

CONSTITUTION
OF
BATTLE CREEK ACADEMY

PREAMBLE

Whereas, the principles of Christian Education established under God by Seventh-day Adventists have been fostered in the churches of the Battle Creek area for many years, and since the need for essential physical, mental and spiritual development of our youth in both elementary and secondary grades required the establishment of an Academy; Therefore, this Constitution is framed to give proper representation from all churches which are or shall become a part of the Constituency and to provide for the orderly operation of said institution.

The name of this organization shall be Battle Creek Academy. The principal office of this organization is located at 480 Parkway Drive, Battle Creek, Calhoun County, Michigan 49037-2134.

The Seventh-day Adventist Church desires through its entire educational program to help prepare the youth for effective citizenship on this earth and for rewarding citizenship in the New Earth.

Battle Creek Academy is a co-educational elementary-secondary day school operated by the local churches to provide a Seventh-day Adventist Christian education. The operation of the K-8 grades is under the Michigan Conference; the secondary grades are run by the Battle Creek Academy Board.

Battle Creek Academy believes man and the universe to be the handiwork of a Divine Creator who guides and sustains all. God is considered the Source of all knowledge and wisdom, and His revealed will as a standard of right and truth. With this as its philosophical foundation, the school endeavors to provide its pupils with an educational program that leads to a full commitment of their social, intellectual, physical, and spiritual resources to the service of God and man.

The prime purpose for the existence of the school is to provide a quality education in an atmosphere conducive to the development of the spiritual life of the student. A true knowledge of God, fellowship and communion with Him in study and service, likeness to Him in character development, are to be respectively the source, the means, and the aim of Battle Creek Academy.

Battle Creek Academy conducts a distinctive educational program based on a curriculum designed to prepare the student to cope effectively with the everyday experiences of life.

The principal objectives of Battle Creek Academy are:

- Section 1 To give thorough spiritual training in Bible courses, religious activities, and the inclusion of Biblical principles in all areas of the curriculum and activities of the school.
- Section 2 To help students develop a close personal relationship with Christ resulting in a sense of service to mankind and the giving of the gospel to all the world.
- Section 3 To provide training in the vocational, practical, and fine arts.
- Section 4 To develop habits of healthful living.
- Section 5 To offer the necessary subjects as required for state and/or regional and denominational accreditation in preparing for higher education and in accordance with the stated purpose of Battle Creek Academy.
- Section 6 To carry out the educational policies as published in the Lake Union Code Book.

Article I

Battle Creek Academy (hereafter referred to as BCA) shall be governed by a board of directors (hereafter referred to as the Board) as outlined in the By-Laws.

Article II

- Section 1 The constituency of Battle Creek Academy shall consist of the membership of:
 - (A) Those Seventh-day Adventist churches comprising the constituency as provided in the By-Laws.
 - (B) Representatives of the Michigan Conference of Seventh-day Adventists as provided in the By-Laws.
- Section 2 Constituency Meeting:
 - (A) Meetings of the constituency are called by the BCA Board. At least one meeting shall be called annually.
 - (B) Notice of the time and place of meeting shall be provided as required by the By-Laws.
 - (C) Action taken requires a simple majority, except as provided in Article III, Section 1 and Article VI of the Constitution. Actions of the constituency are valid and binding only when:
 - (1) A quorum is present.
 - (2) Items were on the board approved agenda.
- Section 3 Membership
 - (A) Member churches of the constituency may be added or terminated upon written application/resolution of the church and approved by the BCA

Board and constituency as provided for in Article II, Section 3, and Section 4 of the By-Laws.

- Section 4 The office of the constituency shall be:
- (A) Chairperson
 - (B) First Vice Chairperson
 - (C) Second Vice Chairperson
 - (D) Secretary – Treasurer
- Section 5 Duties of the constituency:
- (A) To attend duly called meetings of the constituency and participate in actions as provided by the By-Laws.
- Section 6 Duties of Constituent Churches:
- (A) To elect members to BCA Board.
 - (B) To provide financial support as outlined in the Constitution and By-Laws.

Article III – Real Estate

- Section 1 No proposal for the sale of real estate located at 480 Parkway Drive, Battle Creek, Calhoun County, Michigan shall be valid except by a two-thirds majority vote of the members present at a duly called constituency meeting and subject to Article II, Section 2 of the constitution. The secretary of the constituency shall give written notice of said proposal to the constituent churches according to the provision of Article II, Section 6 (A) of the By-Laws.
- Section 2 The sale of any other real estate controlled by Battle Creek Academy may be voted by its Board of Directors subject to the provisions of Article III, Section 3 of the Constitution.
- Section 3 Any voted proposal for the sale of real estate by the constituency shall be forwarded to the Executive Committee of the Michigan Conference of Seventh-day Adventists for study and to the Michigan Conference Association of Seventh-day Adventists for action.

Article IV – Board of Directors

- Section 1 The board should be made up of:
- (A) Voting members of constituent churches, principal, and representatives of the Michigan Conference of Seventh-day Adventists and the Lake Union Conference of Seventh-day Adventists as provided by the By-Laws.
 - (B) Non-voting members as provided by the By-Laws.
- Section 2 Standing Committees of the Board of Directors and their duties shall be:
- (A) Executive: To conduct the business of the Board between regularly scheduled meetings.
 - (B) Finance/budget: To prepare annual budget and oversee finances of BCA.
 - (C) Personnel: To oversee all matters of personnel.
 - (D) Building and Grounds: To oversee maintenance of grounds and physical plant of BCA.

- (E) Scholarship: To make allocation for tuition assistance.
- (F) Home and School: To foster support between parents and school.
- (G) Development and Marketing: To oversee the development and marketing functions of BCA.
- (H) Additional committees may be added by the Board of Directors as necessary.

- Section 3 Duties of the Board shall be:
- (A) To organize itself annually.
 - (B) To hold regular meetings.
 - (C) To hire secondary level faculty and make recommendations to the Michigan Conference of Seventh-day Adventists regarding hiring of the elementary faculty.
 - (D) To determine academic and operating policies of BCA.
 - (E) To perform any other duties that may be in the best interest of BCA.

Article V – Financial

- Section 1 The financial support of BCA shall be derived from:
- (A) Tuition and fees from students.
 - (B) Scholarship funds from constituent churches.
 - (C) Subsidy received from constituent churches as provided in the By-Laws.
 - (D) Michigan Conference of Seventh-day Adventists subsidy.
 - (E) Miscellaneous income.

- Section 2 An annual audit shall be rendered to the Board.

Article VI – Amendments

A written copy of proposed amendments to the Constitution and the effective date of its adoption shall be given to both the Pastor and local head Elder of each constituent church in sufficient time to publish these proposed amendments at least two Sabbaths prior to the scheduled constituency meeting. The proposed amendment may be ratified by:

- (A) A two-thirds vote of the constituency members present at a duly called Constituency meeting, or
- (B) Within 90 days of the constituency meeting, approval of the amendment by a majority of the constituent churches acting in business session.

The secretary of the constituency shall give written notice of said proposal to the constituent churches according to the provision of Article II, Section 2 (B) of the Constitution.

A written copy of proposed changes to the By-Laws and the time of the constituency meeting shall be given to both the Pastor and local head Elder of each constituent church in sufficient time to publish these proposed changes at least two Sabbaths in advance. The By-Laws may be amended by a two-thirds vote of the constituency members present at that meeting. The constituency shall establish the effective date of each change at the time of its adoption.

The secretary of the constituency shall give written notice of said proposal to the constituent churches according to the provision of Article II, Section 2 (B) of the Constitution.

BY-LAWS
OF
BATTLE CREEK ACADEMY

ARTICLE I – Fiscal Year

The fiscal (annual) year shall commence July 1 and end the following June 30.

ARTICLE II – Constituency (Membership)

Section 1 The constituency of BCA shall consist of:

- (A) The membership of the following Seventh-day Adventist churches including Battle Creek Tabernacle, Urbandale, Delton and such other Seventh-day Adventist churches as added to the Constituency as provided for in Article II, Section 3 of the Constitution.
- (B) The President, Secretary, Treasurer, Education Superintendent(s) for the Michigan Conference of Seventh-day Adventists, the Director and Associate Director of Education of the Lake Union Conference of Seventh-day Adventists and Lake Union and Michigan Conference Committee members who may be present.

Section 2 Constituency Meeting

- (A) A quorum at a duly called constituency meeting shall be thirty (30) members not counting those in Article II, Section 1 (B) of the By-Laws.
- (B) The agenda shall be established by the Board of Directors at least two weeks prior to the scheduled constituency meeting. Only approved agenda items shall be considered for action.
- (C) The Constituency may give recommendations and directives to the Board regarding agenda items for future constituency meetings.

Section 3 A Seventh-day Adventist church may become a member of the constituency by written application submitted from that church to the BCA Board and approved by that Board and by the constituency at duly called meetings. The effective date shall be the following July 1st.

Section 4 A constituent church membership may be terminated by written resolution submitted by that constituent church to the BCA Board by January 1 of the effective year, and approved by that Board and by the constituency at duly called meetings. The effective date shall be the following July 1st.

Section 5 The offices of the constituency shall be:

- (A) Chairperson
- (B) First Vice Chairperson
- (C) Second Vice Chairperson
- (D) Secretary-Treasurer

The above offices shall be held by the corresponding officers of the Board.

Section 6 Meetings of the constituency are to be called in the following manner:

- (A) The Board shall provide written notice of the time and location of all meetings and agendas shall be given to both the Pastor(s) and head local Elder of each constituent church in sufficient time to publish or announce the above mentioned meeting at least two Sabbaths prior to the meeting. Failure of constituent churches to announce or publish the time, location, or any other constitutionally required information at least two Sabbaths prior to the meeting does not prevent action on any issue by the constituency.
- (B) The annual constituency meeting shall be held no later than April 30th.
- (C) Special meetings may be called by the Board.

Section 7 Duties of the constituent churches:

- (A) To elect members to the BCA Board as provided in Article III, Section 1, Items A and C in the By-Laws. The term of office shall commence on July 1 for newly elected members. The term shall be determined by the individual constituent churches.
- (B) To provide financial support in accordance with Article IV of the By-Laws.
- (C) To appoint a new member to the Board when a vacancy in its representation may have been created. The new member shall serve the un-expired term.

Section 8 Duties of the constituency:

- (A) To promote and encourage its children to attend BCA.
- (B) To attend duly called constituency meetings, to review the annual budget, and participate in discussions and actions in said meetings.
- (C) To approve the budget for the following fiscal year.
- (D) To vote changes or amendments to the Constitution and By-Laws in accordance with the provisions of Article VI of the Constitution and may also propose Constitution and/or By-Law changes for future consideration within the provisions of Article VI.
- (E) To support the Home and School Association and other school programs and activities.

ARTICLE III – Board of Directors

Section 1 The Board shall consist of:

Voting Members:

- (A) Each constituent church shall elect member(s) to serve on the Board of Directors as follows:
 - (1) One member for each two hundred (200) members or fraction thereof.
 - (2) Each constituent church shall have at least one member.
- (B) A pastor of each constituent church or his designee as voted by the church board.
- (C) The church treasurer or a representative of the church finance committee or the chairperson of the church scholarship/stewardship committee of each constituent church if so designated by its board.
- (D) The Principal of Battle Creek Academy.
- (E) The Educational Superintendent of the Michigan Conference of Seventh-day Adventists or their designee.
- (F) The Educational Superintendent of the Lake Union Conference of Seventh-day Adventists or their designee.

Non-voting members:

- (G) The Development Director of BCA.
- (H) The financial officer of BCA. (Vice Principal/Treasurer/Business Manager/Assistant Business Manager.)
- (I) The chairperson of the Home and School Association.
- (J) Consultants, Honorary, Emeritus, and other special advisors as voted by the Board.

Section 2 A simple majority of voting members shall constitute a quorum for the Board meeting.

Section 3 The officers of the Board

- (A) Shall be:
 - 1. Chairperson
 - 2. First Vice Chairperson
 - 3. Second Vice Chairperson
 - 4. Secretary-Treasurer
- (B) Qualifications:
 - 1. Must be members of the Board under the provisions of Article III, Section 1, items A, C, and D of the By-Laws.
 - 2. (A) Must have one-year prior membership on the BCA Board.
(b) Chairperson must have served on BCA Board the year immediately preceding nomination.
 - 3. Must not be an immediate relative of a regular appointment Faculty or staff member which is defined as an ~~employee eligible to receive benefits~~ *FTE (Full Time Equivalent) employee based on current IRS definitions*. An immediate relative is defined in these By-Laws as a parent, child, spouse, or sibling.
 - 4. Shall not be a Michigan Conference employee, Lake Union Conference employee, or staff member of BCA.

5. Must keep all financial accounts with BCA in good standing.
6. Qualification statements do not apply to the Secretary-Treasurer of the Board.
7. No individual shall serve in more than one capacity as an officer of the Board.

Section 4 The standing committees of the Board

(A) Shall be:

Executive Committee: This committee shall consist of: The officers of the Board, the Finance Committee chairperson, the Building and Grounds Committee chairperson, a Pastor of one of the constituent churches, and two members of the Board to be nominated by the Nominating Committee of the Board. The Chairperson of the Board shall be the chairperson of this committee.

Finance and Budget Committee: This committee shall consist of: Executive Committee members, the Battle Creek Academy financial officer, a Pastor of each constituent church and the Finance Committee chairperson or Treasurer of each constituent church. The chairperson shall be appointed by the nominating committee.

Personnel Committee: This committee shall consist of: The officers of the Board, a Pastor of one of the constituent churches, two members of the Board to be nominated by the Nominating Committee of the Board and a Michigan Conference of Seventh-Day Adventists ex-officio member. The chairperson of the Board shall be the chairperson of the Personnel Committee.

Building and Grounds Committee: This committee shall consist of seven members: The financial officer of BCA, the maintenance director of BCA, three members from the Board, one of whom shall be the chairperson of this committee and two members-at-large from the constituent churches, not necessarily from the Board. The chairperson shall be appointed by the nominating committee.

Scholarship Committee: This committee shall consist of: Principal, Business Manager or Assistant Business Manager, the Development Director, Representative(s) from the BCA Finance Committee who represent the church to which the student belongs who is applying for scholarship assistance. The principal shall be the chairperson.

Home and School Committee: This committee shall consist of:

Representatives elected by the constituent church, a pastor of a constituent church voted by the Board and the principal of BCA. The Chairperson of this committee will be selected from among the church appointed Home and School representatives by the Nominating Committee of the Board.

Development and Marketing Committee: This committee shall consist of: The Development Director, a minimum of one representative from each constituent church, with at least two who are voting members of the Board, and other members at large who are Seventh-day Adventists but not necessarily members of the constituency. The Nominating Committee will consult with the Development Director in the selection of members. The chairperson of this committee will be selected by the Nominating Committee from those members who are voting members of the Board.

(B) Qualifications:

Members of the standing committees are appointed by the Board of Directors from its voting membership except where otherwise provided for in the By-Laws.

Chairperson must not be immediate relative of a regular appointment faculty or staff member which is defined as an *FTE (Full Time Equivalent) employee based on current IRS definitions. ~~eligible to receive benefits~~*, excluding temporary and substitute faculty and staff or part time contracted faculty or staff.

All members of personnel committee must not be immediate relative of a regular appointment faculty or staff member, excluding temporary and substitute faculty and staff or part time contracted faculty or staff.

Qualification statements do not apply to Home and School committee.

Section 5 The duties of the Board Chairperson shall be:

- (A) To call all meetings of the Board.
- (B)
 - (1) To preside as chairperson over the regular Board meetings.
 - (2) To call the Board into Executive Session on matters involving personnel issues. Only voting members and individuals invited by the Board are present during the Executive Session of this Board.
- (C) To be chairperson of the Executive Committee.
- (D) To be chairperson of the Personnel Committee.
- (E) To be ex-officio member of all committees.
- (F) To appoint temporary chairpersons of standing committees when necessary.
- (G) To preside as chairperson at constituency meetings.

- (H) To perform any other duties which would naturally fall under the responsibility of the chairperson of a Board of Directors.

Section 6 The duties of the First Vice Chairperson shall be:

- (A) To act in the place of the Chairperson of the Board in the event of his absence.
- (B) To accept responsibilities as designated by the Chairperson of the Board.

Section 7 The duties of the Second Vice Chairperson shall be:

- (A) To act in the place of the First Vice Chairperson in the event of his absence.
- (B) To accept responsibilities as designated by the Chairperson of the Board.

Section 8 The duties of the Secretary-Treasurer shall be:

- (A) To record and maintain a file of all business transacted by the Board and Constituency meetings.
- (B) To carry on the necessary correspondence of the Board.
- (C) To administer the financial policy of the Board.
- (D) To provide a periodic financial statement for the Board.
- (E) To be custodian of all funds.
- (F) To be Principal of Battle Creek Academy as established by the Board of Directors.
- (G) Remove "G"

Section 9 The duties of the standing committees shall be:

- (A) Executive Committee – To conduct the business of the Board between its regularly scheduled meetings and report actions taken to the Board at its next regular meeting.
- (B) Finance Committee – To prepare the annual budgets, to oversee the finances of Battle Creek Academy, to provide counsel to the administration on financial matters, and to make recommendations to the Board of Directors on all financial matters.
- (C) Personnel Committee – To evaluate administrator based performance measured against goals, objectives, and job description. To review instruments of evaluation used at BCA. To make recommendations to the Board on employment and other personnel matters.
- (D) Building and Grounds Committee – To oversee the maintenance of the grounds and physical plant of the academy buildings and the campus houses. To inform the Finance Committee of proposed major expenses and to make recommendations to the Board on matters of major repairs and construction projects. To plan and organize work bees as needed.
- (E) Scholarship Committee – To consider applications for tuition assistance and to make allocation from available funds.
- (F) Home and School Committee – To foster an active Home and School Association by conducting meetings and other functions for

parents/guardians, teachers, students and church members. To help provide school equipment and supplies recommended by the Board.

Section 10 The duties of the voting members of the Board shall be:

- (A) To elect, at the May meeting, a Nominating Committee consisting of three (3) members from the Tabernacle, two (2) from the Urbandale, and one (1) from the other constituent church(s). Nominations will be made from the floor; each Board member will vote by secret ballot for one nominee from each church. The nominees from each church with the highest number of votes will constitute the Nominating Committee. The Chairperson of the Nominating Committee will be elected by the Board from the elected Nominating Committee members.
- (B) To organize itself at the regular August meeting of each year by electing its officers and committees for the ensuing fiscal year.
- (C) To hold a minimum of eight (8) regular monthly Board meetings annually.
- (D) To make recommendations to the Michigan Conference Office of Education regarding the hiring and the employment of the elementary staff and support staff.
- (E) To select and hire the administrative staff, secondary faculty, and support staff.
- (F) To ensure that the salaries of all employees are in harmony with denominational policies as recommended by the Lake Union and Michigan Conference.
- (G) To determine the academic and operating policies of the school in harmony with the Board of Regents of the General Conference of Seventh-day Adventists and/or other regional accrediting bodies.
- (H) To call meetings of the constituency through the Chairperson of the Board.
- (I) To recommend the budget necessary for the operation of the school for approval by the constituency subject to provisions of Article II, Section 8, Item C and Article IV, Section 2 of the By-Laws.
- (J) To determine the policies concerning all buildings and grounds.
- (K) To review at the annual Financial and Statistical Review meeting the accreditation standing of the Battle Creek Academy.
- (L) To approve the music booster chairperson selected annually by the music director.
- (M) To fill any vacancies of the officers of the Board or the standing committees.
- (N) To resolve issues involving conflict of interest.
- (O) To perform any other duties that may be in the best interest of Battle Creek Academy.

Section 11 The duties of non-voting members of the Board shall be:

- (A) To provide expertise and counsel in areas of professional experience.
- (B) May serve on or chair an ad hoc committee of the Board.
- (C) May serve on standing committee of Board only where constitutionally provided.

Section 12 The duties of the nominating committee shall be:

- (A) To select the officers of the board and members of the standing Committees.
- (B) Provide an orientation program for board members.
- (C) Provide a profile of duties of potential candidates for board membership.

ARTICLE IV – Financial Support

Section 1 The financial support of the school shall be derived from:

- (A) Tuition and fees from students.
- (B) Scholarship funds from constituent churches.
- (C) Subsidy received from constituent churches.
- (D) Michigan Conference subsidy.
- (E) Miscellaneous income.

Section 2 (A) A subsidy necessary to cover annual operating expenses not received from sources identified in Article IV, Section 1, Items A, B, D, and E, shall be allocated to the constituent churches for remittance to Battle Creek Academy. The allocation will be based on the ratio of each church's tithe to the total tithe of all constituent churches. The tithe basis will be the twelve (12) month tithe data for each constituent church beginning January 1 and ending December 31 of the year just preceding the school fiscal year in which the allocation shall become effective.

For church and school budgetary purposes, a tuition rate and subsidy allocations shall be determined for the following fiscal year. The subsidy allocation shall be submitted to the constituent churches for review and recommendations.

When scholarship commitments, in lieu of tuition, are made through a church, it is the responsibility of that church to forward those funds monthly to the school.

- (B) A three-year graduated scale will be used in calculating the subsidy of a church new to the constituency and to churches returning to the constituency after a non-member status of eight or more years. The first year subsidy will be based on 25% of the church's actual tithe. The second year subsidy will be based on 50% of the actual tithe and the third year subsidy will be based on 75% of the actual tithe. The adjusted tithe data will be used in the calculation of church subsidies as provided in Article IV, Section 2 (A) of the By-Laws.
- (C) Full tithe data will be used in calculating subsidies for churches returning to the constituency after a non-member status of seven years or less.

Section 3 The Board will require an evaluation and a full financial disclosure by the Treasurer or Finance Committee chairperson of a constituent church under the following circumstances:

- (A) When a request is made for and adjustment of the church's subsidy allocation.
- (B) In the event of the continued inability of a church to meet the subsidy allocation of the approved budget.

Should a financial problem not be resolved, the Board will require the constituent church to seek advisory assistance in an effort to resolve the problem.

HISTORY REVISION PAGE

DATE APPROVED	DATE IMPLEMENTED	DETAILS
Proposed 9-21-15	November 3, 2015	Removed bold type and add History Revision Page.
		Constitution Article VI, Amendments (A) Replaced the word "and" with "or".
		By-Laws Article II, Section 1,A, Removed First Hispanic.
		By-Laws Article II, Section 2,A, Revised quorum from 50 to 30 members.
		By-Laws Article II, Section 6,B, Changed from March 31 st to April 30 th .
		By-Laws Article III, Section 1 A (1), Removed the word Major.
		By-Laws Article III, Section 1 E, Replaced the word "his" with "their".
		By-Laws Article III, Section 3 B (3), Added definition of regular appointment Faculty or Staff member.
		By-Laws Article III, Section 4 A, Personnel Committee, Added the Michigan Conference of Seventh-Day Adventists Ex-officio member.
		By-Laws Article III, Section 4 A, Development and Marketing Committee, Removed "This committee shall not exceed nine members in size."
		By-Laws Article III, Section 4 B Chairperson exclusion added "or part time contracted faculty or staff."
Proposed 8-12-2020	8-24-2020	Article III Board of Directors, Section 3, (B) Qualifications, #3: Remove "employee eligible to receive benefits"

Proposed 8-12-2020	8-24-2020	<p>Article III Board of Directors, Section 3, (B) Qualifications, #3: Add “FTE (Full Time Equivalent) employee based on current IRS definitions.</p> <p>“Must not be an immediate relative of a regular appointment Faculty or staff member which is defined as an FTE (Full Time Equivalent) employee based on current IRS definitions. An immediate relative is defined in these By-Laws as a parent, child, spouse, or sibling.”</p>
Proposed 8-12-2020	8-24-2020	<p>Article III Board of Directors, Section 4 The Standing Committees of the Board, (B) Qualifications, 2nd paragraph: Remove “eligible to receive benefits”</p>
Proposed 8-12-2020	8-24-2020	<p>Article III Board of Directors, Section 4 The Standing Committees of the Board, (B) Qualifications, 2nd paragraph: Add “FTE (Full Time Equivalent)” employee based on current IRS definitions.</p> <p>“Chairperson must not be immediate relative of a regular appointment faculty or staff member which his dined as an FTE (Full Time Equivalent) employee based on current IRS definitions.</p>