

CONSTITUTION AND BYLAWS

Every church needs a means by which it conducts its business and relates to its membership and the community at large. The constitution and bylaws are the means, which declare the cooperatively held truths and the rules for dealing with the issues that face the church.

The constitution may include, but is not limited to, the following items:

1. A preamble, which declares the **purposes of the constitution**.
2. The **official name of the church** which may be used for business and legal purposes.
3. A statement of the **purposes and objectives** of the church.
4. A declaration of the **basic doctrinal beliefs** of the church.
5. The church **covenant**.
6. A statement of **polity and relationships**.

The bylaws are the practical guidelines which a church uses to deal with **internal matters** and its **dealings with others**. Bylaws focus on procedures that may change more often than the constitution. The bylaws give direction to the following items:

1. Conducting the business of the church.
2. The manner of receiving and disciplining members.
3. Terminating employees.
4. Committees and their responsibilities.
5. Church officers, their election and terms of service.
6. The organizational description of the church, its leadership and relationships.
7. Calling the pastor and staff.

Have you reviewed your church constitution and bylaws recently or in the last few years? It is extremely important that these documents be periodically reviewed (at least every five years) as they can become seriously outdated. Take time to review your constitution and bylaws to see if they actually reflect how the church is structured and functioning today.

On the one hand your constitution and bylaws need to be flexible for the church to reflect the presence of the Holy Spirit in ministering to the needs of people where our churches are today. On the other hand the constitution and bylaws need to provide a strong foundation for a relevant ministry to people living in our culture.

The church constitution and bylaws committee is a temporary or ad hoc committee that ceases to exist when the church adopts an original or revised constitution and bylaws.

Some suggested duties of the committee would be:

- Determine content for the documents.
- Locate and gather all written copies of policies and procedures the church has approved.
- Interview church staff, all program leaders, council chairpersons and committee chairpersons to discover what policies and procedures are being used that are not in writing.
- Get documents from other churches for review and consideration.
- Compile a comprehensive draft document for the committee to review and study.
- Review the comprehensive draft of the document section by section with staff, councils, committees and other church leadership affected by the document.
- Make necessary changes as committee agrees.
- Take each section of the completed document to the church for approval.

Church programs should not be in the constitution.

It is suggested that a copy of the church constitution and bylaws be given to each new committee chairperson as they are elected which should give a more ongoing review of these documents.

It is suggested that a church consider including a “*reversionary clause*” in its constitution in order to protect the future usage of its property to make sure that such property remains in the hands of **Southern Baptists**. Such a reversionary clause should read something like this:

Should this property ever cease to be used as an active and cooperating Southern Baptist Church in the (*name of association to which the church is a member*), a non-profit religious corporation, or the Kansas-Nebraska Convention of Southern Baptists, a non-profit religious corporation, then and in that event title and interest in this property shall revert to the (*name of association to which the church is a member*) or its successor in interest.

It is further suggested that a similar reversionary clause be included in the **General Warranty Deed** of the church and in the General Warranty Deed of any property transferred by a sponsoring church to its constituting mission church. The sponsoring church could have the property revert back to itself or to the association whichever the church may decide.

A church does not need to notify and/or file any form with the Secretary of State of Kansas or Nebraska when its constitution and/or bylaws are amended or completely rewritten.

If the church **alters its original *Articles of Incorporation***, the modification (by proper form) must to be sent to the Secretary of State (i.e. change in church name, address, resident agent) along with the appropriate fee.