

**Title:** ACCOUNTABILITY TO THE BOARD AND TERMINATION GUIDELINES

**Number:** MFP-226

**Date:** January 24, 2019

**Purpose/Principle:** To explain the accountability which field personnel have to the Board, the Board's employment relationship with field personnel, and procedures and reasons for termination of field personnel.

**Type:** Policy

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The Board is a Christian organization with spiritual purposes and a commitment to relate to field personnel in loving, fair and humane ways.

As a Christian organization, the First Amendment's guarantee of religious freedom protects the Board from the government's interference in the employment relationship between the Board and its field personnel. Field personnel should know that according to the First Amendment's "ministerial exception" doctrine, most secular employment laws do not apply to the employment relationship between them and the Board.

As is true with any employer-employee relationship, it is appropriate for the Board to clarify its expectations of personnel. The Board will take administrative action to correct deficiencies, and if necessary, separate itself from those who are unable or unwilling to perform their assignments or to meet those expectations in accordance with the character and purpose of the agency. All field personnel are "at will" employees of the Board governed by Virginia law.

When personnel problems develop, there are clearly defined opportunities for resolving the issues. Successive steps in this process, until resolution of the problem, may include the following:

- Team Leader, Cluster Leader, Affinity Group Leader, personnel department
- Administration of the Board (vice president(s) whose area of responsibility is involved, Executive Vice President and President)
- Trustees (appropriate committee and full Board)

In the case of serious unresolved issues where personnel express a desire to appeal a termination decision to trustees, the Executive Vice President will inform the Board chairman, who may refer the matter to an appropriate committee chairman. Personnel are free to share unresolved concerns in writing with the chairman of the Board, who may refer the matter to an appropriate committee.

This appeals process is designed to ensure just administration of Board policies. It should not be used as a process for changing policies.

Behavior, conduct, or other conditions that the Board, in the exercise of its sole discretion, believes will hinder the Board in carrying out its mission in accordance with its religious beliefs will preclude a continued employment relationship with the Board. A non-inclusive list of

examples of such behavior, conduct, or other conditions is provided below, but the Board always retains the right to terminate any field personnel for any reason satisfactory to the Board without disclosing to the person the reason for the termination:

1. Failure to exhibit a Christian lifestyle in keeping with the Christian calling and responsibility to maintain a life committed to personal holiness in imitation of Jesus Christ and bringing glory to God the Father in all things. Examples of such failures include, but are not limited to:
  - Use and/or abuse of illegal drugs
  - Abuse of controlled substances or continuing misuse of narcotics, tobacco, drugs, or other addictive substances;
  - Harassment of any type
  - Child or spousal abuse;
  - Sexual or other inappropriate conduct outside the Biblical covenant of marriage between one man and one woman;
  - Use or viewing of pornography;
  - Theft, fraud, embezzlement, corruption, bribery, misappropriation, dishonesty in the handling of money or other resources, or inappropriate removal or possession of property belonging to another;
  - Malicious gossip;
  - Battery or threatening violence against another.
2. Patterns of failure in relationships that are disruptive to the achievement of the Board's ministry and/or reflect poorly on the name of Christ.
3. Ongoing failure to perform adequately in assigned responsibilities.
4. Persistent insubordination in relation to supervisors and/or stated policies.
5. Violation of sexual misconduct policy.
6. The persistent advocating of doctrinal opinions inconsistent with the current *Baptist Faith and Message* adopted by the Southern Baptist Convention or the unwillingness to carry out responsibilities in accordance with and not contrary to the current *Baptist Faith and Message*.
7. A persistent emphasis of any specific gift of the Spirit as normative for all or to the extent such emphasis becomes disruptive to the Baptist fellowship.
8. The use of alcohol as a beverage.
9. A divorce following appointment.
10. A resignation or termination for any reason by one spouse.
11. Investigation or other activity on behalf of an intelligence agency of any government.

When immediate termination is advisable, the field personnel's supervisor may proceed with termination after appropriate consultation with the personnel department and general counsel's office. Terminated field personnel who wish to appeal a termination to the Board may do so at the next regular Board meeting after the termination. The filing of an appeal does

not suspend the termination. If the Board grants the appeal and overturns a termination decision, it may retroactively reinstate the field personnel to full service.

When personnel are terminated or a resignation of personnel is processed with a notation that the personnel failed to maintain a lifestyle expected of Board field personnel, their home church will be notified of the termination or resignation. The notification given to the church will be limited to the formal statements listed below. Further information will be shared only with written permission from the former personnel.

The following statements shall be placed in the personnel file of field personnel when resignations or terminations are necessary:

### **Terminations**

1. Field personnel name was terminated effective (date) for failure to perform duties expected of Board field personnel.
2. Field personnel name was terminated effective (date) for failure to maintain a lifestyle expected of Board field personnel.
3. Field personnel name was terminated effective (date).

### **Resignations**

1. The resignation of (field personnel name) was received effective (date).
2. The resignation of (field personnel name) was received effective (date) with appreciation for service.
3. The resignation of (field personnel name) was received effective (date) with the notation that the individual failed to meet the standards of performance expected of Board field personnel.
4. The resignation of (field personnel name) was received effective (date) with the notation that the individual failed to maintain the lifestyle expected of Board field personnel.