

By-Laws For Metropolitan Community Church of Knoxville

Revised by Board of Directors June 23, 2011

Adopted by Congregation October 9, 2011

Article I - Name

The name of this church shall be Metropolitan Community Church of Knoxville, also known as MCC Knoxville.

Article II - Affiliation

This church is a member congregation of the Universal Fellowship of Metropolitan Community Churches (UFMCC); ascribes to the government, doctrine, vision, mission, and values of UMCC; and agrees to abide by the UFMCC Bylaws and decisions made by General Conference.

- A. **Successor Corporation** - The Universal Fellowship of Metropolitan Community Churches is the not-for-profit organization designated to receive the church's property in the event of dissolution or abandonment of the church or disaffiliation from the UFMCC, in accordance with UFMCC Bylaws.
- B. **Disaffiliation** - A decision to disaffiliate from the UFMCC shall require a two-thirds (2/3) vote of the Members present at a Congregational Meeting called for the purpose of disaffiliating and shall be decided in accordance with UFMCC Bylaws.

Article III - Purpose

The purpose of this church is Christian fellowship, worship, witness, and service, borne in the cooperation, program development, and implementation of UFMCC and local church Bylaws, Standard Operating Procedures, and Policies.

- A. We gather to worship and serve a God of grace - sharing the Good News of Jesus Christ and Learning to follow Christ's example of love and justice.
- B. It is the intention of this congregation that inclusiveness will be practiced at all times in all matters. We understand that the term "inclusiveness" encompasses but is not restricted to race, ethnicity, gender, sexual orientation and disability. We further understand that "practiced" encompasses but is not restricted to: the use of inclusive language, both spoken and in music, including the use of biblical translations that are intentionally inclusive, including not assigning gender to God and endeavoring at all times to maintain an inclusive balance in the election and appointment of persons to committees, boards and other bodies of the church at all levels, and also in community outreach efforts.

Article IV - Members and Friends

- A. **Criteria for Membership** - Any baptized Christian who has completed a membership class may become a Member by participating in the Rite of Membership. A Member in good standing is a Member who registers his/her attendance, provides identifiable financial support, makes a definite service contribution, and demonstrates interest.
 - 1. Membership List - The list of Members in good standing shall be maintained by the church staff, who shall report changes at the Board Meeting prior to a Congregational Meeting and the Board Meeting that deals with Membership Review.
 - 2. Membership Review - The Board shall review the membership list in the month of July of each year.
 - a. A Member who does not have registered attendance, identified financial support, definite service contribution, and demonstrated interest within the preceding period of six (6) months to one (1) year may be removed from the list of Members in good standing and placed on a list of inactive Members.

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- b. The Board shall notify this Member in writing that the Member has been placed on a list of inactive Members and is not eligible to vote at any business meeting of the church.
 - c. If the inactive Member has not attended, provided identifiable financial support, and demonstrated further interest for a period of two (2) months immediately following notification, the Board shall have the authority, at its discretion, to drop any such Member from the local church membership roll. Upon request a person may remain on the inactive roll for an indefinite period of time.
 - d. The inactive Member may be restored to the list of Members in good standing by a vote of the Board without a public reception into membership.
 - e. The inactive Member who is not restored during the period of two (2) months immediately following notification or has not requested to remain on the inactive list shall be considered a former Member.
 - f. A former Member may be restored to the list of Members in good standing after completing a membership class and participating in the Rite of Membership.
3. Right to Appeal - A decision by the Board to drop an inactive Member from the local church membership roll is not subject to appeal.
- B. Friends of the Church** - A person who, for one reason or another, feels unable to become a Member but who supports the goals of the church and wants to be a part of the work of the church may be designated as a Friend of the Church.
1. List of Friends of the Church - The list of Friends of the Church shall be maintained by church staff.
 2. Limitations on Friends of the Church - Friends may serve on appointed committees and may participate in all activities of the church. Friends may not vote at Congregational Meetings or serve on the Board. Friends shall not be considered in determining the number of Lay Delegates.
- C. Discipline of Members and Friends** - The church cannot condone disloyalty or unbecoming conduct on the part of any Member or Friend. The Board is empowered to remove by majority vote any Member or Friend or take other appropriate disciplinary action.
1. Right to Appeal - The action of the Board may be appealed to the next regular Congregational Meeting or a Special Congregational Meeting called for that purpose. The decision of the Congregational Meeting is final. Pending the outcome of the appeal of discipline, the disciplined Member or Friend shall remain under discipline and shall retain the right to vote at regular and Special Congregational Meetings, including the Congregational Meeting held to consider the appeal.
 - a. Appeal Process - The request for an appeal shall be submitted to the Clerk of the Board within thirty (30) days following the date when the inactive Member was dropped from the local church membership roll.
 - b. The Board may consider the appeal and reverse its earlier decision without taking the matter to the Congregational Meeting.
 - c. Should the Board sustain its earlier decision and the inactive Member wishes the appeal to continue, the request shall be included as an agenda item for the next regular Congregational Meeting or a Special Congregational Meeting called for the purpose of considering the appeal.

Article V - Congregational Meetings

Government of the church is vested in its Congregational Meeting, which exerts the right to control of its affairs, subject to the provisions of the UFMCC Articles of Incorporation, Bylaws, or documents of legal organization, and the General Conference.

- A. Time and Place** - Semi-annual Congregational Meetings shall be held each year in the fall and spring. The time and place of the semi-annual Congregational Meeting shall be determined by the Board.

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- B. **Notification** - The Board shall notify members in writing through postal or electronic mail, and posting on the web site at least (2) weeks in advance. It is the responsibility of members to keep their contact information updated.
- C. **Voting Rights** - Each Member in good standing has the right to vote. Proxy or any other form of absentee voting shall not be allowed.
- D. **Votes Required for Approval** - Decisions, including elections, requires approval by a vote of more than fifty percent (50%) of those Members present and voting, unless otherwise required by UFMCC Bylaws or otherwise stated in these local church Bylaws.
- E. **Quorum** - In order to transact business, no less than twenty percent (20%) of the Members in good standing must be present.
- F. **Agenda** - The agenda for Congregational Meetings shall be determined by the Board.
 - 1. **Content** - The agenda shall include, but not be limited to, election of members to the Board, election of Lay Delegates in the appropriate year, presentation of financial report, approval of budget, and receiving reports from the Board and the Pastor.
 - 2. **Additions to Agenda** - Members may request the Board to add agenda items by submitting additional agenda items to the Clerk no later than one (1) week prior to the meeting.
- G. **Elections** - All votes for positions shall be taken by secret ballot. Votes of affirmation from the floor are not permitted.
- H. **Special Congregational Meetings** - In addition to the Semi-Annual Congregational Meeting, special Congregational Meetings may also be held. Special Congregational Meetings are governed by the same rules as those pertaining to the Semi-Annual Congregational Meetings.
 - 1. **Calling a Special Congregational Meeting** - A special Congregational Meeting may be called either by (a) majority vote of the Board, (b) the Pastor, or (c) a petition signed by at least twenty percent (20%) of the Members and submitted to the Clerk.
 - 2. The nature and purpose of the special Congregational Meeting shall be stated in the petition and in notices and written into the agenda.

Article VI - Local Church Administrative Body

- A. **Name** - The local church administrative body shall be the Board of Directors (Board), which is authorized to provide administrative leadership for MCC Knoxville, subject to approval of the Congregational Meeting.
- B. **Responsibilities** - The Board shall be responsible for providing the church with a set of Bylaws, which are subject to approval by Congregational Meeting and the Elder serving the Network and for submitting the approved Bylaws to the Elder serving the Network. The Board shall also have charge of all matters pertaining to the documents of legal organization and incorporation, church property, risk management, and physical and financial affairs of the church. The Board shall also be responsible for collecting and disbursing funds, keeping adequate church records, and making timely reports to the Congregation and UFMCC.
- C. **Qualifications** - Members of the Board must be Members in good standing of MCC Knoxville for at least six (6) months.
 - 1. **Conflict of Interest** - More than one person from a household, family, or committed relationship; someone who is a church employee; or someone who is a Clergy Candidate shall not be eligible to serve on the Board.

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- D. **Composition** - There shall be eight members, including the Pastor and the Lay Delegate(s).
- E. **Term of Office** - The term of office for members of the Board, except the Pastor and Lay Delegates, shall be two-year staggered terms, with three persons elected in March of the even numbered years, two elected in March of the odd numbered years, and the Lay Delegates elected at the next Congregational Meeting immediately following General Conference.
- F. **Meetings** - The Board shall generally meet once a month and no fewer than ten (10) times a year. Except for executive sessions, meetings shall be open to the congregation and to the public to attend without vote.
1. **Minutes** - Minutes and financial reports shall be available to Members of the church within two (2) weeks after each meeting. Minutes shall include a record of those present and decisions made. A copy of the minutes shall become part of the permanent church records.
- G. **Quorum** - No less than a majority of the members of the Board must be present in order to transact business.
- H. **Official Officers** - The official officers of the church are Moderator, Vice-Moderator (Pastor), Clerk, and Treasurer.
1. **Election of Officers** - The official officers, except for Vice-Moderator (Pastor), shall be elected at by the Board at the Board Meeting following the Spring Congregational Meeting each year. The term of office for officers, except for Vice-Moderator (Pastor), shall be one year and an additional month to help transition new persons onto the Board.
 - a. **Moderator** - The Moderator will establish the agenda and manage the flow of the meeting of the Board and Congregational Meetings. The Moderator will be responsible for keeping the vision of the Church before the congregation.
 - b. **Vice-Moderator** - The Vice-Moderator shall serve as Moderator of the Board in the absence or upon the request of the Moderator. The Pastor shall serve as a member and Vice-Moderator of the Board.
 - c. **Clerk** - The Clerk shall be responsible for ensuring the maintenance of official correspondence and church records, and for ensuring that accurate records are kept of all meetings of the Board and of the Congregation. The Clerk is the officer authorized to receive petitions submitted to the Board.
 - d. **Treasurer** - The Treasurer shall be responsible for ensuring the preparation and maintenance of all financial records. This shall include a monthly financial report to the Board and an annual financial report to the Congregation. The monthly and annual financial reports shall reflect receipts, disbursements, and outstanding financial obligations.
 - e. **Lay Delegate(s)** - The Lay Delegates will represent the congregation at General Conferences, communicate with the congregation regarding UFMCC concerns and policies, and make sure local By-Laws and policies are in line with Network and Fellowship actions. The church shall elect one (1) lay person for every one hundred (100) Members in good standing, or part thereof, to serve as Lay Delegate. The Lay Delegate shall be a Member in good standing of this church.
 1. **Election** - The Lay Delegate shall be elected at the next regular Congregational Meeting following each General Conference. A majority of the votes cast shall be required to elect.
 2. **Term of Office** - The term of office of Lay Delegate shall be three (3) years.
 3. **Duties** - The duties of the Lay Delegate shall be to represent the congregation at General Conferences, to communicate with the congregation regarding UFMCC concerns and policies, serve on the Board and make sure local By-Laws and policies are in line with Network and Fellowship actions.
 4. **Funding** - To the best of its ability, the congregation shall fund the Lay Delegate expenses for transportation, registration, and per diem at General Conferences.
- I. **Vacancies** - In the event of a vacancy on the Board, the Board may appoint a qualified Member to fill the vacancy until the next Congregational Meeting, when an election shall be held to fill the unexpired term.

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- J. **Discipline** - The church cannot condone unbecoming conduct, or dereliction of duty on the part of any member of the Board. Therefore, the Board may remove by a majority vote of the full Board any of its members guilty of the above, with the exception of the Pastor who must be disciplined in accordance with the UFMCC Bylaws. A petition submitted to the Clerk and signed by twenty percent (20%) of the Members in good standing of the congregation may also initiate such a procedure.
1. Right to appeal - A disciplined member of the Board may appeal the action to the congregation at its next regular Congregational Meeting or at a Special Congregational Meeting which may be called for this purpose. The decision of the Congregational Meeting is final. Until the Congregational Meeting to consider the appeal, the position held by the disciplined member of the Board shall be considered vacant.
- K. **Limitation of Liability** - No director or officer of the church shall be liable for any act or failure to act by any other director or officer of the Church or by any employee of the Church. No director or officer of the Church shall be liable for any loss arising from any fault in the title to any property acquired by the Church. No director or officer of the Church shall be liable for any loss arising from any fault in any security in which the Church might invest, or from bankruptcy, insolvency, or wrongful act by any person to whom the Church might entrust any of its property. No director or officer of the church shall be liable for any loss due to error of judgment or oversight on his/her part, or for any other loss whatsoever occurring in the carrying out of the duties of his/her office, unless this loss arises from the director's or officer's own willful neglect or fraudulent or criminal actions.
- L. **Indemnity** - The church shall protect every director and officer of the church against all costs arising in relation to his/her relations with the Church, unless they are occasioned by his/her own willful neglect or fraudulent or criminal actions.

Article VII - Pastor

- A. **Role** - The Pastor is the UFMCC clergy person with a license to practice who has been called by God and elected by the church to be responsible for the duties of teacher, preacher, and spiritual leader until such time that the relationship is terminated. The Pastor shall also fulfill such other roles and responsibilities as are stated in the UFMCC Bylaws and the policies of the church.
1. Interim Pastoral Leader - In the event that a UFMCC clergy person is not available to serve as Pastor, the Board may request the Elder serving the Network to appoint an Interim Pastoral Leader, who shall be subject to a background check. The term of office of the Interim Pastoral Leader shall be one (1) year. If the Interim Pastoral Leader is a Member of MCC Knoxville, then the Interim Pastoral Leader shall have the authority to fulfill all of the roles and responsibilities of Pastor. If the Interim Pastoral Leader is not a Member of MCC Knoxville, then the Interim Pastoral Leader shall have the authority to fulfill all of the roles and responsibilities of Pastor, except that the Interim Pastoral Leader shall serve as Vice-Moderator of the Board and Congregational Meetings (instead of Moderator), with voice but no vote.
- B. **Responsibilities** - The Pastor shall have authority for ordering all worship services of the church; determining when other worship services will be held, subject to approval of the Board; appointing compensated and uncompensated church staff, subject to the approval of the Board; and determining compensation, vacation periods, and titles of office of the church staff, subject to approval of the Board. The Pastor shall serve as a voting member of the Board, Vice-Moderator of the Board and of Congregational Meetings, personnel director, and as the primary spokesperson of the church to the community. The Pastor may delegate such duties as seem wise.
- C. **Pastoral Covenant** - The Board and Pastor shall develop a covenant between the Pastor and the church. The covenant shall include a job description and address such matters as compensation that is consistent with equitable local standards, benefits, allowances, and leave. All provisions of the covenant shall be subordinate to the Bylaws of the UFMCC.

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1. Conference Expenses - To the best of its ability, the congregation shall fund the Pastor's transportation, registration, and per diem at General Conferences.
- D. **Pastoral Vacancy** - In the event of a vacancy in the position of Pastor, a Pastoral Search Committee shall be responsible for presenting a qualified candidate for election at a Congregational Meeting. The Pastoral Search Committee shall develop and implement the pastoral search process, in consultation with the an Elder.
 1. Composition of Pastoral Search Committee - The Pastoral Search Committee shall consist of eleven (11) members, which shall include the Board and additional members elected at a Congregational Meeting. The Committee will include the seven (7) members of the Board and four (4) additional members elected at a Congregational Meeting.
 2. Election of Pastor - To be elected, the candidate presented by the Pastoral Search Committee must receive more than seventy percent (70%) of the votes cast.
- E. **Termination of Relationship** - The Pastor and congregation may choose at any time to terminate their relationship through mutual agreement. Unilateral failure to renew the Pastor's contract shall not constitute removal of the Pastor from office. No petition for removal of the Pastor based on irreconcilable differences is valid unless preceded by the process of conflict resolution, as referred to in Article VIII.

Article VIII - Conflict Resolution

When there are conflicts or difficulty within the church that cannot be resolved, including conflicts between the Pastor and congregation, the Board, the Pastor, or a petition signed by a minimum of thirty-three percent (33%) of the Members in good standing may invite intervention by an Elder to resolve the conflict, in accordance with UFMCC Bylaws. Before involvement of the Elder, the MCKK's policy of Reconciliation should be used. This policy is attached to these By-Laws as Addendum A.

- A. **Removing the Pastor from Office** - The church shall follow the process as outlined in the UFMCC Bylaws for removing the Pastor from office for disloyalty, unbecoming conduct, dereliction of duty, or when irreconcilable differences arise that cannot be resolved through mutual agreement.
 1. Any petition to initiate the process of removing the Pastor from office must be submitted to the Clerk of the Board and be signed by at least twenty-five percent (25%) of the members in good standing.
 2. The Board may initiate the process of removing the Pastor from office by a vote of three-fourths (3/4) of the full Board.
 3. The Clerk shall send a copy of the completed petition or motion of the Board to the Elder serving the Network within three (3) days.
 4. The Pastor shall remain fully compensated until the final action of the congregation.

Article IX - Church Finances

- A. **Authorized Signatures** - Any church bank or other financial accounts shall require two signatures for withdrawals, all members of the Board shall be signatories on the accounts.
- B. **Limit on Expenditures** -
 1. The Pastor shall have the authority to commit church funds within the approved budget in any amount not to exceed five percent (5%) of the annual budget; any expenditure that is greater than that amount requires the approval of the Board.

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2. The Board shall have the authority to commit church funds within the approved budget in any amount not to exceed ten percent (10%) of the annual budget; any expenditure greater than that amount requires congregational approval.
- C. **Fiscal Year** - For the purpose of reporting to UFMCC, the fiscal year of the church shall be the calendar year.
- D. **Church Budget** - The Board shall be responsible for presenting to the Fall Congregational Meeting for approval an annual operating budget that reflects anticipated receipts and disbursements. The approved budget may be amended, as needed, by a two-thirds (2/3) vote of the Board, which shall immediately notify the Members of the Church that such amendment has been made.
1. Budget Year - The annual budget of the church shall cover the period from January 1 through December 31.
- E. **Assessments** - The Board shall report quarterly to the UFMCC the number of members in good standing for each month within the quarter and shall remit the Board of Pensions assessments as set by General Conference. The report and remittance are due to the Board of Pensions on or before the tenth (10th) day of the month following the quarter reported.
- F. **Tithes** - The Board shall report all church receipts each month to the UFMCC, and with that report shall remit a percentage of the funds reported. The percentage of funds to be remitted shall be determined by General Conference.

Article X - Adoption and Amendments

- A. **Adoption** - These Bylaws shall become effective immediately upon adoption by the Congregational Meeting and approval by an Elder.
- B. **Amendments** - These Bylaws may be amended or repealed at any duly convened Congregational Meeting. Proposed amendments or repeals shall be submitted in writing to the Board no later than thirty (30) days prior to the Congregational Meeting the proposal is to be considered. Adoption of the amendment or the repeal shall require approval by a two-thirds (2/3) affirmative vote and is subject to approval by an Elder. Amendments that are necessitated by amendments made to the UFMCC Bylaws shall not require approval by the congregation.