

Framework for Congregational Withdrawal Process
Southern Ohio/Kentucky District Church of the Brethren
based on polity and recommended best practices
adopted by the District Board, September, 2018

"We will pray with and show grace to those who feel they must leave our fellowship, but we believe that the Lord is calling us to work together to carry out ministries of vital importance, both domestically and globally. Making disciples and growing as disciples of Jesus is our mission. Led by the Holy Spirit, we continue the work of Jesus peacefully, simply, together.

To stay on the journey together, it is also crucial that the church discern the compelling vision that this body of Christ is called to pursue. This will be a matter of further work by the Leadership Team and Council of District Executives."

- The Authority of Annual Conference and
Districts regarding the Accountability of
Ministers, Congregations, and Districts; lines 12-
17, page 10

In the midst of our working on a compelling vision for the Church of the Brethren, some members and congregations have engaged in conversations about leaving the Church of the Brethren. To be faithful to the statement above of prayer and showing grace to those who are discerning withdrawal, the following outlines the framework for congregations and districts regarding withdrawal from the Church of the Brethren.

It is the desire that all congregations feeling conflicted about remaining in the Church of the Brethren will be open to conversation and discernment. It is further desired that reconciliation and being in full fellowship will be the outcome of this process. In the event that reconciliation is not achieved, then it is the desire that the leaving group and the Church of the Brethren may separate with grace and prayers for well-being for each other.

In the December 2016 update of the Church of the Brethren Manual of Organization and Polity, Chapter 6 - Property Holdings and Financial Resources, the following is noted on Disorganizing or Withdrawing Congregations (Section I. D. 3.):

If a congregation is disorganized by the district pursuant to the powers granted in chapter 3 (II.E. "Disorganizing Congregations") and chapter 4 (I.C.16.d. "Disorganizing Congregations") of this manual, or if it attempts by either majority or unanimous vote to withdraw from the Church of the Brethren district in which it is located or otherwise ceases to exist or function as a congregation of the Church of the Brethren, any property that it may have shall be within the control of the district board and may be held for the designated purposes or sold or disposed of in such a manner as the district board, in its sole discretion, may direct. When assuming responsibility for the control of disorganizing or withdrawing congregations, the district board shall give aid and counsel to the congregation.

Polity does not give a specific process or guidelines on exactly how a congregation may conduct such a vote or what the involvement of the district should be. However, there is more general guidance that can be gleaned from polity and is offered here as best practices for such a process.

As noted at the end of the above quoted section, "When assuming responsibility for the control of disorganizing or withdrawing congregations, the district board shall give aid and counsel to the congregation." By using guidance from polity on congregations who have a disagreement with Annual Conference decisions, the following is offered as a best practice for a congregation that is considering leaving the denomination and for the district in which that congregation is located. (from the December 2016 update of the Church of the Brethren Manual of Organization and Polity, Chapter 3 - The District, Section VI. A.)

The goal of the following process is to find God's truth together in a respectful Christian community. It is hoped that any congregation that feels led to disagree with Annual Conference decisions should assume a special responsibility to initiate extended dialog with others in the denomination about its choice. In so doing, the congregation should not automatically assume the role of prophet, but rather, try to model and encourage a spirit of finding the mind of Christ amid diversity in discernment.

In light of this section, it is strongly recommended that a congregation engage the district board or its representatives in conversation as a first step when considering withdrawal from the Church of the Brethren. The district board should respond without delay to such requests for conversation. This conversation includes engaging in district-led process to become fully informed about the factors involved with making a decision to leave. As part of the conversation, the congregation needs to provide a list of members and a copy of the current corporate documents with dates of adoption and amendment. As each situation will have its own uniqueness, the issues involved in these conversations may require sufficient time for study and discernment.

If, through this process, it is determined that the congregation wishes to ascertain the mind of its members regarding withdrawal, district representatives are to be present at an official congregational meeting to explain the process, to share consequences of leaving, and to respond to questions. The congregation shall provide written notice of the meeting to vote on withdrawal from the Church of the Brethren at least 21 days before the congregational business meeting by United States Mail, first class postage prepaid. If, following an adequate time for the above, a motion is made and properly supported to conduct a vote on withdrawal, the district representatives shall oversee a first vote on withdrawal. The congregation will provide a current membership list to the district representative and the vote will be by paper ballot with signature and printed name of the person voting. The district representative will then confirm each ballot as being cast by a member of the congregation, will count the votes and report the results to the congregational meeting, either at the same meeting or a subsequent meeting depending on the complexity of confirming and counting the ballots.

Regardless of the vote outcome, the congregation and the district representatives will call for a period of prayer of no less than three months to seek additional wisdom of the Spirit and discernment of the members. Additional questions or insights may be sought of the district representatives. After this additional discernment, if the congregation determines a second vote should be conducted, a second official congregational meeting will be held with the district representatives conducting the second vote, again with paper ballot including signatures and printed name, to either affirm the first vote or to set a different direction. The congregation shall provide written notice of the meeting to vote on withdrawal from the Church of the Brethren at least 21 days before the

congregational business meeting by United States Mail, first class postage prepaid.

If the second vote for withdrawal is less than a 2/3rds majority, it is recommended that the congregation and the district engage in further discernment, calling in skilled persons to assist in this process, hopefully leading to reconciliation.

If the second vote for withdrawal is greater than 2/3rds, but not unanimous, the majority and the district representatives shall engage in conversation with minority group to determine a course of action. This may involve the minority group maintaining the trust relationship of the property; a sharing of resources and property; the majority providing resources for the minority for purchase or rental of a new property; or other arrangements. The district will provide counsel and support for the minority group to either continue as the Church of the Brethren congregation, to form a new congregation of the Church of the Brethren, or to assist the members in merging with another Church of the Brethren congregation. If none of these options are possible, individual members of the minority group are encouraged to join another faith community of their choosing.

If the second vote is unanimous to withdraw from the Church of the Brethren, the congregation and the district board will engage in conversation regarding all property entrusted to the congregation. By polity, the district board takes possession of the property. However, polity also states (In the December 2016 update of the Church of the Brethren Manual of Organization and Polity, Chapter 6 - Property Holdings and Financial Resources, Section I. E):

In cases where the aforementioned restrictive covenant providing for the divestiture of title to property owned by a congregation results in the title being vested in the district board, in trust, it is understood that this action is taken only as a means of preserving property for the purposes of the Church of the Brethren. This property has been purchased and developed by consecrated effort, and in many cases at great sacrifice, by individuals who have been loyal to the principles of the Church of the Brethren. If the district board determines that circumstances warrant, the district board may return the property to the congregation. If the district board determines that circumstances do not warrant the return of the property to the congregation, the district board shall use or dispose of the property in the best interests

of the Church of the Brethren.

If the congregation and the district board cannot come to a satisfactory agreement, then polity notes that in the case of unresolved disputes (In the December 2016 update of the Church of the Brethren Manual of Organization and Polity, Chapter 6 - Property Holdings and Financial Resources, Section I. D. 7.):

Annual Conference Standing Committee or officers shall appoint a dispute resolution committee. This committee shall be composed of (a) a Mission and Ministry Board member; (b) a Church of the Brethren, Inc. staff member; (c) a district executive/minister; (d) and (e) two additional people not holding any of the above capacities to be chosen by the Church of the Brethren, Inc. These persons should preferably have skills and understanding in the bringing about of reconciliation through negotiating and mediating the differences. If any matters in this section are not satisfactorily resolved between the district board and the congregation, they may be referred to the dispute resolution committee.

The committee shall function under the following guidelines:

a. Upon written request from a district conference, district board, or any member of a congregation involved in a question related to the ownership of the property, the committee shall assume responsibility to gather information and render a decision in the property dispute.

b. Upon receiving a request to act, the committee shall, within ninety days, hold a hearing at a neutral site in the district where the dispute is located. All parties in interest shall be given notice of the hearing and shall be permitted to appear and give testimony.

c. The committee shall establish a procedural guideline for conducting the hearing and make these guidelines available to all parties.

d. If the hearing is not completed at the initial meeting, it shall be continued for a period not in excess of sixty days. Upon completion of the hearing, the committee shall render a decision within sixty days. Notice of the decision shall be given to all parties.

e. The decision of the committee shall be binding on all parties."

It is the desire that all congregations feeling conflicted about remaining in the

Church of the Brethren will be open to conversation and discernment. It is further desired that reconciliation and being in full fellowship will be the outcome of the above process. In the event that reconciliation is not achieved, then it is the desire that the leaving group and the Church of the Brethren may separate with grace and prayers for well-being for each other.

The above is a process for congregational withdrawal and not for the disorganizing of a congregation by the district. This is a process that is initiated by a congregation and is **not** a process by which a district may take action against a congregation. Polity does reference the disorganizing of a congregation which also comes at the request of the congregation, but that is not being described nor recommended in this document. Disorganizing a congregation is in effect closing a congregation when it is no longer viable; polity provides no mechanism for a district to disorganize (close) a congregation unless requested to do so by the congregation.

Guidance for Credentialed Ministers

Pastors and other ministers in congregations where discussions are being held regarding withdrawal from the Church of the Brethren need to be aware of sections of the Ethics in Ministry Relationships, ordination vows, and installation vows that relate to one's role in withdrawal conversations. These sections are listed below with additional guidance following.

Ethics in Ministry Relationships 2008

Section A. page 2 - bold font added for emphasis

*The first Ethical Code for Ministers and Congregations appeared in the pastor's manual of 1940 and was also included in the 1946 edition. It was noted that the code in the 1946 manual was approved by the General Ministerial Board. The Manual of Worship and Polity published in 1953 and 1955 both contained an enlarged version of what appeared in the 1946 Minister's Manual. The minister's code dealt mainly with the conduct of the minister in congregational relationships, such as maintaining confidentiality, **avoiding exerting influence in congregational decisions, maintaining good relationships with other church staff and pastors of other churches,***

and not interfering with ministerial affairs in a congregation after leaving it. The Code of Ethics contained in the Ethics in Ministerial Relations (1996) paper was based on what was included in the Pastor's Manual of 1978. It was revised and expanded, adding specific references to sexual conduct.

Section C. CODE OF ETHICS FOR MINISTERIAL LEADERS

1. Integrity of the Ministerial Life

d. I will exercise a lifestyle consistent with the teachings of Jesus, giving serious attention to Annual Conference statements.

2. Integrity of the Ministerial Call

i. I will support the basic beliefs and practices of the Church of the Brethren as determined by Annual Conference.

l. I will not exchange or tolerate scandalous, malicious, or inaccurate information concerning others.

o. I will honor the ministry of clergy colleagues in our denomination and in the larger Christian community, striving to work with them in a collegial manner. I will not proselytize people from other churches. I will only perform ministerial services, such as weddings, funerals, baptisms, anointings, pastoral counseling, and critical pastoral care, in another congregation at the request of the current pastor and that build up the ministry and mission of the body of Christ in that place.

3. Integrity of the Ministerial Relationship (Fiduciary Responsibility)

s. I will not misuse the trust placed in me and the unique power inherent in my role by exploiting in any way those who seek my help or care.

Ordination vow as stated in For All Who Minister

Do you affirm your devotion to the church of Jesus Christ, and

specifically to the Church of the Brethren, which calls and affirms you to this ministry? And do you promise to live in harmony with its principles, ordinances, and doctrines, being at all times subject to its discipline and governance?

Installation as pastor vows as stated in For All Who Minister

Will you be constant in prayer, a faithful interpreter of scripture, a pursuer of the truth, and a proclaimer of the Word of God as it is understood and practiced by the Church of the Brethren?

Will you attempt to live honestly, openly, and justly with your brothers and sisters in this congregation? Will you seek to be sensitive to the needs of each person? Will you work diligently to fulfill your assigned responsibilities? And will you represent this congregation to the wider community in a way that will embody the teachings of the New Testament?

Based on these sections, pastors and other credentialed ministers are counseled to use great care and caution in regards to encouragement of a congregation to withdraw from the Church of the Brethren. To encourage discernment in the congregation with the aid and counsel of the District regarding withdrawal can be a helpful and appropriate step. However, encouraging a congregation to withdraw outside of this process can be seen as a violation of ordination and installation vows as well as potentially a violation of the Code of Ethics for Ministerial Leaders. Following the process as outlined in the main text of this document is recommended; failure to do so may result in the minister being called into conversation with the District Ministry Commission and/or the beginning of an ethics case as defined in Ethics in Ministry Relationships 2008. Ministers are strongly encouraged to be in conversation with their District Executive Minister and/or District Ministry Commission for guidance if they feel they need to withdraw from the Church of the Brethren or to counsel their congregation to consider withdrawal.

If a minister's membership is in a congregation that withdraws from the Church of the Brethren, that minister either needs to transfer membership to a Church of the Brethren congregation or surrender their Church of the Brethren ministerial

credentials. Pastors desiring to serve a congregation which has withdrawn will not be credentialed through the Church of the Brethren.

Guidance for Congregations and Congregational Leaders

Congregations and/or congregational leaders who desire to begin discernment regarding possible withdrawal from the Church of the Brethren need to be aware of sections of the Church of the Brethren Congregational Ethics Polity related to this discernment. These sections are listed below with additional guidance following. The congregation is strongly encouraged to study the entire Congregational Ethics Polity. The Congregational Ethics Polity can be found in Chapter 4 - "The Local Church" of the *Manual of Organization and Polity*.

Portions follow from the December 2016 update of section IV of chapter 4 of the *Manual of Organization and Polity*, "Congregational Ethics Polity," part B.1. The Relationship to the Wider Church:

The 1992 Church of the Brethren Manual of Organization and Polity underscored this fact: "The congregation is not sufficient to itself. It is interdependent with other congregations and the larger church. This calls for patterns which allow the congregation to participate in a network of district, national, and ecumenical relationships. By this interaction, both the congregation and the larger church are enriched."

This was affirmed in the current polity manual: "Openness to our brothers and sisters reaches from the congregation to the district, to the denomination, to the ecumenical church."

All Church of the Brethren congregations are encouraged to adopt the recommended constitution and bylaws for congregations as outlined in the Manual of Organization and Polity. That constitution states:

The congregation shall covenant to support faithfully the program of the Church of the Brethren, recognizing Annual Conference enactments of the Church of the Brethren as having governing force in its life, and shall remain a member of the Church of the Brethren or its successor. The congregation shall send delegates to those

official conferences of the Church of the Brethren in which it is entitled to have representation.

*There may be rare instances in which, after much prayer and conversation, the congregation may conclude that affirmation of denominational statements or participation in a denominational ministry conflicts with conscience. A decision not to participate in or support a denominational program should occur only after the congregation has engaged in a responsible process of study, prayer, and open and honest dialogue with denominational representatives. A recommended model of discernment and conversation regarding disagreements with Annual Conference is found in the 2004 paper *Congregational Disagreement with Annual Conference Decisions*. Congregations should continuously examine and renew their covenant with the denomination and seek the counsel of its leaders. The prayerful conclusion not to support a denominational position or program should be a matter of anguish, not competitiveness or superiority.*

Disagreement with particular actions of the denomination does not give a congregation the right to disparage the whole church or individuals. The congregation, as part of the denominational family of Christ, must deal with its family kindly, respectfully, and lovingly.

These same principles apply to the congregation's relation to the district. Annual Conference has identified several specific responsibilities of the districts that are directly related to congregational life, such as the authorization, discipline, and placement of ministers; the coordination of outdoor education; and the training of lay and ministerial leadership. The district is solely dependent on the support and participation of the congregations within its boundaries for the continuation and effectiveness of its ministry.

Congregations are to help establish, support, and abide by the policies and decisions of the district. They are to welcome and work with the district executive or other appointed representatives of the

district. They are to cooperate with and give encouragement to other congregations in the district. As Paul made clear in his ministry and letters, the vitality of the church is based on the mutual support each community offers and receives.

Ethical accountability in relation to other communions calls for the congregation to contribute the uniqueness and strength of its particular witness toward a common goal rather than seeking to impose sectarian bias. It also supersedes a judgmental stance toward persons and groups of different perspectives, and it rejects underhanded or self-righteous means of luring members away from other communions for its own cause (proselytizing).

On the other hand, the congregation must guard against promoting or aligning with any interest groups or programs that may disrupt the mission of the congregation or pull it away from its covenantal relationship to the denomination.

Portions follow from the December 2016 update of section IV of chapter 4 of the *Manual of Organization and Polity*, "Congregational Ethics Polity," part B.3. Relationships within the Congregation:

Many New Testament scriptures admonish congregations to maintain kind and considerate relationships among the members and the leaders of the church. Indeed, the congregation should model relationships that build up one another and that demonstrate respect and admiration for each person's unique gifts. In that regard, the congregation is to strive for harmony and unity in all it does. Any action or statement that does not first seek the best interests of all its members raises the appearance of misconduct and requires scrutiny.

This criterion also applies to the congregation's organizational structures and decision-making processes. For nearly two centuries, denominational decisions at the annual meeting were made only by consensus. The wisdom of the collective whole is still understood to be the best approximate answer to any question presented to the church. Thus, a congregation shows lack of respect for its members

by allowing decision-making to fall into the hands of a few. Each member of the congregation must guard against written or oral statements that advocate for particular positions outside of established business meetings or that are based on incomplete or misleading information. This problem arises especially when groups within a congregation attempt to manipulate attitudes or affect decisions outside of congregational business meetings or other appropriate decision-making gatherings. It is inappropriate for members or leaders to conduct phone or letter campaigns to rally support for a particular position and to influence congregational decisions by recruiting inactive members in order to form voting blocks for congregational business meetings. The congregational forum is the place for shared decision making and congregational leadership should follow its stated bylaws and take appropriate steps to assure that all members have time and freedom to express their perspectives. Full and open communication should be encouraged at all times in the congregation, and complete records of all meetings, decisions, and finances are to be kept and made available to all members.

Sensitivity is to be given to the needs of individuals in the church. The congregation shall provide an environment where personal tensions and difficulties can be shared in full confidence of trust, loving response, and confidentiality. The community should establish expectations of care, forgiveness, and safety for all who take part in its ministries. In the cases of conflict, all care should be given to creating a setting in which reconciliation is the norm, not the exception. Handling disputes through petitioning, letter writing, and anonymous communication is inappropriate given the expectations of mutuality and transparent discernment.

Portions follow from the December 2016 update of section IV of chapter 4 of the *Manual of Organization and Polity*, "Congregational Ethics Polity," part D. The Code of Ethics:

We seek to live out our covenant with the denomination and district, supporting its local, national and international program by sending

delegates to Annual and District Conferences, through gifts of time and money, and most of all through our prayers.

Congregations and specifically congregational leaders, in faithfulness to the Congregational Ethics Polity, are to engage their district board for aid and counsel regarding any discernment regarding possible withdrawal from the Church of the Brethren. Congregational leaders who fail to follow the polity outlined are subject to removal from their office by the congregation. To encourage discernment in the congregation with the aid and counsel of the District regarding withdrawal can be a helpful and appropriate step. However, congregational leaders who encourage their congregation to withdrawal outside of this process can be seen as a violation of the Congregational Ethics Polity of the Church of the Brethren. Following the process as outlined in the main text of this document is recommended.

Guidance for Districts

Much of the guidance for districts is found in the main part of the document. Polity states as quoted in the above document - "When assuming responsibility for the control of disorganizing or withdrawing congregations, the district board shall give aid and counsel to the congregation." It is critical that each district formulate giving aid and counsel to a congregation which is in discernment regarding withdrawal.

There are also fiscal and legal responsibilities by which the district or district board are to function. As each state may have differing laws, district boards are encouraged to seek counsel from both the denominational offices as well as their own legal advisor.

Polity states that the district board takes possession of the property of a withdrawing congregation, but has discretion as to that property. The above document offers some guidance; each district should have some guiding principles but also have awareness of the uniqueness of each situation.

Ministers with membership in a withdrawing congregation must surrender their ministerial credentials. By polity, the district board will need to take action to terminate ordination, reporting this action to the Office of Ministry and to

appropriate state agencies (such as marriage licensing agencies) as necessary.

Districts have a responsibility to care for a remnant of any congregation who wish to remain Church of the Brethren, either recognizing that group as the continuing Church of the Brethren congregation, helping them organize as a new congregation, or assisting those members in locating a nearby Church of the Brethren congregation as stated in the document above.

District Executive Ministers are encouraged to seek counsel from colleagues, the Office of Ministry, and other denominational leadership when faced with these situations.

District Boards are reminded that the goal of the above process is for reconciliation rather than the withdrawal of a congregation. In those cases where this is not possible, then a grace filled process and outcome with well-being for all parties involved is desired.