

## **Manual of Operations Presbytery of Boise**

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## **PRESBYTERY OF BOISE BYLAWS**

### **CHAPTER I**

#### **NAME, DEFINITION, and BOUNDS**

- 1.10 The corporate name is “The Presbytery of Boise.”
- 1.20 The Presbytery of Boise is the ecclesiastical governing body affiliated with the Synod of the Pacific and the General Assembly of the Presbyterian Church (U.S.A), having original jurisdiction over all local churches and missions of the Presbyterian Church (U.S.A), within the bounds described below.
- 1.30 The bounds of the Presbytery comprise the Counties of Owyhee, Canyon, Ada, Elmore, Payette, Gem, Washington, Adams, Valley, and Boise in the State of Idaho; area surrounding Adrian and Ontario in Malheur County in the State of Oregon; and that part of the County of Elko in the State of Nevada that comprises the Duck Valley Reservation.
- 1.35 The relationship between the Presbytery and its churches is a collaborative relationship. The Presbytery has oversight of the churches with regard to the churches’ conformity to the Book of Order of the PCUSA. The Presbytery is also expected to serve the churches by providing resources and skills that will enable the churches to better accomplish their mission. The churches-must provide the financial support and the service of talented church members.
- 1.40 The rules for governing bodies of the General Assembly of the Presbyterian Church (U.S.A.) so far as they apply to a Presbytery shall be the rules of the Presbytery of Boise. In addition the following Bylaws shall govern the proceedings of the Presbytery.
- 1.50 The fiscal year of the Presbytery shall be the calendar year.
- 1.60 In matters not governed by these Bylaws the Constitution of the Presbyterian Church (U.S.A) and the current edition of Robert’s Rules of Order Newly Revised (RONR) shall govern the procedures of this Presbytery.
- 1.70 The executive body of the Presbytery is the Coordinating Council.
- 1.80 There is a Permanent Judicial Commission.

### **CHAPTER II**

#### **THE COORDINATING COUNCIL**

- 2.10 The work of the Presbytery shall be under the oversight of an executive body named the Coordinating Council. Its responsibilities shall be to recommend and assist the Presbytery in administering a strategic plan, including the development of plans for new churches; the coordination of all agencies needed for the work of the Presbytery, and the planning of the agenda of Presbytery meetings. The Coordinating Council of the Presbytery of Boise shall supervise and carry out such executive, promotional, and administrative duties as are referred to it by the Presbytery, a part of which shall be carried out through the Council Committees of Personnel and Budget and Finance.
  - 2.20 The members of the Coordinating Council shall be the Moderator of the Coordinating Council, the Stated Clerk, the Moderator of the Presbytery, Vice-Moderator of the Presbytery, the chair of the Committee on Representation, the chair of the Presbytery Program Committee, the chair of the Committee on Ministry, the chair of the Mission Alliance Committee, the President of the Civil Corporation, the chair of the Budget and Finance Committee, the chair of the Personnel Committee, the chair of the Nominating Committee, the Moderator of Presbyterian Women, and a representative of the board of Camp Sawtooth.
- 2.25 Presbytery membership shall be granted to any elder who is a member of the Coordinating Council.
- 2.30 The Coordinating Council shall serve as the Trustees of the Civil Corporation of the Presbytery of Boise.
- 2.40 The Coordinating Council shall nominate members of the Nominating Committee for election by the Presbytery.
- 2.60 The Coordinating Council may recommend to Presbytery the appointment of a recording clerk, as a compensated position, to assist the Stated Clerk as specified by the Personnel Committee.

- 2.70 The Coordinating Council shall meet at least four times during the calendar year.
- 2.80 The Coordinating Council shall encourage and review ecumenical commitment within the work of the Presbytery. (Book of Order, G-11.0103u.)

### **CHAPTER III THE TASK GROUPS**

- 3.10 The services of the Presbytery may be provided by committees or task groups under the oversight of the Coordinating Council. A task group is a team of volunteers undertaking the task of providing a service for the Presbytery. Throughout its existence the work of a task group is subject to review by the Coordinating Council. When the task is accomplished the task group disbands.

### **CHAPTER IV OFFICERS OF PRESBYTERY**

- 4.10 The officers of the Presbytery shall be, Coordinating Council Moderator, Moderator of the Presbytery, Vice-Moderator of the Presbytery, Stated Clerk, Treasurer, and President of the Civil Corporation.
- 4.20 The Moderator of the Presbytery shall serve one calendar year following election, and shall perform the duties assigned to that office according to the Book of Order G-9.0202. The office shall be served alternately as nearly as possible by elders and ministers of the Word. The Moderator may appoint commissions of Presbytery.
- 4.30 The Vice-Moderator shall fulfill the duties of Moderator as delegated by the Moderator. Should a vacancy occur in the office of the Moderator, the Vice-Moderator shall succeed to the office for the duration of the term.
- 4.35 The Moderator and Vice-Moderator shall be nominated by the Nominating Committee for approval by the Presbytery. The ordinary progression will be for the Vice-Moderator to serve as Vice-Moderator of the Presbytery, then Moderator, then Moderator of Coordinating Council.
- 4.40 The Stated Clerk, Treasurer, and President of the Civil Corporation shall serve three-year terms.
- 4.50 The Stated Clerk shall be responsible for proper conduct of the office, according to the Book of Order, G-9.0203. The Stated Clerk shall be responsible for parliamentary procedures, and the interpretation of the Constitution of the PC(USA), for all correspondence and records, and for the minutes of the Presbytery at both Coordinating Council meetings and Presbytery meetings. The Stated Clerk shall examine the minutes and record books of all churches in the Presbytery. The Stated Clerk shall be the Secretary of the Civil Corporation. This officer shall receive compensation for services.
- 4.60 The Stated Clerk may appoint a person to serve as parliamentarian, subject to the approval of the Presbytery.
- 4.70 The Treasurer shall receive all Presbytery funds and disburse them at the direction of the Presbytery. Treasurer shall forward the proper apportionments to the General Assembly and the Synod of the Pacific. The Treasurer shall prepare and submit a financial statement concerning the financial condition of the Presbytery at each stated meeting and an annual financial statement at the first stated meeting of the calendar year.
- 4.80 The President of the Civil Corporation of the Presbytery of Boise (By-Laws Chapter IX) should be one who is familiar with civil law.

### **CHAPTER V MEETINGS**

- 5.10 Four Stated meetings of the Presbytery shall be held each year coming year shall be announced by the Coordinating Council at the last Stated Meeting of the year.
- 5.20 The handbook and docket shall be determined and arranged by the Coordinating Council and announced by the Stated Clerk at least ten days before the date of the meetings.
- 5.30 The Sacrament of the Lord's Supper may be celebrated at each meeting, and shall be celebrated at the first stated meeting of the calendar year.

- 5.50 Committees, the Coordinating Council, and commissions of Presbytery shall submit reports of their activities and request for actions to the Stated Clerk to be sent with the call and proposed docket of the Presbytery meetings.
- 5.60 Non-Budget Items: Any proposal for expenditure of money not previously budgeted shall be referred to the Coordinating Council.
- 5.61 The Moderator shall call a special meeting at the request, or with the concurrence, of two ministers and two elders, the elders being of different churches. Should the Moderator be unable to act, the Stated Clerk shall, under the same conditions, issue the call. If both Moderator and Stated Clerk are unable to act, any three ministers and three elders, the elders being of different churches, may call a special meeting. Notice of the special meeting shall be sent not less than ten days in advance to each minister and to the session of every church. The notice shall set out the purpose of the meeting, and no other business than that listed in the notice shall be transacted.
- 5.62 A quorum of the Presbytery shall be any three minister members and three elder members, provided that at least three churches are represented by elders.

**CHAPTER VI  
COMMITTEES OF PRESBYTERY**

- 6.10 Committees of Presbytery
  - 1. Committee on Ministry, which includes the Committee on Preparation for Ministry, shall be a minimum of six members.
  - 2. Committee on Representation – a minimum of two members.
  - 3. Nominating Committee – A minimum of three members, nominated by the council and elected by the Presbytery.
  - 4. Mission Alliance Committee will include a member on the committee from each congregation
  - 5. Presbytery Program Committee – A minimum of six members.
  - 6. Budget and Finance Committee – A minimum of five members to include the chairperson of the Personnel and Mission Alliance Committees. Chairperson of this committee may serve as treasurer of the Presbytery.
  - 7. Personnel Committee – A minimum of three members.
- 6.20 Committee members and chairpersons shall be nominated by the Nominating Committee and elected by the Presbytery.
- 6.30 Committee members shall be elected in classes for three-year terms.
- 6.40 Committees shall consist of laypersons and ministers with at least one half the members being laypersons. (Book of Order, G-9.0501b)
- 6.50 Committees shall be responsible for submitting their budget requests for the coming year to the Budget and Finance Committee of the Coordinating Council prior to the third Stated Meeting of the Presbytery.
- 6.60 Committees shall report annually to the Nominating Committee their needs and recommendations for the new class to be nominated.
- 6.70 There shall be a joint annual meeting of the Nominating Committee and the Committee on Representation.

**CHAPTER VII  
PERMANENT JUDICIAL COMMISSION**

- 7.10 There shall be a permanent Judicial Commission composed of a minimum of seven persons in accordance with all the provisions of the Book of Order D-5.0100.
- 7.20 Duties, power and all other characteristics of the Permanent Judicial Commission shall be those described in the Book of Order, D-5.0202.
- 7.30 Members of the Permanent Judicial Commission shall be elected in classes for six-year terms.
- 7.40 The Permanent Judicial Commission shall meet at least once a year for purposes of organization.

## **CHAPTER VIII COMMISSIONERS TO GOVERNING BODIES**

- 8.10 General Assembly (8.11-8.14)
- 8.11 Commissioners and alternates to the General Assembly shall be elected at the fourth Stated Meeting of the Presbytery the year prior to the General Assembly.
- 8.12 The Minister Commissioners and the alternate shall be nominated by the Nominating Committee from among those ministers who are members of the Presbytery, provided those persons have attended the majority of the stated meetings of the Presbytery during the preceding 12 months. The list shall not include inactive ministers. They shall ordinarily, but not necessarily, be those who have rendered the longest service since their last attendance as General Assembly commissioner.
- 8.13 The Elder Commissioner and the alternate shall be nominated to the Presbytery by the Nominating Committee. Those nominated shall be elders who have attended Presbytery and are familiar with the issues of the church.
- 8.14 The Youth Advisory Delegate and the alternate shall be nominated by the Nominating Committee and elected by the Presbytery. The youth delegate shall be between 17 and 22 years of age.
- 8.20 Synod (8.21-8.22)
- 8.21 Commissioners to Synod and alternates shall be nominated to the Presbytery by the Nominating Committee and elected in classes at the fourth Stated Meeting of the Presbytery, in compliance with the standing Rules of the Synod of the Pacific.
- 8.22 In electing Synod Commissioners the procedures for the election of General Assembly Commissioners shall be followed, except that Synod Commissioners are elected for three-year terms.
- 8.30 Presbytery
- 8.31 Commissioned Lay Pastors may have the right to voice and vote at Presbytery meetings (G-14.0801).

## **CHAPTER IX INTER-PRESBYTERY AGENCIES**

- 9.10 Camp Sawtooth Board of Directors (9.21-9.23)
- 9.11 Boise Presbytery shall be represented on the Board of Directors responsible for maintaining the program and facilities of the Camp Sawtooth.
- 9.12 The Nominating Committee shall nominate and the Presbytery shall elect annually at the fourth Stated Meeting two persons to serve on the Camp Sawtooth Board for three-year terms.
- 9.13 Presbytery representatives to the Camp Sawtooth Board shall be responsible for reporting annually to the Presbytery. Reports shall include a complete statement of programs, finances, and future plans.
- 9.14 Shared Ministry Board (9.31- 9.34)
- 9.15 Boise Presbytery shall be represented on the Shared Ministry Board that is responsible for the cooperative venture of the Presbyteries of Boise, Eastern Oregon and Kendall in lay leadership training and education. One person will serve on the Shared Ministry Board for a three-year term. Board members are eligible for re-election to a second term. A Board member shall not serve a consecutive term of more than six years.
- 9.16 The Shared Ministry Board shall have oversight of the Paul Kessell Resource Center.
- 9.17 Presbytery representatives to the Shared Ministry Board shall be responsible for reporting annually to the Presbytery. Reports shall include a complete statement of programs, finances and future plans.

**CHAPTER X  
CIVIL CORPORATION**

- 10.10 There shall be a corporate body called The Presbytery of Boise, incorporated perpetually under the laws of the State of Idaho, authorized to do business in the States of Oregon and Nevada as a foreign corporation, and under these By-Laws, to include the ecclesiastical body known as the Presbytery of Boise.
- 10.20 There shall be a Board of Trustees (Board of Directors) of the Civil Corporation, which shall consist of the members of the Coordinating Council. The Stated Clerk of the Presbytery shall be the Secretary of the Civil Corporation. The Treasurer of the Presbytery shall be the Treasurer of the Civil Corporation. The President of the Civil Corporation shall be nominated by the Nominating Committee of Presbytery and elected by the Corporation's members for a three-year term at an annual meeting of the Civil Corporation. The Vice-President of the Corporation shall be the Moderator of the Coordinating Council.
- 10.30 The meeting of the Civil Corporation shall be held annually at the conclusion of the fourth Stated Meeting of the Presbytery.
- 10.40 The Board of Trustees of the Civil Corporation shall meet on call.
- 10.50 In accordance with the Book of Order, G-8.0500, the consent of Presbytery shall first be obtained in changing the location of church buildings; or if congregations wish to rent, encumber, or sell their real property.

**CHAPTER XI  
AMENDMENTS**

- 11.10 These Bylaws shall supersede and invalidate all former Bylaws of this Presbytery.
- 11.20 These Bylaws shall be amended by the following process:
1. Written notice of the proposed change shall be sent with the call to a stated meeting where it shall be presented, but not debated.
  2. Vote on the change shall take place at the following stated meeting.
  3. A two-thirds majority shall be required for adoption.

# THE PRESBYTERY OF BOISE

## STANDING RULES

### Chapter I MEETINGS

#### The Stated Meetings

1. Where a stated meeting of the Presbytery continues over a normal mealtime, the host church shall be responsible for providing that meal. The host church may assess a nominal charge. The Coordinating Council shall be responsible for the planning of the docket, which shall include a worship service.
2. At the first stated meeting of the calendar year, the outgoing Moderator shall preside until the installation of the incoming Moderator. The Session of the host church shall make the necessary arrangements for the administration of the Sacrament of the Lord's Supper. The Coordinating Council shall prepare and hold a necrology service.
3. At the beginning of each stated meeting the Presbytery shall approve the docket. New items of business should be presented at the time for "Miscellaneous Business," or they may be included in the docket of the Presbytery when it is adopted, by consent of the Presbytery.
4. Each Presbytery meeting will conclude with a prayer of thanksgiving for the major events and accomplishments of the day.
5. Ministers may for good reason be excused from active participation in the Presbytery for periods of up to one year.
6. Mileage for Commissioners to Presbytery meetings and Committee members to meetings of their committees may be paid at the rate determined by the Presbytery as recommended by the Coordinating Council.

### Chapter II OFFICERS

1. The term of office for the Moderator and the Vice-Moderator shall begin on January 1, the same starting date as for the Committee chairpersons, Committee members, Coordinating Council members, Corporation President and Vice-President, and all others elected at the November stated meeting.
2. The Moderator, elected at the November Stated Meeting, shall be installed at the first stated meeting of the calendar year. The Vice-Moderator shall be installed at the same time as the Moderator.
3. The Stated Clerk shall serve a three-year term. The responsibilities of the Stated Clerk are:
  - the implementation of church policy;
  - maintenance of regular relationships with higher bodies;
  - serving the Permanent Judicial Commission as required by the Rules of Discipline, D-11.0601 and D-11.0701;
  - supervision of an annual examination of minutes and record books of all church sessions in the Presbytery;
  - responsible for communications to the presbytery;
  - serve as the Secretary of the Civil Corporation.
- 3-a. The Clerk may appoint examiners to assist in the annual review of session records, provided that they are not examining records prepared by the examiner. The Stated Clerk shall enter in each Session Minutes Book that it has been examined and approved, with any exceptions cited, as noted in the Book of Order.
4. The Treasurer shall function in accordance with Civil Law and serve a three-year term. The Treasurer shall be the Treasurer of the Civil Corporation. The work of the Treasurer shall be supervised by the Coordinating Council/Board of Trustees and a financial report shall be provided to the Presbytery at each Stated meeting and annually to the Civil Corporation

5. The financial books of the Presbytery shall be reviewed by a Review Committee, nominated by the Nominating Committee and appointed by the Coordinating Council.
6. The President of the Civil Corporation shall operate under the Constitution of the Presbyterian Church (U.S.A.), the By-Laws and Standing Rules of the Presbytery of Boise, the civil laws of the State of Idaho, and, where appropriate, the civil laws of the State of Oregon and the State of Nevada.

### **Chapter III**

#### **THE COORDINATING COUNCIL**

1. The Coordinating Council shall be composed of the following:  
Moderator, who shall ordinarily be the most recent former Moderator of the Presbytery. See Bylaw Chapter II, Coordinating Council, 2.20
2. Insofar as possible there shall be an equal balance of ministers, laywomen, and laymen. The moderator of a committee can appoint an active member of the committee to serve as liaison to the Coordinating Council if the Moderator is not able to act in that capacity.
3. Minutes of the Coordinating Council shall be sent to Presbytery Commissioners following each meeting.
4. The Coordinating Council shall recommend to the Presbytery the budget for the next year at the third stated meeting.
5. The Coordinating Council will regularly receive reports from a Commissioner to the Synod of the Pacific.
6. The Coordinating Council will develop and maintain an Administrative Operation's Manual for the Presbytery. The Administrative Operation Manual shall include the By-Laws, Standing Rules, Policies, Job Descriptions, Committee Descriptions and Responsibilities and Master Calendars for the completion of the work of the Presbytery.

### **Chapter IV**

#### **COMMITTEES OF PRESBYTERY**

##### **1. Committee On Ministry**

The Book of Order of the Presbyterian Church (U.S.A.) requires each Presbytery to have a Committee on Preparation for Ministry and a Committee on Ministry (G-9.0902). The responsibilities of the Committee on Preparation for Ministry are articulated in the Book of Order (G-14.0400). The responsibilities for the Committee on Ministry are articulated in the Book of Order (G-11.0500 and G-14.0530).

In this Presbytery there shall be a Committee on Ministry/Committee on Preparation for Ministry consisting of at least six members: membership shall be equally distributed between elders and ministers. (Book of Order, G-11.0501)

The Committee on Ministry has the authority to approve administrative commissions for ordination and installation services.

Authority is given to the Moderator of the Coordinating Council, the Moderator, and the chairperson of the Committee on Ministry to create an administrative commission when requested by the Presbytery Executive, the Stated Clerk, or the Committee on Ministry, to be reported to the next meeting of the presbytery.

This Committee shall have the responsibilities as outlined in the Book of Order - G-11.0500 and G-14.0530, G-14.0400 et seq.

## 2. Presbytery Program Committee

The Presbytery Program Committee shall have a minimum of six members. The Presbytery Program Committee is the program planning body of the Presbytery.

It has the responsibility for the development and provision of services that will: (1) strengthen and broaden the scope of the work of congregations; (2) enlarge the vision of the Presbytery. The focus of this Committee will be the undergirding of the normal tasks of the churches and the Presbytery in Christian education, social justice, the churches' missionary work, stewardship education, and evangelism. This Committee will also be responsible for planning an annual pastor's retreat.

## 3. Mission Alliance Committee

The Mission Alliance Committee shall have a minimum of one person from each congregation of the Presbytery. The Mission Alliance Committee will oversee and address mission of the presbytery and will interpret the mission of the Presbyterian Church (U.S.A.) to the Presbytery.

The Mission Alliance Committee shall develop funding criteria for mission priorities and the allocation of mission dollars. The criteria and priorities shall be presented to the Presbytery annually for its approval.

## 4. Personnel Committee

A Personnel Committee shall be elected to serve for the evaluation of the Presbytery staff. There shall be a minimum of three members consisting of both elders and clergy.

This committee shall evaluate the relationship between the Presbytery staff and the Presbytery. It shall make an annual review of the performance and compensation and report to the presbytery its outcome. When the three-year terms of the Stated Clerk and Treasurer are due to expire, or earlier if a vacancy should occur, the Nominating Committee in consultation with the Personnel Committee shall nominate candidates for the offices of Stated Clerk and Treasurer in conformity with the Presbytery Bylaws and Standing Rules.

## 5. Committee on Representation

The Committee on Representation shall have a minimum of two members. The main function of this Committee shall be to advise the governing bodies with respect to their membership and that of their committees to ensure fair and effective representation in the decision-making of the church.

The Committee shall operate in conformity with the Book of Order, G-9.0105 et seq.

## 6. Budget and Finance Committee

The Budget and Finance Committee shall have a minimum of five members, including the moderators of the Mission Alliance Committee and the Personnel Committee of the Presbytery. The chair of this committee shall not serve concurrently as the chair of Mission Alliance or Personnel Committees.

The Budget and Finance Committee will prepare and present an annual budget to the Coordinating Council by its third meeting.

## 7. Nominating Committee

Nominating Committee shall have a minimum of three members who are nominated by the Coordinating Council and elected by the Presbytery. The committee shall present a slate of nominees for the committees and officers of the presbytery at its fourth stated meeting and as vacancies occur throughout the year.

## **Chapter V**

### **PRESBYTERY PROCEDURES AND OVERTURES**

#### 1. Procedures

The Stated Clerk will send out a summary of each Presbytery meeting immediately following the meeting.

Sharing time will be built into the Presbytery meeting docket so that there is more flow from congregations to Presbytery than vice-versa.

Commissioners are encouraged to report both to their Sessions and to their congregations. Pastors and elder commissioners from each congregation are encouraged to meet ahead of each Presbytery meeting to prepare for that meeting and for the issues that will be debated. All elders and other congregational members are encouraged to visit Presbytery meetings.

#### 2. Overtures

At a stated meeting the Presbytery will vote on the overtures sent down from the last General Assembly. Copies of these overtures will be distributed to the Sessions and other members of the Presbytery as soon as they are made available from the Office of the General Assembly.

## **Chapter VI**

### **INTER PRESBYTERY AGENCIES**

#### 1. Board of Directors Camp Sawtooth

The Presbytery Camp Sawtooth shall be represented on the Board of Directors responsible for maintaining the program and facilities of the Camp Sawtooth.

The Nominating Committee shall nominate and the Presbytery shall elect annually at the fourth Stated Meeting two persons to serve on the Sawtooth Camp Board for three-year terms. Presbytery representatives to the Sawtooth Camp Board shall be responsible for reporting annually to the Presbytery. Reports shall include a complete statement of programs, finances, and future plans.

#### 2. Shared Ministry Board

Boise Presbytery shall be represented on the Shared Ministry Board that is responsible for the cooperative venture of the Presbyteries of Boise, Eastern Oregon and Kendall in lay leadership training and education.

The Nominating Committee shall nominate and the Presbytery shall elect annually at the fourth Stated Meeting one person to serve on the Shared Ministry Board for a three-year term. Board members are eligible for re-election to a second term. A Board member shall not serve a consecutive term of more than six years.

The Shared Ministry Board shall have oversight of the Paul Kessell Resource Center. Presbytery representatives to the Shared Ministry Board shall be responsible for reporting annually to the Presbytery. Reports shall include a complete statement of programs, finances and future plans.

## **Chapter VII**

### **AMENDMENTS**

1. These Standing Rules may be suspended or set aside at any time by motion at the time, passed by a majority vote.
2. These Standing Rules shall be amended by submitting the proposed change in writing ten days prior to a stated meeting, and adopted by a majority.

## **BILLS AND OVERTURES TASK GROUP**

**PURPOSE:** To advise the Presbytery pertaining to any Bills and/or Overtures coming to it.

### **FUNCTIONS:**

- As specified in the *Book of Order*.
- To receive proposed Bills/Overtures from congregations to the Presbytery, Synod and/or General Assembly.
- Provide information and advice to the Presbytery on Bills and/or Overtures from congregations and/or the Synod and/or the General Assembly.

### **MEMBERSHIP:**

The Task Group shall be composed of Minister and Elder Commissioners to General Assembly from the current and previous General Assemblies (e.g. Commissioners to the 219<sup>th</sup> and 218<sup>th</sup> General Assembly) organized in classes determined by service as Commissioner and others who might request to be a member. The term of service for each class ends upon the convening of the next General Assembly. The Chair shall be elected from within the membership of the Task Group and reported to the Presbytery through the Council.

### **MEETINGS:**

As necessary to accomplish the work.

### **STAFF:**

The work of the Committee shall be supported by the Stated Clerk of the Presbytery.

### **LINKAGES:**

The Committee reports directly to the Presbytery.

### **POLICIES:**

Overtures are items of business that must have been approved by a Session or the Presbytery and shall request the General Assembly to take a particular action, or approve or endorse a particular statement or resolution. (See Book of Order, G-11.0103t(3).)

### **THE ROLE OF THE STATED CLERK**

The Stated Clerk of the Presbytery upon receipt of an overture to the General Assembly shall:

- (1) Examine the most recently published Minutes of the General Assembly to determine if a similar overture has already been passed.
- (2) Consult with the Office of the General Assembly to determine whether the desired action has been voted by any previous General Assembly.
- (3) Consult with the Office of the General Assembly to determine whether a similar overture has already been proposed in order that the presbytery or synod may concur with the existing overture.
- (4) Draft the overture in the following form:

“The Presbytery of \_\_\_\_\_ overtures the [# of the assembly] General Assembly [(year)] of the PC(USA) to [state the specific action the General Assembly is asked to take].”

To this shall be appended a rationale, stating the reasons for submitting the overture.

The Stated Clerk, upon completion of 1-4 above, shall convey the necessary information to the Bills and Overture Task Group of the Presbytery.

The Stated Clerk shall be responsible for publishing the final text of the proposed Overture and the recommendation of the Bills and Overture Task Group to the Presbytery. Publication may be by printed materials or through electronic communication.

**SEQUENCE AND TIMING** *(ITALICIZED TEXT IS FROM THE MANUAL OF THE GENERAL ASSEMBLY. NON-ITALICIZED TEXT CONTAINS COMMENT ON THE SEQUENCE AND TIMING FOR THE PRESBYTERY TASK GROUP. COMPLIANCE TO ITALICIZED AND NON-ITALICIZED PORTIONS IS IMPERATIVE TO THE PROCESS OF BILLS AND OVERTURES.)*

*Submitting Overtures c. Submitting Overtures*

*(1) Overtures proposing an amendment to the Constitution or requiring an interpretation by the General Assembly of the Book of Order (see Book of Order, G-18.0301a and G-13.0112c) must be delivered in writing to the Stated Clerk postmarked no later than 120 days prior to the convening of the General Assembly, and shall be promptly referred to the Advisory Task Group on the Constitution (see Book of Order, G-13.0112d and G-18.0300).*

Overtures proposing an amendment or interpretation set forth above should be submitted to the Stated Clerk of the Presbytery no later than January 1 of the year in which the General Assembly meets. If timely received, the Stated Clerk shall refer the proposed amendment or interpretation to the Bills and Overtures Task Group which will convene to discuss the proposed overture, meet with the body submitting the overture and be prepared to make a recommendation to the Presbytery at its February meeting.

*(2) All overtures that have financial implications for current or future years' budgets must be delivered in writing to the Stated Clerk postmarked no later than sixty days prior to the convening of the General Assembly. Overtures with financial implications not received within the designated time limit shall not be considered, but shall be returned to the originating governing body.*

Overtures of this type should be submitted to the Stated Clerk of the Presbytery no later than January 1 of the year in which the General Assembly meets. If timely received the Stated Clerk shall refer the proposed overture to the Bills and Overture Task Group which will convene to discuss the proposed overture, meet with the body submitting the overture and be prepared to make a recommendation to the Presbytery at its February meeting.

*(3) All other overtures intended for consideration by the General Assembly shall be forwarded to the Stated Clerk, postmarked no later than forty-five days before the convening of the General Assembly.*

Overtures of this type should be submitted to the Stated Clerk of the Presbytery no later than March 1 of the year in which the General Assembly meets. If timely received the Stated Clerk shall refer the proposed amendment to the Bills and Overtures Task Group which will convene to discuss the proposed overture, meet with the body submitting the overture and be prepared to make a recommendation to the Presbytery at its April meeting.

*(4) Overtures not received within the designated time limits shall not be considered, but shall be returned to the originating governing body for reconsideration.*

*(5) Presbyteries or synods submitting overtures with a recommendation(s) that affects the work or budget of a General Assembly entity(ies) shall submit evidence that the affected entity(ies) has (have) been consulted. If such evidence is not submitted, the Stated Clerk shall recommend that the overture be received and referred to a future session of the General Assembly so that consultation may take place.*

*(6) In the event that the Stated Clerk of the General Assembly receives an overture similar to one already proposed (excluding the rationale), she or he shall inquire of the presbytery or synod in question whether it would be willing to concur with that existing overture or desires to withdraw the overture. A presbytery or synod concurring with an overture may submit additional rationale for its action, provided that it does not duplicate the rationale provided by the overturing body. The concurrence and any additional rationale will be printed with the original overture in the Reports to the General Assembly.*

Should the provisions of this section apply, the Bills and Overtures Task Group will work with the maker of the Overture to respond to this request. Any additional rationale submitted will be presented to the Presbytery for its concurrence at the next meeting of the Presbytery.

#### Distributing Overtures

The Bills and Overtures Task Group shall report its work on proposed amendments and/or overtures to the next stated Council meeting. The Council shall include the proposed amendments and/or overture on the next stated meeting of the Presbytery and shall include notice of and the text of the proposed amendment and/or overture with the presbytery agenda and papers.

The Stated Clerk of the Presbytery shall see that materials are properly distributed.

#### *e. Overture Advocate*

*(1) Each presbytery or synod that submits an overture shall notify the Stated Clerk of the name of a commissioner or some other person in attendance at the General Assembly who has been designated as the advocate for the overture. The overture advocate shall be available to provide information on the background and intent of the overture to any assembly committee to which the overture may be referred. (See Standing Rule E.2.)*

*(2) In the event that the assembly refers an overture to a General Assembly entity for further consideration (and not simply for implementation), the presbytery or synod submitting the overture shall be invited by the Stated Clerk to designate an overture advocate for the assembly meeting at which the entity's response to the overture is presented. The overture advocate shall be available to provide information on the background and intent of the overture to any assembly committee to which the overture may be referred. (See Standing Rule E.2.)*

It is suggested that the Session submitting an Overture appoint an Overture Advocate at the time the Overture is submitted to the Stated Clerk of the Presbytery. The Overture Advocate will be the contact between the Session and the Bills and Overture Task Group of the Presbytery. The Overture Advocate should be prepared to serve in this capacity at the meeting of the Presbytery where the Overture is presented and if received, at the meeting of the General Assembly. (Note; the travel, lodging and other expenses of the Overture Advocate attending General Assembly are the responsibility of the Session and the Overture Advocate.)

#### Proposed Amendments from General Assembly Meetings

1. The Stated Clerk shall distribute the proposed amendments to the commissioners for study in a timely manner.
2. The Bills and Overture Task Group will study the Overtures and make a recommendation to the presbytery.
3. The Stated Clerk shall inform the Bills and Overture Task Group and the Coordinating Council as to the deadlines for submitting the presbytery's votes.

## Continuing Membership and Validation Of Ministry Policy

Since each Presbytery "shall determine the ministers of the Word & Sacrament who shall be its continuing members" (Book of Order, G-11.0403) the Presbytery of Boise establishes that each of the following criteria as "active members of the Presbytery" in addition to criteria found in G-6.0100, G-6.0200 and G-11.0403:

1. A continuing member shall take the initiative in establishing an active relation to Presbytery evidenced by regular attendance. Regular attendance shall normally be understood to consist of attendance in at **least two (2)** of the regular stated meetings each year, and request for excuse for all absences. Honorably Retired members are encouraged to attend meetings but are not required to request an excuse for all absences from regular stated meetings.
2. A continuing member shall exhibit and implement willingness to serve in the committee and committee structures of the governing bodies.
3. A continuing member shall be:
  - a) under documented and approved call or contract to a particular congregation or governing body position, *or*
  - b) honorably retired, *or*
  - c) [COM] approved member at large, *or*
  - d) entering a work defined in G-11.0411 for which the presbytery shall give its permission by validating it a ministry "In Service Beyond the Jurisdiction of the Church."

Minister members of the Presbytery of Boise may be engaged in validated ministries within congregations (G-11.0409), within governing bodies of the church, ecumenical agencies, specialized ministries under the control of the church, and interdenominational agencies (G-11.0410); or engaged in validated ministries beyond the jurisdiction of the church (G-11.0411), providing the ministry meets the following criteria:

- I. The ministry shall be approved by presbytery **before** the member enters into such service. (G-11.0411)
- II. The ministry shall be in line with the mission of the presbytery. (G-11.0411)
- III. The ministry shall adhere to the essentials of the Reformed faith and polity as expressed in the Book of Order and the Book of Confessions and in conformity with the mission of God's people in the world as set forth in Scripture. (G-6.0108, G-11.0403)
- IV. The ministry makes active and effective use of the biblical and theological training that is required for ordination. (G-11.0403)
- V. The ministry shall exercise pastoral care to those for whom they are responsible. The ministry shall serve Christ and humanity, strengthen the church and equip it for service to the human community. (G-6.0203)
- VI. Those involved in validated ministries outside of a congregation shall participate in the worship of a local congregation, in their presbytery, and in ecumenical relationships, and shall be eligible for election to the higher governing bodies of the church and to the boards and agencies of those governing bodies. (G-11.0403)
- VII. Those engaged in validated ministry shall be accountable to the presbytery. (G-11.0403)

The ministry shall be accountable for its character and conduct to the presbytery and appropriate organizations or agencies. (G-11.0403)

## **REVIEW**

Presbytery's Committee on Ministry shall review ministers within the categories outlined above annually. Those who are considered no longer eligible to hold membership in the presbytery will be placed on the Inactive Members Roll, after they have been personally interviewed concerning their situation. Their names will be placed on the Inactive Roll for three years after which they will be dropped from the rolls, unless their status is changed and Committee on Ministry agrees to the change.

Ministers of Word and Sacrament who are members of Presbytery of Boise but are currently neither in valid ministries within a congregation nor Honorably Retired need to have their employment approved as being valid in order to maintain their credentials in this presbytery. Their status will be reviewed annually. (November 2008)

### **Processes for COM use Regarding Members at Large and Validated Ministries**

#### **Members At Large**

1. COM shall send a letter in December of each year (excepting those members at large whose status is defined by family responsibilities or illness/disability). The letter will:
  - a. Include language of G-11.0406b (and five criteria cited in G- 11.0403).
  - b. Cite Presbytery policy regarding attendance (#1) and service (#2) with reference to the individual's actual attendance and known service.
  - c. Request a written response by January 10 that includes indication of desire to continue as member at large.
2. If written response is received, two-members of COM will (in the first year this process is implemented OR at the first request for at-large status) meet with the member to discuss his/her activities vis a vis G-11.0403. Recommendation for or against continuing at large status made by these two will come to COM.
3. If written response is not receive, COM will send letter indicating intent to place the minister on inactive status effective upon action at the next stated meeting of the Presbytery.

#### **Validated Ministry**

The intent of this process is to support creativity and the "doing of new things" while also conforming to G-11.0411. Ultimately, a minister serving in a validated ministry continues in direct relationship with COM and the Presbytery. His or her gifts and experiences are to be shared with the larger body and celebrated by that body.

1. Central to COM decision to validate one's service is *clear accountability*. It is expected that the minister with validated service will have an ongoing relationship with a particular church within the Presbytery. His or her ministry must occur under the supervision of a governing body approved by COM.
2. The individual private practice of counseling, psychotherapy, holistic healing, therapeutic massage etc. does not meet the requirements for validation because it lacks this directs accountability relationship. Practices that are associated with churches, which provide accountability and oversight, would be able for consideration.
3. Initially (for those whose ministries are currently validated or for those seeking validation for the first time) two-members of COM will meet with the individual minister to review the requirements for validation as set forth in the Presbytery approved policy on continuing members

and validated ministries. This review shall be in relationship to the actual documented work of the minister. The two members of COM shall make recommendation to COM for or against validation.

4. Subsequently COM will send a letter in December of each year to every minister with validated service including an outline for written report by that minister to COM. Deadlines for receipt of that annual report shall be January 10.
5. COM will review every report received and make annual determination regarding continuation of validation.
6. Should a report not be received COM will notify the minister of its intent to withdraw validation effective the next stated meeting of the presbytery.

*NOTE: Any minister who is denied member at large or validated ministry status by COM may appeal this decision to the Coordinating Council of the Presbytery. Should further appeal beyond this stage be desired the minister shall state his/her case before the Presbytery in a stated meeting.*

#### BOOK OF ORDER REFERENCES

Active Member:	G-11.0406a
Members at large:	G-11.0406b
Validated Ministry:	G-11.0408
Criteria for Ministry Of Continuing Members:	G-11.0403

(November 2008)

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#### **Minimum Effective Salary for the Presbytery of Boise**

A minimum effective salary for clergy in the Presbytery of Boise is set at \$34,000.

(August 2008)

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#### **On the commissioning of Commissioned Lay Pastors:**

For future requests, all persons seeking to be Commissioned Lay Pastors shall complete the training of the Seminary Without Walls, be recommended for commissioning by their church session, pass a background check, and take the psychological assessment that is required for all persons entering the candidate-for-ministry process. The cost for the psychological assessment shall be shared by the COM, the church, and the candidate. Upon completion of these tasks, the Committee on Ministry will interview the individual and send recommendation for commissioning to the presbytery for approval.

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#### **Reimbursement for Services**

- For a seminary ordained guest preacher, the minimum expectation is \$125 for one worship service (\$50 per additional services) plus mileage at the IRS rate.
  - If the person preaching is a CLP, they should be able to expect \$100 plus mileage.
  - A lay speaker should expect \$75.
  - If they are moderating a meeting, they should expect \$50 plus mileage.
  - If they are filling in for the regular minister for a funeral, marriage, or other special event such as a circumcision, they should expect a minimum of \$150 plus mileage.
-

### **Process for Pastor Nominating Committees with final candidate**

Ordinarily all candidates will be examined by the full Committee On Ministry (COM) at the next scheduled COM meeting. If, however, it causes undue stress on the PNC/Congregation to bring the candidate into the area an additional time, the PNC may request an interview take place at an alternate time. At least two members of the COM will be present to interview.

If approval is given, the candidate will be presented at the next presbytery meeting for examination for reception.

If approval is withheld, the candidate will meet with the entire COM at its next meeting.

When a candidate who is likely to be chosen comes to the area to interview, the PNC requests the COM for an interview at the time. Two or more of the COM must be present. They are given the authority to allow the PNC to move forward. The candidate may not begin at the church until he/she is received by the presbytery unless specific permission to serve within the bounds is obtained.

## **Policy for Dissolution (Termination and Separation) of Church Pastoral Employment**

The pastoral relationship is a three party covenant between a pastor or associate pastor, a congregation and a presbytery. All three parties must concur before the pastoral relationship may be established or dissolved. The Book of Order provides the governing provisions to be used in this relationship.

Specifically, G-14.0600 [G-14.0610 – 14.0613] contain the provisions regarding Dissolution of Installed Pastoral Relationships. Utilizing the governing provisions of these sections, the Presbytery of Boise establishes this Policy for Dissolution (Termination and Separation) of Church Pastoral Employment.

Consideration should be made in developing an exit strategy that would allow for the congregation to process the dissolution of the pastoral relationship without undo haste but without unwarranted delay. Pastoral care should be exercised toward the congregation by the minister, the session and the entities of Presbytery while developing dissolution terms and implementing the exit strategy. Unless there are disciplinary considerations, the duration of a minister's tenure along with the impact of his/her ministry should be considered in developing an exit strategy that allows a ministry to end with intention and a sense of completeness. To that end specific ministry resolution goals and time-lines should be explored, agreed upon and implemented as a part of the terms of dissolution.

### **Voluntary Dissolution:**

Resignation - This ordinarily occurs under one of the following circumstances:

- The Pastor chooses to accept another call.
- The Pastor chooses to lay aside ordination/ask for release from ordained office (G-6.0600)
- The Pastor chooses to renounce jurisdiction (G-6.0700)
- The Pastor chooses to join another denomination (G 11.0416)
- The Pastor chooses to be come inactive and is removed from the roll of the presbytery. (G11.0415)
- The Pastor chooses to be honorably retired. (G-11.0412)
- The Pastor chooses to resign citing "personal reasons" rather than a specific reason.

There are no special terms of dissolution other than the fulfillment of the contractual agreements between the pastor and congregation, e.g. unused vacation, repayment of housing loans, etc.

### **Involuntary Dissolution:**

Negotiated Termination – Either the pastor or the Session may request that the Committee on Ministry assist in negotiating a peaceful and appropriate end to a relationship which either the pastor or Session believe is no longer workable. Some of the following circumstances may lead to this necessity:

- The result of funding limitations
- Changing ministry environment
- Poor performance
- Any other situation that brings the viability of the pastoral relationship into question

Medical Disability or Incapacitation – Physical or mental impairment of a permanent or progressive nature may become a cause for dissolution if or when unsatisfactory performance results. The congregation, Session and Committee on Ministry need to be sensitive to the many issues involved and work collaboratively regarding the physical needs, housing, placement of the minister and family. The presbytery and Session should be mindful of state and federal laws pertaining to disability.

Dissolution for Cause – The pastoral relationship may be dissolved as a result of judicial action (See the Rules of Discipline) or presbytery determination that "the church's mission under the Word imperatively demands it." (G-11.0103o)

Dissolution for cause of pastoral relationships is to be clearly sated and is ordinarily only to come after other potential resolutions of difficulties have been attempted.

**The Process:**

1. The Session, Administrative Commission or Pastor shall contact the Committee on Ministry in writing stating the desire to sever the relationship and a brief overview of the reasons.
2. The Committee on Ministry will respond with the appropriate resource persons and a liaison to meet with all parties to bring about resolution and inform all of the parties of the presbytery's policy on dissolution.
3. The Session or Administrative Commission, Pastor and Committee on Ministry negotiate, approve and sign and approve a written dissolution agreement. A Guideline for Negotiated Agreements is attached as Appendix A.
4. Copies of the written dissolution agreement are made available upon request to members of the congregation no later than the date of the first call for the congregational meeting at which the dissolution of the call is to be determined.
5. The congregation votes on the dissolution of the call at a congregational meeting that shall be moderated by a member of presbytery appointed by the Committee on Ministry. *Any party at the congregational meeting cannot amend the severance terms.* An outline of the Congregational meeting process is attached as Appendix B.
6. The Committee on Ministry approves the dissolution and the written dissolution agreement. The agreement is not effective until the presbytery has voted to approve the agreement.

**The Dissolution Agreement:**

The Dissolution Agreement (Involuntary Dissolution) should contain the following items:

- Identification of the parties (Pastor, Church, and Presbytery)
- Dates for
  - End of ministry responsibilities
  - Removal of personal property
  - Termination of call
  - Final compensation, benefit payments
- All financial agreements, including but not limited to
  - Salary continuation
  - Benefits continuation
  - Loan repayment or shared equity agreement (where applicable)
  - Manse use (where applicable)
  - Compensation for unused, earned vacation
- (In ministry settings where the pastor is full-time) The agreement shall specify that if the pastor finds full-time employment prior to the end of the terms of the agreement, the church's financial obligations end as of the date said full-time employment begins. Part-time employment will result in appropriate prorated adjustments in financial payments.
- (In ministry settings where the pastor is part-time) The agreement shall specify that if the pastor finds full or part-time employment prior to the end of the terms of the agreement, the church's financial obligations end as of the date of said employment begin.
- A clause that releases each party from legal action unless the agreement is not fulfilled.
- A statement regarding the limited liability of the presbytery. For example: Presbytery will participate in the agreement...(spelling out the extent of presbytery participation) or Presbytery will not participate and the Session is totally liable for the agreement.
- Date and signature of all parties.
- The statement is to be put in the pastor's file and the church's file.

A sample Agreement for Dissolution and Termination is attached as Appendix C.

## **Appendix A**

### **Guideline for Negotiating a Dissolution Agreement**

*Guiding Principle: In order to maintain the peace, unity and purity of the church and for the good of the congregation, all ordained members of Session (which includes the Pastor) are to seek a mutual agreement for dissolution.*

Overview of the Negotiation Process and Agreement of all Parties: When notified by a Pastor or Session of the request for a dissolution of the pastoral relationship, the Committee on Ministry will appoint two persons; one to work with the Session and the other to work with the pastor to negotiate the terms of dissolution. The Pastor and Session may each name one person to assist in the negotiation of the terms of dissolution. These four persons will constitute a Dissolution Negotiation Task Force.

The Negotiation Process shall take place at the time of a Called Meeting of the Session that shall be moderated by the Presbytery Executive or the Stated Clerk of the Presbytery or another member of the presbytery appointed by the Committee on Ministry.

While it is hoped that terms of dissolution acceptable to all parties would be negotiated, a majority of the Task Force membership may carry a proposal to the Session, Pastor and Committee on Ministry.

Separate Caucuses: The representatives of the pastor will meet with him/her to discuss terms of dissolution. Likewise the representative of the Session/Administrative Commission will meet with them to discuss terms of dissolution. These meetings will take place simultaneously and for a period of no longer than 1 hour. By mutual agreement of the Task Force, the time period for a caucus may be extended up to 30 minutes.

Presentation of Proposed Terms: The representatives of the pastor and Session shall meet together with the Moderator of the Called meeting of the Session. Each side shall present written copies of proposed terms of dissolution.

Agreements are Identified: The Moderator shall work with the representatives to identify areas of agreement. If there are areas where agreement is close, the Moderator and representatives shall strive to reach mutual agreement on such terms.

Resolution of disparate proposals: Proposed terms of dissolution that appear too far apart will be returned with the counter proposal to the Pastor and Session. The parties are to discern how to resolve the difference and to propose new terms, which shall be reported to the Negotiating Task Force. If agreement of the disparate terms cannot be reached by the parties, the majority vote of the Negotiating Task Force shall prevail.

Final Agreement is Approved: When a final agreement is reached and approved by the parties, a copy shall be produced by the Clerk of Session and signed by both parties. The Moderator of the Called Session meeting shall present the final agreement to the Committee on Ministry.

Items to keep in mind: Every Dissolution and Termination Agreement will be unique. Every Agreement should address the issues of salary, housing and benefits toward the objectives of supporting a minister for a reasonable period of time or until the minister has entered into a comparable call or secular employment; and providing a reasonable termination of salary and benefits in order that a congregation might obtain pastoral leadership for the future.

At a minimum, cash salary, housing allowance or use of the manse; utilities and Board of Pension payments are to be continued for six months after the effective date of dissolution. In the event a manse is involved, upon expiration of the agreed upon severance or sooner if the pastor moves out of the manse the pastor shall return all keys to the premises and shall surrender the premises to the church in as good a condition as when received, ordinary wear and tear expected.

**Appendix B**  
**Outline of the Congregational Meeting**  
**to Dissolve a Pastoral Relationship**

1. Opening Prayer
2. The Moderator request the Clerk to read the Call for the meeting and the Moderator also requests the Clerk to certify that the proper notice was given for the meeting and that a quorum is present.
3. The Clerk should make the following motion:  
*Move that the Congregation of \_\_\_\_\_ concur with the Rev. \_\_\_\_\_ in requesting that the Presbytery dissolve the pastoral relationship between him/her and this church, effective \_\_\_\_\_.*
4. The Moderator calls for a second and then opens the floor for questions.
5. A vote on the motion may be taken by voice or by show of hand.
6. The Clerk should affirm that all financial obligations of both the church and pastor would have been met by the termination date.
7. The meeting is adjourned with prayer. The Moderator files a report of the meeting with the Stated Clerk of the Presbytery.

**Appendix C**  
**Sample Agreement for Dissolution and Termination**  
**of a Pastoral Relationship**

We, the members of the Session (Administrative Commission) of \_\_\_\_\_ agree to request the dissolution of the pastoral relationship with the Rev. \_\_\_\_\_ effective \_\_\_\_\_, and with the following terms:

A. List the financial terms:

- Salary
- Housing Allowance (or Utility/Equity amounts if applicable)
- Pension, Medical amounts
- 403b Contributions (if applicable)
- SECA Allowance
- Repayment of loans (if applicable)

*Describe how the financial arrangements will be paid.*

Professional expenses, automobile expenses and study leave/continuing education expenses will terminate on the date of dissolution.

B. Describe any non-financial terms:

- Use of manse

C. Date of Separation

- Ministry duties will cease effective \_\_\_\_\_

- Date Minister will return all church property and vacate the church office:

- Date minister and family will vacate the church manse:

D. Other terms:

The minister, acknowledging receipt of financial payments under this agreement, covenants and agrees that he/she waives all rights to demand and/or secure a civil court and/or a jury trial with respect to adjudication of the matters contained in this Dissolution and Termination Agreement, in matters that pertain to his/her ministry in the church and/or the negotiations what have led up to this agreement.

All unpaid financial payments to the minister shall cease at the date, before the end of financial payments under this agreement, if the minister accepts another position for full-time employment or shall be adjusted if the minister accepts a part-time position.

All parties agree that the pastor is to abstain from any pastoral duties and congregational or church-sponsored activities. The pastor shall refrain from inappropriate contacts with his or her former church. The pastor shall not conduct worship services in the congregation he/she is departing unless prior approval of the Committee on Ministry is granted. A pastor who following a single warning violates any of the provisions of this paragraph shall immediately forfeit all of his/her remaining financial payments under this Dissolution and Termination Agreement.

It is understood that this Dissolution and Termination Agreement is a final disposition of all matters between the pastor and the congregation. This Dissolution and Termination Agreement contains the entire agreement between the parties hereto and any representations made before or during negotiation are hereby merged in their entirety and this Agreement may not be modified.

The undersigned parties have negotiated this Agreement in good faith and have every intention of being faithful in fulfilling it and further agree to the releases contained herein, representing that they understand its contents and sign it as their own free act after a full review of the contents.

Approved by the Session/Administrative Commission of \_\_\_\_\_ Church of \_\_\_\_\_  
on \_\_\_\_\_.

\_\_\_\_\_  
Moderator of Session/Administrative Commission

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Session/Administrative Commission

\_\_\_\_\_  
Date

\_\_\_\_\_  
Approved by the Pastor

\_\_\_\_\_  
Date

Approved by the Committee on Ministry of the Presbytery of Boise:

\_\_\_\_\_  
Chair (or Designee)

\_\_\_\_\_  
Date

Copies to:     The Pastor  
                  Presbytery Executive  
                  Clerk of Session/Administrative Commission  
                  Stated Clerk of Presbytery  
                  Chair of the Committee on Ministry

# POLICY ON SEXUAL MISCONDUCT

## Presbytery of Boise

### Contents

1. Introduction
2. Definitions
3. Prevention

### Introduction

#### *Theological Rationale*

The people of God live out their faith in the midst of a particular historical reality. Inherent in every time is promise and possibility, opportunities for the ministry and the mission of the Church of Jesus Christ to be carried forth. While affirming that God created us to live together in ways that proclaim the worth and dignity of each individual, human sexuality has been a basis for oppression, degradation, violence and injustice - manifestations of our sinful nature.

Our sexuality is a gift from God and when rightly used, leads us to the wholeness of life that God intends for all people. Those who serve through the offices of the Church bear particular responsibility in making manifest the goodness of God's gift of sexuality.

The ethical conduct of all who minister in the name of Jesus Christ is of vital importance to the Church, for through them, an understanding of God and the gospel's good news is conveyed.

#### *Purpose and Scope*

##### 3. Purpose

It is the purpose of this policy:

- a. To define sexual misconduct in the Presbytery of Boise and to provide standards for behavior to members of the Presbytery of Boise: ordained ministers, presbytery employees or other staff;
- b. To provide for measures to prevent the occurrence of sexual misconduct;
- c. To serve as a companion to the Book of Order (Presbyterian Church U.S.A.) but not to supersede any of its provisions.

##### 4. Scope

The persons governed by this policy are all members of the Presbytery of Boise including ordained Ministers, Commissioned Lay Pastors, Presbytery employees or other staff.

This policy does not purport to regulate sexual conduct within the particular churches of the Presbytery of Boise.

##### 3. Other Policies and Procedures

This policy is to be interpreted and applied consistently with any and all other applicable policies of the Presbytery of Boise, the Presbyterian Church (U.S.A.), and federal, state and local law.

### Definitions

#### *Sexual Misconduct and Sexual Harassment defined generally:*

***Sexual misconduct*** is a general term that includes but is not limited to the following acts:

- Physical sexual contact within the context of a ministry, employment, teaching, or advisory relationship, whether or not consented to;
- Sexual misconduct includes a voluntary consensual sexual relationship between ministers and parishioners, supervisors and supervised, or with anyone involved with performance review or decisions about compensation, promotion or continued employment. The inherent balance of power between the minister and the layperson undermines the validity of such consent.

**Sexual harassment** is described in federal law as is follows:

- Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when;
  - Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
  - Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual, or;
  - Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile or offensive work environment.

**Sexual misconduct and harassment is a misuse of authority and power, which breaches the trust of leadership.**

*Specific definitions of Sexual Misconduct and Sexual Harassment:*

**A. Sexual Misconduct:**

Sexual misconduct is the comprehensive term used in this policy to cover the following:

1. **Child sexual abuse** is sexual conduct involving a person over the age of 18 and a child under the age of 18 or anyone over the age of 18 without the mental capacity to consent. The behavior may or may not involve touching. Sexual conduct involving an adult and a child is always considered forced whether or not there is consent.

2. **Sexual malfeasance** is sexual conduct within a ministerial or professional relationship. It includes unwelcome sexual advances, requests for sexual favors or conduct of a sexual nature, as well as consensual romantic relationships.

**B. Sexual Harassment**

**Sexual harassment** is an unwelcome sexual advance, verbal or physical contact, or display of sexually related material when:

- a. submission is explicitly or implicitly made a condition of employment, service or care;
- b. such conduct affects morale or performance of the individual or others involved in the situation; or
- c. reasonable persons in the work setting find the material offensive.

**C. Presbytery Entities Involved In Sexual Misconduct Cases:**

1. The **Presbytery Executive** maintains his or her role as resource to the Committee on Ministry. The Presbytery Executive may be the point of entry when an allegation of misconduct is made, and will direct the allegation to the proper person(s).

2. **Committee on Ministry** continues in its constitutional role to ministers and congregations, particularly where pastoral vacancies occur. When appropriate, the Committee on Ministry is to facilitate the employment of interim leadership competent to manage any conflict associated with the sexual misconduct case. The committee facilitates the relations between congregations, ministers, and the Presbytery, and resolves difficulties on behalf of the Presbytery when possible and expedient.

3. The **Stated Clerk** receives the initial complaint and notifies the appropriate person(s) that a complaint has been received. The Clerk consults with the Presbytery Executive and the

Committee on Ministry. The Clerk refers recommendations from the Investigating Committee to the Permanent Judicial Commission.

4. The **Special Investigating Committee** is a group appointed by the Presbytery Moderator, Moderator of Council, Chair of the Committee on Ministry in consultation with the Stated Clerk and Presbytery Executive, whenever a written statement of offense is received by the Stated Clerk. The Special Investigating Committee is charged, under the Rules of Discipline, with conducting a full investigation of an allegation of sexual misconduct, determining whether or not charges are to be filed, and prosecuting the case if there is one.

5. The **Permanent Judicial Commission** is the continuing body elected by the Presbytery to conduct trials when an investigating committee files charges. The commission's structure and duties are described in the Book of Order (D-5.000).

6. The Book of Order (D-10.0000) will be followed precisely in the process for accusation and investigation.

### **Prevention**

The presbytery will provide educational programs and training in pastoral care and disciplinary procedures aimed at preventing sexual misconduct.

#### **A. DISTRIBUTION/ACKNOWLEDGEMENT OF THIS POLICY:**

##### **1. Distribution of Policy**

- a. This policy shall be distributed to all of the following: ordained ministers, Presbytery employees and other staff: who will sign a written acknowledgement indicating that she/he has received, read, understands and agrees to conduct her/himself in accordance with this Policy. The signed acknowledgement shall be kept in the person's file.
- b. This policy shall be made available by the Stated Clerk to all persons who report or present allegations of sexual misconduct, and to all persons against whom allegations are filed.

#### **B. MANDATORY EDUCATION**

**There will be presbytery wide training on this new policy after its adoption.**

The Presbytery of Boise requires that the following persons shall complete a Presbytery-sponsored training workshop regarding the forms of sexual misconduct addressed in the policy: ordained Ministers, Commissioned Lay Pastors, Presbytery employees and other staff. These persons shall be required to participate in a day-long training within 2 years of the implementation of this policy, or being received into presbytery membership or employed by the presbytery, with participation in on-going training every 3 year years. An exemption may be allowed for retired pastors of the presbytery, to be approved by the committee on ministry and the presbytery.

The workshop will be the arranged by the Presbytery Executive and the Stated Clerk in conjunction with the Committee on Ministry.

The names of those who have not completed the training workshop will be noted in a Committee on Ministry report to Presbytery, and the Committee on Ministry will initiate appropriate action to secure compliance with this requirement.

## ***SAMPLE SABBATICAL LEAVE POLICY***

### **INTRODUCTION**

The following document is offered as a recommendation and template for congregations to develop standing policies for Sabbatical or Renewal leaves for pastoral members. It is the desire of the Committee on Ministry of Boise Presbytery that all congregations adopt some form of Sabbatical leave policy for the health and well being of both pastors and churches.

### **Policy Statement**

The Presbytery of Boise recommends to the sessions of the churches that Ministers of the Word and Sacrament be granted a compensated sabbatical of at least three (3) months after six (6) years of service to an individual church.

### **Committee on Ministry Responsibilities**

1. Review the sabbatical timetable and usage plan as submitted by the minister.
2. Serve as mediator in any concerns of session, minister relative to the sabbatical.
3. Determine who will moderate the session in the minister's absence.

### **Minister Responsibilities**

1. Bring the sabbatical proposal before the session-at least in outline form-a minimum of six months, or far enough in advance to be covered by the church's budget and staffing plans, before the intended commencement of the sabbatical.
2. Secure the approval of the session for the sabbatical proposal and work out the necessary coverage of pastoral and pulpit responsibilities.
3. Assure the session of continued service to the church for at least eighteen months from the conclusion of the sabbatical.
4. Bring up to date all pending responsibilities as determined in consultation with the session before departing on a sabbatical.
5. Submit to the Committee on Ministry, in writing, the sabbatical timetable and outline of plans.
6. Upon return, present an overview of the sabbatical experience to the session, congregation and the Committee on Ministry.

### **Session Responsibilities**

1. Receive "for approval" the minister's proposal for a sabbatical, at least six (6) months in advance of the intended commencement of the sabbatical.
  2. Continue terms of call commitments to the minister during sabbatical leave.
  3. Communicate to the congregation the importance and value to the church of a sabbatical.
  4. Request a written overview of the sabbatical from the minister upon return.
  5. If agreed upon by session and the minister, the sabbatical might be combined with vacation time and study leave for extended graduate study.
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## **The following Rationale is for information only.**

### **Rationale**

Sabbatical leave is a planned time of renewal by which a minister seeks personal and professional growth. Sabbatical leave may include continuing education, spiritual formation, mentoring with respected teachers, and personal refreshment. It is an opportunity for an individual to disengage from regular and routine tasks so that their ministry may be viewed from a new perspective.

Sabbatical leave is an extension of the biblical concept of the Sabbath year of renewal. It is both an act of faith that God will sustain us through a period of reflection and an occasion for the renewal of vital energies. The goal of the sabbatical leave is to allow the minister to return to the responsibilities of the parish with renewed energy, spiritual vision, and effectiveness. Ministers who have the opportunity to reflect on issues of professional growth and development are more likely to stay more years in a particular call.

Sabbatical leave is qualitatively different from “time off” or “vacation” in that there is a plan for personal and professional renewal. Neither vacation nor study leave should be affected by sabbatical leave. However, accrued vacation or study leave may be taken in conjunction with the sabbatical leave, adding no more than four additional weeks to the sabbatical leave.

### **Sabbaticals: Are They Really Needed?**

The subject of Sabbatical leave for pastors is often met with a chorus of questions. High on the list is some form of: “Why should the pastor have a Sabbatical? I don’t get one in my profession, nor do any of the people I work with. The business world is tough, too!” While the concept of the Sabbatical has long been recognized in the academic community, the church has been a bit slower to recognize its value. “Are they really necessary?” Let’s address that question from a practical and biblical perspective.

### **The Biblical Sabbath**

The Scripture contains numerous references to the Sabbath, not only as a day set aside as holy to the Lord, but as a basic rhythm of life for God’s covenanted people. Consider the following (all quotations are from the NRSV):

Remember the Sabbath day and keep it holy. Six days you shall labor and do all your work. But the seventh day is a Sabbath to the LORD your God; you shall not do any work – you, your son or your daughter, your male or female slave, your livestock, or the alien resident in your towns. For in six days the LORD made heaven and earth, the sea, and all that is in them, but rested the seventh day; therefore the LORD blessed the Sabbath day and consecrated it.  
(Exodus 20:8-11)

Six days shall work be done; but the seventh day is a Sabbath of complete rest, a holy convocation; you shall do no work: it is a Sabbath to the LORD throughout your settlements.  
(Leviticus 23:3)

Six years you shall sow your field, and six years you shall prune your vineyard, and gather in their yield; but in the seventh year there shall be a Sabbath of complete rest for the land, a Sabbath for the LORD: you shall not sow your field or prune your vineyard. You shall not reap the after-growth of your harvest or gather the grapes of your un-pruned vine: it shall be a year of complete rest for the land. (Leviticus 25:3-5)

And you shall hallow the fiftieth year and you shall proclaim liberty throughout the land to all its inhabitants. It shall be a jubilee for you: you shall return, every one of you, to your property and every one of you to your family.  
(Lev. 25:10)

The Hebrew word *shabbat* literally means to “cease” or “stop.” Scripture shows us a God-ordained rhythm of work and rest, both for a short-term cycle (weekly) and an extended cycle (the year of Jubilee).

In the New Testament there are two important example of this rhythm (although we don’t usually see them in this light). Just before initiating his public ministry, Jesus spent forty days alone to fast and pray (Matt. 4:1-11; Mark 1:12-13; Luke 4:1-13). The Apostle Paul, following his conversion, spent time in obscurity in his home area before Barnabus sought him out for his life’s vocation (Acts 11:25).

While neither of these New Testament examples could be called a “Sabbatical” in the contemporary sense, they illustrate an important principal: an investment in reflection and spiritual renewal only serves to enhance a servant of Christ’s ministry. If in the contemporary church we are truly interested in growing God’s Kingdom, and not just hours clocked in, we would do well to consider the example.

### **The Sabbatical: A Renewing Break from the Pressure Cooker**

In his book *Support Your Local Pastor*, Wes Roberts quotes from a revealing survey of pastors conducted by Dr. Arch Hart of Fuller Theological Seminary in 1991. It reported the following:

- 90% of pastors work more than 46 hours per week, and often more than 60.
- 80% believe that pastoral ministry has had a negative effect on their family.
- 33% agreed, “Being in ministry is clearly a hazard to my family.
- 75% have reported a significant crisis due to stress at least once every five years in their ministry.
- 50% feel unable to meet the needs of their job.
- 90% feel they were not adequately trained to cope with the ministry demands placed upon them.
- 40% reported having serious conflict with a parishioner at least once a month.
- 37% have been involved in inappropriate sexual behavior with someone in the church.
- 70% report lower self-esteem after they have served as a pastor than before they started.<sup>i</sup>

What makes ministry so demanding and stressful? Roberts answers with the following bit of musing:

The lawyer can refuse to take on a client. The pastor may feel like refusing to see someone come into his or her congregation, but does not have that privilege. The doctor can refer out to another doctor when it is best for the patient – or the doctor. The pastor is not often prone to send people to another church, though he or she may be thinking that in tough moments. The electrician can say, “I can’t fix your problem for two days,” and we can call the next service person on our list, who can come out right away. The pastor (even one who is wise with his or her schedule) is on duty twenty-seven hours a day, thirty-nine days a month, 412 days a year. People seem to have no respect when they experience their emergencies, when they honestly need pastoral attention. At least the ones in our lives haven’t been well scheduled.<sup>ii</sup>

The following “Pastor’s Lament” says it well:

*I am appalled at what is required of me.  
I am supposed to move from sick-bed  
to administrative meeting,  
to planning,  
to supervising,  
to counseling,  
to praying,  
to troubleshooting,  
to budgeting,  
to audio systems,  
to meditation,  
to worship preparation,  
to newsletter,  
to staff problems,  
to mission projects,*

*to conflict management,  
to community leadership,  
to study,  
to funerals,  
to weddings,  
to preaching.*

*I am supposed to be “in charge”  
but not too much in charge,  
administrative executive,  
sensitive pastor,  
skillful counselor,  
dynamic public speaker,  
spiritual guide,  
politically savvy,  
intellectually sophisticated.*

*And I am expected to be superior,  
or at least first rate, in all of them.*

*I am not supposed to be  
depressed,  
discouraged,  
cynical,  
angry,  
hurt.*

*I am supposed to be  
up-beat,  
positive,  
strong,  
willing,  
available.*

*Right now I am not filling any of these expectations very well.  
I think that’s why I am tired.<sup>iii</sup>*

Finally, what really makes the pressures of pastoral ministry unique today is the lack of time and opportunity to relieve the building stress. In today’s economic reality, many pastor’s spouses also work full-time jobs. Pastors, by the nature of their work, must work weekends. This means limited weekend time with spouse and/or family. A Presbyterian pastor with a spouse who works Monday through Friday gets only four uninterrupted weekends with their spouse each year. Also, the weekly “day off” is often interrupted by pastoral emergencies.

### **The Sabbatical Defined**

A good way to begin a definition of the “sabbatical” is to consider what it is *not*.

#### A Sabbatical Is Not a Vacation

While a sabbatical is a time of rest and renewal, it is not vacation. Proper sabbaticals involve a plan, a goal, and accountability. The use of a spiritual director is strongly advised. A sabbatical should not, however, be so tightly structured that the Spirit has no freedom to lead and reveal. The plan should have built-in flexibility. Sabbatical time should be taken *in addition to* any earned vacation time.

### A Sabbatical Is Not Academic Leave

Earning advanced degrees is a commendable goal, and every pastor should be committed to life-long learning. But theological education is, for many, stressful work and not always conducive to renewal and visioning. Some may be renewed by academic work, others not. Churches must recognize that academic work should not be an expectation of their pastor's sabbatical.

### A Sabbatical Is Not Escape

If there is significant conflict in a congregation, it should be worked through in the pastor's presence, not his or her absence. A sabbatical should never be used to escape difficulties, nor is it ever a time for the pastor to seek a new call.

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<sup>i</sup> Roberts, Wes, *Support Your Local Pastor*, (NavPress, Colorado Springs, CO, 1995), p. 19

<sup>ii</sup> *ibid*, p. 18.

<sup>iii</sup> Gilbert, Barbara, *Who Ministers to Ministers?* (The Alban Institute)