.4.4 Ensuring that copies of the most recent version of the Constitution are available upon request.

3.5.4.5 Providing letters of dismissal under the request of the Elders.

3.5.5 Removal from this office follows the same procedure as for the removal of Deacons set forth in Section 3.2.4.

### **3.6 President**

3.6.1 See Chairman of the Elders (Section 3.1.11).

## **4 Lead and Associate Pastors**

### **4.1 Lead Pastor**

- 4.1.1 The Lead Pastor is an Elder and does not have authority over the Elders, but rather works in collaboration with them.
- 4.1.2 The Lead Pastor will perform the responsibilities described above for Elders, but is also recognized by the church as particularly gifted and called to the ministry of preaching, teaching, and Pastoring.
- 4.1.3 The Lead Pastor will administer the ordinances of baptism and communion, and perform other duties as usually pertain to this office, or as set forth in the Constitution.
- 4.1.4 The Lead Pastor will preach during the regular worship service(s) or arrange for another preacher.
- 4.1.5 In addition to the Lead Pastor's responsibilities as an Elder, he is also an ex officio, non-voting member of all other meeting bodies, whether or not named in this Constitution .

### **4.2 Associate Pastors**

- 4.2.1 The church may employ as many Associate Pastors as it deems in the best interest of the ministry of the Church.
- 4.2.2 Associate Pastors will perform the responsibilities given to them by the Elders in their job description. The job description can be modified as necessary to best fit the needs of the church.

### **4.3 Selection**

- 4.3.1 Selection of the Lead Pastor and Associate Pastors will follow the procedures set forth in Section 5.2.
- 4.3.2 Prior to beginning their service, the church will commission the Lead or Associate Pastor.

### **4.4 Employment Agreement**

- 4.4.1 An employment agreement and initial job description, including the duties and responsibilities for each Pastor, lines of accountability, compensation and benefits, will be prepared by the Pastoral Search Team (See Section 6.3.1.).

- 4.4.2 The employment agreement and initial job description will be submitted to the Elders for approval. Once the Elders have approved, the employment agreement and initial job description will be presented to the potential Pastor. Once the potential Pastor has approved, the employment agreement and initial job description will be presented to the church for congregational vote.

## **4.5 Termination**

- 4.5.1 A Pastor will serve under a continuing call until the relationship is terminated by the request of the Pastor, or by removal (see 2.2.6.3.). Removal of an Associate Pastor does not require congregational vote.
- 4.5.2 Request of the Pastor
  - 4.5.2.1 The Lead Pastor must give at least eight weeks notice in writing to the Elders of his intention to resign his position, unless otherwise mutually agreed. An Associate Pastor must provide at least four weeks' notice in writing to the Elders of his intention to resign his position, unless otherwise mutually agreed.
- 4.5.3 Request of the Elders
  - 4.5.3.1 The Elders requesting the end of a Pastor's service will follow the procedure set forth in Section 3.1.10.2.
- 4.5.4 Removal
  - 4.5.4.1 Removal of a Lead Pastor will follow the procedure set forth in Section 3.1.10.3, of 2/3 vote of a quorum at a congregational meeting.

## **5 Church Staff**

### **5.1 General**

- 5.1.1 The Elders may employ as many church staff as it deems in the best interest of the ministry of the church. Typically, they are as follows:
  - 5.1.1.1 Ministerial staff are servants of the church called to minister in areas of the church with specific abilities and gifts. Ministry church staff will meet the criteria for membership. If the sole reason they would not be able to be a member is baptism, this requirement may be waived if they agree to be baptized within 6 months of starting employment.
  - 5.1.1.2 Interns serve for a defined period, as part of a larger training program or in a short-term ministry capacity to fulfill a specific need.
  - 5.1.1.3 Other church staff includes any other employees of the church, including but not limited to administrative and facility personnel.

### **5.2 Selection**

- 5.2.1 Excluding the Lead Pastor, the Elder Team may hire needed church staff at their discretion, without the need for search teams, committees, or congregational vote. However, if the Elders decide a search team is needed, they can call a team to fill a position at their discretion.
- 5.2.2 Regarding the hiring of a Lead Pastor, a search team is required. A search team is not required for Associate Pastors.
  - 5.2.2.1 A Pastoral Search Team will consist of two Elders selected by the Elders, and three non-Elder members selected by the congregation per Section 2.2.6. If there are no Elders, this team may be made up of five members.
- 5.2.3 The Elders may hire interns at their discretion.

### **5.3 Employment Agreement**

- 5.3.1 Employment agreements for Church staff positions will follow the same requirements as an employment agreement for Pastors, except that there is no search team required for non-Pastoral staff.

### **5.4 Termination**

- 5.4.1 Ministerial staff, interns, and other church staff will serve in their positions under continuing employment unless otherwise provided in their employment agreement. Ministerial staff and other church staff must give four weeks notice in writing of his or her intention to resign to the Elders, unless otherwise mutually agreed upon.
- 5.4.2 Involuntary termination will occur at the sole discretion of the Elders, or if addressed in the employment agreement.

## **6 Teams**

### **6.1 General**

- 6.1.1 All teams are under the authority of the Elders. The Elders may authorize any team and define and limit the duties, power, life and authority to be exercised by any such team, in any matter pertaining to the interests and activities of the church, within the constraints of this Constitution.
- 6.1.2 In all cases where a standing team is established, team leaders will be nominated by Elders and will serve a renewable one year term confirmed annually by the Elders.

### **6.2 Standing Teams**

#### **6.2.1 Finance Team**

##### **6.2.1.1 General**

- 6.2.1.1.1 The Treasurer will serve as the Chairperson of the Finance Team.

##### **6.2.1.2 Responsibilities**

- 6.2.1.2.1 The Finance Team will assist the Treasurer in monitoring the budget on an ongoing basis.
- 6.2.1.2.2 The Finance Team will recommend banking, investment, insurance, and other financial decisions to the Treasurer.
- 6.2.1.2.3 The Finance Team will gather budget requests and help draft the budget for presentation to the Deacons.
- 6.2.1.2.4 The Finance Team will perform other tasks as determined by the Treasurer under the direction of the Elders.

### **6.3 Non-Standing Teams**

#### **6.3.1 Pastoral Search Team**

##### **6.3.1.1 Responsibilities**



6.3.1.1.1 The Pastoral Search Team will, consistent with the mandate given in a congregational meeting, complete a preliminary employment agreement and initial job description as described in Section 5.2.2, regarding the search team requirement for Lead Pastors.

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- 6.3.1.1.2 A Pastoral Search Team, when deemed necessary by the Elders, will establish procedures for seeking candidates , and then perform a search for candidates.
- 6.3.1.1.3 A Pastoral Search Team, when deemed necessary, will make a recommendation to the Elders for approval.
- 6.3.1.1.4 A Pastoral Search Team, when deemed necessary, will draft an initial employment agreement and preliminary job description, including the responsibilities and terms of employment, to present to the Elders for approval.

#### 6.3.2 Audit Committee

- 6.3.2.1 The financial books of the church can be audited at least annually by an Audit Committee.
- 6.3.2.2 The selection of the Audit Committee will occur by the congregation at a congregational meeting.
- 6.3.2.3 Members of the Audit Committee will not have check writing or expenditure authority, and will take the necessary steps to safeguard sensitive financial information. Members will not have any bookkeeping or collection duties, or any involvement with the oversight of the books and records of the church during the period of audit or at the time of the audit committee.
- 6.3.2.4 The Audit Committee will be responsible for establishing their own procedures and protocols.
- 6.3.2.5 A written report of their findings and recommendations regarding the handling of church finances must be submitted to the Elders at the completion of the audit, prior to issuing a report (if needed) to the congregation.

## 6.4 Servant Teams

### 6.4.1 General

6.4.1.1 The church has various servant teams (i.e. ministries) which may include a youth ministry, a music team, a ministry to persons who are homeless or poor, a discipleship ministry, a children's ministry, a women's ministry, various mid-week teaching ministries, a ministry to international persons attending the church, and various other ministries.

6.4.2 Servant Team Leaders

6.4.2.1 Servant team leaders who are also ministerial staff members are selected according to the procedures set forth in Section 5.

6.4.2.2 Servant team leaders that function as teachers are nominated by the Elders.

6.4.2.3 All other servant team leaders must receive the approval of either the Elders or the church.

6.4.2.4 Servant team leaders are accountable to the Elders, or to whomever the Elders designate.

## **7 Budget and Expenditures**

### **7.1 Summary of the Budget Process**

- 7.1.1 The finance team will first discuss budget priorities with the Elders and Treasurer.
- 7.1.2 They will then solicit budget requests from the appropriate servant team leaders and appropriate persons or teams.
- 7.1.3 They will then produce an initial draft of the budget to present to the entire Deacon board. After approving the budget, the Deacons will then submit the budget to the Elders. If no Deacon board exists, the finance team will present the budget directly to the Elders.
- 7.1.4 Having approved the budget, the Elders will then submit the budget to the congregation one week prior to the congregational meeting, with the agenda, for member approval (see 2.2.2.2).

### **7.2 Expenditure Rules**

- 7.2.1 Each servant team leader, Pastor, selected board, or other designated leader responsible for spending money under the church budget may exercise discretion in making spending choices, in accordance with the relevant line items, unless otherwise directed by the Elders.
- 7.2.2 Each servant team leader, Pastor, selected board, or other designated leader responsible for spending money under the church budget must not spend in excess of the amount budgeted for a given expenditure representing a line item in the budget.
- 7.2.3 Proposed expenditures in excess of the budgeted amounts require approval of the Finance Team. Where such increases in a line item exceed 1% of the total annual budget, approval of the congregation is required, except in the case where no discretion or control can be exercised such as for payroll taxes, or water bills.
- 7.2.4 The Treasurer shall make rules governing documentation required to be reimbursed.
- 7.2.5 So long as the annual meeting is after the fiscal year of the church, the budgeted spending for the previous fiscal year is authorized to continue at the same rate as for up to 2 months following the fiscal year.

## **8 Indemnification**

### **8.1 Mandatory Indemnification**

- 8.1.1 If a legal claim or criminal allegation is made against a person because he or she is or was an officer, employee, or agent of the church, the church shall provide indemnification against liability and costs incurred in defending against the claim if a simple majority of the Elders determine that the person acted (a) in good faith, (b) with the care a reasonably prudent person in a similar situation would exercise under similar circumstances, and (c) in a manner the person reasonably believed to be in the best interest of the church, and the person had no reasonable cause to believe his or her conduct was unlawful.

### **8.2 Permissive Indemnification**

- 8.2.1 At the discretion of a majority of the Elders, the church also may indemnify any person who acted in good faith and reasonably believed that his or her conduct was in the church's best interest.

### **8.3 Procedure**

- 8.3.1 If a majority of the Elders is not available to grant indemnification because of the number of Elders seeking indemnification, the required determination may be made by the membership or by special legal counsel appointed by the membership.

### **8.4 Articles of Organization**

- 8.4.1 Further details regarding indemnification are found in the articles of organization, dated August 11, 2005. In the event of a conflict between the articles of organization and the Constitution, the provisions providing the greatest range and amount of indemnification for the officers or other person being indemnified shall be the governing provision.

## **9 Dissolution**

### **9.1 General**

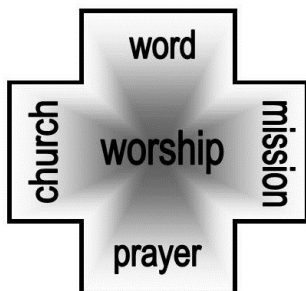
- 9.1.1 In the event of liquidation or dissolution of MERCYhouse for any reason, the assets will be distributed in the following order:
  - 9.1.1.1 All debts will be paid to the extent possible.
  - 9.1.1.2 All church employees will be given three months of salary as severance. If the remaining funds are insufficient toward this end, the funds will be split proportionately, based on salary, between church employees.
  - 9.1.1.3 After payment of all liabilities of the corporation or due provision, all the assets of the corporation shall be distributed pursuant to Chapter 180, Section 11A, to one or more organizations with similar purposes and exempt from federal income tax under Section 501 (c) (3) of the Internal Revenue Code, as determined by the directors of the corporation.



# membership covenant renewal

Appendix

A



I, the undersigned, reaffirm my belief in the gospel of Jesus Christ. I believe that Jesus died on the cross for the forgiveness of my sins and through His death, burial and resurrection have entered into a relationship with God - who is Father, Son, and Holy Spirit. As one who is restored to God, I now desire to live in community with other redeemed people in the local church known as MERCYhouse in Amherst, MA.

**In response to the grace of this salvation, I devote myself to the following five devotions of our church:**

1. I devote myself to **WORSHIP** by seeking to continually surrender my entire life to God in response to God's initiation with me in the gospel and by worshipping God regularly with other members of MERCYhouse. (Acts 2:42-47; Romans 12:1; Hebrews 10:24,25)
2. I devote myself to the **WORD** by regularly studying the Bible both as an individual and with other members of MERCYhouse and by obeying those things that I am learning. (Acts 2:42; 2 Timothy 3:16,17; Psalm 119:11)
3. I devote myself to **PRAYER** by praying. I will regularly pray for the leadership and mission of MERCYhouse. I will also pray with and for fellow members of the church. (Acts 2:42; Acts 1:13,14; Colossians 4:2)
4. I devote myself to the **FELLOWSHIP** by living in biblical community. I understand this to mean that I am regularly sharing my life with at least a few other church members and will seek ways to encourage others in their growth as disciples of Jesus. I will continue to grow in my understanding of my spiritual gifts and will use them in ways that build up the church. I will also commit myself to give generously in order to support the mission of the church and agree to support and submit to church leadership. (Acts 2:42; Romans 12:3-8; 2Corinthians 9:6-7; 1 Corinthians 16:2; Hebrews 13:17)
5. I devote myself to the **MISSION** by seeking to demonstrate and proclaim the gospel to those with whom I have influence. I will also make available my own time, talent and resources to help accomplish the mission to reach, build, and send students of the Five Colleges; accomplish the planting of new churches in the Pioneer Valley; and connect, train, and commission the families and singles of our church. (Matthew 28:19-20; Acts 1:8)

Signature \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_ Email \_\_\_\_\_