

Constitution & Bylaw Revision Report

Over the past year we have been working on revisions to the Constitution and Bylaws of Mennonite Church Alberta. These revisions were initiated to be more in line with the new structure of Mennonite Church Canada. We also wanted to consider the recent Renewal Process, bring terminology up to date, and provide longevity that should reduce the requirement for future revision. Keep in mind that this is a legal document, and as such, it provides us with the legal definition of how we will operate. It should give us sufficient leeway to change our programs without requiring revision, but also be a useful document in guiding us when there are disagreements or disputes within the organization.

If you have any questions or concerns regarding these revisions, we encourage you to attend our workshop on March 6, 2021, or to reach out to Paul Neufeldt, Tim Wiebe-Neufeld, Brenda Tiessen-Wiens, or another member of the Executive or General Council. We want to resolve as many concerns as possible prior to the March 20 Delegate Sessions.

Here is a brief summary of the more major changes and some of the reasoning behind the changes:

1. We added a *Definitions* section to help clarify a number of terms that may not be known to all readers
2. We added a background section that discusses the legal history of the organization's constitution and bylaws. The 1985 History book was a great resource, but we lack documentation of legal name changes or other alterations to our governing documents between 1985 and 2002. If you have knowledge of that era, please contact Paul Neufeldt with proposed changes.
3. We revised the *Purpose* statements. Through our process of review, we found that our purpose statements have never been updated with Canada Revenue Agency (CRA). This is significant as our charitable status hinges on our approved purpose statements, and that our actions fall under those statements. We also learned that to change those statements with CRA can be an involved process where we would likely have to prove to CRA that our purposes are indeed "charitable" and only charitable. We obtained a copy of those statements from CRA and found them to be true, thus we updated the wording slightly, but tried to keep their root meaning the same.
4. Together with the Congregational Leadership Committee and the Executive Minister, we reviewed our *Affirmation of Faith*. Based on the many faith discussions that have taken place over the past 20 years, we felt that it would better serve the organization to simplify the *Affirmation* by removing the text that was taken from *the Confession of Faith in a Mennonite Perspective*, and instead give two clauses that discuss how we use Faith Statements and refer readers to the complete *Confession of Faith in a Mennonite Perspective*.
5. There were significant revisions to the *Membership Section*. It was moved from Section 3 to Article 1 to signify the importance of membership in MCA. We also added a "Provisional Member" classification for potential new members. This provisional time is a more intentional time to build relationship with the new member and ensure that we have compatibility in faith perspective. We have also added a *Discipline, Suspension & Termination* clause. The hope is that we never have to use these clauses, but should action be required they provide the necessary framework.
6. Delegate Meetings are how we make decisions, thus we moved them from Section 7 to Article 2. There are a number of additions to this clause that outline the mechanics of how a Delegate

Meeting operates. These are typical of many organizations these days. They also provide for meeting and voting electronically in addition to in person.

7. The “Conference” is now referred to as the “Regional Church”, this section was moved from Section 2 to Article 3. It was simplified as much of the article was stated elsewhere in the document and thus was redundant.
8. The “Congregation” section was removed as we defined the congregation in the definitions section.
9. The “Pastors” and “Pastors Council” sections were updated, but their essence was unchanged. It should be noted the strong emphasis that we put on Pastors, and the requirements that member congregations must adhere to regarding their Pastors.
10. The *Conflict resolution* clause grew considerably. Because this is the legally enforceable document it is generally in times of conflict that it ends up getting used. In 6.1.2, we envisioned 3 different types of conflict, and provided different paths for the different types. Specifically, issues of Faith or Membership will generally go to the Pastors Council or the Delegate body; other issues will generally follow a mediation process, unless a different process is deemed appropriate. Generally section 6.2 follows the process in Section 6 of the old bylaws.
11. The Organization section moved from section 8 to article 7. We tried to keep this section to the minimum legal requirements. To that end, we removed the Standing Committee descriptions, and have moved them to the *Policy Manual*. There is a section about Directors, then a section about Officers, and they seem a bit duplicate. Directors are generally the high level decision makers who determine the direction of the organization. We have given ourselves room to add more directors as we see fit. Officers are generally the people that carry out the actions to fulfill the direction given by the Directors. In MCA our current Directors are also Officers, but if we add more Directors, those new Directors would not be Officers. We have also changed the relationship of the Executive and the General Council to align with how we have been operating for the last number of years.

It is necessary to discuss the recent history of our Constitution and Bylaws, as I will be referring to the 2002 bylaws as our current bylaws. There were revisions to these bylaws passed in 2003 and 2011, however those revisions were not registered with Alberta Corporate Registries, thus they are not legally in effect, and we have to operate under the version that is registered with Alberta Corporate Registries. Further, the 2002 bylaws were not registered with CRA, hence referring to the 1971 purpose statements in the discussion above.

Submitted By Paul Neufeldt