



DEFEND YOUR MINISTRY'S RELIGIOUS FREEDOM

The First Amendment protects your ministry's right to free exercise of religion. However, this freedom may be challenged in court, especially if your ministry does not consistently apply its sincerely held religious beliefs. Read these five scenarios, then ask, "Is my ministry ready to respond?"

Ministries have broad freedoms to act in accordance with their faith. But the question remains: how can churches minister to all, stay true to their sincerely held, biblically based beliefs, and follow the law? Read these five scenarios, then consider how you would respond. Regardless of your answer, each scenario gives you related questions to consider that will help guide your ministry.

1. RELIGIOUS ACTIVITIES

A transgender teen signs up to participate in an overnight youth event at your church. The individual's parents accept that their child's lifestyle does not align with the church's religious beliefs, but want their child to participate in the church's youth activities. How would your church respond?

Well-written bylaw provisions can help guide your decision-making process.

- Do your governing documents/bylaws state the spiritual and religious beliefs of your ministry?
- Do your bylaws quote Scripture, where appropriate, to explain the reasoning behind your policies?
- Has a locally licensed attorney reviewed and approved your bylaws to help protect your ministry against unnecessary liability?

2. BUILDING USE

A same-sex couple wants to get married in your building. Doing so would go against your church's religious beliefs. If you decline to host the wedding, what documentation can help protect the church if the couple decided to sue?

To help ensure that all activities on ministry property align with the ministry's beliefs, require every group renting the property to sign a facility use agreement.

- Does your agreement specify who will be allowed to use ministry property and which activities will be permitted?
- Does your agreement specify how these criteria align with your ministry's sincerely held religious beliefs?
- Do you apply your facility use requirements consistently for all requests?
- Has a locally licensed attorney reviewed and approved your **facility use agreement** to ensure it aligns with your ministry's beliefs and complies with the law?

3. MEMBERSHIP STANDARDS

A member is espousing beliefs that are contrary to your ministry's sincerely held beliefs as outlined in your membership application. The church board wants to revoke his membership, but the man's family pleads with the church's board of directors to reconsider. The board is concerned that the family may sue the church for emotional damages if they revoke the man's membership. What issues should board members think about before making a final decision?

Bylaw provisions that specifically address membership standards may be helpful in resolving issues.

- Do the bylaws of your ministry or denomination include requirements for becoming and remaining a member of your church?
- Do the bylaws include a process for rescinding membership?
- Do the bylaws quote Scripture, where appropriate, to explain the reasoning behind your membership policies?
- Do members agree, in writing, to follow your ministry's membership requirements?
- Do you follow the bylaw provisions consistently?
- Has a locally licensed attorney reviewed and approved your bylaws to help protect your ministry against unnecessary liability?

4. LEADERSHIP APPOINTMENTS

A female member of the congregation would like to become a deacon of the church. However, in accordance with the church's religious beliefs, the church only allows men to hold the title of deacon. What can the church do to protect itself?

Bylaw provisions that specifically address leadership policies can help your ministry explain and follow its sincerely held religious beliefs.

- Do your documents include the requirements for leadership positions at your ministry?
- Do the documents quote Scripture, where appropriate, to explain the reasoning behind your leadership policies?
- Do you follow the documents' provisions consistently?
- Has a locally licensed attorney reviewed and approved your policies to help protect your ministry against unnecessary liability?

5. EMPLOYMENT DECISIONS

Church leaders learn that an unmarried employee is expecting a child. This goes against the church's sincerely held religious beliefs and teachings. Is the church allowed to discipline, or even fire, the employee?

An employment handbook can help your ministry articulate its requirements for employees.

- Does your employment handbook include a **morals clause** that states expectations for staff and volunteers?
- Does the handbook include a **marriage, gender, and appropriate behavior** provision that states expectations for staff and volunteers with respect to marriage and relationships?
- Does the handbook quote Scripture, where appropriate, to explain the reasoning behind your employment policies?
- Do you follow the handbook's policies consistently?
- Does your employment application include a question, asking applicants to abide by the ministry's statement of beliefs and **morals clause**?
- Has a locally licensed attorney reviewed and approved your policies to help protect your ministry against unnecessary liability?

IS YOUR MINISTRY COVERED?

Next Steps for Your Ministry

ARE YOU COVERED?

Religious organizations are just as vulnerable to lawsuits as any other institution. While we encourage your ministry to take the necessary steps to protect its sincerely held religious beliefs, you may still face liability judgments and defense costs for unintended exposures.

American Church Group of Kentucky's agents go further to help protect your ministry from the financial burden of a lawsuit, by:

- **Identifying weak spots** in ministry policy.
- **Providing sample forms** and other risk management resources designed to guide you through policy revisions.
- **Explaining your insurance coverage options** and recommending coverage designed to respond to cases involving emotional injury.
- **Referring you to local attorneys** who have a heart for ministry and can help your ministry refine your policies.

Be prepared to defend your ministry's religious freedom. With American Church Group of Kentucky, you will be. Talk with us today.

Additional resources can be found on our website at:
www.americanchurchgroup-kentucky.com/religiousfreedom



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