

***Constitution and Bylaws of  
McGregor Baptist Church***

3750 Colonial Boulevard

Fort Myers, Florida 33966

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# **Constitution**

## **Article 1: Our Name and Purpose**

### **Section 1.1: Our Name**

This Body shall be known as McGregor Baptist Church, Inc.

### **Section 1.2: Our Purpose**

This congregation is organized as a church 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, for such purposes, the establishing and maintaining of religious worship, the buying, owning, and selling of real property, constructing and operating buildings and structures, the operation of schools and educational facilities, the proclamation of the Gospel and biblical truth, and the winning of people to a saving trust in Jesus Christ as their personal Savior as well as the subsequent training of those individuals in following Jesus as Lord of their lives as they serve Him in ministry and outreach in our community and around the world.

## **Article 2: Character of the Organization**

### **Section 2.1: The Autonomy of McGregor Baptist Church, Inc.**

The government of McGregor Baptist Church, Inc. is vested in the Body of the believers who compose the membership of the church. McGregor Baptist Church, Inc. is subject to the control of no other ecclesiastical body, but it recognizes the values of mutual consent and cooperation which are common among Southern Baptist churches.

### **Section 2.2: Our Statement of Faith**

The McGregor Baptist Church, Inc. embraces as our Statement of Faith and incorporates by reference The Baptist Faith and Message, as adopted by the messengers of the Southern Baptist Convention in the year 2000. As The Baptist Faith and Message is subsequently amended by the Southern Baptist Convention, such amendments shall be subject to approval by the membership of McGregor Baptist Church in accordance with Constitution Section 2.7.

To ensure clarity regarding the church's position on certain matters, the following should be read in conjunction with and as a supplement to The Baptist Faith and Message:

- A. **Human Sexuality and Marriage.** We believe sex is a gift from God to be enjoyed within the marriage relationship. We believe that marriage was instituted by God and, as such, the term "marriage" has only one meaning, regardless of current legal or cultural definitions. The Scriptures define "marriage" as the joining of one man and one woman in a single, exclusive union. We believe that God has commanded

abstinence from any form of sexual or intimate activity outside of a marriage. We believe that participation in fornication, pornography, homosexuality, bisexuality, bestiality, incest, polygamy, or adultery are all sinful perversions of God's gift of sex. We also believe that gender is a gift from God, and He created human beings male and female; therefore, we hold the distinction between the two sexes to be sacred. We believe that God disapproves of and forbids any attempt to change one's gender by any means. (Genesis 2:15-25; Psalm 139:13-16; Isaiah 53:1-6; Romans 1:18-32; 1 Corinthians 11:11-12; 2 Corinthians 5:19-21; Ephesians 5:22-33)

- B. **Separation, Divorce and Remarriage.** We believe that God hates divorce and intends marriage to last until one spouse dies. We recognize that under certain conditions separation might be necessary, divorce might be permitted and remarriage might be allowed. However, whether a person has a biblical reason to separate or divorce, or whether a divorced person has biblical grounds for remarriage should be carefully evaluated in accordance with the Scriptures and in conjunction with godly counsel. When possible, the reconciliation of the separated or divorced couple is to be pursued. (Genesis 1:27; Genesis 2:24; Malachi 2:13-16; Matthew 19:3-9; Mark 10:1-9; 1 Corinthians 7:10-13; Ephesians 5:22-33)
- C. **Sanctity of Human Life.** We believe that human life is a sacred gift from God the creator and must be respected from the moment of conception until natural death. We believe that abortion is the intentional, willful termination of a pregnancy at any time after conception and constitutes the taking of unborn human life. Accordingly, abortions, including for reasons of birth defects, gender selection, birth control, population control, or even in tragic instances of rape or incest, and acts of encouraging, facilitating, or paying for an abortion are inconsistent with Scripture and the glory of God. (Psalm 139:13-16; Isaiah 46:3)

We oppose active intervention with the intent to produce death, including euthanasia and doctor assisted suicide, whether for the relief of suffering, economic or quality of life considerations, or convenience of the person, family or society. (Isaiah 46:4; Job 14:5; Acts 17:26-28)

Members with questions regarding The Baptist Faith and Message or this supplemental section, including the application of these spiritual principles to the life of the church and their personal lives, are encouraged to search the Scriptures and, where necessary, consult with the elders.

### ***Section 2.3: The Authority of the McGregor Baptist Church, Inc. Statement of Faith***

The Statement of Faith incorporated by reference in Constitution Section 2.2 above does not exhaust the extent of our faith. This church accepts the Scriptures as its final authority in matters of faith and practice. We do believe, however, that the Statement of Faith referenced above accurately represents the teaching of the Bible. As such, all preaching and teaching, including related curriculum, shall be in agreement with the Statement of Faith, as well as this Constitution and related Bylaws.

Furthermore, the actions of the church, including those undertaken corporately or individually by the elders, deacons, church members, and employees or volunteers of McGregor Baptist Church, Inc. in any of its ministries, shall also be in accordance with the Statement of Faith, as well as this Constitution and Bylaws. Preaching, teaching or actions which are contrary to these documents will be handled in accordance with this Constitution and Bylaws, applicable employment law, or elder oversight.

## **Section 2.4: Our Church Covenant**

- A. Having been drawn by the Father and led by the Holy Spirit unto repentance and faith in Jesus Christ, and upon our profession of faith, having been baptized in the name of the Father, the Son, and the Holy Spirit, we do now joyfully and solemnly covenant with each other as one body in Christ.
- B. By God's grace, we will trust in and obey the Word of God, affirming it as the final and supreme authority for our lives. As we hear the Word preached by our leaders, we will test biblically the truth of that instruction. Finding them faithful with the Gospel, we will voluntarily submit ourselves to the leaders Christ has given our church, recognizing that they must give an account.
- C. By God's grace, we will strive for the advancement of this church and promote its spiritual health in reflecting the character of God. We will sustain and submit to its worship, ordinances, discipline, and doctrines. We will contribute regularly, sacrificially, and cheerfully to support the ministry and expenses of the church, the relief of the poor, and the spread of the Gospel through all nations.
- D. By God's grace, we will maintain personal and family devotions. We will bring up any who are under our care in the nurture and admonition of the Lord through a pure and loving example as we share the Gospel and seek the salvation of our family, friends, and all others. We will walk in a manner worthy of the Gospel, living carefully in the world, denying ungodliness and lusts. We will be faithful in all that we do in order to bring honor and glory to Jesus Christ.
- E. By God's grace, we will diligently keep the unity of the Spirit with the peace that binds us, and we will not forsake the regular assembling of ourselves together with this body. We will walk together in Christian love, watch over one another as siblings in God's family, and remember one another in prayer. We will speak in a way that is edifying, serve in a way that provides tangible care, and listen in a way that is slow to take offense, open to correction, and ready for reconciliation.
- F. By God's grace, if we move from this place, we will unite with a likeminded church where we can carry out the spirit of this covenant.
- G. May the grace of Jesus Christ, the love of the Father, and the fellowship of the Holy Spirit be with us all.

## **Section 2.5: Affiliations**

- A. **Local Affiliation.** The McGregor Baptist Church, Inc. shall identify itself with the Royal Palm Baptist Association as a cooperative member church. The church shall support the work of the Royal Palm Baptist Association, subject to congregational approval.
- B. **State Affiliation.** The McGregor Baptist Church, Inc. shall affiliate with the Florida Baptist Convention as a cooperating Baptist church. The church shall support the work of the Florida Baptist Convention, subject to congregational approval.
- C. **Global Affiliation.** The McGregor Baptist Church, Inc. shall identify itself with the Southern Baptist Convention as a cooperating Baptist church. The church shall support the work of the Southern Baptist Convention, subject to congregational approval.

## **Section 2.6: Dissolution**

In the event of the dissolution of the McGregor Baptist Church, Inc., all assets, including but not limited to all real property and all personal property, will become the sole property of the Florida Baptist Convention.

## ***Section 2.7: Amendments***

This Constitution may be amended by a two thirds vote of members present and voting, in any regular or specially called Member Meeting, provided that notice of the date, time and purpose of an upcoming Member Meeting shall be announced to the congregation at the Sunday morning worship services on the two successive Sundays immediately prior to the meeting. The members present at any constitutionally called Member Meeting shall be considered a quorum for the purposes of the meeting. All votes shall be tallied based on the number of votes cast by members present.

# ***Bylaws***

## ***Article 1: Membership***

### ***Section 1.1: Qualifications for Membership***

Those who desire to become members of McGregor Baptist Church shall be persons who:

- A. Believe in Jesus Christ as their Savior and Lord and show evidence of regeneration in their lives.
- B. Have been baptized by immersion in obedience to Christ after their conversion.
- C. Wholeheartedly affirm the Christian faith as it is revealed in the Bible.
- D. Freely enter into its Membership Covenant.
- E. Embrace its Statement of Faith.
- F. Abide by its Constitution.
- G. Are not under legitimate discipline by another church as determined by the elders of McGregor Baptist Church.

### ***Section 1.2: Membership Process***

The process for becoming a member is:

- A. Completion of a prospective member orientation class.
- B. Participation in an elder interview. The elders will be responsible for determining each prospective member's suitability for membership in light of the qualifications outlined in Bylaws Section 1.1. The elders may rely on the prospective member's testimony or such other evidence of regeneration as the elders deem appropriate.
- C. Recommendation by the elders to the congregation for membership at a regular Member Meeting.
- D. An affirmative vote by a majority of members present and voting at a Member Meeting.
- E. Given a vote of affirmation by a simple majority voting at a Member Meeting, the prospective member will be welcomed into the church membership and will relinquish their membership in any other church or churches. For details on Associate Members, see Bylaws Section 1.4.

### ***Section 1.3: Responsibilities and Privileges of Members***

In addition to the promises described in the Church Covenant, each member shall be privileged and expected to:

- A. Faithfully contribute to the ministry and life of the church consistent with God's leading and with the gifts, time and material resources each has received from God.
- B. Faithfully attend the corporate worship services.
- C. Faithfully attend Member Meetings described in Bylaws Section 1.5.



Only members or associate members in good standing of this congregation shall be eligible to lead or serve in the ministries of the church. A member "in good standing" is defined as one who is not currently under church discipline as defined in Bylaws Section 1.6. These privileges and expectations shall not be interpreted to condition employment by McGregor Baptist Church, Inc. on church membership at McGregor Baptist Church. Nor shall these privileges and expectations be interpreted to condition volunteering at the church's weekday preschool and school ministries, which include Southwest Florida Christian Academy, McGregor Early Learning Academy, or The Learning Cove, on church membership at McGregor Baptist Church.

Membership at the church does not include individual rights of control, use, or ownership of assets that belong to McGregor Baptist Church, Inc. In addition, the church property remains private. The elders, or any persons they designate, have the authority to suspend or revoke the right of any person, including a member, to enter or remain on church property if the person is disturbing the peace, damaging church property, or is threatening to others.

A member in good standing may request to inspect the minutes of the church's Member Meetings and the prepared financial statements of the church. 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 church members, or the accounting books and financial records of the church.

### ***Section 1.4: Associate Membership***

Any part-year resident may apply for "Associate Membership." The Associate Membership qualifications, process and responsibilities are identical to those for regular Membership as described in Bylaws Section 1 except that the applicants' home church membership will be retained. In addition, Associate Members are released from fulfilling the responsibilities and privileges in Bylaws Section 1.3 while they are absent from the Southwest Florida area and engaged in their home church elsewhere. Accordingly, Associate Members will not serve as elders, deacons or standing committee members.

### ***Section 1.5: Member Meetings***

The church shall hold a regular Member Meeting at least every other month at a time other than the Sunday morning worship services. Member Meetings shall conform to the following:

- A. Member Meetings will be conducted with and characterized by mutual trust, openness and loving-kindness towards one another. All members present and in good standing may exercise a vote.
- B. Notice of the date, time and purpose of an upcoming Member Meeting shall be announced to the congregation at the Sunday morning worship services on the two successive Sundays immediately prior to the meeting.
- C. The members present at any constitutionally called Member Meeting shall be considered a quorum for the purposes of the meeting. All votes shall be tallied based on the number of votes cast by members present. No absentee or proxy voting will be permitted for Member Meetings.
- D. An elder selected by the elder body will serve as the moderator for each Member Meeting and ensure proper meeting minutes are taken.
- E. It is the right and responsibility of the elders to call all Member Meetings. The elders shall prepare the agenda for all Member Meetings and make the necessary preparations for the successful conduct of the Member Meeting including a periodic financial report of the church.

- F. All items desired to be addressed by a member in a Member Meeting must be submitted to the elders 30 days in advance in order to be considered to be placed on the agenda for a Member Meeting.
- G. The essential criteria for a congregational vote should be matters that would impact the integrity of our church to continue to operate as a Gospel ministry.
- H. To protect the freedom of the individual's conscience and the unity of the church, certain items shall be voted on by ballot including but without limitation: the approval of the annual budget, amending of the church Constitution and Bylaws, selection or removal of elders including the Lead Pastor, incurring of debt, building programs, acquisition or disposition of real property and the sale, merger or dissolution of the church. These items will require a two thirds majority affirmation by the members present and will require the notice given as described in Bylaws Section 1.5.B.
- I. All other votes will be by voice, unless otherwise determined by the elders, and will require a simple majority. A vote may only be taken on items already on the agenda for the Member Meeting.
- J. Special Member Meetings may be called by the elders or at the written request, submitted to the elders, of twenty percent of the members of the church in good standing. The date, time and specific purpose of any special Member Meeting is to be announced and conducted in accordance with Bylaws Section 1.5.B.
- K. In an emergency, a Member Meeting may be called on shorter notice by making an effort to notify each member of the time, place and purpose of the Member Meeting.

### ***Section 1.6: Church Discipline and Restoration of a Member***

The Christian life is one that is to be characterized by godly discipline, which includes both self-discipline and corporate discipline that comes by being united to a local church. Church Discipline is both formative and corrective.

- A. Formative Church Discipline comes through the teaching of God's Word, the example of Christian living as well as the mutual ministry and accountability of every member one to another.
- B. Corrective Church Discipline should be handled in keeping with the attitude described in Matthew 7:1-6 and Galatians 6:1. Its goals are the repentance, reconciliation, restoration and spiritual growth of the individual disciplined. Its benefit is to be the instruction in righteousness for not merely the individual being disciplined, but also for the entire church as an example to them.
- C. Corrective Church Discipline is called for when any member is consistently neglectful of his or her duties as a member or is engaging in conduct by which the name of our Lord Jesus Christ may be dishonored, and so opposes the welfare of the church.
  1. The process of Corrective Church Discipline shall be administered according to Matthew 18:15-20.
  2. Corrective Church Discipline then should ordinarily be contemplated only after individual (Matthew 18:15) and private (Matthew 18:16) admonition has failed and only in regards to outward, serious and unrepentant sin. However, the elders and congregation may forego individual and private admonition in the event of an extraordinary case of church discipline where the facts about the outward, serious and unrepentant sin of a member are not in question. In that case, the elders may recommend to the congregation disciplinary action consistent with 1 Corinthians 5 in order to prevent further damage to the reputation of Christ and His church.
  3. When individual and private counsel and admonition have failed, the matter must be brought to the attention of the elders, who will then

- shepherd and direct the process. This may include both inquiry and counsel of all parties involved.
4. Corrective Church Discipline can include admonition by the elders or the congregation, suspension from the Lord's Supper for a definite period, removal from a church office, ministry or leadership position, and excommunication.
  5. If the final step of excommunication (1 Corinthians 5:4-8, 11-13) must be taken because previous appeals to repent and reconcile have failed, the individual will only be put out of the membership of the church based on a recommendation from the elders and a simple majority vote of the members of the congregation at a Member Meeting.
  6. Excommunication will result in the former member being prohibited from participating in the Lord's Supper and from being eligible to lead or serve in the ministries of the church. Because of their need for the Gospel, the individual will be encouraged to continue to attend Sunday morning worship services and seek the Lord.
- D. Restoration is the joyful step the church will take to forgive and restore to membership those individuals who give satisfactory evidence of repentance (2 Corinthians 2:6-7). The elders shall meet with and seek the restoration of those who have been excommunicated if the elders have determined that the aims of the discipline have been accomplished. After the initial steps of the restoration process are completed, the former member will only be restored to membership based on a recommendation from the elders and a simple majority vote of the members of the congregation at a Member Meeting.

### ***Section 1.7: Termination of Membership***

Termination of membership, except in the event of death, shall be recommended by the elders and approved by the congregation in the following instances:

- A. Transfer of membership requested from another like-minded church for a church member in good standing at the time of their resignation.
- B. Voluntary resignation of a church member in good standing and not subject to or already under active church discipline at the time of their resignation.
- C. Failure to attend Sunday morning worship services for an extended period of time and failure to respond to attempts by the church for reconciliation.
- D. Failure to transfer or resign membership when the member has permanently moved out of the church's geographic area.
- E. An act of church discipline as described in Bylaws Section 1.6.

## ***Article 2: Reserved for future use***

## ***Article 3: Church Governance***

### ***Section 3.1: Elders***

The leadership of an elder body is a gift that God has given to our church so that we would have a plurality of godly and thoughtful men who provide the necessary oversight for our congregation.

The elders shall be men who are members in good standing of this church and are given the responsibility to lead, feed and protect this flock of God.

- A. **Qualifications.** The service of an elder must be both voluntary and a calling from God (1 Peter 5:1-2). An elder must desire the office (1 Timothy 3:1), meet the specific qualifications in 1 Timothy 3:1-7 and Titus 1:5-11, and be ordained in this church upon congregational approval. Ordination is the setting apart of individuals for special service to the Lord and His people (Acts 6:6, Acts 14:23, 2 Corinthians 8:19, Titus 1:5).
- B. **Essential Responsibilities.** The elders shall prayerfully watch over and protect this church as they exercise the authority that Christ has given them to preach, teach and lead. Their shepherding shall include, but not be limited to, the following:
1. Devoting themselves to the priorities of prayer and the ministry of the Word (Acts 6:4).
  2. Evaluating prospective new members for recommendation to the congregation (Matthew 16:13-19, Matthew 18:15-20).
  3. Determining church policy (Acts 15), including recommending the annual church budget to the congregation.
  4. Providing protective oversight (Acts 20:28), which includes the process of corrective church discipline.
  5. Guarding doctrinal fidelity (1 Timothy 6:20-21).
  6. Ordaining elders and deacons (1 Timothy 4:14, Acts 6:1-7).
  7. Teaching and preaching (1 Timothy 5:17, 2 Timothy 4:1-5), which includes determining the preaching schedule.
  8. Exhorting and refuting (Titus 1:9, 2 Timothy 4:1-5).
  9. Praying over the sick (James 5:14).
  10. Setting an example of faith for the congregation to follow (1 Peter 5:1-3).
  11. Recommending deacons and committee members for congregational approval (Acts 6:3-4).
- C. **Composition of the Elder Body.** The elder body shall be a minimum of seven men (1 Timothy 2:12-15), which shall include the Lead Pastor. This plurality shall be a mix of vocational elders and non-vocational elders. The majority of the elder body shall be non-vocational elders. A vocational elder is an elder who is a paid Ministerial Staff member of McGregor Baptist Church, Inc.
- D. **Elder Unity.** Since the elders are guided by the same Spirit and are all to have the mind of Christ, there should be unity on matters they decide (1 Corinthians 1:10, Ephesians 4:3, Philippians 1:27, 2:2). The standard of unity for the elder body is defined as an agreed upon consensus without requiring unanimity. The two exceptions to this standard of unity are that the elder body shall be unanimous on every elder nominee and a Lead Pastor candidate before recommending either to the congregation. The elder body will be required to reach a two-thirds majority for those items in Bylaws Section 1.5.H, that require two-thirds majority approval of the congregation. For other matters, the elder body should always seek consensus expressed as a simple majority. If there is division, all the elders should study, pray and seek the will of God until unity is achieved.
- E. **Elder Meetings.** The elders will hold a regular elder meeting at least once per month. Elder meetings shall:
1. Be conducted with and characterized by mutual trust, openness and loving-kindness towards one another.
  2. Be led by a moderator who is an elder selected by the elder body. The moderator is responsible for ensuring that the meeting has an agenda and the necessary materials. Any elder can submit an item for the agenda prior to the meeting.
  3. Be properly called with reasonable notice of the date, time and purpose given to all the elders. A minimum of seventy-five percent of the elders must be present to establish a quorum for a meeting. All votes shall be

tallied based on the number of votes cast by members present. For a vote on either an elder nominee or a Lead Pastor candidate, an absentee ballot submitted prior to the meeting would be used by any elder who is unable to attend that elder meeting in order to discern unanimity among the elder body. No proxy voting will be permitted for elder meetings. Each elder, including the Lead Pastor, shall have equal authority with each having one vote on all matters.

### **Section 3.2: Lead Pastor**

The Lead Pastor shall be a member of the elder body. Though he may be regarded as the first among equals within the elder body, he will have no more constitutional authority than the other elders.

- A. **Essential Responsibilities.** In addition to the requirements for all elders specified in Bylaws Section 3.1, the Lead Pastor shall be characterized by the following:
1. He will be recognized by this church as particularly gifted and called to the full-time ministry of preaching and teaching.
  2. His primary responsibility shall be to shepherd the congregation to an understanding of the Scriptures and an application of them to their lives. Thus, he must focus his time on preparing to preach the Word of God to the congregation at McGregor Baptist Church's corporate worship services.
  3. Recognizing the seriousness of the responsibility placed on him, he will devote himself to significant time in prayer, allowing the Holy Spirit to lead and guide him.
  4. In order to disciple elders gifted in preaching and other church members who may be growing toward elder service, he will shepherd those men to also preach at the church's corporate worship services. Sharing the preaching responsibilities with other gifted men will guard against the Lead Pastor living above the Body of Christ instead of living as a member of the Body of Christ as he sits under the teaching of others in this congregation. This safeguard also provides him necessary rest and allows his participation in other ministries of this church.
  5. He will lead the church's paid staff in a manner consistent with the shepherding role he applies to the congregation. Such leadership will be subject to the oversight of the elder body.
  6. As with all elders, the Lead Pastor shall be accountable to the congregation as well as accountable and open to the counsel of the elder body. The Lead Pastor's annual performance review will be completed by the elders based on these essential responsibilities.
- B. **Vacancy.** In the absence or incapacity of the Lead Pastor, the other elders shall assume responsibility for his duties. The employment relationship between the Lead Pastor and the church will be terminated if at any time the Lead Pastor retires or resigns, the congregation affirms his dismissal as recommended by the other elders in accordance with Bylaws Section 1.5.H., or he is removed as an elder pursuant to Bylaws Section 3.3.C.
- C. **New Lead Pastor Search.** As soon as practicable upon the retirement, resignation, or removal of the Lead Pastor, or if for any other reason there is a permanent vacancy in the position of Lead Pastor, the elder body will be responsible to nominate a new Lead Pastor for affirmation by the congregation pursuant to Bylaws Section 1.5.H. The elders will also determine the process to locate a new Lead Pastor candidate. The type and manner of the search shall be at the discretion of the elders, subject to the following:

1. A current or former elder shall not be excluded from consideration as a candidate.
2. The non-vocational elders, Finance Committee chairperson and Personnel Committee chairperson will be responsible for setting the employment and compensation terms for the Lead Pastor candidate within the parameters set by the current overall annual budget.
3. The elder body shall be unanimous on their recommendation of the Lead Pastor candidate to the congregation.
4. The congregation shall be given adequate opportunity to assess the preaching and teaching gifts of any Lead Pastor candidate before being asked to vote on the elders' recommendation.

### **Section 3.3: Nomination and Removal of Elders**

When the congregation affirms men to serve in the role of an elder, they are exercising their authority on the most crucial question a church will ask of itself, "Whom has God gifted this church to be her shepherds?" As such, the nomination and removal of elders are to be approached with great care and weightiness (1 Timothy 5:22). Elders are to be accountable to each other and to the congregation.

- A. **Elder Nominations.** Any member in good standing can suggest a man to be considered as an elder, but only the existing elder body may formally nominate potential elders for congregational approval at a Member Meeting. It shall be the responsibility of the current elders to consider the Scriptural qualifications of each nominee before the elders present qualified elder nominees to the congregation for consideration at a Member Meeting. Each candidate so presented must be considered and approved individually by a two thirds majority of the members in good standing present at such meeting. As soon as practicable following election, the elders shall ordain any newly-elected elder not previously ordained by this church for the office.
- B. **Elder Terms.** Vocational elders will hold a permanent position in the elder body and will not be subject to the term requirements specified here, unless they are removed pursuant to Bylaws Section 3.3.C. Upon election, a non-vocational elder will serve a term of three consecutive years, at the completion of which the elder may be presented to the congregation for reaffirmation. Prior to reaffirmation, the desire of the elder and his family as well as the desire of the current elder body must all be in agreement to present the elder to the congregation for reaffirmation. All non-vocational elders may serve only two consecutive three-year terms before having to take a year off from the elder body. Essential for the continuity of the elder body, every effort should be made for no more than twenty-five percent of the elders' terms to expire at the same time. Extending the term of an existing elder whose term is about to expire will be allowed in the event of the unplanned loss of another elder where the extension is necessary to ensure continuity or the non-vocational majority. Upon the agreement of the elder body, that existing elder can serve out the unplanned departing elder's term or until such time as a new elder is discovered, nominated and approved by the congregation.
- C. **Removal of an Elder.** An elder's term of office may be terminated by a voluntary resignation or dismissal for cause. A serious charge against an elder should be first brought to the elder body. When the elders have become aware of a serious charge against an elder supported by two or more witnesses, the elder body will evaluate and respond appropriately to the charge. In doing so, the elders must act in accordance with Matthew 18:15-17 and 1 Timothy 5:19-21, which may require the two or more witnesses to publicly present their charge against the elder. If the elder body's recommendation is to remove the elder, the congregational vote will be in accordance with Bylaws Section 1.5.H. A vocational elder who retires from their paid

Ministerial Staff position may continue as a non-vocational elder; however, a vocational elder who is terminated for cause or resigns their paid Ministerial Staff position will be removed from the elder body by a congregational vote in accordance with Bylaws Section 1.5.H.

### **Section 3.4: Deacons**

Being a gift to the church as well, the role of deacon is that of a servant, whose primary responsibility is to safeguard the health and unity of the church by meeting the logistical needs of the church and the practical needs of those at risk of marginalization (Acts 6:3-4, James 1:27).

- A. **Qualifications.** A deacon must meet the qualifications of the office according to Acts 6:3 and 1 Timothy 3:8-13.
- B. **Essential Responsibilities.** The deacons shall safeguard the health and unity of the church. Their ministry shall include, but not be limited to, the following:
  - 1. Visiting and meeting the practical needs of members of McGregor Baptist Church who are orphaned, widowed, hospitalized, sick, or otherwise shut-in.
  - 2. Assisting in the proper observance of the ordinances.
  - 3. Administering and distributing the Benevolence Fund which may be funded throughout the year by special collections following the observance of the Lord's Supper.
  - 4. Ensuring that any other logistical need of the church is met, including actively participating in ministries of the church.
- C. **Composition, Election, and Terms.** The deacon body shall be composed of a minimum of seven members in good standing of this church who meet the qualifications for office. A member in good standing may suggest to any member of the deacon body a candidate for deacon. It shall be the responsibility of the current deacons, in conjunction with the elder body, to consider the Scriptural qualifications of each nominee before the elders present qualified deacon nominees to the congregation for consideration at a Member Meeting. Each candidate so presented must be considered and approved individually by a majority of the members in good standing present at such meeting. As soon as practicable following election, the elders shall ordain any newly-elected deacon not previously ordained by this church for the office. Upon election, the deacon will serve a term of three years, at the completion of which the deacon may be presented to the congregation for reaffirmation. Prior to reaffirmation, the desire of the deacon and their family as well as the desire of the current deacon body with the oversight of the elders, must all be in agreement to present the deacon to the congregation for reaffirmation. All deacons may serve only two consecutive three-year terms before having to take a year off the deacon body. Understanding that the office of elder and deacon are both essential and unique, no one will serve both offices concurrently. The appointment of an existing deacon to the office of elder will require their resignation as soon as is practicable once they are affirmed by the congregation as an elder.
- D. **Relationship to the Elder Body.** The deacons' service to the congregation enables the elders to focus their attention on shepherding and teaching the congregation (Acts 6). The deacons shall be accountable to each other, the elders and the congregation.

### **Section 3.5: Ministerial Staff**

The elder body may establish and oversee paid Ministerial Staff positions.

- A. **Essential Responsibilities.** Ministerial Staff, as defined in their job description, shall serve at the direction of the elder body. They will fulfill their role as stated in their current job description, designed with both elder oversight and the input of the Personnel Committee. They shall work under the direct supervision of their immediate supervisor as well as the leadership of the Lead Pastor as described in Bylaws Section 3.2.A.6.
- B. **Relationship to the Elder Body.** Decisions regarding the compensation, addition, promotion or termination of Ministerial Staff will be made by the elder body with the

input of the Personnel Committee and a direct supervisor, where applicable. A Ministerial Staff member shall not be recognized as an elder by virtue of their staff position unless they are separately elected to serve on the elder body pursuant to Bylaws Section 3.3.

- C. **Selection of Ministerial Staff.** The recommendation for the position and the person who would fill a Ministerial Staff role will be made by the elders for consideration and approval by the congregation at a Member Meeting in accordance with Bylaws Section 1.5. All Ministerial Staff shall be members in good standing of this church.
- D. **Resignation of Ministerial Staff.** In the event that a Ministerial Staff member offers their voluntary resignation from their position, they shall submit their written resignation to their immediate supervisor and the Lead Pastor, who shall convey the resignation to the elder body and Personnel Committee. Given the input of the Personnel Committee, the elder body may accept the resignation effective immediately or may permit the completion of not more than an additional thirty days of service, if such additional service is in the best interest of the church.
- E. **Termination of Ministerial Staff.** A recommendation for termination of a Ministerial Staff member may be made by the elders to the congregation at a Member Meeting in accordance with Bylaws Section 1.5.
- F. **All Other Staff.** All other employees of McGregor Baptist Church, Inc. not defined as Ministerial Staff in their job description, are under the oversight of the elder body and the leadership of the Lead Pastor, even though their day-to-day supervision will be managed by their immediate supervisor. Decisions regarding the addition, promotion or termination of such employees will be made by their immediate supervisor with the input of the Personnel Committee or, for school employees, the Southwest Florida Christian Academy School Board.

### **Section 3.6: All Committees**

Committees will play an integral role in the governance of this church as they serve in an advisory capacity to the elder body.

- A. **Term and Vacancies.** Unless otherwise stated in the Constitution or Bylaws, all committee positions shall be considered vacant at the end of the respective terms outlined in Bylaws Section 3.7, at the ordination of a committee member as an elder, at the resignation of a committee member from a committee, or at the termination of a committee member's church membership. For all committee members, there shall be a period of at least one year between each tenure of office.
- B. **Selection of Committee Chairperson.** The elders, in consultation with the Nominating Committee, shall recommend the chairperson of each standing committee subject to congregational approval. The elders may also recommend the removal of a chairperson from their role prior to their term expiring, where warranted by circumstances and with congregational approval. Elders of the church will not be appointed as a chairperson of any standing committees, nor serve as a chairperson once they are ordained as an elder.
- C. **Staff Role on Committees.** As required by committee business, the elder body or committee chairperson may request church staff to attend and participate in committee meetings. No staff member shall serve as chairperson or in any other capacity except as an ex officio, non-voting member, unless otherwise stated in the Constitution or Bylaws.
- D. **Budget Allotment.** No committee shall spend in excess of its budgeted allotment without ratification of the Finance Committee.
- E. **Policies and Procedures.** Standing committees may adopt such policies or procedures as are relevant to their committee's responsibilities. All policies and procedures are subject to the elders' oversight.



- F. **Relationship to the Elder Body.** All standing and special committees will be subject to the oversight of the elder body. The committees will serve in an advisory capacity to the elders and will make recommendations to the elders for their consideration and, where appropriate, consideration by the congregation. The committees are intended to better enable the elder body to focus on their primary roles by providing assistance in managing other operations of the church. The elders shall appoint one or two elders to serve as liaisons to each standing committee. Those liaisons will attend the meetings of the committees in order to promote communication between the elder body and the committee, but only as non-voting members of the committee. All committee meeting minutes will be provided to the elders.

### **Section 3.7: Standing Committees**

The elders, in conjunction with the Nominating Committee, shall recommend the membership of each standing committee, subject to congregational approval. Except as otherwise provided in Bylaws Section 3.7.D, only church members in good standing will be nominated to serve on a committee, and current members of the elder body will not be nominated to serve on a standing committee. Committee members shall be elected by the congregation to fill any vacant positions. These four standing committees will be ongoing:

A. **Finance Committee**

1. **Membership.** A committee of seven church members will serve rotating terms of four years, with no more than two rotating off each year.
2. **General Responsibilities.** The Finance Committee monitors on behalf of the elders and the congregation the following: (a) the integrity of the church's monthly and annual financial statements and the sufficiency of the related internal control structure, (b) the development of an annual budget including the missions offering and excluding the detailed personnel budget monitored by the Personnel Committee, (c) the overall spending in accordance with the annual budget including the missions offering, and (d) the qualifications, independence and performance of the church's independent auditor. The church's staff are primarily responsible for the design and maintenance of the internal control structure including the safeguarding of physical and monetary assets, the development of detailed budgets based on the predicted annual giving and department spending allocation set by the elder body, preparation of monthly and annual financial statements, and execution against the budget. Where requested by staff or another committee, the Finance Committee is specifically authorized to approve adjustments to budget categories so long as overall expenditures fall within the approved budget. Expenditures beyond the approved budget will require congregational approval at a Member Meeting.
3. **Specific Responsibilities.** In order that the elders may provide an accurate financial report at Member Meetings, the Finance Committee will cause to be provided to the elders the pertinent information and materials required. The Finance Committee will be responsible for reviewing the church's monthly and annual financial statements prior to report issuance, making recommendations to the elders regarding the selection and application of accounting principles and practices, engaging the services of an independent auditor to perform an annual review or audit, and reviewing the outcome of any internal control recommendations provided by the church's independent auditor. To enable committee members to successfully complete these responsibilities, they may: (a) review underlying accounting records and documentation, with the exception of individual contributions to the

church, (b) observe and make inquiries regarding the functioning of the internal control structure, including but not limited to the collection and processing of offerings, and (c) review any reports which may be issued by local, state or federal agencies, bank auditors, or other third parties which are related to the church's finances or internal control structure.

B. **Nominating Committee**

1. **Membership.** A committee of seven church members will serve rotating terms of four years, with no more than two rotating off each year.
2. **Responsibilities.** The Nominating Committee will solicit input from the congregation for potential committee members to serve on each of the standing committees. Except as otherwise provided in Bylaws Section 3.7.D, the committee will be responsible for: (a) evaluating nominations from the congregation, (b) recruiting other potential church members and evaluating their suitability, and (c) determining the willingness of all potential committee members to serve on a standing committee. The Nominating Committee, in conjunction with the elder body, will present for congregational consideration potential candidates and chairpersons for each committee.

C. **Personnel Committee**

1. **Membership.** A committee of seven church members will serve rotating terms of four years, with no more than two rotating off each year.
2. **Responsibilities.** At the request of the elder body, the committee will evaluate open Ministerial Staff positions and qualified candidates in order to make a recommendation to the elders. This evaluation will include the qualifications of the candidates, the planned compensation for the position and the compensation of the recommended candidate. In addition, the committee monitors on behalf of the elders and the congregation the following: (a) the sufficiency of personnel policies and procedures, (b) the effectiveness of the annual performance review criteria, (c) the timely completion of annual performance reviews, (d) the accuracy of job descriptions, and (e) the appropriateness of the wage and benefit schedule of all church staff. The committee will recommend to the elders the annual personnel budget based on the predicted annual giving and department spending allocation set by the elder body. In making such a recommendation, the committee will evaluate the annual personnel budget requests from the church staff.

D. **Southwest Florida Christian Academy (SFCA) School Board**

1. **Membership.** Upon election, the School Board members will serve a rotating term of three years, at the completion of which the School Board member must be presented to the congregation for reaffirmation in order to serve a second term. All School Board members may serve only two consecutive three-year terms before having to take a year off the School Board. The seven-member School Board shall include: (a) a Ministerial Staff member, other than the Head of School, chosen by the elders, (b) three church members recommended by the Nominating Committee and approved by the congregation, and (c) three other at-large individuals recommended by the SFCA School Board and approved by the congregation. Current elders may serve on the SFCA School Board.
2. **Responsibilities.** As with all standing committees, the School Board is subject to the Constitution and Bylaws of McGregor Baptist Church, Inc. and elder oversight. The School Board has the authority to adopt only those policies and procedures that are consistent with the Constitution and Bylaws and relevant to its responsibilities. The School Board may make recommendations or take other action it deems necessary for the fulfillment of such responsibilities. The School Board primarily advises the Head of School of SFCA in fulfilling the mission, core values, and

strategic plan of the school. It is the responsibility of the School Board to: (a) develop SFCA governance policy concerning operation of the school, (b) plan for the future of SFCA based on the mission and core values of the school, (c) approve all SFCA budgets and monitor compliance against those budgets thereby assuring the financial stability of the school, (d) assure the spiritual and educational integrity of SFCA, (e) provide input for the annual evaluation of the Head of School of SFCA, and (f) preserve the bond of the school as a ministry of McGregor Baptist Church.

### **Section 3.8: Special Committees**

The elders may create special committees for such tasks and time periods as they deem appropriate. Special committees will generally exist for the duration of the related project unless defined otherwise during the committee's formation. The membership, terms, duties, and reporting requirements of such committees shall be defined by the elders when such committees are formed. Any special committee and its membership must be approved by the congregation. Only church members in good standing may be nominated to serve on a special committee. Current members of the elder body may be appointed to serve on a special committee.

### **Section 3.9: Legal Roles**

For purposes of compliance with the nonprofit corporation laws of the State of Florida, the elders shall appoint members in good standing to serve as the following officers of the corporation:

- A. **President of McGregor Baptist Church, Inc.** The president will sign, certify or attest documents as may be required by law and where approved by the elders and/or congregation as outlined herein.
- B. **Vice President.** The Vice President will serve in the absence of the President.
- C. **Secretary.** The Secretary will:
  - 1. Certify and keep in the office of the church the original Constitution and Bylaws or a copy, including all amendments or alterations of the Bylaws.
  - 2. Keep a record of the proceedings of all Member Meetings at the place where the Constitution and Bylaws are kept.
  - 3. Sign, certify, or attest documents as may be required by law and where approved by the elders and/or congregation as outlined herein.
  - 4. See that all notices are duly given in accordance with the provisions of the Constitution and Bylaws.
  - 5. Make available at all reasonable times to proper persons on terms provided by law, the Constitution and Bylaws and minutes of proceedings of the Member Meetings.
  - 6. Based on the direction of the elders, keep and maintain the alphabetical membership roll.
- D. **Treasurer.** The Treasurer will:
  - 1. Have charge and be responsible for all funds of the corporation, and deposit all funds in the name of the church in FDIC insured banks as approved by the Finance Committee.
  - 2. Receive and give receipts for all contributions, gifts, and donations to the church.
  - 3. Disburse, or cause to be disbursed, the funds of the church in accordance with the budget of the church or with the donor-designated purpose of such funds.

4. Keep and maintain adequate and correct amounts of the church's properties and business transactions, including account of its assets, liabilities, receipts, disbursements, and capital.

In addition to these specific responsibilities, the officers of the corporation must meet at least annually and ensure proper meeting minutes are taken.

#### ***Article 4: Indemnification***

The elder body, acting on behalf of the congregation, 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, elder, 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 or her in connection with the action, suit, or proceeding; and if that person acted in good faith and in a manner he or she 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 or her conduct was unlawful. 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 or she 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.

#### ***Article 5: 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. The Finance Committee is responsible for developing relevant policies and procedures for these funds in conjunction with the elder body. These policies and procedures will be made available to any designated donor upon request.

#### ***Article 6: Amendments***

These Bylaws may be amended by a two-thirds vote of members present and voting, in any regular or specially called Member Meeting, provided that notice of the date, time and purpose of an upcoming Member Meeting shall be announced to the congregation at the Sunday morning worship services on the two successive Sundays immediately prior to the meeting. The members present at any constitutionally called Member Meeting shall be considered a quorum for the purposes of the meeting. All votes shall be tallied based on the number of votes cast by members present.

#### ***Article 7: Headings***

Headings at the beginning of each paragraph of the McGregor Baptist Church Constitution and Bylaws are intended solely for convenience of reference and are not to be construed as being a part of the Bylaws.