

# *DISCIPLINE AND RESTORATION POLICY FOR MEMBERS*

## **Preamble**

**WHEREAS** The Christian and Missionary Alliance in Canada has stated its recognition and intent with respect to the discipline of members of local churches within the denomination (see Local Church Constitution Article VI, Section 3);

**AND WHEREAS** the following scriptural references have been reviewed and relied upon as the biblical basis for the regulations which follow: (Matthew 18:15-20; I Corinthians 5:9-13, 6:1-11; I Timothy 5:19-21; II Thessalonians 3:14-15);

**AND WHEREAS** The Christian and Missionary Alliance in Canada desires to establish clear, fair and scriptural regulations for the implementation of church discipline, the following Uniform Regulations shall be used by all local churches in The Christian and Missionary Alliance in Canada.

## **Uniform Regulations**

1. It shall be a condition of membership in a local church of The Christian and Missionary Alliance in Canada that each member accept and comply with the authority of the local church to discipline members in accordance with these Uniform Regulations.
2. If a member(s) of a local church of The Christian and Missionary Alliance in Canada is alleged to be in violation of scriptural moral standards, doctrinal truth or proper Christian behaviour, he or she may be subject to the following inquiry and discipline procedure.

The term “violation of scriptural moral standards” as used by The Christian and Missionary Alliance in Canada shall include, but not be limited to, sexual activity outside of a monogamous heterosexual marriage, sexual harassment or assault, homosexuality, misappropriation of funds, dishonesty or fraud in business and legal transactions, and guilt in a criminal offense.

## **General Directives for Investigation and Discipline**

1. Ecclesiastical law permits proceedings on the presumption of innocence, but it does not endorse hasty action on the basis of rumour. It is therefore necessary that one or more responsible persons substantiate charges by signing their names to a written statement or by giving personal testimony with full consent that they may be identified before proceeding with an investigation.
2. Since negative criticism is very serious, it is essential that the testimony of accusers or witnesses be confirmed by reliable evidence to ascertain the possibility of malice or revenge. Witnesses should be reminded that, while they are not under oath, and therefore not subject to charges of perjury, they are not immune from civil suit for defamation of character if their testimony is proven to be malicious or grossly imaginative.
3. The offenses for which a person may be given a hearing include violation of a scriptural moral standard, promulgation of doctrines that are contrary to the basic tenets of the Christian faith as set forth in the Statement of Faith of The Christian and Missionary Alliance in Canada, and any violation of the law of which he/she has been found guilty.
4. All investigations shall be conducted with Christian sincerity. Rumours must be verified by reliable

evidence to determine what substance may be behind them. False accusation is contrary to the Ten Commandments. Damage to one's reputation is very difficult to repair. Proper restitution can be made only in part to one who has lost the confidence of good people through unfounded charges of wrong conduct.

5. The integrity of the church demands, however, that personal feelings shall not prevent thorough investigation of alleged wrongdoing. Where there is sound and reliable evidence of guilt, justice requires the pursuit of unbiased inquiry. Where there is proof of violation of a scriptural moral standard, there is required also the application of suitable discipline.
6. Since ecclesiastical law permits the respondent to testify on behalf of himself/herself, such evidence shall not be released to use in any civil proceeding in which the accused may become involved. It is essential that all records, whether of investigation or of discipline, be guarded carefully lest they become the basis of gossip or unauthorized use. All records shall be filed with the pastor. The pastor shall report all disciplinary matters to the District Superintendent.
7. The use of tape recordings or any other type of magnetic recordings shall be permitted only if such recordings are made with the full knowledge of those whose testimony or charges are given. No secret recordings shall be admissible as evidence. The names of all whose voices are recorded shall be given clearly at the beginning of their testimony. Recordings may be made of any sessions of investigation or discipline.
  - 7.1 **Step 1:** A member(s) of the Board of Elders or a member(s) of the local church pastoral staff shall meet with the member in question who is alleged to be in violation of scriptural moral standards, doctrinal truth or proper Christian behaviour, and they shall attempt to resolve the matter to the satisfaction of the Board of Elders and the member in question.
  - 7.2 **Step 2:** If the matter is not resolved by Step 1, then the Senior Pastor, or his designated representative, and a subcommittee of the Board of Elders of the local church shall meet with the member(s) in question and attempt to resolve the matter to the satisfaction of the Board of Elders and the member(s) in question.
  - 7.3 **Step 3:** If the matter is not resolved by Step 2, then a special meeting of the members of the Board of Elders may be called by the Chair, or his designated representative, to deal exclusively with the matter of the allegations against the member in question. The member(s) in question shall be notified and invited to the special meeting. The Chair, or his designated representative of the Board of Elders of the local church shall act as the Chair of this meeting. In the special meeting, the allegations against the member in question shall be summarized and the questions and discussion shall be allowed by those present during the meeting. After giving consideration to the issue, the Board of Elders shall determine specific terms and conditions of any discipline that it deems appropriate. The action of the Board of Elders and the results of the vote shall be final and binding on the Board of Elders, the local church and the member(s) in question, subject to the rights of appeal pursuant to the Uniform Regulations.

When disciplinary action has been taken against a member(s), the Board of Elders may choose whether or not to inform the membership of the local church and the manner in which the report shall be stated.

8. **A RIGHT OF APPEAL** is given to the member(s) in question from the action of the Board taken at the special meeting described in paragraph 7.3 above. Notice of appeal must be given to the District Superintendent's office within 30 days after the vote of the Board at the special meeting. An appeal hearing shall be commenced within 30 days after the request for the appeal hearing. The appeal shall be heard by the District Executive Committee or a subcommittee thereof. The District Superintendent, or his designated representative, shall be the Chair of the hearing. The District Superintendent shall determine the time, place, procedure and conduct of the hearing. A full right of hearing shall be given to both the Board of Elders and the member(s) involved. The District Superintendent shall allow either side

to have an agent or representative to present their case for them at the appeal hearing. The District Executive Committee shall make a final determination of all questions and issues relating to the discipline of the member(s) in question within seven days after the completion of the appeal hearing. The decision of the District Executive Committee shall be final and binding on the local church, the Board of Elders, the member(s) in question, the District Corporation and The Christian and Missionary Alliance in Canada.

9. **THE DISTRICT EXECUTIVE COMMITTEE** has exclusive authority and jurisdiction to exercise the powers conferred on it pursuant to paragraph 8 above of these Uniform Regulations. The District Executive Committee has exclusive authority and jurisdiction to determine all questions of fact, scriptural moral standards, doctrinal truth and proper Christian behaviour for the purposes of these Uniform Regulations. The District Executive Committee decision is final and binding on all parties. No decision or ruling of the District Executive Committee shall be appealed, judicially reviewed, reconsidered or overturned by any court or tribunal whatsoever.
10. **PROVINCIAL STATUTES AND LAWS** that govern the procedures of administrative tribunals and courts in the jurisdiction shall not apply and shall not bind any party affected by these Uniform Regulations and, in particular, the District Executive Committee in the carrying out of its duties pursuant to these Uniform Regulations.
11. **THE UNIFORM REGULATIONS** shall be followed and implemented in accordance with the highest level of integrity and scriptural moral standards; and shall be consistent with the purposes of church discipline as stated in the Local Church Constitution of The Christian and Missionary Alliance in Canada.

#### **Amendments**

This policy may be amended by a majority vote of General Assembly, written notice having been given prior to General Assembly.

Last Amended – General Assembly 1996; 2004 (amending formula)