

Decision Profile

Use of Non-Traditional Election Processes in Church Bylaws

Decision Required:

To determine whether to allow the use of non-traditional election processes for elder election/affirmation.

Why It's Coming to DEXCOM:

DEXCOM approval is required for church bylaw amendments per the *Local Church Constitution* (LCC), Article 15.

Background:

In 2016, the Westside Alliance Church Bylaws were reviewed by DEXCOM. Several issues with their bylaws were noted, most of which were addressed directly. The remaining area of concern was regarding their process for determining elders. At the time, it was reported that Westside had shown a great deal of willingness to come under the LCC and DEXCOM direction and had met the letter of the LCC.

During the February/March 2016 DEXCOM meeting, the Westside Bylaws were approved. A question/answer was recorded in the minutes of the meeting:

Mark – Why would we want to support this if it's outside of where we want to go?

Answer (Steve) – The intention is to allow enough flexibility to allow each church to be themselves, but enough stringency to keep connected. How we draw that line is subjective.

Errol commented – Glad to be in family of churches where there is some flex. Pastor had noted that leadership in church was unhealthy and operating by previous letter of the law would have been unhealthy, but this could help them back to health and having healthier leadership.

The area of concern was that Westside does not have a traditional “election” of elders at their Annual General Meeting. Instead, they have an “affirmation process”. This was allowed in 2016 because of wording in the LCC, Article 7 (emphasis added):

Unless another process for election is stipulated in the bylaws, at the annual meeting the members shall elect a Board from among the voting membership to be responsible for the affairs of the church between annual meetings.

In their case, there was another process stipulated (although not completely elucidated) in the bylaws. To date, Westside is the only church with a non-tradition elder election process.



Westside bylaws came up for review again this year. After the first round of reviews, the Bylaws Committee had asked Westside to include the actual process for affirmation of elders in their bylaws so that DEXCOM could make an intelligent decision on whether there are any issues with the process. This was completed and the draft bylaws are included as F.1.1.

There remain a number of issues to resolve around some of the specifics of the affirmation process, however, the Bylaw Committee wanted to step back and engage DEXCOM in a discussion regarding how to proceed.

The basic question is: *Does DEXCOM want to allow for this deviation from the normal elder election process?*

The Bylaws Committee reviewed this issue and preferred to interpret the LCC allowing for “another process” for election with respect to the timing of the election and not to the method (in other words, another *time* for election rather than at the *annual meeting*).

To test this concept, the Bylaws Committee entered into an email conversation with Doug Gerrard (Executive Vice-President of The Alliance Canada). His comments were:

My recall is that way back when LCC Article 7 was being reviewed (Franklin Pyles was president; I was a DS) some very large churches felt encumbered by a one-size-fits-all election process for elders since not all members would be aware of who was best suited to serve on the church board—just too many people to keep track of everybody else. I don't know if any churches ended up placing an alternate process into their bylaws, but I think it was Beulah/Edmonton that was cited as a church where the existing practice wasn't working well. The safety valve in place when permitting the possibility of an alternate means of election was that the bylaws needed to be approved by DEXCOM, which would, in theory, prevent a church from adopting an unwise or potentially harmful process for putting elders in place while allowing for inventive means to address any perceived inadequacies. But the possibility of a different process was definitely on the table.

That being said, it's important to adhere to what the document actually says and not the supposed or remembered intent of those who wrote or edited the text. On that basis, I don't think a strong case could be made for interpreting Article 7 as having to do with the timing of the election, since the phrase “another process” is used in the immediate context of “the members shall elect a board from among the voting membership;” it's in the same sentence.

When we asked: Do you see that an election process of some kind is required? Or would an affirmation process like what Westside has adopted (providing it is not conflict with the LCC and is approved by DEXCOM) where there isn't an election still meet the LCC requirements? Doug's response was:



I think that a process that doesn't include a ballot and votes could be used. Perhaps if the church is incorporated there would be requirements for how directors are selected, but for an unincorporated entity, I believe that any agreed upon (church membership) and approved (DEXCOM) process would fall within the bounds of what the LCC requires. I base that partly on the title of Article 7 – Government. The article is there to ensure that the church has a legitimate governing body. The election process is the default, easiest, and most common method of making that happen.

If there is insistence that an election be held at the annual meeting, an alternate consideration would be to transfer the affirmation process to the Nominating Committee. That wouldn't preclude nominations from the floor of names that didn't surface during an affirmation process, but if the affirmation process accurately represents the combined discernment of the membership, I don't think there'd be much chance that anyone other than the affirmed individuals would succeed at being elected. I haven't thought that one through very deeply so there are probably glitches I haven't considered, but it might be worth your committee's consideration.

This brings us back to the question: *Does DEXCOM want to allow for this deviation from the normal elder election process?*

Some pros and cons to allowing deviations from normal elder election processes:

Pros:

- Allowing for an alternative to election would, as Doug mentions, “prevent a church from adopting an unwise or potentially harmful process for putting elders in place while allowing for inventive means to address any perceived inadequacies”
- Would allow for more autonomy on the part of the church
- Would still meet the letter of the LCC as Doug notes
- Could address issue of a large church where most members are not familiar with all of the people in the church
- Would allow for a different perspective on church eldership and the process of affirming elders to be accommodated without removing the need to provide an elders' board for governance



Cons:

- Requires more management by DEXCOM in reviewing and approving affirmation processes
- May be perceived as “undemocratic” or unfair
- Removes an element of standardization or commonality between churches
- Misunderstanding or confusion of an alternative process may increase the potential for conflict

Recommendation/Motion:

THAT DEXCOM determine whether to allow non-traditional election processes in church bylaws.

Provided that non-traditional election processes are allowed in church bylaws, THAT DEXCOM task the Bylaws Committee with determining the appropriate revisions required in the Westside Alliance Church Affirmation Process while ensuring that it is in alignment with the *Local Church Constitution*.

