



● PERSON ● PURPOSE ● PRACTICE ● PEOPLE ●

PROTECTING YOUR MINISTRY FROM SEXUAL ORIENTATION AND GENDER IDENTITY LAW SUITS

PRESENTED BY REV. DR. EDWARD A. CLAVELL

Major Areas To Address

- Statement of Faith
- Religious Employment Criteria
- Facility Use Policy
- Formal Membership Policy
- Marriage Policy

Statement of Faith

Statement of Faith

A statement of faith should serve as:

- The foundational document for churches, Christian schools, and Christian ministries.
- Expresses the organization's core religious beliefs,
- Serves as clear evidence of those beliefs should they be questioned in a lawsuit.

Generally, courts will not question an organization's self-proclaimed religious beliefs, particularly if they appear in a statement of faith or other governing document.

Statement of Faith

The statement of faith should cover a broad range of religious beliefs – and the more detailed, the better – but because of the current cultural climate, three topics deserve particular mention.

Statement of Faith

STATEMENT ON MARRIAGE, GENDER, AND SEXUALITY

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Statement on Marriage, Gender, and Sexuality

A statement on marriage, gender, and sexuality helps protect religious organizations in at least two ways.

- First, it may discourage those looking for “easy” lawsuits from bringing claims. Once the organization clearly states its religious beliefs on these matters, it is more difficult to argue that the organization acted with improper motives.

Statement on Marriage, Gender, and Sexuality

- Second, the statement will make it easier for the organization to defend itself if it is sued. Courts generally regard a clear statement of faith as an expression of the organization's doctrine, and defer to it as required by the First Amendment. Adopting a statement of faith makes it more likely a court will conclude the organization acted on its well-documented and sincere religious beliefs, rather than an improper motive.

Statement of Final Authority for Matters of Faith and Conduct

Final Authority for Matters of Belief and Conduct

The statement of faith does not exhaust the extent of our beliefs. The Bible itself, as the inspired and infallible Word of God that speaks with final authority concerning truth, morality, and the proper conduct of mankind, is the sole and final source of all that we believe. For purposes of [the organization]'s faith, doctrine, practice, policy, and discipline, our [minister/executive committee/board of directors] is [the organization]'s final interpretive authority on the Bible's meaning and application.

Statement on the Sanctity of Human Life

Statement on the Sanctity of Human Life

We believe that all human life is sacred and created by God in His image. Human life is of inestimable worth in all its dimensions, including pre-born babies, the aged, the physically or mentally challenged, and every other stage or condition from conception through natural death. We are therefore called to defend, protect, and value all human life. (Ps 139.)

Signed Statement of Faith

EMPLOYEES AND VOLUNTEERS

Signed Statement of Faith

The organization should require all employees and volunteers to sign a statement affirming that they agree with the organization's statement of faith and are willing to comply with the organization's standards of conduct (if any).

- Retain these signed statements as part of the individual's permanent record.

Note: It is also good practice to note either on the signed statement, or in the employee handbook, that violation of the organization's statement of faith constitutes good cause to terminate employment.

Signed Religious Job Descriptions

EMPLOYEES AND VOLUNTEERS

Signed Religious Job Descriptions

The organization should create written descriptions for every employment and volunteer position which they are to sign.

The descriptions should explain how:

- The position furthers the organization's religious mission,
- what the responsibilities and duties of the position include,
- and what characteristics or skills are necessary for the position.

Facility Use Policy

Facility Use Policy

Keys To a Facility Use Policy:

- Create a facility use policy
- Identify the religious purpose of the building
- Restrict facility use to those acting consistent with your organization's beliefs

Facility Use Policy

There is no “one-size-fits-all” policy for all religious groups. The important point is to create a policy that covers situations unique to your organization’s

- ministry and mission,
- buildings or facilities,
- and religious beliefs.

Take the time to craft a specific policy addressing each of these areas for your organization.

Formal Membership Policy

Formal Membership Policy

Churches with formal members have greater legal protection when they find it necessary to impose church discipline on their members. But to further protect themselves, churches should implement a written membership policy that explains:

- (1) procedures for becoming a member,
- (2) procedures for member discipline, and
- (3) procedures for rescinding membership.

Formal Membership Policy:

- Procedures for Becoming a Member
- Procedures for Member Discipline
- Disassociating Membership

Marriage Policy

Marriage Policy

Because God has ordained marriage and defined it as the covenant relationship between a man, a woman, and Himself, [the Church] will only recognize marriages between a biological man and a biological woman. Further, the [pastors/ministers] and staff of [the Church] shall only participate in weddings and solemnize marriages between one man and one woman. Finally, the facilities and property of [the Church] shall only host weddings between one man and one woman.



SWCC Order of Events

it's time to be

ALLin

SWCC Leadership Retreat 2015

July 29th - 31st

● **PERSON** ● **PURPOSE** ● **PRACTICE** ● **PEOPLE** ●