

**CONSTITUTION OF  
FIRST BAPTIST CHURCH OF NEWMAN, CALIFORNIA  
Affirmed on \_\_\_\_\_, 2020**

**PREAMBLE**

That all things may be done decently and in order, and that we may more readily help one another in our Christian service as members of the First Baptist Church of Newman, we adopt the following constitution and by-laws as methods of our works:

**ARTICLE I – NAME, OBJECT & STATEMENT OF FAITH**

*SECTION 1. Name:* This organization shall be known as the First Baptist Church of Newman, California.

*SECTION 2. Object:* This church, believing in the Bible as the Inspired Word of God and as the sole authority for faith and practice, and adhering to all the teachings of Jesus Christ, declares its purposes: (a) to maintain regular services, both devotional and for public worship; (b) to proclaim earnestly the Gospel Message and to urge its personal acceptance; (c) to cooperate heartily, by prayer, gift, and service, in the effort to further the Kingdom of Christ; (d) to encourage, in every possible way a life lived for the glory of God as a disciple of Jesus Christ; and (e) to secure as far as possible the practice of true religion and Christian philanthropy (James 1:27) as revealed and taught in the sacred scriptures.

*SECTION 3. Statement of Faith:* The statement of faith of this church is the Baptist Faith and Message 2000. However, no document, secular or sacred shall take precedence over the Bible in the life, decisions and governance of this church.

**ARTICLE II – MEMBERSHIP**

*SECTION 1. Voting on Members:* Actions regarding membership accession, transfer of membership or dismissal shall be by vote of the church.

*SECTION 2. Admission by Baptism:* Any person professing faith in the Lord Jesus Christ, giving evidence of a change of heart, and having accepted the aims and ideals of the church, upon making a suitable enlistment for worship, service, and giving, may be received into membership, after baptism by immersion, by vote of the church.

*SECTION 3. Admission by Letter:* Members from Baptist churches or other churches holding like faith may become a candidate for membership with us requesting a letter of transfer from such churches and accepting the aims and ideals of the church as expressed in the Baptist Faith and Message 2000, and also upon making a suitable enlistment for worship, service, and giving. If such credentials should be of older date than one (1) year prior to their presentation, the applicant may be required to furnish additional information.

*SECTION 4. Admission by Experience or Restoration:* All applicants for membership other than by baptism by or by letter – that is by a Christian experience or by statement if previously baptized by immersion, or by restoration – shall be received into the church if they have been baptized.

*SECTION 5. Candidacy:* A person who comes forward for church membership candidacy shall converse with the Senior Pastor or member of the ministerial staff about their desire to join as a member of the church. The process in which one is brought into membership of this local body shall be performed in accordance with the bylaws of this church.

*SECTION 6. Transfer of Members:* Any member in good standing who has fulfilled their obligations to the church, upon their request shall be granted a letter of transfer to unite with another Christ-centered, Bible-believing church as may be designated. A letter of transfer shall be sent to the church which the member intends to join.

*SECTION 7. Removals:* When any member moves to a distance inaccessible to their present church, they shall supply the clerk with their new address, and apply for a letter of transfer within one (1) year, provided there be a Christ-centered, Bible-believing church in the place to which they move. In case there is no such church, or there are circumstances which render it inadvisable to change, it shall be their duty to report to this church as often as once a year in person or by letter and contributions. All absent members who do not so report shall be liable to discipline by this church as provided as in the bylaws of this church.

*SECTION 8. Voting Membership:* All eligible members age (12) years and older have a vote in all Church Family Meetings of this church.

### **ARTICLE III– ORGANIZATION**

*SECTION 1. Congregational Authority:*

The final authority and will of this church is placed in the membership of the church as guided by the Holy Spirit. Because of the “priesthood of all the believers” (I Peter 2:5), all Christians have the gift and discernment of the Holy Spirit and together form the body of Christ.

The vote of the membership of this Church at a properly called meeting, as provided in the bylaws of the church, shall be required to effect the following actions:

- a. Elect officers, ministry sphere leaders and committee members of the Church;
- b. Discipline members by dismissing them and discipline officers, ministry sphere leaders and committee members by removing them from office;
- c. Approve annual budgets of the Church, authorize any expenditure of the funds of the Church when such expenditure is not covered by an approved budget, and approve any transactions regarding real property;
- d. Accept, reject, or otherwise dispose of any matter submitted to the membership of the Church by the Church Ministries Council, the standing or ad hoc committees, or raised by motion under Old Family Matters or under New Family Matters at a Church Family Meeting;
- e. Adopt, amend, or repeal the Constitution or By-Laws of this church; and
- f. Approve the call, job description, and compensation of ministerial and non-ministerial staff.

*SECTION 2. Senior Pastor:* He shall conduct or delegate both public services of worship and moderation of Church Family Meetings, and the general development of the church work along with the spiritual needs of the church body shall be under his leadership.

*SECTION 3. Church Ministries Council (CMC):* The CMC shall consist of the Senior Pastor, any Associate Pastors, and those church members elected to oversee the five spheres of Worship, Fellowship, Discipleship, Ministry/Service and Mission/Outreach. The CMC shall assist the Senior Pastor in initiating, calendaring, and monitoring the programs of the church and presenting those programs at a Church Family Meeting for approval. The procedures for the CMC shall be in accordance with the bylaws of church.

*SECTION 4. Board of Trustees:* The three members of the Board of Trustees shall jointly be the custodian of all properties of the church whether real or personal, shall transact all business of the church under the direction of the membership of the church and shall perform all other duties imposed upon them by the laws of the State of California. No trustee may be an employee of the church, nor a spouse, child or parent of a church employee. A minimum of two trustees shall attest to all contracts, obligations, mortgages, deeds of trust, notes, and all legal documents of the church. In no case shall the Board of Trustees be authorized to make expenditures or create indebtedness without authorization from the church at a Family Meeting. The Chairman of the Board of Trustees shall serve as the President of the corporation, and is a corporate officer. Trustees serve for three-year terms, and may serve consecutive terms. The procedures for selecting trustees shall be in accordance with the By-Laws of the church.

*SECTION 5. Standing Committees:* Standing committees will be made up of affirmed members of the church body. There shall be standing committees for: (1) Finance; (2) Counting (3) Personnel; (4) Buildings and Grounds; (5) Missions and (6) Nominations. The scope of authority, membership, and procedures for standing committees shall be in accordance with the bylaws of the church. If additional standing committees are established, their inclusion in the bylaws shall be incorporated by reference into this Section of Article III of the Constitution.

*SECTION 6. Clerk:* The Clerk shall keep accurately the record of all Church Family Meetings, which shall be approved at each regular meeting. The Clerk shall create in conjunction with the Senior Pastor and the CMC the agenda for all Family Meetings, and both post and distribute by email to church members the final agenda a minimum of 72 hours prior to each Family Meeting. Following a Church Family Meeting, the Clerk shall prepare, post and distribute tentative minutes of that meeting within fourteen (14) days' time. The Clerk shall preserve, in a safe place, all church documents and shall keep a correct register of the membership, with date and manner of admission, transfer, and dismissal. He/she shall inform all members of their election or appointment to an office or committee. He/she shall submit an annual statistical report of the work of the church to the Central Valley Baptist Association and the California Southern Baptist Convention at the appropriate time, and to the congregation at the church's Annual Family Meeting. The Clerk shall serve a three-year term, is a corporate officer and may serve consecutive terms.

*SECTION 7. Treasurer:* The Treasurer shall ensure that all funds and securities of the church are properly secured in such banks, financial institutions, or depositories as appropriate, and shall keep

records of all receipts and disbursements with proper vouchers. The Treasurer shall be entrusted with all moneys belonging to this church, and shall without special vote direct the paying out of church funds for all budgeted items, but shall direct the paying out of all non-budgeted items only after they have been approved by the church, normally at a Church Family meeting, but in an emergency the expenses belonging to the church may be paid upon authorization by the Finance Committee. The Treasurer shall present a summary of the financial condition of the church at each Church Family Meeting and present a financial report along with a complete report submitted at the annual meeting. The Treasurer shall not be an employee of the church, nor a spouse, child or parent of a church employee. The Treasurer is a corporate officer, shall be elected to a three-year term, and may serve consecutive terms.

*SECTION 8. Financial Secretary:* The Financial Secretary is accountable to the Congregation and the Finance Committee to record tithes and offerings that come into the church treasury, and will maintain confidentiality concerning all church giving records. In January of each year the Financial Secretary will provide annual giving reports for the prior year to each giver for their records and tax purposes. The Financial Secretary shall serve a three-year term and may serve consecutive terms.

*SECTION 9. Deacons:* Deacons are congregationally affirmed members of the body who are responsible for the execution and oversight of various “spheres of ministry” and other areas of service in the church. Deacons shall care for the temporal needs of the church. The procedures for selecting deacons shall be in accordance with the By-Laws of the church.

## **ARTICLE IV – MEETINGS**

*SECTION 1. Worship Meetings:* Worship services shall be held each Sunday, The Lord’s Day, for worship, fellowship, discipleship, ministry and missions, with the Lord’s Supper being observed at least once per quarter.

*SECTION 2. Mid-week Services:* It is the desire of this church to meet at least once a week in mid-week for prayer and Bible study.

*SECTION 3. Church Family Meetings:* The church will hold a minimum of quarterly meetings to discuss church family matters with the schedule for quarterly meetings voted upon at the annual meeting. Also at the annual meeting the church will be presented annual reports from all officers, committees, and departments of the church. Election of officers and standing committees of the church will be conducted at the annual meeting. Special meetings may be called as needed by the Senior Pastor, or the CMC. Both the determination of what constitutes a quorum and the procedural rules for Church Family Meetings and shall be in accordance with the bylaws of the church.

## **ARTICLE V – PROPERTY**

*SECTION 1. The Church as a Buyer, Leaser, Owner and Seller of Property:* This church shall have the power to buy, own, lease and sell property in its corporate name. The church corporation shall be sole owner of all property, personal or real, donated to or purchased by this church. No person shall retain any right, title, or interest in any such property.

*SECTION 2. Conveyance or Encumbrance of Church Property:* Conveyance or encumbrance of all or any church property may be made, provided, however, that any such action must receive at least a two-thirds majority vote of the membership of the church present at a meeting duly called pursuant to the By-Laws of this church. Instruments of conveyance or encumbrance so authorized at any such meeting shall be executed in the name of the church by the Trustees.

*SECTION 3. Prohibition Against Improper Inurement:* No part of the income or assets of this church shall inure to the benefit of, or be distributable to, its members, trustees, officers, or other private persons, except that this church shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article I hereof. No substantial part of the activities of this church shall be the carrying on of political propaganda, or otherwise attempting to influence legislation, and this church shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of this constitution, this church will not carry on any activities not permitted to be carried on (a) by a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future tax code, or (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or corresponding section of any future tax code.

*SECTION 4. Prohibition Against Accepting Public Property:* This church shall not seek or knowingly accept any public monies or property as donations or compensation for ministerial services.

*SECTION 5: Division of the Church Membership:* In the event of a division of the church membership, the church name and the real and personal property of the church shall belong to the body of members who adhere to the Constitution and By-Laws. Judgment of (a) the applicability of the Constitution and By-Laws to the issues causing the division, and (b) which faction adheres to the Constitution and By-Laws, shall be made by the Executive Board of the Central Valley Baptist Association (CVBA) of the California Southern Baptist Convention (CSBC). In the event said officers conclude that (a) each or none of the factions adheres to the Constitution and By-Laws, or (b) the issues dividing the church are not governed by the Constitution or By-Laws, they shall award the church name and disburse the real and personal property of the church according to their sole discretion and judgment, provided such distribution shall be for exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

*SECTION 6: Dissolution of the Church:* In the event that the church dissolves as a Southern Baptist Church, all personal and real properties at the time of dissolution shall revert to the Central Valley Baptist Association (CVBA) for the specific purpose of replanting a Southern Baptist Church in Newman. In the event the CVBA is no longer in existence, then such assets shall revert to the California Southern Baptist Convention (CSBC) for the express purpose of such replanting.

## **ARTICLE VI – BY-LAWS**

*SECTION 1. Supplement to Constitution:* A supplement to this Constitution known as the By-Laws shall include, but not necessarily be limited to: (a) procedures for admittance to membership; (b) The definitions, qualifications, duties, and procedures for the calling and termination of pastoral staff, deacons, officers, committees and committee members; (c) procedures for establishing the definitions of the working relationship between the church and any of its ministries; (d) and provision and procedures for meetings other than those mandated by the Constitution.

*SECTION 2. By-Law Amendments & Changes:* Proposed changes to the By-Laws shall be presented in writing to the CMC for presentation at any Church Family Meeting. The addition, alteration, or amendment must be drawn up in writing and handed out to the membership for the purpose of reading and considering two (2) weeks prior to the Church Family Meeting at which it is read and voted upon. When approved at the Church Family Meeting with two thirds approval of the votes cast it will be made part of the By-Laws.

## **ARTICLE VII – CONSTITUTIONAL CHANGES**

Amendments to this constitution may be made at regularly scheduled or specially called Church Family Meetings or specially called meetings when approved by three quarters of the votes cast. The proposed amendment, if encompassing more than one Article of this Constitution, must be presented to the congregation in writing at least two months prior to its adoption to ensure adequate time for its scrutiny and discussion. Otherwise presentation to the congregation one month prior to its adoption is adequate.

THIS CONSTITUTION, AS AMENDED, WAS ADOPTED ON \_\_\_\_\_, 2020 BY AT LEAST A THREE-FOURTHS VOTE OF THE MEMBERSHIP PRESENT. IT WILL NOW SERVE AS OUR BASIS FOR CONDUCTING GOD’S WORK IN OUR COMMUNITY AND ELSEWHERE.

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Ruth Carey, Clerk