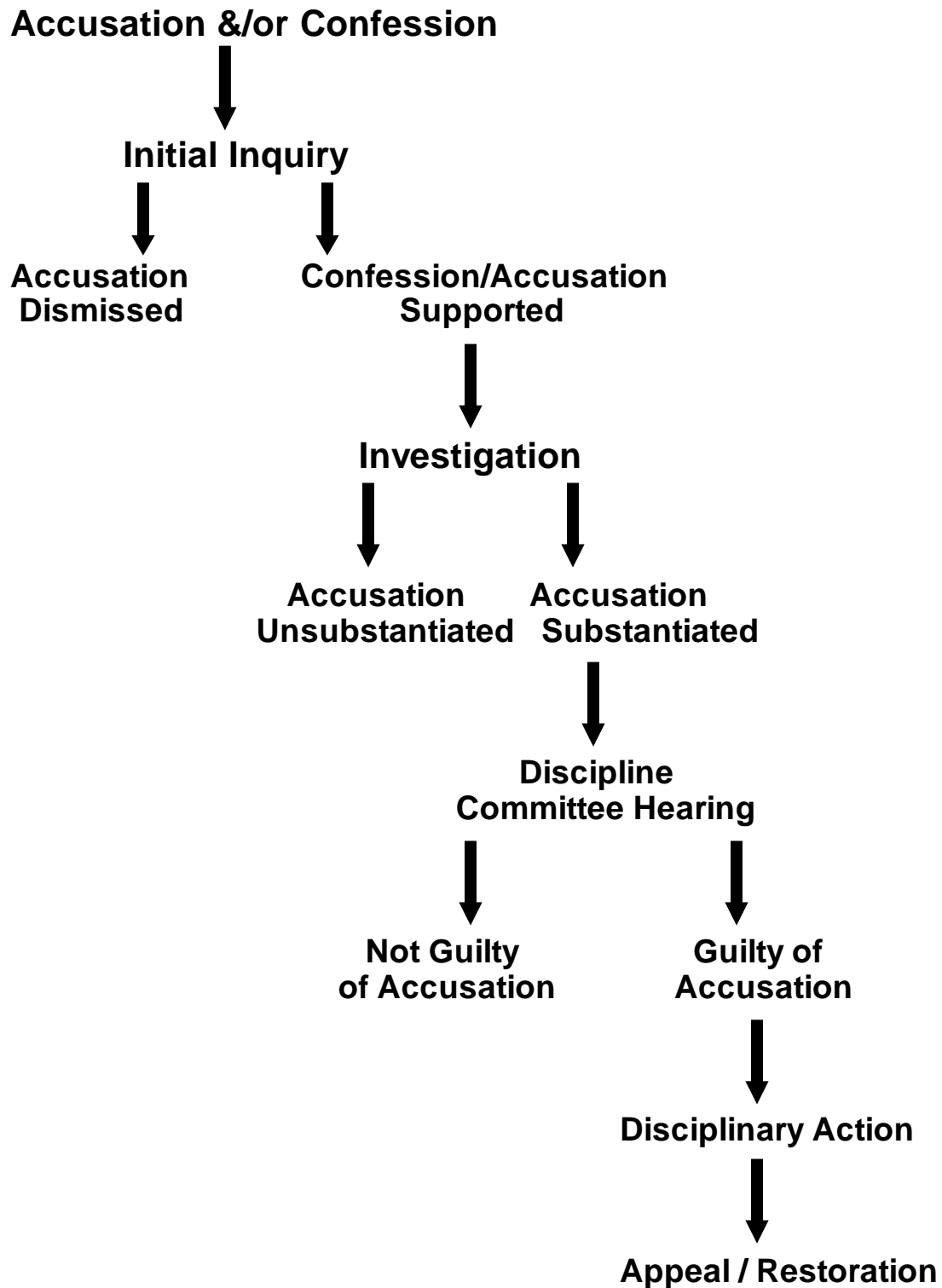


DISCIPLINARY PROCESS FLOW CHART



Evangelical Free Church of Canada
**DISCIPLINE, RESTORATION AND APPEAL
FOR LICENSED WORKERS**

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Evangelical Free Church of Canada
DISCIPLINE, RESTORATION AND APPEAL
FOR LICENSED WORKERS

The Nature and Purpose of Discipline

Discipline is an exercise of scriptural authority for which the church is responsible. The Evangelical Free Church of Canada (EFCC) believes the Scriptures establish standards of conduct and belief by which individuals serving Christ through licensed ministry within the EFCC must live. The goals of discipline are to honor God; to protect the welfare of the offended; to protect the purity of the Church; to guard other Christians from being tempted, misled, divided or otherwise harmed; and to bring fallen Christians to repentance. Discipline is administered to achieve restoration, while also providing for the spiritual welfare of the local church. Discipline is to be corrective and redemptive. It is to be exercised with mercy, grace and forgiveness. However, restoration to fellowship with Christ and his Church does not necessarily result in a reinstatement of credentials for licensed ministry with the EFCC. This Policy is not intended to create a legally enforceable contract or promise.

The Policy on Discipline, Restoration, and Appeal (Policy) and the disciplinary proceedings are ecclesiastical in nature, founded on the most sacred teachings of the Christian faith. The Policy and proceedings seek to apply scriptural teachings concerning conduct and belief to persons holding positions of authority and leadership within the EFCC. Unless otherwise provided for in the Policy, in a case of disagreement or dispute concerning the interpretation or application of the Policy, the jurisdiction to decide such matters lies solely with the EFCC Board of Directors. As stated before, the Policy and its proceedings, including any decisions related to its interpretation or application, are ecclesiastical in nature and as such, any appeal to or other action before a court or civil tribunal is not permitted.

I. BIBLICAL BASIS FOR DISCIPLINE

- A. **Growth in Faith.** Discipline serves to encourage growth and development in faith. *Rebuke them sharply, so that they will be sound in faith . . .* (Titus 1:13).
- B. **Redemption and Restoration.** Discipline serves to spiritually redeem and restore those who have fallen into immoral or otherwise unChrist-like ways. *Brothers, if someone is caught in a sin, you who are spiritual should restore him gently* (Galatians 6:1; I John 5:16-17; James 5:19-20).
- C. **Bearing another's Burden.** Discipline benefits the Church because it teaches the Church to be redemptive by carrying the burden of seeking to restore fallen believers. *Carry each other's burdens, and in this way you will fulfill the law of Christ; If your brother sins against you, go and show him his fault...If he listens to you, you have won your brother over...* (Galatians 6:2; Matthew 18: 15-17).
- D. **Forgiveness, Comfort, Love.** Discipline involves compassion, even for those who have committed sinful acts and espoused beliefs contrary to Scripture. . . . *You ought to forgive and comfort him, so that he will not be overwhelmed by excessive sorrow...reaffirm your love for him* (2 Corinthians 2:5-11).
- E. **Warning to the Divisive.** Discipline serves to deter and instruct against beliefs and conduct contrary to Scripture. *Warn a divisive person once, and then warn him a second time. After that, have nothing to do with him* (Titus 3:10).
- G. **Judgment and Expulsion.** Discipline may lead to judgment, including expulsion from the church. . . . *Are you not to judge those inside (the church)? God will judge those outside. Expel the wicked man from among you* (1 Corinthians 5:12, 13).

II. SCOPE OF THE POLICY

A. Persons Subject to Discipline. This Policy applies to all workers licensed by the EFCC.

B. Ecclesiastical Authority.

1. Disciplinary proceedings will be initiated and administered by the District Superintendent or his designate (in consultation with the Governing Board of the Local Church and with the EFCC Executive Director, on behalf of the Ministerial Standing Committee).
2. If the person subject to discipline is a District Superintendent, disciplinary proceedings will be initiated and administered by the EFCC Executive Director or his designate (in consultation with the Chair of the EFCC Board of Directors).
3. If the person subject to discipline is the Executive Director, disciplinary proceedings will be initiated and administered by the Chair of the EFCC Board of Directors or his designate.

C. Basis of Discipline. Matters that may give rise to disciplinary proceedings include but are not limited to:

1. Holding to and/or promulgating teachings contrary to the fundamental tenets of the Christian faith as stated in the EFCC Statement of Faith and of the EFCC Character and Calling.
2. Acting in a way that violates the EFCC Code of Conduct.
3. Moral or ethical failure including, but not limited to sexual misconduct or deviation, theft, assault, use of illegal substances or misuse of mood altering substances, misappropriation of funds or property, and other financial transgressions.
4. Dishonesty, fraud, perjury, and other misrepresentations.
5. Violence or abuse directed toward others, especially a child or vulnerable adult.
6. Judgment of guilt by a criminal court of law.
7. A contentious or non-cooperative spirit; an assumption of dictatorial authority, an arbitrary rejection of District counsel.

III. GENERAL PROCEDURES AND CONSIDERATIONS

A. Investigators and Committee Members. Investigators and members of the Discipline Committee will be persons respected for their integrity, spiritual stature, capability of communicating loving concern, and lack of bias in the case at hand (Galatians 6:1–2). They will be appointed by the Ecclesiastical Authority.

B. Respondent. Under no circumstances should the accused Licensed Worker contact, either directly or indirectly, the person making the allegation.

C. Confidentiality and Disclosure.

1. Disciplinary proceedings will be conducted with confidentiality in all aspects of the proceedings; however, there is no guarantee of confidentiality within disciplinary proceedings for any participant. It may be necessary to disclose the facts and circumstances of the charge, including the identities of the accused person and those submitting the accusation, in connection with investigating and remedying the charge and considering and carrying out possible restoration. In addition, the findings and conclusions of the disciplinary proceeding may be announced to appropriate parties who were an integral part of the proceedings, affected members of the EFCC, and Licensed Workers within the EFCC.
2. If the investigator or a member of the Discipline Committee is contacted by the press, the law enforcement authorities, an attorney or other individuals associated with civil/criminal proceedings, or other persons not involved with the disciplinary proceedings but seeking information, the

Ecclesiastical Authority responsible for the case will be contacted immediately. No information may be disclosed without the permission of the appropriate authority.

3. The findings, conclusions and records of the disciplinary proceedings may be communicated to churches and entities within the EFCC for decisions concerning employment and licensed worker's status. A record of the findings and conclusions will be entered into the licensed worker's file and may be conveyed with the file if the licensed worker seeks to transfer from one EFCC organization to another. Information may be transmitted even after restoration to the individual's former position or status. The EFCC and its ecclesiastical authorities reserve the right, within their discretion, to disclose any information to outside parties as they determine appropriate under the circumstances.
4. Since ecclesiastical law permits the respondent to testify on behalf of himself/herself, such evidence shall not be released to use in any civil proceeding in which the respondent may become involved. It is essential that all records, whether of investigation or of discipline, be guarded carefully lest they become the basis of gossip or unauthorized use. All records shall be filed with the EFCC Home Office. All disciplinary matters shall be reported to the Executive Director of The Evangelical Free Church of Canada.

D. Relationship to Employment.

1. In the case of an individual employed by an EFCC entity or by a district or church entity (referred to herein as Employing Entity), information presented in the disciplinary proceeding may be conveyed to the supervisor(s) of the employee and may affect the employment relationship independent of the disciplinary proceeding. Also, the information may form the basis for a charge or complaint under another EFCC policy or regulation.
2. An individual subject to a charge or disciplinary proceeding may be immediately suspended from public ministry, or subject to other personnel action as determined by the Employing Entity (which in some cases may be the Ecclesiastical Authority).

E. Time Lapse.

If more than 10 years have elapsed since an occurrence which could call for disciplinary action, an Ecclesiastical Authority may determine after investigation that no discipline be administered when, in view of all the circumstances, it would appear that such discipline would serve only as punitive in nature rather than rehabilitative. In the event that discipline is deemed appropriate, it would be the prerogative of the Ecclesiastical Authority to consider reducing the normal disciplinary action associated with the offense.

IV. PROCESS FOR DISCIPLINARY PROCEEDINGS

A. Accusation and/or Confession. (Step 1)

1. The disciplinary process is initiated when a formal accusation of conduct subject to discipline is submitted to the appropriate Ecclesiastical Authority either in person or in writing or when such conduct is confessed by the offender to the Ecclesiastical Authority. Normally an accusation should be presented by at least two witnesses (I Timothy 5:19) but there may be circumstances where an inquiry would be initiated on the basis of one person's accusation. When the accusation is submitted verbally, the nature of the offense shall be recorded in writing and signed by the person(s) making the accusation. An accusation is not properly submitted if it is not a basis for discipline, or if the accusing party(ies) has no standing to submit the accusation (e.g. they do not have first-hand knowledge of the situation).
2. Accusations which are submitted anonymously shall not be entertained. Any person(s) making false statements in submitting an accusation or providing false information in a disciplinary proceeding may be subject to discipline or other actions at the discretion of the appropriate Ecclesiastical Authority.
3. When a licensed worker confesses to the Ecclesiastical Authority, in the absence of a written accusation, the authority will initiate an inquiry to determine whether the confession is complete.

B. Initial Inquiry. (Step 2)

Reports of actions by Licensed Workers warranting discipline will be subject to a preliminary inquiry by the appropriate Ecclesiastical Authority or his designee (the Inquirer) to determine whether there is basis for and/or evidence supporting the accusations.

1. Preliminary Interviews with:

- a. **The Complainant.** The person(s) who brought the accusation of sinful conduct will be interviewed to ascertain the facts and to clarify any portions of the accusation. The person conducting the inquiry may interview other persons as necessary to determine the veracity of the facts related to the accusations.
- b. **The Respondent.** The person accused of a disciplinary offense will be interviewed regarding the accusations as part of the Inquiry process in order to:
 - 1) Present him/her with a copy of the written complaint
 - 2) Outline the process to be followed in responding to the complaint
 - 3) Receive and record his/her response to the complaint directly (verbal or written)

2. Results of Inquiry:

- a. **Dismissal of Accusation.** If, after the preliminary inquiry, the Inquirer determines that there is no basis for or not sufficient evidence supporting the accusations, he/she may inform the Complainant that no further action will be taken.
- b. **Confession.** If the Respondent confesses and the Inquirer determines that the confession is complete and if the Ecclesiastical Authority judges that the offense is subject to a reprimand rather than a more serious form of discipline, the Ecclesiastical Authority may reprimand the offender and initiate a restoration program. If the offense is of a more serious nature, the Ecclesiastical Authority may move directly to a disciplinary hearing and forgo Step 3, the Investigation.
- c. **Accusation supported but no confession.** If there is a basis for the accusation or sufficient evidence supporting the accusations, but no confession was obtained, it is necessary to move to the next step in the process, which is an Investigation.

C. Investigation. (Step 3)

When warranted, the appropriate Ecclesiastical Authority will appoint two or more persons as an Investigation Committee to conduct an investigation of the accusation. It is wise to appoint at least one female as an investigator when either the Respondent or the Complainant is a woman. The appointment of the investigators will be by letter and a copy of the letter will be provided to the Respondent and the EFCC Home Office. The investigators will determine the scope of the investigation but the process may include:

1. Interview with the Complainant(s).
2. Interview with the Respondent. A Christian non-legal professional advocate may be appointed by the proper Ecclesiastical Authority or chosen by the Respondent to provide guidance and counsel to the Respondent.
Unwillingness to appear at a scheduled interview without acceptable reason will be noted in the report. The Ecclesiastical Authority shall continue the investigation as outlined herein.
3. Interview with witnesses identified by the Complainant(s), the Inquirer and the Respondent; and other witnesses requested by the committee.
4. Review of any written statements provided by the Respondent and any documents presented by the Complainant(s), or any other person identified as having relevant information.
5. Collection and review of other documentary evidence relevant to the accusation.
6. Appointment of a Reporter to present the findings of the Investigation Committee at the Disciplinary Hearing if one is warranted.
7. Recordings may be made of any sessions of investigation with the full knowledge of all participants.

8. The investigators will prepare a written report of the investigation including a summary of evidence relevant to the accusations. The report will outline specific charges substantiated by the evidence, as well as recommendations. A copy will be provided to the Respondent and to the Ecclesiastical Authority.
9. **Results of the Investigation.** Upon receipt of the report of investigation, the Ecclesiastical Authority will take the following actions if:
 - a. **The Accusation is Unsubstantiated.**
 - 1) If it has been determined by the Investigation Committee that the accusations are unsubstantiated, and there is no reasonable basis for proceeding with a hearing, a written summary of the investigation and conclusions will be provided to the Complainant(s), the Respondent, the EFCC Executive Director and if appropriate, to personnel or representatives from the church or agency who had knowledge of the allegation(s), informing them of the decision to dismiss all accusations. This summary will be placed in the Licensed Worker's file.
 - 2) If the accused chooses, a public statement of exoneration shall be made by the Ecclesiastical Authority.
 - 3) The Ecclesiastical Authority shall ensure that appropriate pastoral care is provided to all parties involved (including the church or agency) towards reconciliation in their relationships and to bring to an end any continuation of rumors or conflicts related to the matter.
 - 4) If the Investigation Committee is unable to substantiate the charges but substantial concerns remain, they are not constrained to publically exonerate the Respondent and should exhort him concerning these issues.
 - b. **The Accusation is Substantiated.**
 - 1) If it is decided by the Investigation Committee that the accusation is substantiated and that a formal disciplinary hearing is warranted, the appropriate Ecclesiastical Authority shall **appoint a Discipline Committee**. The decision to move to a Discipline Committee hearing is not to be considered as a personal indication of belief in the guilt of the accused by the investigators. It is a procedural matter to deal with the evidence at hand.
 - 2) The accused Licensed Worker shall receive, in writing, a signed copy of the charges made and of the move to a Discipline Committee Hearing.
 - 3) Being officially notified of the charges, the Licensed Worker may be relieved of ministerial duties. However, he/she has the right to still receive salary and housing benefits until disposition of the charges have been formally made.

D. Discipline Committee Hearing (Step 4)

1. **Discipline Committee.** The Discipline Committee shall consist of no less than three members. The Ecclesiastical Authority may fill vacancies in the committee as necessary. The Ecclesiastical Authority or his appointee shall serve as the moderator and will provide copies of the following documents to each member of the Discipline Committee: the written charge, the written response statement, if any, and the investigation summary. If the charges are undisputed or admitted, the hearing may be limited to specific matters of response, restitution and restoration to full fellowship with Christ and the church. The Discipline Committee will make decisions by majority vote and determine its own procedure as consistent with this Policy.
 - a. **Moderator.** The Moderator will be responsible for the orderly conduct of the hearing and may rule on all procedural questions as well as questions related to the admission of tangible evidence, including witness testimony. The Moderator's ruling is subject to reversal by a majority vote of the Committee.
 - b. **Secretary.** A Secretary will be appointed by the Moderator to keep accurate records of all proceedings and to preserve all documents submitted to the Committee.
2. **Scheduling the Disciplinary Hearing.**

A disciplinary hearing will be conducted as soon as possible after the appointment of a Discipline Committee. The Moderator will schedule the disciplinary hearing at a date, time, and location mutually agreed upon by the Respondent and others participating in the hearing.

If the Respondent is unable to be present at a scheduled hearing, he/she may request to have a Christian non-legal professional advocate appear in his/her place or may request a rescheduling of the hearing. A Respondent's unwillingness to appear or be represented at a hearing without acceptable reason may be considered an implication of guilt. The absence of the Respondent or an advocate at any hearing will not prevent the Discipline Committee from proceeding with the hearing.

3. Participants at a Disciplinary Hearing

a. Discipline Committee Members.

b. Reporter. The Reporter, chosen from within the Investigation Committee, presents the witnesses, the findings of the Committee and any documents relevant to the charge. An effort will be made to present only the witnesses and documents of greatest relevance to the issues raised in the charge, both favorable and unfavorable to the Respondent. If possible, repetitive testimony will be avoided. The Reporter will be excused prior to final deliberations.

c. Respondent. The Respondent may recall witnesses presented by the Reporter, call additional witnesses, provide additional testimony on his/her behalf, and/or submit a written statement at the time of the hearing. He/she will have the right to appoint a fellow Christian as an advocate at the hearing. Since this is an ecclesiastical hearing, legal counsel of any kind is not permitted.

d. Witnesses. Witnesses may be examined, one at a time by the Reporter, the Respondent (and the advocate for the Respondent, if any), and one or more members of the Discipline Committee including the Moderator.

e. Others. The spouse and the advocate for the Respondent may also be present while any testimony is being given. At the discretion of the Discipline Committee, the Complainant may also be present. If he is not the Ecclesiastical Authority not part of the Discipline Committee the District Superintendent may be present at the hearing, but will be excused prior to final deliberations.

4. **Evidence.** Along with witness testimony, the Committee may also consider relevant documents, the summary of investigation, and other documents submitted by the parties. Tape recordings and other types of magnetic and/or digital recordings will be admitted as evidence if the recordings have been made with the full knowledge of those giving testimony or being charged, recognizing exceptions may be necessary at the discretion of the Committee.

5. **Record of Proceedings.** All summaries of investigations, conclusions of disciplinary actions and records of actions relating to the suspension of license and/or the expulsion of Licensed Workers from the EFCC shall be forwarded to the Executive Director.

6. Conduct of the Hearing.

a. Both the Reporter and the Respondent or his/her advocate will have opportunity to present evidence, summarize their conclusions and respond to the evidence and conclusions of the other party. In circumstances where the person subject to disciplinary action has confessed, and where there is evidence of genuine repentance and a willingness to submit to a restoration process as outlined by the Ecclesiastical Authority, it is permissible, with the consent of all parties, to omit unnecessary procedures.

b. Members of the Discipline Committee may question the Reporter, the Respondent and any witnesses in order to obtain all the facts, evidence and testimony so as to ensure an objective decision. The Committee shall not become involved in debating with the parties involved or in any way conduct or appear to conduct themselves as prosecuting or defending the Complainant or Respondent.

c. Following the proceedings, the Discipline Committee will deliberate and arrive at a decision concerning each charge. A majority vote by secret ballot is required for a decision of guilty. At its option, the Committee may permit a written summation by the Reporter and the Respondent to be submitted within five (5) days of the hearing but prior to any deliberations.

7. **Results of the Hearing.** The Discipline Committee will write out, sign and submit its decision with respect to each charge and any discipline to be imposed. A copy will be forwarded to the EFCC Home Office. The Discipline Committee may announce its decision at the conclusion of the hearing or later in its written report. The decision must be submitted within 10 days of the hearing.

a. Not Guilty of Accusations

- 1) If it has been determined by the Discipline Committee that the Licensed Worker is not guilty of the accusations, a written summary of the hearing and its conclusions will be provided to the Complainant(s), the Respondent, the EFCC Executive Director and if appropriate, to personnel or representatives from the church or agency who had knowledge of the hearing, informing them of the verdict. This summary will be placed in the Licensed Worker's file.
- 2) If the accused chooses, a public statement of exoneration shall be made by the Ecclesiastical Authority.
- 3) The Ecclesiastical Authority shall ensure that appropriate pastoral care is provided to all parties involved (including the church or agency) towards reconciliation in their relationships and to bring to an end any continuation of rumors or conflicts related to the matter.
- 4) If the verdict is one of not guilty, no disclosure of the hearing shall be made upon transfer of a Respondent to another District or ministry. The record of the hearing shall remain at the EFCC Home Office.
- 5) If the evidence heard indicates a not guilty verdict with regard to the charge actually laid, but there is evidence of an offense in another area, then new charges shall be prepared, signed and delivered to the individual so charged and a new hearing scheduled with a substitute hearing committee.

b. Guilty of Accusations

- 1) If the Respondent is found guilty, he/she shall be advised in writing of the decision and the recommendations for discipline made by the Discipline Committee.
- 2) The Committee will also advise the Respondent of the right to appeal and the process to be followed.

V. DISCIPLINARY ACTION

The facts and circumstances of an individual case determine what discipline will be imposed. If the offense is isolated and considered relatively minor with no actual harm to others, then a less severe discipline may be appropriate. If the offense involves flagrant misconduct, maliciousness, gross rejection of Scriptural principles or EFCC doctrine, failure to submit to constituted authority, repeated incidents, or a pattern of wrongful behavior involving harm to others, then more severe discipline may be deemed necessary. Evidence of remorse and repentance and a genuine desire to change, especially if occurring prior to the disciplinary proceeding, may be grounds for choosing a lesser penalty. In determining the discipline to be imposed, the Discipline Committee will seek guidance in Scripture and through prayer, and will seek to promote the purity and faith of the spiritual body of believers while striving to promote the growth and restoration of the erring believer to fellowship with Christ and the church. Whatever action is taken must be communicated, in writing, to the accused, the accuser, representatives of the congregation or agency, the Executive Director of the EFCC, the District Superintendents and the Ministerial Standing Committee. A report shall also be placed in the Licensed Worker's file.

A. Types of Discipline.

1. **Reprimand.** This is the lowest degree of censure and is used if the offense was unintentional and the effect minimal and/or arose because of poor judgment on the part of the accused. The following should take place:
 - a. A warning and reprimand will be issued to the offender for his/her actions and the danger associated with them.
 - b. Confession, repentance, seeking forgiveness and restitution will be made as appropriate.
 - c. When appropriate, training or counseling in the area of need will be advised.
2. **Probation.** When the Offender has been found guilty of action that was clearly inappropriate and intentional but the offense and consequence was relatively minor, he/she shall be placed on probation until there is evidence of appropriate rehabilitation and restoration. The period of time is to be determined by the Discipline Committee. The protection of others from further harm should be the major consideration. The following should take place:
 - a. A warning and reprimand will be issued to the offender for his/her actions and the danger associated with them.
 - b. Confession, repentance, seeking forgiveness and restitution will be made as appropriate.

- c. Training or counseling in the area of need will be required.
 - d. The Offender's ministries are to be restricted to the Local Church.
 - e. During this period of probation, the Offender is to walk circumspectly, proving himself/herself before God, the Elders of the local church, the District Superintendent and the EFCC Executive Director.
 - f. A review of the Offender's case shall be made at the termination of his/her period of probation.
3. **Suspension.** If a Licensed Worker is found guilty of actions that were clearly inappropriate and intentional and the offense was clearly unethical, persistent and/or resulted in (or could have resulted in) serious harm to others, he/she shall be placed under suspension. The amount of time under suspension is outlined under Restoration (Section VIII). Prime consideration must be given to protecting the congregation or agency and the integrity of the ministry. For an Offender under suspension, the following should take place:
- a. The immediately deposit of the Offender's credentials as a Licensed Worker of The Evangelical Free Church of Canada with the Ministerial Standing Committee will take place as well as the resignation from all of his/her delegated functions.
 - b. Confession, repentance, seeking forgiveness and restitution will be made as appropriate.
 - c. Training or counseling in the area of need will be required.
 - d. The Offender will be strongly advised and encouraged to enter into a Restoration program whether or not it results in reinstatement of credentials.

Sometimes an EFCC Licensed Worker has, prior to the accusation, made the decision to resign from EFCC ministry, and/or surrender membership in the EFCC. When circumstances arise that would normally warrant the initiation or completion of the disciplinary process, but the EFCC no longer has direct authority over the individual, it is within the purview of the Ecclesiastical Authority to recommend to the Ministerial Standing Committee the surrender of the individual's certificate of license or ordination.

4. **Dismissal.**
- a. Where the Respondent has been found guilty of a violation of scriptural moral standards, or of promulgating teachings contrary to the basic tenets of the Christian faith as set forth in the EFCC Statement of Faith, or of any other items listed as offenses, and has demonstrated no evidence of repentance or of change in willful and continued defiance of constituted authority, he/she shall be dismissed as a Licensed Worker of The EFCC and he/she shall surrender his/her credentials, consisting of his/her current license. It will result in the automatic withdrawal of ordination. All contractual agreements with The Evangelical Free Church of Canada shall be null and void.
 - b. Disclosure of this disciplinary action shall be at the discretion of the Ecclesiastical Authority but may include EFCC Licensed Workers. The Ecclesiastical Authority shall inform the EFCC Executive Director who shall inform all District Superintendents.

B. Additional Requirements.

In addition to, or in lieu of, the above penalties, the Discipline Committee, at its discretion, may impose requirements on the terms and conditions of the guilty person's employment, including but not limited to personnel action such as adjustment in job duties, transfer, demotion, or reassignment; disciplinary action; and/or immediate termination of employment.

VI. LEGAL CHARGES

If a Licensed Worker has been Legally Charged or has had Allegations made under the Criminal Code, the following shall apply:

A. Legally Charged:

- 1. No disciplinary action shall be taken until the legal charges, including appeal, have been officially dismissed or dealt with by the courts, except where the Ecclesiastical Authority decides to proceed with charges and the Licensed Worker signs a waiver permitting the EFCC to initiate ecclesiastical disciplinary procedures.
- 2. At the conclusion of the court proceedings, the Ecclesiastical Authority shall initiate investigation

procedures based on charges.

3. Continuing ministry may be subject to restriction during the time of the legal proceedings at the discretion of the Ecclesiastical Authority.
4. In the event ministry is restricted, the Licensed Worker charged under the Criminal Code shall continue to receive remuneration for a maximum of three months.
5. When a Licensed Worker is under investigation by the legal authorities for alleged offences under the criminal code, which have yet to result in official legal charges, the Ecclesiastical Authority shall proceed with an investigation of the allegations. If, during the course of the ecclesiastical investigation, legal charges are laid, the above shall apply.

B. Allegations made but not yet Charged:

1. The Ecclesiastical Authority shall proceed with an investigation of the matter to determine the validity of the allegations.
2. If the investigation indicates sufficient evidence to proceed with disciplinary action, the investigating officers shall use their discretion in reporting the matter to the legal authorities, unless formal reporting is required by law.
3. Should the allegations against the Licensed Worker be one of a violation that is required by law to be reported (including but not limited to offenses against minors), the Ecclesiastical Authority shall report the offender to the appropriate legal authorities.
4. In the event ministry is restricted, the Licensed Worker charged under the Criminal Code shall continue to receive remuneration for a maximum of three months.

C. Civil Suits. If a Licensed Worker is charged or sued in a civil suit, the Ecclesiastical Authority shall have the right to investigate and determine if the EFCC should proceed with an investigation.

VII. APPEAL PROCESS

- A.** Following any decision of a Discipline Committee, appeals may be made to the EFCC Board of Directors. The basis on which appeals may be made include penalties that may seem too severe, the violations of the rights of the Respondent to a fair trial, failure of a Discipline Committee to recommend the restoration of the credentials and privileges of the respondent after the designated term of probation or suspension, or a faulty designation of the offenses to which the respondent has been found guilty.
- B.** Appeals shall be made, in writing, not later than 30 days after the verdict of the Discipline Committee has been rendered.
- C.** The Secretary of the Discipline Committee shall forward to the Chairman of the EFCC Board of Directors a copy of all the proceedings of his/her Committee, along with copies or originals of all correspondence involved with the one making appeal. The EFCC Board of Directors shall review all the proceedings with no additional evidence or testimony permitted, unless there exists exceptional circumstances. The Board of Directors may vote to sustain the decision of the Discipline Committee, or to recommend a lighter penalty, but in no case may they recommend a heavier penalty. It may also refer the matter back to the Discipline Committee recommending another hearing for the offending party.
- D.** If the Respondent is a District Superintendent, the appeal is made to the Chairman of the Board of Directors. If the Respondent is the EFCC Executive Director, there is no appeal process.
- E.** The verdict of the Appeal Committee shall be final.

VIII. RESTORATION

E. Reasons for Restoration.

1. Every effort should be made to diligently lead the offending Licensed Worker through a program of restoration, administered in brotherly love and kindness, *in order to see him/her work through the necessary steps to repentance, forgiveness and a return to full service in the Body.*

2. Reinstatement of Licensing may occur following a successful Restoration process.

B. Time Period. The restoration period begins upon the approval of an application for restoration. The period of restoration shall be not less than 2 years for most offenses. When the violation involves sexual deviation, the period of restoration shall be for a minimum of 3 years. The Ecclesiastical Authority shall determine the length of the restoration period required and shall have the authority to extend this to ensure satisfactory completion of the program.

C. Process

1. **Application.** Within one year of the date of the disciplinary hearing, Respondents in the restoration program are required to make application in writing and to provide an admission of guilt in reference to the offense. The Ecclesiastical Authority shall appoint a mentor to provide pastoral care and counsel during and for a reasonable time beyond the period of restoration. Prayer shall be sought on behalf of the Respondent from those who are advised of the restoration.
2. **Residence.** The Respondent must continue to reside within the District unless otherwise approved by the Ecclesiastical Authority.
3. **Ministry.** There must be absolutely no ministry for the first half of the restoration period. For the remainder of restoration, ministerial involvement shall be at the discretion of the supervisor appointed by the Ecclesiastical Authority. Ministry involvement during the term of restoration shall **not** include “preaching” and shall be confined to the church of the supervising pastor. The Respondent shall **not** be eligible for any appointed or paid ministry staff position until the suspended License is fully reinstated.
4. **Reporting.** The Respondent shall report monthly to the supervisor approved by the Ecclesiastical Authority and to the District Superintendent.
5. **Reviews.**
 - a. If at any time the Ecclesiastical Authority determines that reinstatement of credentials is not feasible, the Respondent shall be dismissed, but if he/she later shows repentance and indicates a desire for reinstatement, the Respondent shall, upon obtaining the approval of the Ecclesiastical Authority return to the restoration program, with the provision that the credential holder shall not be eligible for full reinstatement until the requirements of the program have been satisfactorily completed.
 - b. In situations where a Licensed Worker offers a voluntary statement concerning inappropriate conduct which results in disciplinary action, and when the Licensed Worker demonstrates significant personal spiritual growth during the restoration period, the Ecclesiastical Authority may appeal to the MSC for permission to shorten the period of discipline.

D. Reinstatement of Licensing.

1. Persons who have had their credentials suspended and are seeking reinstatement shall make application in writing to the Discipline Committee. If, in the opinion of the Discipline Committee, the restoration program has been satisfactorily completed, then the Committee shall recommend the reinstatement of credentials to the MSC for approval.
2. If the Discipline Committee determines that the person under discipline will not be reinstated, the Committee will inform the person in writing giving the reasons for non-reinstatement.
3. Persons applying for reinstatement may, at the discretion of the MSC be requested to appear and answer questions in person.
4. The decision of the MSC shall be final and binding.
5. Reinstatement of credentials, if granted, shall be issued with provisional status for one year and be reviewed by the Ecclesiastical Authority after that period, with a report being forwarded to the MSC.
6. Should a restored individual seek a new position within the EFCC denomination, district or church entity, or a supporting organization of the EFCC, the Ecclesiastical Authority, Discipline Committee, Employing Entity or any other person involved in the former disciplinary proceeding has the authority to share information concerning the previous discipline and restoration process.

7. The Discipline Committee reports and supporting documents shall be preserved for future reference in the files of the Home Office. All records of offenses shall be destroyed seven years after the person has had their Licensing reinstated with the Evangelical Free Church of Canada.
8. There shall be no reinstatement of Licensing for those who are found guilty of criminal sexual charges.

IX. CARE FOR THE OFFENDED

- A. God has great compassion for those who are abused or oppressed (Ezekiel 34:16; Isaiah. 61:1-8).
- B. Whole communities are impacted by offenses committed even against one person (Acts 5:11; I Corinthians 5:4 & 5; 6:1ff).
- C. The Scriptural pattern suggests that the offended is to be involved in the discipline and restoration process of the offender (Leviticus 24:10-23; Numbers 5:5-8; 35:19; Deuteronomy 19:11-13).
- D. Jesus Christ's ministry on earth often focused on improving the situation for the victims of abusive systems, ministering healing to the offended and caring for those who had no advocate. (Luke 10:25-37; John 5:1-9; John 9:1-7; John 12:1-8)
- E. Jesus also clearly instructed the abused and offended to forgive, not retaliate or judge (Luke 6:27-36).
- F. Using these principles as guidelines, the Ecclesiastical Authority shall involve the offended in the discipline and restoration process whenever appropriate. He shall also determine the steps to take in order to ensure that the grievances of the offended are addressed and that appropriate help is offered to aid in the healing process.

This document is adapted from the “*Christian & Missionary Alliance Discipline, Restoration and Appeal for Licensed Workers*” Policy, the *Pentecostal Assemblies of Canada Bylaws on Ministerial Credentials from 2009*, and the “*Discipline Procedures Against a Leader Credentialed by The Evangelical Free Church of America*”.

Amendments

Amendments to this document may be made by the Board of Directors of The Evangelical Free church of Canada.

Adopted (_____)