

## Frequently Asked Questions About the Relationship Between ASBC and ASCS

### *1. What is happening between Atlantic Shores Baptist Church (“the Church”) and Atlantic Shores Christian School (“the School”)?*

The School recently took steps to separate itself from the spiritual and organizational oversight of the Church. Because the Church Elder Body believes strongly in the principle of biblical authority as expressed throughout Scripture (Genesis 1-3; 1 Samuel 8; Romans 13:1-5; Matthew 16:18, 28:18-20; Ephesians 4:11-16, 5:22-33; Hebrews 13:17, and I Peter 5:1-11), the Elder Body decided that the Church cannot be responsible for a ministry over which it has no meaningful authority. The Church then gave the school the option of coming under the church’s authority or transitioning to an independent ministry. The School has chosen to continue its transition to complete independence from the Church and the Church has chosen to respect the School’s wishes.

### *2. Did the Church and School actually separate in 1995 under previous Church leadership?*

After ten years of operation, the Church separately incorporated the School ministry. This is common in church/school relationships and helps provide liability protection to both entities. This decision did not, however, remove the Church's spiritual oversight over the School or change the School's status as a ministry of the Church. Virginia Nonstock Corporations Law clearly provides for such an arrangement. In summary, the School has been a ministry of the Church since 1985, and the School's own Bylaws reflected this relationship until June 27, 2017 (when the School unilaterally changed its documents).

It is important to note that the School did not overtly claim "separate" status until the last few weeks. This claim clearly corresponds to the Church's request that the School bear a fair share of its operational costs and that it continue to submit to the Church's spiritual authority.

### *3. Why is it important for the School to operate under the authority of the Church?*

The Church takes seriously the Biblical principles of accountability and authority. Every ministry of ASBC is accountable to and under the authority of the leadership of the Church (just as the individual leaders of the Church are accountable to God, the Elder Body and the congregation as a whole (Hebrews 13:17)). Though the School has been a ministry of the Church for over thirty years, the School has now rejected the authority of the Church. Just to illustrate why this is such a big problem, the School has now taken the legal position that it can amend its Statement of Faith without the Church’s approval—and there is nothing that the Church could do about it. As the spiritual leaders of the Church, the Elder Body cannot allow a ministry to operate outside its God-given authority.

Furthermore, it is important for the School to operate under the ecclesiastical authority of the Church to maximize religious liberty protections for both ministries. This was made abundantly clear at a joint meeting of the Elder Body and School board earlier this year.

*4. Does the Church just want control of the School?*

The Church started the School as a ministry of the church in 1985. The School has always operated as a ministry of the Church. Over the years, the Shores church family has prayed, volunteered countless hours, and sacrificed financially to make the school a reality and success. The following Bylaw provision from the School's Bylaws has been in place since October 28, 2008.

***Article VII. Relationship of ASCS and ASBC***

*ASBC is the parent of ASCS and the spiritual shepherd of ASCS. ASBC is vested with the moral authority over ASCS and is the steward of the beneficial ownership of ASCS for the benefit of ASBC, the Christian community and the community at large.*

The School recently took the legal position that it was invalid and acted to amend the School's entire Bylaws on June 27, 2017. In summary, the Church is not trying to takeover or assume control of the School. Rather, the School has taken steps to distance itself from the oversight of the Church.

*5. Has the Church left the School an option to stay in the building?*

Yes, for the 2017-2018 school year and beyond if the School chooses. When the School took the legal position that it could unilaterally change its legal documents to remove the oversight of the Church (and acted upon it), the Church Elder Body gave the School three options: (1) reconcile with the Church by fully submitting to the oversight of the Church, (2) transition to an independent ministry by agreement (which would include relocating the elementary grades to another facility after the 2017-2018 school year) or (3) transition to an independent ministry without an agreement (which would also include relocating the elementary grades to another facility after the 2017-2018 school year). The School has chosen option three. Therefore, the School will use the Church facility for the 2017-2018 school year and then move to a separate facility.

*6. Is the School a ministry of the Church or not?*

The School has been a ministry of the Church since 1985. In recent years, the School has taken steps to distance itself from the Church. These actions have culminated in the School's decision to fully transition to an independent ministry. Apart from litigation, the church is unable to stop this from happening (1 Corinthians 6).

*7. Has the Church lost its ministry heart for the School?*

No. The Shores church family founded the School, contributed countless volunteer hours and expended significant financial resources to make the School what it is today. When Church leaders set out to maximize the School's religious liberty protections and highlight the School's status as a ministry of the Church, the Church leadership fully expected the church/school relationship to flourish for many years to come. The Church's heart for the School is as strong as it has ever been. However, the Elder Body is responsible for managing the church's risk in a way

that best protects the church. And, for the reasons stated in question #1 regarding the proper alignment of biblical authority, the Church cannot be responsible for a ministry over which it has no meaningful authority.

*8. What plans does the Church have when the School leaves?*

As faithful stewards of the resources God has given us, the Church will explore a range of options for the ministry use of its facilities when the School departs after June 30, 2018.

*9. Is the Church kicking the School out of the building?*

Absolutely not. As explained in #4 above, the School has chosen to separate itself from the ministry oversight of the Church. As part of an overall risk management decision, the Church is not interested in being a long-term landlord to an independent ministry that is not willing to recognize the authority of the Church.

*10. Is the Church engaging in an illegal, hostile takeover of the School?*

No. In 2014, the Church began the process of updating its legal documents. The Church undertook this process to ensure that its documents reflected a biblically sound organizational structure and contained the strongest religious liberty protections available. Because Church leaders considered the School a ministry of the Church, the Church requested a legal review of the School's documents. The attorneys that reviewed the School's documents recommended that the School maximize its religious liberty protections and highlight the status of the School as a ministry of the Church. When Church leaders approached the leadership of the School about these recommendations in May of 2015, the School refused to consider them. Because the Church was then rebuilding its leadership team, the Church did not press the matter. However, in 2017, with a new Elder Body in place, the Church engaged this issue with the purpose of maximizing the School's legal protections. In response to these efforts, the School unilaterally changed its documents and separated itself from the ministry oversight of the Church.

The School may argue that the Church's attempt to highlight the School's status as a ministry or to exercise any spiritual authority over the School is "illegal" under Virginia law. This opinion is not shared by the Church's attorneys and puts the Church and School at a crossroads.

In summary, the Church has acted to protect and maximize the free expression of religious liberty for both ministries, and to align the Church and School, which it considers a ministry of the Church, in a way that recognizes proper biblical authority. The Church has done so with the advice of legal counsel and with the purpose of maximizing the Gospel impact of both Church and School. The School has moved away from the Church, not the other way around.

*11. If the Church and the School have different legal opinions on the relationship between the two ministries, why don't they settle the matter in a court of law?*

In all of these discussions, Scripture is our governing authority. Based on 1 Corinthians chapter 6, the Elder Body of the church does not believe it is appropriate to put a church matter before

“those who have no standing in the church.” The church is taking the high and biblical road by not litigating the matter.

*12. Is the Church only interested in making money off the School?*

No. The allocation of financial resources is a challenge faced by every organization, including Churches. The leaders of the Church take seriously their responsibility to faithfully steward the resources given by the church family (I Corinthians 4:2; 2 Corinthians 8:16-24; Titus 1:7). Our review of the financial relationship between the church and the school uncovered a significant subsidy in the church’s operations budget. It was more than we believed was prudent as it deprived the church of the financial resources needed to hire additional ministry staff at a time when our church is experiencing rapid growth, especially in ministries to children and students. In February of 2017, the Elder Body of the church met jointly with the school board to raise the issue and begin conversation. We expressed our expectation that after 32 years of operation, the school must at least cover its own expenses and not expect the church to subsidize its operations financially. We stressed that the church is not trying to make money on the school. The church merely wanted the school to pay for the cost of its own operation when using the church building. It is worth noting here that the school’s budget is nearly triple that of the church. The financial subsidy we discovered represented nearly 12 percent of the church’s budget (a difficult burden for the church) while the additional expenses laid upon the school represented less than 5 percent of its budget.

We want to emphasize that we entered into this difficult discussion with a firm commitment to continuing the more-than-30-year-old relationship between the church and the school. We love the school and see it as an effective way for any church to make disciples of Jesus Christ through Christian education. Let us be clear: we want Atlantic Shores Christian School to continue as a ministry of Atlantic Shores Baptist Church and have given the school a way for that to happen going forward.

Although we believe the school taking full responsibility for its own expenses did not lay an undue burden on ASCS, The Church went the extra mile by attempting to raise the money for the school. We contacted a foundation in Virginia that exists for the purpose of strengthening Christian schools and asked them for a donation, specifically for the purpose of giving our teachers the raise they deserve for next school year. That foundation was interested in providing financial support, but they only do so to schools that are operating under the authority of a church.

*13. How long has this conflict been going on between the Church and School?*

The School has been slowly separating itself from the Church’s oversight for several years. The Church and School have been discussing the financial arrangement (discussed in #10) and the proposed changes to the School’s Bylaws (see #9) since the spring of 2017.

*14. What happens to the elementary school after June 2018?*

Presumably, the School will relocate to another facility. The School's Board of Directors (and not the Church) will make that decision. The Church has been deliberate in allowing the School to occupy its facilities through the end of the upcoming school year. That way, the School has nearly twelve months to locate an alternate facility.

*15. Does anybody from the Church serve on the School board?*

Scott Dishong, the Executive Pastor of Ministries, began attending School Board meetings in October 2014 during the church's leadership transition and has continued to do so, but not as an official elder of the church until November 2015. Nobody else on the School Board, including the Head of School, attends the church. The Church has chosen not be represented on the School's Board under its new documents.

*16. Why and when was the Senior Pastor of the Church removed as the chairman of the school board?*

For nearly thirty years, the senior pastor of the Church served as the chairman of the School board. In early 2015 (prior to Dr. Ron Jones's arrival in October 2015), the School board acted unilaterally to amend the bylaws of the School and remove the senior pastor from that position. They did so without consent or consideration of the Church and during a time when the church was going through a leadership transition. This move weakened the ecclesiastical authority of the Church and placed both the Church and School at risk in the current legal environment as it relates to the free expression of our religious liberty.

*17. Is the Church to blame for teachers not getting a raise for the next school year?*

We believe the school taking full responsibility for its own expenses did not lay an undue burden on ASCS. However, partial blame was laid on the church for the fact that teachers would not be receiving a cost-of-living increase for the 2017-2018 school year. The School had the option of either cutting expenses or raising the money to cover their expenses, or a combination of both. They chose to cut expenses and that included eliminating a raise in teacher salaries in the School's 2017-2018 budget. The Church went the extra mile by attempting to raise the money for the School. We contacted a foundation in Virginia that exists for the purpose of strengthening Christian schools and asked them for a donation, specifically for the purpose of giving our teachers the raise they deserve for the next school year. That foundation was interested in providing financial support, but they only do so to schools that are operating under the authority of a church.

*18. Why has the Church asked the School to provide additional security on both campuses, and what was their response?*

The Church takes security matters on our campus seriously and has a security protocol and team in place for all church functions. However, the security the School provides during the School's operation on the church campus has not been equal to the task. Recently, the Church took the initiative to engage the analysis of a firm that provides security for schools, corporations, and

private individuals in this region. They provided a 17-page report that included both the elementary and high school campuses. They also made recommendations that included the option of both armed and unarmed security officers. After presenting the report and recommendations to the Head of School, the Church received notice that the School would not be acting on their recommendations. For that reason, and in an abundance of caution, the Church will incur the expense of implementing those security recommendations on the elementary campus during the 2017-2018 school year.

*19. Is the Elder Body of the Church in unanimous agreement with this decision?*

Yes. It is with a grieving heart that the Elder Body of the church makes this announcement. We love the school and together have enjoyed more than three decades of ministry through Christian education, and want nothing more than to continue that relationship. However, the Elder Body has tried to act like the “men of Issachar” who “understood their times” (1 Chronicles 12:32). We have tried to act wisely in the way we conduct the Father’s business in light of today’s cultural attacks upon religious liberty.

*20. Was the church trying to force the school to take a cessationist theological position on matters relating to the gifts of the Spirit, specifically about the practice of speaking in tongues?*

No. Unapologetically, the Church has always been Baptist in its theological tradition and publishes a robust statement of faith that articulates positions on a range of Christian doctrine including spiritual gifts, creation, and sexual ethics. However, the Church and the School have always maintained separate but complementary statements of faith. On the matter of spiritual gifts and in particular the practice of speaking in tongues, the School has remained silent on the issue since its inception in 1985. The church Elder Body recognizes this and does not require a change in the School’s statement of faith.

*21. Does the presence of a pastor from another church on the School Board meet the test required of ecclesiastical/spiritual authority and the protection of religious liberties for the Church and School?*

No. The key legal question (for purposes of religious liberty protections) is whether or not a school is under the ecclesiastical/legal authority of a church (as an organization). The presence of a pastor (as an individual) does not meet this test. Why? Because the presence of a pastor on the School board does not change the School into a church. Therefore, the School does not merit the elevated religious liberty protections reserved for churches. Consider the following hypothetical: "Could a for-profit business install a pastor on its board of directors and thereby merit the same religious liberty protection as a church?" The answer is no, and the same analysis applies to the School in this situation.

*22. Is the school’s decision to distance itself from the accountability and oversight of the church consistent with the recommendations of its accreditation body (the Association of Christian Schools International (www.ACSI.org))?*

The school is accredited by Association of Christian Schools International, which is an important credential for independent Christian schools. Like many organizations, ACSI is keeping a close watch on developments in the area of religious freedom. Approximately one year after the church's attorneys presented proposed revisions to the schools bylaws, ACSI came out with virtually identical guidance, stating as follows:

Since the Supreme Court's ruling in *Obergefell v. Hodges*, it is unclear where the dividing lines of religious liberty will fall. It is our belief that in 10 years we will still have religious liberty, though it may look a bit different than it does today. Independent entities may be at greater risk of abridged rights than ministries that fall under the local church. During this uncertain time, ACSI cautions schools to consider staying under the umbrella of a church until the full implications of *Obergefell v. Hodges* are understood. In the end, it may only be schools with explicit church connections that retain the freedoms they currently have.

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Lastly, the impact the sexual revolution will have on religious ministries cannot be overstated. If at all possible, the church and school should have a long view of the school as a ministry and take steps to remain connected to the church until we know the parameters within which independent Christian schools will have to operate.

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The church has consistently urged the school to seek a position of maximum protection of religious liberty for the sake of both the church and the school. Clearly, however, the school has chosen to move in the opposite direction.