

**Summary of Amendments to the Manual  
Proposed to the 862<sup>nd</sup> Assembly of New Castle Presbytery  
September 20, 2022**

SUMMARY

The proposed changes to the Manual mostly impact the functioning of our committees, their range of authority, and the ability to be in conversation with committee members who are not able to participate regularly in the work of the committee.

Some of these changes are simply mirroring current practice, such as administrative commissions for installations being authorized by COMC and appointed by the Moderator. The language clearly designating that authority results in a set of changes to the responsibilities of the Moderator and COMC.

Also mirroring current practice is the proposal to rename COMC, CPMM, and the Trustees and Finance Committee as commissions. A commission is a body that has been entrusted to act with the authority of the Presbytery. Currently, COMC has that authority and exercises it in receiving ministers members into the Presbytery, approving terms of call for temporary and installed positions, and transferring members upon request. The Trustees also have the authority to act on loan requests from churches, buy, sell or mortgage real property, and make other financial decisions. These actions are properly the actions of commissions, not committees.

CPMM currently does not have commission authority, but could be granted the authority by the Presbytery to move an inquirer to the candidate phase and to certify a candidate ready to receive a call. Only a Presbytery may examine a candidate for ordination, and so that final authority continues to rest in the full body. By granting these other authorities, CPMM will be able to advance people in their ordination process in a timely fashion without requiring a special Presbytery meeting to do so.

A major change in the committee structure is renaming the Committee on Coordination and expanding its membership and responsibilities. The Round Table would become the group that engages the ongoing work of discerning vision and focus for the Presbytery, while continuing to provide direction for Presbytery meetings and gatherings.

An additional paragraph under section 2.000 addresses attendance, drawing both from requirements found in Robert's Rules of Order and the Book of Order. This paragraph has been reviewed and subsequently recommended by most of the committees of the Presbytery.

A final change is clarifying that the Stated Clerk shall ordinarily serve as the Secretary of the Corporation, which has been approved by both the Trustees and the Committee on Leadership.



# THE MANUAL OF NEW CASTLE PRESBYTERY

*Proposed Revisions for September 20, 2022  
For Action of the 86<sup>th</sup> Assembly of New Castle  
Presbytery*



## TABLE OF CONTENTS

<b>PREAMBLE</b> .....	6
<b>PREFACE: The Manual</b> .....	6
<b>1.000 – THE PRESBYTERY</b> .....	7
1.001 – Names .....	7
1.002 – Ecclesiastical Jurisdiction .....	7
1.003 – Religious Organization and Civil Management.....	8
1.004 – Geographic Jurisdiction.....	8
<b>1.100 – Members of the Presbytery</b> .....	8
1.101 – Voting Members .....	8
1.102 – Continuing Members (Ministers).....	8
1.103 – Commissioned Ruling Members .....	8
1.104 – Ruling Elders Representing Presbytery .....	8
1.105 – Other Elder Members of the Presbytery Members .....	8
1.106 – One-Year Commissioner Terms .....	9
1.107 – Alternate Commissioners .....	9
1.108 – Not to Instruct Commissioners .....	9
1.109 – Reports.....	9
1.110 – Diversity .....	9
1.111 – Equalization of Rolls .....	10
<b>1.200 – Meetings of the Presbytery</b> .....	10
1.201 – Stated Meetings.....	10
1.202 – Conduct of Meetings.....	10
<b>1.300 – Officers</b> .....	10
1.301 – General Provisions .....	10
1.302 – Elections .....	10
1.303 – Expenses .....	10
1.304 – Moderator and Vice-Moderator.....	11
1.305 – Stated Clerk .....	11
1.306 – Parliamentarian and Alternate Parliamentarian .....	12
<b>1.400 – Professional Staff</b> .....	12
1.401 – Paid Staff .....	12

**Table of Contents (continued)**

**2.000 – COMMITTEES AND COMMISSIONS**

2.001 – Organization .....14

2.002 – Committees and Commissions .....15

A - Round Table ~~Committee on Coordination~~ *(proposed new listing order)*

B - Committee on Leadership

C - Commission on Ministers and Congregations

D - Commission on Preparation for Mission Ministry

E - Committee on Representation and Nominations

F - Ignite

G - Trustees and Financial Resources Commission

H - Permanent Judicial Commission

I - Administrative Commissions

J - Other Bodies

2.003 – Commissions .....21

2.004 – Trustees and Financial Resources .....22

2.005 – Other Bodies .....23

**3.000 – POLICIES ON ELECTRONIC NOTICES, ELECTRONIC MEETINGS, TELEPHONE CONFERENCE MEETINGS, VIDEO CONFERENCE MEETINGS, AND HYBRID MEETINGS.....23**

3.001 – Policy on Notice.....23

3.002 – Items to be Posted .....23

3.003 – Electronic Meetings .....24

3.004 – Hybrid Meetings .....24

3.005 – Use of Email.....24

**4.000 – AMENDING THE MANUAL .....24**

**Appendix A – Vision Statement and Strategic Priorities.....25**

**Appendix B – Incorporation and By-Laws .....29**

**Appendix C – Session and Congregational Minutes and Records.....34**

**Appendix D – Policy Concerning Departing Pastors and Their Former Parishioners .38**

**Appendix E – Validated Specialized Ministries .....40**

**Appendix F – Policy on Examinations .....44**

**Appendix G – Code of Ethics for Minister Members and Other Church Professionals46**

**Appendix I – Hosting New Castle Presbytery Meetings (Approved 5/25/21).....49**

**Appendix J – Scheduling and Conducting New Castle Presbytery Meetings .....51**

**Appendix L – REMOVED NOVEMBER 13, 2021 .....56**  
**Appendix N – Child Protection Policy.....58**  
**Appendix O – Guidelines for Sabbatical Leaves (Approved 5/24/22) .....63**  
**Appendix P – Prevention of Sexual Misconduct Policy .....65**  
**Appendix Q – Personnel Policies (Approved 9/14/21).....74**  
**Appendix R – Policy on Mandatory Dismantling Racism Training .....95**  
**Appendix S – Policy on Administrative Leave .....98**

# THE MANUAL OF NEW CASTLE PRESBYTERY

## PREAMBLE

We, the members of New Castle Presbytery, in order to provide the structures which will enable us to respond in mission to the call of Our Lord Jesus Christ and to discharge the Constitutional responsibility of a Presbytery as defined in the Book of Order of the Presbyterian Church (U.S.A.), adopt the Rules in this MANUAL which are to be regarded in all things as subordinate to the Constitution of our denomination, the Presbyterian Church (U.S.A.).

We believe that "the mission of the church is given form by God's activity in the world as told in the Bible and understood by faith" (Book of Order G-3.0100) and that "the church is called to be a sign in and for the world of the new reality which God has made available to people in Jesus Christ" (Book of Order G-3.0200).

## 0.000 — PREFACE

### 0.001 TITLE

The title of this manual shall be THE MANUAL OF NEW CASTLE PRESBYTERY, hereafter designated as THE MANUAL.

### 0.002 PURPOSE

The purpose of THE MANUAL shall be to describe and stipulate the standard organization and operating procedures of New Castle Presbytery as it carries out its mission. Specific policies and procedures can be found in the appendices that follow the main section of this Manual.

### 0.003 AUTHORITY

THE MANUAL shall be the authoritative description of its subject matter as adopted by New Castle Presbytery, but it shall be subordinate to the constitutional documents of the Presbyterian Church (U.S.A.), to official interpretations thereof by its General Assembly and its Stated Clerk, and to lawful injunctions of the Synod of the Mid-Atlantic, as well as to the civil law of the states and localities which may have jurisdiction.

### 0.004 SHORTENED TITLES AND ABBREVIATIONS

The following shortened titles and abbreviations are designated for use where desired within THE MANUAL, in the minutes of New Castle Presbytery, and in similar documents:

- THE PRESBYTERIAN CHURCH (U.S.A.) - THE PRESBYTERIAN CHURCH OR PC(USA)
- THE FORM OF GOVERNMENT - G
- THE DIRECTORY FOR WORSHIP - W
- THE RULES OF DISCIPLINE - D

- NEW CASTLE PRESBYTERY or THE PRESBYTERY OF NEW CASTLE - THE PRESBYTERY or NCP
- THE MANUAL OF NEW CASTLE PRESBYTERY - THE MANUAL or M

## **0.005 SUSPENSION OF RULES**

Any provision of THE MANUAL, except those which are mandatory under the PC(USA) Constitution or because of actions of the General Assembly or the synod of jurisdiction, may be suspended at any meeting of the Presbytery by a two-thirds vote of members present and voting. Such suspension shall be valid only for that particular special or stated meeting, so actions which are intended to have effect with duration into or beyond the next stated meeting must be regularized by amendment at the following stated meeting or lose their validity thereafter. Chapter Six of THE MANUAL contains the rules for amending THE MANUAL.

## **1.000 — THE PRESBYTERY (See G-3.03)**

### **1.001 NAMES**

The names New Castle Presbytery and The Presbytery of New Castle, shortened to “the Presbytery,” refer to the same entity and for ordinary purposes are interchangeable.

### **1.002 ECCLESIASTICAL JURISDICTION**

The Presbytery is a governing body of the Presbyterian Church (USA) subordinate to the General Assembly and the Synod of the Mid-Atlantic. It is subject to and organized under the Constitution of the Presbyterian Church (U.S.A.), i.e. the Book of Order. (Attention is directed to Chapter G-3 of the Book of Order, entitled "The Presbytery.") The Presbytery has ecclesiastical jurisdiction over its Minister members and over its churches and their members, subject to the constitutional provisions for the original jurisdiction of sessions over most ordinary matters pertaining to the churches and their members. It is charged by the denomination with the development of strategy for mission and the coordination of the work of its member churches.

Presbyteries are alike in many respects because of responsibilities prescribed by the Constitution, and they are different because of the tasks and organizations that they create for themselves. Presbyteries are both administrative and programmatic and they are blessed with the gifts of many ministers, Ruling Elders, and many who are not ordained to any office. They thus are guided by the respective visions held by all these ministers of God’s mission in the world.

### **1.003 RELIGIOUS ORGANIZATION AND CIVIL MANAGEMENT**

For ecclesiastical purposes, the Presbytery is organized as and operated as an informal religious organization under the laws of the States of Delaware and Maryland. The Presbytery is also organized as a corporation under the laws of the States of Delaware and Maryland. Its business and property are managed by the Presbytery Trustees and Financial Resources *Commission* Committee.

### **1.004 GEOGRAPHIC JURISDICTION**

The Presbytery shall exercise ecclesiastical jurisdiction within the entire State of Delaware and in the following counties in the State of Maryland: Caroline, Cecil, Dorchester, Kent, Queen Anne, Somerset, Talbot, Wicomico and Worcester.

### **1.100 — MEMBERS OF THE PRESBYTERY**

#### **1.101 VOTING MEMBERS**

The Presbytery consists of the persons described below when they are duly qualified and enrolled, as full members with all rights of debate and voting.

#### **1.102 CONTINUING MEMBERS (MINISTERS)**

The Ministers of Word and Sacrament are members of the Presbytery, including active members, members-at-large and honorably retired members (G-2.0503).

#### **1.103 COMMISSIONED RULING ELDERS**

Commissioned Ruling Elders who are in active service with a church or on behalf of the presbytery shall be enrolled as members of Presbytery.

#### **1.104 RULING ELDERS REPRESENTING CHURCHES**

When Presbytery meets, Ruling Elder Commissioners representing churches shall be elected in accordance with G-3.0301 of the Book of Order.

#### **1.105 OTHER ELDER MEMBERS OF THE PRESBYTERY**

Each Ruling Elder elected as Moderator, Vice-Moderator, Connectional Presbyter (Stated Clerk), Missional Presbyter or Treasurer of the Presbytery, shall be enrolled as a member of the Presbytery for the term of office, whether or not commissioned by their session. Each Ruling Elder elected chair of a Presbytery committee or Permanent Judicial Commission, shall be enrolled as a member of the Presbytery for the term of office, whether or not commissioned by their session (G-3.0301).

#### **1.106 ONE-YEAR COMMISSIONER TERMS**

In order that the Presbytery may have continuity to fulfill its responsibilities, sessions are strongly encouraged to elect Ruling Elder Commissioners for one-year terms, with no person to serve for more than six consecutive years.



### **1.107 ALTERNATE COMMISSIONERS**

The sessions may elect alternate commissioners to serve when it is impossible for the principal commissioners to serve.

### **1.108 NOT TO INSTRUCT COMMISSIONERS**

Sessions should elect commissioners in whom they have confidence. Sessions may discuss anything they wish with their commissioners; but UNDER NO CIRCUMSTANCES may they either explicitly or implicitly instruct their commissioners on how to vote during Presbytery meetings. Commissioners must be free to vote in accordance with their Christian consciences, and they must be open to the possibility that God may speak to their consciences through the debate on the floor of the Presbytery as well as in other ways.

### **1.109 REPORTS**

Commissioners shall always report to their sessions on their participation in, or lack thereof, at Presbytery meetings. Until they enroll and sign in at the beginning of each meeting, commissioners are not members of the Presbytery. Commissioners therefore should look to their sessions, not to the Presbytery, to excuse them if they do not enroll and attend.

### **1.110 DIVERSITY**

As sessions elect commissioners to the Presbytery, they should bear in mind that it is good for the Presbytery to be composed in accordance with F-1.0403 “the Foundations of Presbyterian Polity” in the Book of Order:

“The unity of believers in Christ is reflected in the rich diversity of the Church’s membership. In Christ, by the power of the Spirit, God unites persons through baptism regardless of race, ethnicity, age, sex, disability, geography, or theological conviction. There is therefore no place in the life of the Church for discrimination against any person. The Presbyterian Church (U.S.A.) shall guarantee full participation and representation in its worship, governance, and emerging life to all persons or groups within its membership. No member shall be denied participation or representation for any reason other than those stated in this Constitution.”

### **1.111 EQUALIZATION OF ROLLS**

In the annual equalization of the rolls for purposes of determining Ruling Elder commissioners from constituent churches to meetings of the Presbytery, those churches that are considered racial/ethnic or have a racial/ethnic membership of 10% or more shall be granted one (1) commissioner in addition to the number normally allotted based on the membership of the church.

## **1.200 — MEETINGS OF THE PRESBYTERY**

### **1.201 STATED MEETINGS**

Stated meetings of the Presbytery are the regularly scheduled meetings on dates and places recommended by the *Round Table* ~~Committee on Coordination~~ and approved by the Presbytery.

### **1.202 CONDUCT OF MEETINGS**

All information on conduct of meetings and other details of Stated and Called meetings can be found in Appendix J of THE MANUAL.

## **1.300 — OFFICERS**

### **1.301 GENERAL PROVISIONS**

The officers of the Presbytery shall be the Moderator, Vice Moderator and Stated Clerk and they shall be elected by majority vote.

### **1.302 ELECTIONS**

The terms of office for those elected shall begin at the start of the following calendar year unless otherwise decided by the Presbytery or specified by THE MANUAL, and the terms of office shall continue until successors have been elected and legally qualified. Nominations shall be in accordance with M-2.001. Whenever a person is elected because another person did not complete their term, the election shall be only for the remainder of that term unless otherwise declared by the Presbytery at the time of election.

### **1.303 EXPENSES**

All reasonable expenses of the Presbytery officers incurred in the performance of their duties shall be paid by the Presbytery.

### **1.304 MODERATOR and VICE-MODERATOR**

#### **A) Moderator**

The Committee on Representation and Nominations shall present a candidate for election as Moderator of the Presbytery at a stated meeting of the Presbytery sufficiently early in a calendar year to allow the Moderator, when elected, to be installed not later than the stated meeting closest to the beginning of the following year. The Moderator's term of office shall be one year, and they shall be a member of the Presbytery *Round Table* ~~Committee on Coordination~~ during their term of office.

#### **B) Duties**

The Moderator shall perform the duties of the office as specified in the Book of Order (G-3.0104). The Moderator shall ~~also serve as Chair of the Committee on Coordination~~, and, in consultation with Presbytery staff, appoint committees and

commissions as requested. *In the case of Administrative Commissions for Installation of Ministers of the Word and Sacrament, the Moderator has the authority to appoint the commission upon action by the Commission on Ministers and Congregations to form such an Administrative Commission. The minutes of the commission shall be presented to the Presbytery for approval at the next stated meeting.*

C) Vice-Moderator

The Vice-Moderator of the Presbytery shall be chosen under the same conditions as the Moderator with respect to nomination, timing of election, installation and term of office. The Vice-Moderator shall fulfill the duties of the Moderator, either in the absence of the Moderator or at their request. In the case of the Moderator's resignation or inability to serve, the Vice-Moderator shall become the Moderator for the remainder of the term involved. The Vice-Moderator shall be a member of the Presbytery *Round Table* ~~Committee on Coordination~~ during their term of office.

### **1.305 STATED CLERK**

The Stated Clerk of the Presbytery (*also referred to in this Manual as "Connectional Presbyter"*) shall be elected by the Presbytery for a renewable term up to five years. The Stated Clerk position is incorporated into the Connectional Presbyter position and shall be reviewed annually by the Committee on Leadership who shall make recommendations to the Presbytery as to their compensation and term of office.

A) Duties

The Stated Clerk shall perform the duties of the office as specified in the Book of Order (G-3.0104) and shall be the secretary of the Presbytery *and of the Corporation*. The Stated Clerk shall have the authority to refer communications to the appropriate officers, committees and other agencies of the Presbytery, and to submit to the Synod of the Mid-Atlantic and to the General Assembly the regular reports requested by those judicatories. The Stated Clerk shall conduct regular training events for clerks of sessions.

B) Staff

The Stated Clerk may employ assistance for the writing of minutes and other work of the office, subject to the budgeting processes of the Presbytery.

C) Other Clerks

The Stated Clerk shall have the authority to appoint temporary clerks for assistance during Presbytery meetings.

D) Assistant Stated Clerk

The Presbytery may elect Assistant Stated Clerk(s) for a one-year term. The sole function of an Assistant Stated Clerk shall be to ensure that the Presbytery has a functioning Stated Clerk at all times; so an Assistant Stated Clerk shall have the

legal authority to perform all the duties of and to discharge all the obligations of the Stated Clerk which are necessary or timely when the Stated Clerk is unable to act because of absence from the bounds of the Presbytery, illness, or in a brief interim between terms of stated clerks.

E) Compensation

An Assistant Stated Clerk shall receive no financial compensation unless the work involves a considerable amount of time, in which case they may be paid an honorarium as determined by the Trustees and Financial Resources *Commission* ~~Committee~~.

### **1.306 PARLIAMENTARIAN AND ALTERNATE PARLIAMENTARIAN**

The Stated Clerk shall serve as the Parliamentarian for the Presbytery. The Stated Clerk may be assisted by Alternate Parliamentarians as elected by Presbytery.

### **1.400 — PROFESSIONAL STAFF**

#### **1.410 PAID STAFF**

The Presbytery Staff consists of those persons, ordained and non-ordained, who are hired or elected by the Presbytery. The Presbytery Staff also consists of persons who are engaged to perform needed support services/ministries, either full time, part time or adjunct.

#### **1.411 Connectional Presbyter/*Stated Clerk***

A **CONNECTIONAL PRESBYTER** will serve the NCP in three broad areas of ministry:

- Pastoral support, for both Ministers of the Word and Sacrament and Elders, including Commissioned Ruling Elders (CREs), who are serving actively in the work of the NCP
- Advocate and agent for recruiting ministers of the Word and Sacrament for service within the NCP
- Stated Clerk, serving the NCP in accordance with the specifications of G-3.0104 and G-3.0305 of the *Book of Order*

The Connectional Presbyter will be the staff person connecting the system of governance and the bodies responsible for congregational ministry within the Presbytery and also within the PCUSA. In both celebration and challenge they will resource the Presbytery's ~~Committee~~ *Commission* on Ministers and Congregations (~~formerly the Committee on Ministry~~), the Committee on Representation and Nominations, the Committee on Leadership (~~including the Committee on Preparation for Missional Ministry~~), *the Commission on Preparation for Missional Ministry*, the Trustees and Financial Resources *Commission* ~~Committee~~, the Sexual Misconduct Response Team, and the

Permanent Judicial Commission (PJC). Working collegially, they will be a member of *moderate* the *Round Table* ~~Committee on Coordination~~ and also manage and coordinate the work of the NCP office staff. The Connectional Presbyter will be elected and may be hired for a five-year term. Performance shall be evaluated annually by the Committee on Leadership, in consultation with committees above. The specific duties of the Connectional Presbyter shall be outlined in a Position Description approved by the Committee on Leadership and made available on the Presbytery web page.

#### **1.412 Missional Presbyter**

A **MISSIONAL PRESBYTER** will serve the NCP in three broad areas of ministry:

- Engage member churches in connecting with one another and with other worshipping communities and community groups to be about the mission of the Gospel outside the walls of their own churches
- Work with the Ignite team to spark enthusiasm and hope in member churches by helping them to connect their dreams, ideas, and leaders with God's mission in the world
- Act as a cooperative member of the NCP *Round Table* ~~Committee on Coordination~~ and resource for the Ignite Team

The Missional Presbyter will be the staff person responsible for our missional vision of being the church within the Presbytery and the PC(USA). The Missional Presbyter will be elected and may be hired for a five-year term. Performance shall be evaluated annually by the Committee on Leadership in consultation with the Ignite team. The specific duties of the Missional Presbyter shall be outlined in a Position Description approved by the Committee on Leadership and made available on the Presbytery web page.

#### **1.413 Presbytery Administrator/Assistant Stated Clerk**

The Presbytery Administrator/Assistant Stated Clerk, in collaboration with other staff, is responsible for all duties of managing the NCP office, all communications functions and as a member of the *Round Table* ~~Committee on Coordination~~. They will be hired on a full-time basis and will be evaluated annually by the Committee on Leadership in consultation with the Connectional Presbyter. The specific duties of the Administrator/Assistant Stated Clerk shall be outlined in a Position Description approved by the Committee on Leadership and made available on the Presbytery web page.

#### **1.414 Treasurer**

The Treasurer serves as a part-time staff member responsible for monitoring the Presbytery's cash position and requirements, overseeing its financial structure and providing related services. The Treasurer resources Presbytery staff, and the Presbytery Trustees and Financial Resources *Commission* ~~Committee~~ (see M-2.004 of THE MANUAL).

The duties of the Treasurer shall be outlined in a Position Description approved by the Committee on Leadership and made available on the Presbytery web page. Ordinarily, the Treasurer will also serve as the Presbytery Accounting Administrator.

The performance of the Treasurer shall be reviewed regularly by the Committee on Leadership in consultation with the Presbytery Trustees and Financial Resources *Commission* ~~Committee~~.

#### **1.415 Accounting Administrator**

The Accounting Administrator serves as a part-time, salaried staff member responsible for performing the Presbytery's accounting functions and related services. The Accounting Administrator reports to the Connectional Presbyter, and resources Presbytery staff, and the Presbytery Trustees and Financial Resources *Commission* ~~Committee~~ (see M-2.004 of THE MANUAL).

The duties of the Accounting Administrator shall be outlined in a Position Description approved by the Committee on Leadership and made available on the Presbytery web page. Ordinarily, the Accounting Administrator will also serve as the Presbytery Treasurer.

The performance of the Accounting Administrator shall be reviewed regularly by the Committee on Leadership in consultation with the Presbytery Trustees and Financial Resources *Commission* ~~Committee~~.

## 2.000 — COMMITTEES AND COMMISSIONS

### 2.001 ORGANIZATION

Each committee shall be composed of persons elected by the Presbytery upon nomination by the Presbytery's Committee on Representation and Nominations. The Committee on Representation and Nominations shall be required to present nominees to reflect geographical, racial, gender and ecclesiastical diversity. *Members of Commissions shall be either Teaching Elders or Ruling Elders; members of Committees may also include members of congregations who have not been ordained.* No one shall serve on a particular committee/*commission* longer than for two three-year terms, or for full or partial terms aggregating more than six consecutive years, unless specified otherwise in this Manual under committee/*commission* descriptions. *Service shall be for a set term unless a successor is elected to complete that term and terms ordinarily begin in January.*

To encourage diversity, each committee/*commission* should ordinarily be limited to one member per congregation or worshipping community.

#### A) Officers

Each committee/*commission* shall be chaired by one of its members elected to the position by the committee/*commission* annually *at the time a new class begins its term.* Each committee/*commission* shall also elect from its membership a secretary *annually.* Minutes of all committee/*commission* meetings shall be maintained and a copy sent to the Presbytery office.

#### B) Meetings

Each committee/*commission* shall ordinarily meet at least quarterly to plan, organize and evaluate its work. A quorum for a meeting of a committee/*commission* shall be a majority of the committee's *elected* members.

#### C) Planning

In order to carry out its responsibilities, a committee/*commission* may create sub-committees and/or "temporary work groups" responsible for particular areas of work. Temporary work groups shall report at least annually to their organizing committee/*commission.*

#### D) Accountability

All committees and commissions shall keep full and complete records, including attendance. With the exception of confidential matters, committees/*commissions* are required to report their actions in a timely manner, regularly utilizing the Presbytery communications tools and technology.

E) Attendance

*Regular attendance and participation at committee/commission meetings is essential for the full functioning of that body. If an elected member misses three meetings in a row or six meetings in a calendar year, it is appropriate for the chair of the committee/commission to arrange for a conversation to determine if that member is no longer able to serve at that time. If the member agrees that service is not currently possible and resigns, the Committee on Representation and Nominations will be asked to nominate a replacement member. If the member remains on the committee/commission but continues to miss meetings, the committee/commission may, by a 2/3 vote, request that the Committee on Representation and Nominations nominate a successor to complete the absentee member's term.*

**2.002 COMMITTEES AND COMMISSIONS**

A) Round Table Committee on Coordination

The ~~Round Table Committee on Coordination~~ shall be made up of the Presbytery Moderator, Vice Moderator, Connectional Presbyter/Stated Clerk, Missional Presbyter, Presbytery Administrator/Assistant Stated Clerk, and Presbytery Accounting Administrator, *along with the chairs or their designees of the Presbytery's committees/commissions.* ~~The Chair of the Trustees and Financial Resources Committee and the Convener(s) of Ignite may be invited to participate with this committee. This is a coordinating team and not a policy making body.~~

DUTIES:

- Coordinate agenda for business meetings of the Presbytery
- Facilitate planning for worship/fellowship/education at Presbytery meetings *and retreats, including specifying the offering recipient(s) when appropriate*
- Propose a schedule (dates, times, & locations) for Presbytery meetings
- Call special meetings of the Presbytery when appropriate
- Communicate regularly with all committees/*commissions* to assure that work is done in a timely manner
- Coordinate work of committees/*commissions* as appropriate (i.e. assign review of GA amendments)
- Nominate for election members of the Committee on Representations and Nominations
- Coordinate review of Presbytery structure, vision and mission as needed
- Work with all committees/*commissions* to develop opportunities to work cooperatively and with other presbyteries and ecumenical entities to fulfill their particular responsibilities
- Serve as Committee of Counsel if legal issues arise and the services of a lawyer are required



- *Respond to requests for a pastoral inquiry according to G-3.0109b(6) with the authority to appoint an administrative commission for the purpose of such an inquiry*
- Be responsible for coordinating the vision work of the presbytery
- Approve the celebration of communion at Presbytery meetings and other Presbytery gatherings
- Decide the manner of Presbytery meetings and other Presbytery gatherings, including changes due to current circumstances, whether by hybrid, fully digital, or in person

B) Committee on Leadership

The Committee on Leadership (COL) shall be made up of six members, divided into three classes and shall be resourced by the Connectional Presbyter. ~~No member shall serve more than two terms or six consecutive years. The COL shall elect from its own membership persons to serve as chairperson, vice-chairperson and secretary. Such persons shall be elected annually at the time a new class assumes office.~~ Although COL is not resourced by the Missional Presbyter, participation is welcome.

DUTIES:

- Develop and administer the personnel policies of the Presbytery
- Propose to the Presbytery position descriptions and compensation for Presbytery staff and employees, review and evaluate the work of Presbytery staff and employees annually, and provide an annual report to the Presbytery in coordination with the Connectional Presbyter
- Respond to routine workplace issues and concerns
- Provide care and support for all Presbytery employees
- Facilitate the process for employing and terminating Presbytery employees
- Work with the *Round Table* ~~Committee on Coordination~~ to develop and implement regular plans for growth in leadership skills for those serving in various capacities within the Presbytery

C) Committee *Commission* on Ministers and Congregations

The ~~Committee~~ *Commission* on Ministers and Congregations (COMC) shall be made up of eighteen members *divided into three classes*, ~~as equally divided between ministers and Ruling Elders and as geographically diverse as possible. Members shall be divided into three classes serving three years each, and no member may serve more than two consecutive terms.~~ The COMC will be resourced by the Connectional Presbyter.

~~The COMC shall elect from its own membership persons to serve as chair, vice chair and secretary. Such persons shall be elected annually at the time a new class assumes office.~~

## DUTIES:

- Serve as pastor and counselor to all Ministers and Commissioned Ruling Elders
- Facilitate relationships between congregations and Ministers and Commissioned Ruling Elders
- Counsel with sessions as invited concerning reported or observed difficulties within a congregation, including:
  - Advising the session as to appropriate actions to be taken to resolve the reported difficulties
  - Offering to help as a mediator
  - Acting to correct the difficulties if requested to do so by the session or if the session is unable or unwilling to do so
- Following the procedural safeguards of the Rules of Discipline, recommend to the Presbytery the appointment of administrative commissions to assume original jurisdiction in any situation in which it determines that a session is not properly exercising its authority
- Propose annually the minimum compensation standards for pastoral services, including review of the compensation for one-time services, and approve sabbaticals and mini-sabbaticals
- Provide for periodic rounding visits (*COMC liaison visit with session/pastor*)
- Propose and administer any financial support to be provided by Presbytery for Ministers
- Approve the terms of call and contracts for Ministers
- Approve the *renewal of* Commissions and contracts for Commissioned Ruling Elders (CRE's) ~~and provide ongoing supervision for them in their ministries~~
- Examine and receive Ministers by transfer from other presbyteries for the purpose of accepting valid calls to ministry and/or membership in the Presbytery *and, when appropriate, approve the formation of Administrative Commissions for the purpose of Installation* (see Appendix F)
- Report all approved Pastoral changes to the next meeting of Presbytery
- Formally introduce pastors and CRE's new to the Presbytery at the next meeting of Presbytery
- Approve and review annually the work of all Ministers engaged in validated ministries outside the congregation

## D) ~~Committee~~ *Commission* on Preparation for Missional Ministry

The ~~Committee~~ *Commission* on Preparation for Missional Ministry (CPMM) shall be made up of nine members, divided into three classes and shall be resourced by the Connectional Presbyter. ~~No member shall serve more than two terms or six consecutive years. The CPMM shall elect from its own membership persons to serve as chairperson, vice chairperson and~~

secretary. Such persons shall be elected annually at the time a new class assumes office. Although CPMM is not resourced by the Missional Presbyter, participation is welcome.

#### DUTIES:

- Assure that all the provisions of the Book of Order regarding the evaluation and nurture of persons preparing for ordination as Minister of Word and Sacrament are observed
- Care for and supervise candidates and inquirers for ordination as Ministers
- *Exercise the authority to approve entry into the process as an inquirer, change in status to candidate, and certify a candidate ready to receive a call, reporting these actions to the Presbytery in a timely fashion*
- *Create opportunities for the Presbytery to meet and interact with those in the ordination and commissioning process*
- Propose and administer the Presbytery's financial support for preparation for ministry, including the Candidates Reserve Fund
- Care for and supervise Ruling Elders who are preparing for commissioning
- *Provide for the regular mentoring of Commissioned Ruling Elders as part of their ongoing education*
- Transfer inquirers and candidates to other presbyteries, and receive inquirers and candidates by transfer from other presbyteries

#### E) Committee on Representation and Nominations

The Committee on Representation and Nominations (CORN) shall be composed of six (6) members elected to three classes *and shall be resourced by the Connectional Presbyter*. ~~There shall be a maximum of four members who are Ministers and at least two members who are Ruling Elders and/or non-ordained persons. The composition of this committee shall also be representative of the geographical and ethnic diversity of the Presbytery.~~

Members of the Committee on Nominations and Representation (CORN) shall be nominated by the *Round Table* Presbytery Committee on Coordination, with opportunity for additional nominations from the floor prior to election by the Presbytery. ~~No member of this committee shall serve more than two three-year terms, or full or partial terms aggregating more than six consecutive years.~~

~~The Committee on Nominations and Representation shall elect from its own membership, persons to serve as chairperson, vice-chairperson and secretary. Such persons shall be elected annually at the time each new class assumes office on the committee.~~

The Committee on Nominations and Representation shall recommend to the Presbytery nominees for the following offices:

- Moderator and Vice-Moderator, for terms of one year each
- Members of Presbytery committees *and commissions* other than the Committee on Nominations and Representation itself
- ~~Nominations to fill vacancies on Presbytery Committees~~
- Members of the Sexual Misconduct Response Team
- Commissioners and Advisory Delegate(s) to the General Assembly
- Commissioners and representatives to the Synod of the Mid-Atlantic

1) NOMINATIONS OF COMMISSIONERS TO HIGHER GOVERNING BODIES

Nominations of persons to serve as commissioners to the Synod of the Mid-Atlantic shall take place when a vacancy is to occur.

Nominations of persons to serve as commissioners to the biennial meeting of General Assembly shall take place no later than at the last stated meeting of the calendar year prior to the meeting *or by the date set by the Office of the General Assembly*.

The Committee on Nominations and Representation shall seek to assure that persons nominated to serve as commissioners to higher councils shall be persons active in the life of New Castle Presbytery and persons with active knowledge of the larger Church.

2) OTHER DUTIES

- Advise the Presbytery regarding the implementation of principles of unity and diversity and advocate for diversity in Presbytery leadership
- Consult with the Presbytery and the Committee on Leadership on the employment of personnel, in accordance with the principles of unity and diversity in F-1.0403

F) Ignite

Ignite shall be made up of twelve members, in as close to equal numbers of ~~Ministers and~~ *Teaching Elders*, Ruling Elders, Deacons, or non-ordained people as possible. Ignite will organize into two classes of six each, serving two-year terms *and shall be resourced by the Missional Presbyter*. No one may serve more than two consecutive terms before rotating off of the committee.

1) DUTIES

- Develop and support ways in which the Presbytery, its congregations and pastors, its members engaged in validated ministries, and its new congregations, new worshiping communities, fellowship groups, and

other non-congregational entities can fulfill the mission of God in Christ, guided particularly by the Great Ends of the Church (F-1.0304):

*“The great ends of the Church are:  
the proclamation of the gospel for the salvation of humankind;  
the shelter, nurture, and spiritual fellowship of the children of God;  
the maintenance of divine worship;  
the preservation of the truth;  
the promotion of social righteousness; and  
the exhibition of the Kingdom of Heaven to the world.”*

- Encourage and support ministry partnerships among congregations, campus ministries, regions, and ecumenical and interfaith organizations which fulfill the mission of the church, including the Presbytery Mission Advocate, Disaster Recovery Coordinator and Interfaith Peacemaker. Other such missional workers may be supported with the approval of Presbytery.
- Promote and support ministries of social, racial, and environmental justice, peacemaking, and self-empowerment throughout the congregations of the Presbytery including a pro-active commitment to surface and generate excitement in congregations of all sizes and locations.
- Promote and support ministries of proclamation, evangelism, and discipleship throughout the congregations of the Presbytery, according to the six great ends of the church (F-1.0304).
- Promote, support, and coordinate the establishment of new congregations, new worshipping communities, fellowship groups, non-congregational entities, and other forms of corporate witness consistent with G-1.02
- Support congregations in the work of transformation, revitalization, and transition, and propose and administer the Presbytery’s financial support for development and mission.

## 2) FUNDS

Priority for Ignite funds will be given to NCP congregations that partner with other congregations of any denomination, with community groups or through denominational initiatives to:

- Alleviate root causes of poverty.
- Develop new worshipping communities.
- Seek justice and power for the disenfranchised
- Develop new initiatives for church transformation
- Engage in world-wide mission activities.

## 3) ACTIONS

- Seek to be transparent in all their actions, through regular communication and access to Ignite. Ignite will maintain an email

address and a portal/page on the Presbytery website which will give ready access for funding invitations/applications, curated resources for missional ministry, and written record of all parameters regarding Ignite grants.

- Welcome overtures from congregations who seek out Ignite with questions, visions, and struggles.
- Pledge to make committee members available in support of congregations and their leaders in the Presbytery.
- Be companions with the congregations of the Presbytery as they increasingly live into a missional identity.

#### 4) OPPORTUNITIES

- Offering workshops to build capacities, deepen relationships, and increase Presbytery's understanding of what it means to be missional.
- Providing "coaches" uniquely suited for the partnerships which receive Ignite funding and assigning liaisons from among Ignite's members to NCP congregations.
- Facilitating ways for congregations to tell their stories and collaborate with one another.

The Presbytery entrusts Ignite to allocate the Presbytery's funds for developing missional identity and ministries in and through its congregations. Ignite seeks to honor that trust by keeping Presbytery apprised of its discernment with regard to the most effective and faithful ways to put those financial resources to use in the service of Christ and those he asks his followers to love. Through the Presbytery's usual patterns of fiscal reporting, Ignite's spending and financial commitments shall be readily available to the Presbytery. Quarterly, an update on how Ignite Funds are being utilized will be made available to the Presbytery.

#### G) Trustees and Financial Resources *Commission* Committee

The Trustees and Financial Resources *Commission* Committee (Trustees) shall be a board composed of nine persons nominated by the Committee on Representation and Nominations and elected at the annual meeting of the Corporation of the Presbytery (the Corporation). ~~For service, the Trustees shall be divided into three equal classes, and no Trustee shall serve more than two consecutive three-year terms, or full or partial terms aggregating more than six consecutive years.~~ Vacancies during Trustees' terms of service shall be filled temporarily by action of the Committee on Representation and Nominations until the next annual meeting of the Corporation, when replacements shall be elected to fill unexpired terms.

The Connectional Presbyter, Missional Presbyter, Treasurer, and Presbytery Administrator/Assistant Stated Clerk shall be welcome at meetings of the

Trustees with voice only and no vote. *The Stated Clerk shall ordinarily serve as the Secretary of the Corporation.*

The Trustees *organization, duties, and powers are enumerated in Appendix B of THE MANUAL.* shall have the following duties and powers, including all those enumerated in Appendix B of THE MANUAL, which is controlling:

- A) Prepare and propose a budget for annual operating expenses, including administrative and personnel costs, to support the church's mission within the Presbytery
- B) Communicate with the Ignite Team on the level of funding available for mission
- C) Propose to the Presbytery the means for funding the Presbytery's annual budget
- D) Conduct a full annual review of all financial books and records
- E) Present a financial report at each business meeting of the Presbytery
- F) Monitor the investment performance of all investments
- G) Invest those Presbytery funds that are not part of the Speer Trust portfolio
- H) Oversee general business matters, including office facilities, the Hayloft, Campus Ministry buildings and insurance
- I) Assist congregations in developing plans for the care and maintenance of buildings
- J) Consider and act upon requests from congregations for permission to take the actions regarding real property as described in G-4.0206
- K) Acquire title to, hold and manage the property of dissolved congregations, and in appropriate circumstances, provide financial assistance or other resources to support congregations in the maintenance, repair or renovation of church property

*H) Permanent Judicial Commission*

*The Permanent Judicial Commission of the Presbytery shall be composed of seven Teaching and Ruling Elder members, with not more than one Teaching or Ruling Elder member being from any one constituent church of the Presbytery and the odd membership number being satisfied by either a Teaching or a Ruling Elder member (D-5.0101).*

*Members shall be divided into three classes. Terms of office shall be for six (6) consecutive years with no member, having served for a six-year term, being eligible for re-election until four years have elapsed after the six-year term (D-5.0105). The Stated Clerk shall resource the Commission.*

- 1) *OFFICERS: The Permanent Judicial Commission shall elect from its own membership persons to serve as moderator of the commission and clerk of the commission.*
- 2) *DUTIES AND JURISDICTION: The Permanent Judicial Commission's duties and jurisdiction as described in the Rules of Discipline of the Book*

*of Order (D-4.0000 and D-5.0000 as well as the complete Rules of Discipline) shall be strictly observed.*

- 3) *RELATIONSHIP TO THE STRUCTURE OF PRESBYTERY: The Permanent Judicial Commission shall report to the Presbytery directly. Time on the docket for meetings of the Presbytery shall be secured by direct request to the Stated Clerk and Round Table.*
- 4) *INVESTIGATING COMMITTEES -- APPOINTMENT OF INVESTIGATING COMMITTEES BETWEEN MEETINGS UNDER PROVISION OF D-10.0201(b) OF THE BOOK OF ORDER: Under the provision of D-10.0201(b) of the Rules of Discipline the Moderator of the Presbytery shall appoint an investigating committee as provided for in D-10.0103 upon the unanimous recommendation of the Round Table.*

I) Administrative Commissions (G-3.0109[b])

- *The Commission on Ministers and Congregations may recommend to the Presbytery the creation of Administrative commissions under G-3.0109(b)5.*
- *When created by vote of the Presbytery, all commissions shall be appointed by the Moderator of the Presbytery upon recommendation of the Connectional Presbyter/Stated Clerk unless otherwise stated when the commission is created.*

J) Other Bodies

Presbyterian Women and Presbyterian Men: ~~These organizations~~ shall coordinate their activities with the appropriate committees.

~~With the approval of Presbytery,~~ Two or more committees may establish joint committees/task groups/discernment teams for specific tasks or duties. The membership, staffing and terms of service for such joint committees shall be noted by the *Round Table Committee on Coordination* at the time they are created and reported to Presbytery for *information* approval at the next business meeting.

No bodies, other than those specified in THE MANUAL or adopted by subsequent action of the Presbytery shall be used to carry out the ministry and mission of the Presbytery.

## ~~2.003~~ — **COMMISSIONS**

A) Permanent Judicial Commission

~~The Permanent Judicial Commission of the Presbytery shall be composed of seven minister and Ruling Elder members, with not more than one minister or Ruling Elder member being from any one constituent church of the~~



Presbytery and the odd membership number being satisfied by either a minister/Minister of Word and Sacrament or a Ruling Elder member (D-5.0101).

Members shall be divided into three classes. Terms of office shall be for six (6) consecutive years with no member, having served for a six-year term, being eligible for re-election until four years have elapsed after the six-year term (D-5.0105).

- 1) ~~OFFICERS: The Permanent Judicial Commission shall elect from its own membership persons to serve as moderator of the commission and clerk of the commission.~~
- 2) ~~DUTIES AND JURISDICTION: The Permanent Judicial Commission's duties and jurisdiction as described in the Rules of Discipline of the Book of Order (D-4.0000 and D-5.0000 as well as the complete Rules of Discipline) shall be strictly observed.~~
- 3) ~~RELATIONSHIP TO THE STRUCTURE OF PRESBYTERY: The Permanent Judicial Commission shall report to the Presbytery directly. Time on the docket for meetings of the Presbytery shall be secured by direct request to the Stated Clerk and Committee on Coordination.~~
- 4) ~~INVESTIGATING COMMITTEES — APPOINTMENT OF INVESTIGATING COMMITTEES BETWEEN MEETINGS UNDER PROVISION OF D-10.0201(b) OF THE BOOK OF ORDER: Under the provision of D-10.0201(b) of the Rules of Discipline the Moderator of the Presbytery shall appoint an investigating committee as provided for in D-10.0103 upon the unanimous recommendation of the Committee on Coordination.~~

B) ~~Administrative Commissions (G-3.0109[b])~~

- ~~The Committee on Ministers and Congregations may recommend to the Presbytery the creation of Administrative commissions under G-3.0109(b)(5).~~
- ~~When created by vote of the Presbytery, such commissions shall be appointed by the Moderator of the Presbytery upon recommendation of the Connectional Presbyter/Stated Clerk.~~

## **2.004 — TRUSTEES AND FINANCIAL RESOURCES COMMITTEE**

The Trustees and Financial Resources Committee (Trustees) shall be a board composed of nine persons nominated by the Committee on Representation and Nominations and elected at the annual meeting of the Corporation of the Presbytery

(the Corporation). For service, the Trustees shall be divided into three equal classes, and no Trustee shall serve more than two consecutive three-year terms, or full or partial terms aggregating more than six consecutive years. Vacancies during Trustees' terms of service shall be filled temporarily by action of the Committee on Representation and Nominations until the next annual meeting of the Corporation, when replacements shall be elected to fill unexpired terms.

The Connectional Presbyter, Missional Presbyter, Treasurer, and Presbytery Administrator/Assistant Stated Clerk shall be welcome at meetings of the Trustees with voice only and no vote.

The Trustees shall have the following duties and powers, including all those enumerated in Appendix B of THE MANUAL, which is controlling:

- A) Prepare and propose a budget for annual operating expenses, including administrative and personnel costs, to support the church's mission within the Presbytery
- B) Communicate with the Ignite Team on the level of funding available for mission
- C) Propose to the Presbytery the means for funding the Presbytery's annual budget
- D) Conduct a full annual review of all financial books and records
- E) Present a financial report at each business meeting of the Presbytery
- F) Monitor the investment performance of all investments
- G) Invest those Presbytery funds that are not part of the Speer Trust portfolio
- H) Oversee general business matters, including office facilities, the Hayloft, Campus Ministry buildings and insurance
- I) Assist congregations in developing plans for the care and maintenance of buildings
- J) Consider and act upon requests from congregations for permission to take the actions regarding real property as described in G-4.0206
- K) Acquire title to, hold and manage the property of dissolved congregations, and in appropriate circumstances, provide financial assistance or other resources to support congregations in the maintenance, repair or renovation of church property

## **2.005 — OTHER BODIES**

Presbyterian Women and Presbyterian Men: These organizations shall coordinate their activities with the appropriate committees.

With the approval of Presbytery, two or more committees may establish joint committees/task groups/discernment teams for specific tasks or duties. The membership, staffing and terms of service for such joint committees shall be noted by the Committee on Coordination at the time they are created and reported to Presbytery for approval at the next business meeting.

No bodies, other than those specified in THE MANUAL or adopted by subsequent action of the Presbytery shall be used to carry out the ministry and mission of the Presbytery.

### **3.000 — CHAPTER THREE: POLICIES ON ELECTRONIC NOTICES, ELECTRONIC MEETINGS, TELEPHONE CONFERENCE MEETINGS, VIDEO CONFERENCE MEETINGS AND HYBRID MEETINGS**

#### **3.001 POLICY ON NOTICE**

Written notice of all stated and special meetings of the Presbytery shall be sent electronically to all ministers and session clerks not less than fourteen days prior to the meeting. Said notice shall contain the date and time of the upcoming meeting and a notification that the docket and all read-ahead materials can be found on the Presbytery website seven days prior to the meeting. Commissioners who do not have internet access, or who are unable to download the materials, shall be provided hard copies of all meeting material by US Mail upon notifying the Presbytery office.

#### **3.002 ITEMS TO BE POSTED**

The docket and all written materials in support of major items of business shall be posted on the presbytery web site at least seven (7) days prior to a Stated Meeting. Presbyters are requested to download all such materials prior to the meeting ~~as only limited numbers of printed dockets and materials will be available at meeting registration.~~

#### **3.003 ELECTRONIC MEETINGS**

~~Robert's Rules of Order, 12<sup>th</sup> Edition, provides for use of electronic meetings for the purpose of deliberation when allowed for in an organization's bylaws. The basic rule is that, to be valid, an electronic meeting must provide for all members to participate in real time by being able to see and/or hear each other in a live setting. See Robert's Rules of Order for more information.~~

Deliberative meetings may be conducted via a video conferencing system where all participants must be able to hear, see, speak, and participate. Limiting electronic meetings to video conferencing allows for participants with difficulties hearing to be able to see those who are speaking.

#### **3.004 HYBRID MEETINGS**

In order to expand access and participation, deliberative meetings may be offered using a hybrid set-up. This permits for both in-person participation and on-line participation utilizing a video conferencing system. Any hybrid meeting must allow for all participants to hear, see, speak, and participate in the deliberative process, including voting, regardless of their physical location.

### **3.005 USE OF E-MAIL**

E-mail is authorized for use by the Presbytery and committees for such purposes as:

- Distribution of meeting notices
- Distribution of meeting minutes
- Action on routine matters

“Routine matters” will exclude any subjects where the need for discussion or deliberation can be anticipated. At the level of a session, for example, “routine matters” might include approval of the use of church facilities. The same philosophy applies to actions of the Presbytery, committees and commissions.

Once a response to a request for e-mail action has been obtained from a majority of the members of a body, the minutes of the next formal meeting of the body shall contain a report of such action. Objections to actions taken via e-mail may be registered by any member of the body.

It is not appropriate to conduct conversations via email as a prelude to a vote by email. If a conversation is necessary, then a meeting shall be called for the purpose of discussing and voting on the matter at hand.

### **4.000 — AMENDING THE MANUAL**

- A) THE MANUAL may be amended by a two-thirds vote of the Presbytery. Amendments may be proposed by Sessions, Committees, *Commissions*, individual Minister Members of the Presbytery, or Presbytery Ruling Elder Commissioners.
- B) All proposed amendments shall be presented to the Stated Clerk, and directed to the Presbytery *Round Table* ~~Committee on Coordination~~ and may be directed to a committee/*commission* of the presbytery for review.
- C) Proposed amendments are to be treated like any other business before the Presbytery and, therefore, may be amended from the floor prior to adoption.

# APPENDIX A

## VISION STATEMENT AND STRATEGIC PRIORITIES

### A.1000 — MISSION STATEMENT

The following is a condensed and slightly edited version of the Mission Statement adopted by New Castle Presbytery on June 20, 1989.

New Castle Presbytery (the Presbytery) seeks to fulfill its ministry and mission according to the vision well expressed as “the great ends of the Church” by the Book of Order of the Constitution of the Presbyterian Church (U.S.A.).

*“The great ends of the Church are:  
the proclamation of the gospel for the salvation of humankind;  
the shelter, nurture, and spiritual fellowship of the children of God;  
the maintenance of divine worship;  
the preservation of the truth;  
the promotion of social righteousness; and  
the exhibition of the Kingdom of Heaven to the world.” (F-1.0304)*

We affirm that the God who creates, redeems and empowers us is the foundation of our life together.

Therefore, as we are:

- Linked by a connectional church to the fulfillment of God’s purpose in all parts of the world, and
- Committed to a Reformed theological tradition and a Biblical understanding of justice and peace, and
- Formed by the testimony of women and men in this and in all generations,

We will WITNESS by proclaiming the good news of Jesus Christ’s reconciling love so as to invite individual and corporate commitment to Christ.

And as we are:

- Separated by geography, by which we sometimes excuse our isolation from one another, and
- Differentiated by diverse cultures, races and theological perspectives, by which we sometimes justify our alienation from sisters and brothers in Christ, and
- Estranged by practices that inhibit the full participation of persons because of gender, race, ethnic origin., age, disability, sexual orientation, or marital status, and
- Beset by seemingly intractable justice issues arising from practices of corruption and exploitation in the life of the world,

We will CONFESS our own and the world's brokenness and act as agents of God's power to heal the divisions among us.

As we are:

- Alarmed by the urgent needs of people in our communities and around the world who lack adequate food, clothing, housing, health care, employment and education, and
- Aroused by peoples in every nation of the earth who struggle against all odds to overcome powers that oppress them, and
- Aware that many of us are only a major illness or lost job away from the despair and disillusionment of poverty, and
- Called by a compassionate God to minister to persons and congregations in conflict, and
- Restrain in our own spiritual lives by revered patterns of individualism, commercialism and self-reliance,

We will CARE for ourselves and others in need by working together in the spirit of God's justice and mercy.

As we are:

- Conscious of the need for active study of the Biblical witness and the Reformed tradition, and
- Bound by our faith to enable, encourage and support the next generation of God's faithful witnesses, and
- Committed to nurturing the vocation and ministry of all persons, both ordained and non-ordained,

We will EQUIP the Ministers, including Ministers of Word and Sacrament and Ruling Elders, and members and children of our congregations to exercise discipleship and to participate more fully in the life of the whole church.

As we are:

- Compelled by the need for enhanced communication and educational ministry among our congregations, and
- Motivated to develop ecumenical strategies for mission in our urban and rural areas, and
- Challenged by opportunities for evangelism and the development of new congregations, and
- Open to the needs of existing congregations and their communities and
- Receptive to the diversity of language, stories and styles of ministry in our midst, emerging through a new generation of pastoral leadership, and
- Committed to the unity of Christ's Church and, in particular, to the covenantal unit of congregations in the Presbytery,

We will SUPPORT one another by developing and mobilizing all resources to achieve our mission.

### **A.1001 EXPRESSIONS OF THE PRESBYTERY MISSION**

Our corporate intention to **WITNESS, CONFESS, CARE, EQUIP** and **SUPPORT** will be expressed in a variety of ways in future years. For now, we will focus on the following particular areas of concern that require a concentration of our talents and resources.

### **A.1002 MINISTRY OF THE PRESBYTERY**

- Resourcing the process for the preparation of candidates and the calling of pastors;
- Supporting and caring for churches in conflict;
- Providing for the training of church officers in consultation with sessions; and
- Working to increase diversity and inclusiveness in the selection of pastors and other church leaders.

### **A.1003 MISSION STRATEGY AND IMPLEMENTATION**

- Working with other churches and faith groups to develop urban, rural and suburban mission, with special emphasis on hunger and homelessness;
- Modeling solidarity with people who are poor and oppressed;
- Providing for ministry beyond the scope of local congregations, for example, the life care of aging persons;
- Providing linkages between the Synod of the Mid-Atlantic (the Synod) and the General Assembly and local churches to affect a more faithful church-wide witness, for example, on issues of peace and world justice;
- Providing for new church development and redevelopment, including mergers and/or closings; and
- Advocating for active campus ministries supported by the Synod.

### **A.1004 RESOURCING OF CONGREGATIONS**

- Establishing structures and procedures to identify areas in which congregations need support, for example, in evangelism;
- Organizing responses to the needs of congregations;
- Providing for the education and nurture of children, youth and adults, in consultation with sessions; and
- Supporting and encouraging leaders, both ordained and non-ordained, in their vocation and ministry.

### **A.2000 — VISION**

The vision of New Castle Presbytery (THE PRESBYTERY) is to be a council of THE PRESBYTERIAN CHURCH (U.S.A.) (PCUSA) that cares for and connects both its constituent congregations and its ordained and non-ordained members for mission and

ministry. Our work together will be offered as worship to our Lord. The Presbytery envisions the following, each of equal importance:

- A community challenged, energized and guided by a missionary vision that seeks to share the good news of Jesus Christ through word and deed.
- Nurtured, well-equipped and well-resourced congregations, including both ordained and non-ordained leaders who served each other, their communities and the world on the basis of their spiritual gifts.
- A healthy communal life that is whole and effective, fostering community and respect for varying theological viewpoints.
- An interdependent church, committed to the transformation and revitalization of existing congregations and the development of new congregations for a new age of cultural and racial diversity.
- A learning community free to experiment and explore new ways.
- Development of a mission strategy for local, national and international partnerships involving the resources of our congregations as well as the resources of the Presbytery as a regional body.

### **A.3000 — STRATEGIC PRIORITIES**

- Work to develop priorities, programs and structures that serve the member congregations and help their leaders assess and enhance their health and wholeness in ministry.
- Find, nurture, develop and support ministers and lay leadership for churches in times of transition, trouble and opportunity. This will necessitate recruitment and in-service training for ministers and lay leaders, “gearing them” for leadership in the church as it finds itself today. The training and resource areas provided will include leadership, evangelism, conflict resolution, stewardship/endowment and education.
- Support and encourage the transformation and revitalization of existing congregations so that they may creatively and effectively serve in their specific geographic and social contexts.
- Develop new congregations, one church at a time, and provide the necessary resources to make them thrive.
- Support and encourage existing Presbytery commitments to racial/ethnic diversity, and work toward increasing the number of racial/ethnic pastors in existing congregations and the number of racial/ethnic congregations in the Presbytery.
- Develop a mission strategy for local, national and international partnerships, both within the PC(USA) and the ecumenical, interfaith communities through which local congregations can enrich and expand their mission and ministries.



## **APPENDIX B**

### **INCORPORATION AND BY-LAWS**

#### **B.1000 — CIVIL JURISDICTION AND INCORPORATION**

For ecclesiastical purposes, the Presbytery is organized as, and operated as, an informal religious organization under the laws of the States of Delaware and Maryland. It is incorporated in accordance with the Book of Order, Chapter Four (G-4.01) in the State of Delaware as “New Castle Presbytery” (Chapter 71, Volume 4, Laws of 1808) and in the State of Maryland as “The Presbytery of New Castle” (Chapter 249, Acts of 1886). The Corporate seal of the Presbytery should be applied only to documents of the Corporation, not to those of the informal religious organization.

#### **B.1001 GENERAL PROVISIONS**

The business and property of the corporate form of the Presbytery (the Corporation) shall be conducted and managed by the Trustees and Financial Resources *Commission* Committee of the Presbytery (the Trustees) in accordance with Form of Government of the Book of Order, G-4.02, and the mission of the Presbytery.

The Trustees shall have the legal status and powers of incorporation granted under the laws of the States of Delaware and Maryland and should there be conflict, the laws of the State of Delaware shall prevail.

#### **B.1002 ANNUAL MEETING**

There shall be an annual meeting of the Corporation at the last stated meeting of the Presbytery in each calendar year, at which time the members of the Presbytery shall be called into a meeting of the Corporation to elect new Trustees and to conduct any other business appropriate to the meeting.

#### **B.1003 POWERS OF THE TRUSTEES**

Without prejudice to or in derogation of the powers conferred on the Trustees by law and by these By-Laws, it is expressly declared that the Trustees shall have the following powers:

- A) The Trustees may purchase or otherwise acquire real property in the name of the Corporation and may mortgage, sell and/or otherwise dispose of real property. When the Trustees begin their consideration of such actions, the Trustees shall notify the Presbytery and, if the Presbytery so requests, shall consult with the appropriate body to provide guidelines concerning such actions.
- B) The Trustees may purchase or otherwise acquire personal property in the name of the Corporation and may hold, maintain, preserve, invest, reinvest, sell and/or otherwise dispose of personal property. In the name of the Corporation, the Trustees may lease, hold, maintain, preserve, invest and/or reinvest in real property.

- C) The Trustees may receive, take, inherit or otherwise acquire by gift, grant, devise, bequest, devolution, inheritance or any other manner for any religious purpose any kind or amount of real or personal property or interest therein (within the limits prescribed by statute), and the same to have, hold, manage, maintain, preserve (in trust or otherwise) and to grant, convey, transfer, assign and otherwise dispose of, in accordance with the terms of any such gift, grant, devise, bequest, inheritance or other form of acquisition, or as provided by law.
- D) Title to all property which belongs to, or shall devolve upon or otherwise accrue to, the Presbytery shall vest in the Corporation which shall hold, manage, control, maintain, preserve, let, mortgage, sell, grant, or otherwise dispose of the same according to the provisions of the Manual, of which this Appendix is a part, and the Book of Order.
- E) The Trustees may make gifts, grants, or loans, conditionally or unconditionally, to any existing member church of the Presbyterian Church (U.S.A.) within the bounds of the Presbytery or to any new church development within the same bounds for the purpose of church expansion, building renovation or repair, purchase of land, or a similar purpose, subject to approval by the Presbytery.
- F) The Trustees may grant to, or withhold leave from, any member church, within the bounds of the Presbytery, to purchase, acquire, manage, lease, mortgage, sell or dispose of its real or personal property, to borrow money or to transact any other kind of business, to which the assent or consent of the Presbytery may be necessary or desirable.
- G) The Trustees shall additionally have responsibility for such areas of financial and asset management as may be assigned from time to time to the Trustees by the Presbytery. Such areas may include, but are not limited to, management of investment reserves, trusts, resource programs, and general financial risk; and oversight of properties owned and/or managed by the Presbytery.

#### **B.1004 REVIEW OF ACTIONS**

The Trustees shall take actions by majority vote of elected Trustees at any called meeting or by the majority vote of all Trustees if a vote is taken by e-mail. All actions taken by the Trustees shall be effective at the time of the vote. The Trustees shall record all e-mail votes at the next regularly scheduled meeting of the Trustees. Actions of the Trustees may be subject to review and amendment by the Presbytery, except in the case of trusts previously approved by the Presbytery, that give sole and absolute discretion to the Trustees for the use of funds of such trusts.

#### **B.1005 REPORTS**

Actions of the Trustees shall be reported at the next business meeting of the Presbytery. Distribution of the Trustees' minutes may constitute this report.

## **B.1006 MEMBERSHIP**

The voting members of the Trustees shall be composed of nine elected members and the Treasurer. The Connectional Presbyter, Missional Presbyter and Presbytery Administrator/Stated Clerk shall be ex-officio members of the Trustees, with voice but no vote. The elected members shall be nominated by the Committee on Nominations and Representation following consultation with the current President of the Trustees to insure continuing needed expertise on the Trustees. In addition, the nominations shall be such that there is female and racial/ethnic representation on the Trustees and at least three (3) of the elected and ex-officio members of the Trustees are Minister of Word and Sacrament.

## **B.1007 ELECTION AND TERMS OF OFFICE**

At the annual meeting of the Corporation, the Committee on Nominations and Representation shall provide nominees to fill expiring terms for elected Trustees and any existing vacancies for elected members. Trustees shall ordinarily be elected for a three-year term, with the provision that no elected Trustee shall serve more than two consecutive three-year terms or full and partial terms aggregating more than six consecutive years. Any vacancies among the elected Trustees that occur between annual meetings of the Corporation shall be filled by action of the Committee on Nominations and Representation with the concurrence of the Presbytery. Such replacement member(s) shall serve only until the next annual meeting.

## **B.1008 OFFICERS**

The Trustees shall elect from among their voting members a President *and* a Vice-President. *The Stated Clerk shall ordinarily serve as the Secretary of the Corporation.* No person shall serve as President for more than two (2) consecutive years.

## **B.1009 ORGANIZATIONAL MEETING**

The President -- or, if there is none or if they are unable to act, the Vice-President, ~~Secretary~~, or Stated Clerk of the Presbytery, in that order -- shall call a meeting of the Trustees for the purpose of organization as soon as is convenient after the annual meeting of the Corporation. If no call for the organization meeting of the Trustees has been issued within fifteen (15) days after such meeting of the Corporation, then the Moderator of Presbytery shall forthwith issue such a call.

## **B.1010 CALLED MEETINGS**

Any meeting other than the organizational meeting may be called by the President of the Corporation or by any three (3) Trustees, upon giving at least ten (10) days written notice to each Trustee of the time and place of the meeting and of the business to be transacted.

### **B.1011 TIMES FOR MEETINGS**

The Trustees shall hold meetings at such times and places as to insure adequate consideration of matters of substance and encourage meeting attendance. Meetings shall be held at least quarterly.

### **B.1012 QUORUM FOR MEETINGS**

For regular, called, and organizational meetings of the Trustees, five (5) voting members shall constitute a quorum, and questions are to be settled by a majority vote of those in attendance.

### **B.1013 NOTICE OF MEETINGS**

Email notice of a meeting shall be sufficient.

### **B.1014 TRUSTEES' MINUTES**

The Trustees shall keep minutes of all their meetings which shall be filed upon approval of the Trustees with the Stated Clerk.

### **B.1015 DUTIES OF THE PRESIDENT OF THE CORPORATION**

The President of the Corporation shall be the chief executive officer of the Corporation and shall preside at all meetings of the Trustees. The President shall execute all contracts and agreements of the Corporation; shall report to the Trustees all matters where the interests of the Corporation may require the notice of the Trustees; shall be an ex-officio member of all committees of the Trustees; and shall have such additional powers as may be assigned by the Trustees.

### **B.1016 DUTIES OF THE VICE-PRESIDENT**

In the absence of the President of the Trustees, the Vice-President shall perform all the duties of the President, and when so acting shall have the powers of the President. The Vice-President shall have such additional powers and duties as may be assigned by the Trustees.

### **B.1017 DUTIES OF THE SECRETARY**

The Secretary of the Trustees shall record the minutes and be the custodian of the corporate seal or seals, and shall perform such other duties as are from time to time assigned by the Trustees.

### **B.1018 DUTIES OF THE TREASURER**

The Treasurer of the Presbytery also serves as the Treasurer of the Trustees and of the Corporation. The Treasurer shall have charge and be the custodian of all funds, securities, receipts and disbursements of the Corporation, and shall deposit or cause to be deposited in the name of the Corporation all moneys or other valuable effects in such depository or depositories as shall from time to time be selected by the Trustees. The Treasurer shall keep full and accurate accounts of receipts and disbursements in books belonging to the Corporation and shall render to the

President or Vice-President and to the Trustees, whenever requested, an account of the financial condition of the Corporation. The Treasurer shall give the Corporation a bond in such form and in such penalty and with such security as shall be satisfactory to the Trustees, conditioned for the faithful performance of the duties of the Treasurer of the Corporation and the restoration to the Corporation, in the case of death, resignation or removal from office, of all books, papers, vouchers, money and other property of whatever kind belonging to the Presbytery.

**B.1019 CORPORATE SEAL**

The Corporation shall have a corporate seal, or seals, as required by law and in the form adopted by the Trustees.

## ***APPENDIX C***

### **SESSION AND CONGREGATIONAL MINUTES AND RECORDS**

#### **C.1000 — FORM OF MINUTES**

##### **C.1001 BINDING**

Clerks of sessions in churches within the Presbytery shall have two choices for binding and storing minutes:

- A) Continue with using the PC(USA)-approved books for session and congregational minutes; or
- B) Utilize the Presbytery-approved binding device wherein minutes are bound by calendar year.

##### **C.1002 PAGE NUMBERING**

Pages in the PC(USA)-approved minutes book(s) are to be consecutively numbered. Pages in the annual binding system are to be consecutively numbered beginning anew each year with the first entry in January and ending with the final entry of the calendar year.

#### **C.2000 — CONTENT OF SESSION MINUTES**

##### **C.2001 TIME/PLACE**

Record the date, time and place of each meeting and specify whether the meeting is stated, special or adjourned.

##### **C.2002 SPECIAL MEETINGS**

Minutes of a special meeting shall record who called the meeting and for what specific purpose.

##### **C.2003 ATTENDANCE**

Record for each meeting:

- A) The name of the moderator, and, either in alphabetical order or by order of classes, the names of the Ruling Elders present
- B) The names of the Ruling Elders absent with excuse
- C) The names of the Ruling Elders absent without excuse
- D) The names of others present, with an indication, where appropriate, of why they are present and whether they attend all or a portion of the meeting

## **C.2004 OTHER ITEMS TO BE RECORDED**

- A) **PRAYER:** Record the opening and closing of each meeting with prayer.
- B) **PREVIOUS MEETING:** Record that the minutes of the previous meeting were presented orally or in writing and approved.
- C) **COMMUNICATIONS:** Record the reading or presentation of all communications to the session, as well as the disposition of, or action taken in response to, each communication (e.g., received, referred, tabled, etc.).
- D) **ACTIONS:** It is only essential to record the formal actions by, and summary of, reports to the session and such other details which are vital to the transaction and understanding of the business of the meeting. Details of motions that are lost, or discussions that do not result in formal decisions, need not be recorded except as requested by the session. Where appropriate and approved by the session, supplemental or supporting materials, e.g., budgets, extensive committee reports or copies of legal documents of long-term significance, may be included as appendices to minutes.
- E) **LORD'S SUPPER:** Regular schedules of celebrations of the Lord's Supper should be recorded in the minutes when the schedules are adopted. Also to be recorded and reported are celebrations apart from the regular schedules as they are approved, and celebrations at other times and places as occur in the pastoral ministry of the church under policies approved by the session (e.g., "home communion" services). (Book of Order: G-3.0410.)
- F) **ORDINATION:** Record the ordination and/or installation of Minister of Word and Sacrament/ pastor(s), Ruling Elders and deacons.
- G) **PRESBYTERY COMMISSIONERS:** Record the names of Ruling Elder(s) elected as commissioner(s) to meetings of the Presbytery, and the subsequent reporting of the commissioner(s) back to the session.
- H) **BAPTISMS:** In the recording of administration of the Sacrament of Baptism, in the case of infants, record the full name of the infant, date of birth, and also the full names and church membership of the parents, including the family/birth name of the mother. In the case of adult baptisms, record the family/birth names of married women. (Book of Order: W-3.0403)
- I) **WEDDINGS:** Record the following weddings and their locations and, in each instance, note whether either or both persons married are active members (Book of Order W-4.06):
- 1) all weddings performed by the church's pastor(s)
  - 2) those performed in the church by ministers other than the pastor(s)

3) weddings of active members performed in other locations when the information is known.

J) **DEATHS:** Record deaths of all active members, and where known, of inactive members, including the date and place of death. Record all funerals performed by the church's pastor(s), and those performed in the church by other than the pastor(s) (Book of Order W-4.07). Where known, also record of the place of interment.

K) **NEW MEMBERS:** Record the full name of persons examined and received into active membership (Book of Order G-3.0204a and b.). Every record shall indicate whether the person is to be, or has been, baptized and the manner of reception (i.e., profession, reaffirmation or transfer). Additionally:

- 1) If the new member is married or in a civil union, the record shall include the family/birth name if different from the current name as well as the name of the member's partner/spouse.
- 2) In the case of transfer, record the name and location of the church from which the transfer is occurring;
- 3) In the case of baptized children, record the names of those who are transferring their membership with their parent(s)/guardian(s).

L) If the name of a member is changed at a later date, it is expected that such changes will be honored and noted in the membership roll.

M) **TRANSFERS TO OTHER CHURCHES:** Record the full name of each person to whom a certificate of transfer is issued and the date the transfer becomes effective by receipt of a certificate of reception from the church of transfer.

N) **MEMBER REMOVALS:** Record all removals from the Active Member Roll of the church, indicating specific reasons for the removals, whether or not the church maintains an Inactive Member Roll.

O) **SIGNATURE:** The signature of one of the following: the clerk, a clerk pro-tem, or the moderator, shall appear at the close of all session meeting minutes, at least in the bound format (see C.1001 above), to attest to their completeness, accuracy, and approval by the session.

## **C.2006 MINUTES OF CONGREGATIONAL AND CORPORATION MEETINGS**

Record in the minutes book (see C.2000 above) the full minutes of all congregational meetings (Book of Order G-3.0204). Also to be included in the minutes book are:

- A) The full minutes of all corporation meetings. This requirement applies whether the church has a unicameral governing system or whether the church holds separate and distinct congregational and corporation meetings;



- B) A digest of relevant trustee minutes if a church maintains a separate Board of Trustees; and
- C) The signatures, at the close of minutes of meetings of the congregation and/or corporation, of both the moderator (or president of the trustees) and the clerk (or other meeting secretary), attesting to the accuracy of the minutes involved.

### **C.2007 PROCESS FOR RECORDS REVIEW BY THE PRESBYTERY**

- A) Annually, the Stated Clerk shall establish a date by which clerks of session within the Presbytery shall submit their minutes from the previous year for Presbytery review (Book of Order G-3.0108).
- B) Each congregation's minutes then shall be reviewed by another congregation's clerk assigned to that particular church. The Stated Clerk shall prepare a brief checklist of mandatory items to be included in this review.

### **C.2008 RECORDS RETENTION AND STORAGE**

Sessions are strongly encouraged to retain only a few years' original minutes on the church property. All older minutes should be transferred to the Presbyterian Historical Society in Philadelphia (PHS) for permanent storage and safe-keeping. Sessions may retain an electronic copy and subsequently purchase microfilm/digital copy from PHS for local use. Session minutes remain the property of the local church during its existence. Access to session minutes permanently stored at PHS remains at the discretion of the clerk of session and/or the moderator of the session.

## **APPENDIX D**

### **CONCERNING DEPARTING PASTORS AND THEIR FORMER PARISHIONERS**

#### **D.1001 — INTRODUCTION AND POLICY**

The act of a pastor leaving service with a congregation means that the pastor must completely sever the pastoral relationship with that congregation. This does not mean that the ties of love and friendship must be broken. However, a departing pastor is ethically responsible to strengthen the ties between the new pastor and members of the congregation. The Book of Order, G-2.0905, provides a general policy for departing pastors which needs to be strictly observed.

New Castle Presbytery (THE PRESBYTERY), in accordance with the general provisions of G-2.0905, adopts the following policy. Exceptions to this policy may only be granted by its ~~Committee~~ *Commission* on Ministers and Congregations (COMC).

- A) Former pastors shall not conduct worship, preach, celebrate the sacraments of Baptism or the Lord's Supper, conduct weddings or funerals, or engage in any other form of pastoral care for the congregation recently served.
- B) Congregational members are to be informed not to request such services from a former pastor, and a former pastor must decline any such requests.
- C) The COMC has assumed responsibility for assisting both former and incumbent pastors during the time of transition. To this end, this policy will be supplied by the COMC to a departing pastor and she/he will be asked for a signed covenant of agreement.

#### **D.2001 — GUIDELINES**

While friendship with the departing pastor will surely continue, the pastoral relationship must not. This is an important distinction. It marks a boundary that is essential to the well-being of the congregation as it moves forward under new pastoral leadership. Hence, such friendship must not impinge on any pastoral services which are the province of the new pastor, e.g., hospital visits, weddings, funerals, counseling, or upon any policies of the church under the new pastor's leadership. It is understood that the recently departing pastor will not return to worship with a congregation that she/he has served without the permission of the COMC. The departing pastor must refrain from any activity which could be viewed as detrimental to the congregation just served. If these guidelines and the above policies are not observed, the COMC may intervene.

At departure of a pastor, acceptance of the ensuing restrictions may be eased if that pastor, before she/he leaves, makes it clear to the congregation what her/his day of departure is and what the congregation must expect when that day arrives. Oral and printed announcements of this date and of the church's policy should be provided to the

congregation. These restrictions may be difficult for the congregation to adhere to, but members need to be made aware of the necessity for them. It will be up to the departing pastor to fully inform the congregation of the restrictions and of the rationale for them, and then to adhere strictly to them himself/herself.

The spouse of a departing pastor may continue to participate as a member of the congregation, supporting and encouraging the ministry of the new leadership, but she/he must exercise restraint and good judgment in this new role.

Departing pastors, when invited to give leadership in community events, should consult with the current pastor concerning the appropriateness of such a role.

If tensions develop between an incumbent pastor or the moderator and any former pastor or associate pastor of a congregation, or if the congregation involved does not observe and accept the restrictions of G-2.0905 and of the Presbytery, then the incumbent pastor or the session of such a church is encouraged to solicit the advice and counsel of the COMC.

## APPENDIX E

### VALIDATED SPECIALIZED MINISTRIES

#### E.1001 — GENERAL DEFINITIONS AND POLICIES

The Book of Order, G-2.0503, provides for categories of membership for Ministers of Word and Sacrament within a presbytery. Further, G-2.0503(a) and G-3.0306 provide general criteria for validated ministries served by Minister of Word and Sacrament members of a presbytery. In accordance with these principles, New Castle Presbytery (THE PRESBYTERY or the Presbytery) has established the following general and specific requirements for validating the ministries of Minister of Word and Sacrament members who are not serving in pastoral positions related to a particular member congregation or are not members of the Presbytery staff. Hereafter such ministries are designated in this appendix as Specialized Ministry/Ministries and Minister of Word and Sacrament member(s) so serving as Specialized Minister(s).

In understanding the scope of validated Specialized Ministries, it should be noted that the Book of Order, G-3.0306, states that a presbytery may designate Ministers of Word and Sacrament to work as teachers, evangelists, administrators, chaplains, and in other forms of ministry recognized as appropriate by the presbytery. Such fields of work thus may also include, but are not limited to, pastoral counseling, campus ministry, service as missionaries or consultants, and other specific tasks appropriate to the ministry of the church.

A Specialized Ministry in the Presbytery is to be carried out in accountability both to the Presbytery and to other organizations, agencies or institutions. Accountability to the Presbytery normally is achieved by the filing of a Specialized Minister's Report annually with the Stated Clerk of the Presbytery and a periodic face-to-face interview with the ~~Committee~~ *Commission* on Ministers and Congregations (COMC). Specialized Ministers who do not report their work annually or participate in the interview process may be re-designated by the COMC as at-large members of the Presbytery. Because of the requirement of "accountability to other organizations, agencies, or institutions," a Specialized Ministry request or report that does not clearly describe accountability to a supervisor, a board of directors, etc., will not be approved.

A Specialized Minister is to be a responsible participant in the life of the Presbytery and to participate in the life of a member congregation of the Presbytery (G-2.0503(a)). Parish associate relationships, where they exist, or similar relationships with member churches, are encouraged for Specialized Ministers, and Specialized Ministers are commended to the attention of pastors and sessions for positions of this type.

#### E.2001 — THE PROCESS

An ordained Minister of Word and Sacrament who wishes to serve, or to be received, as a Minister of Word and Sacrament member of the Presbytery on the basis of their

service in a Specialized (non-parish-based) Ministry shall communicate the same to the chairperson of the COMC. The chairperson or designate will then send a copy of the policy set forth in this appendix along with a request for a written explanation of how their proposed ministry meets the Presbytery's criteria for validation as a Specialized Ministry. This response will be referred to the COMC and appropriate Presbytery staff for consideration.

If the COMC declines to validate a proposed Specialized Ministry, or decides to withdraw an approval previously given, the Minister of Word and Sacrament may appeal the decision to the Presbytery. The Presbytery's decision will determine and settle the matter except for the right of the Minister of Word and Sacrament to access the judicial process of the PC(USA). A Minister of Word and Sacrament who has been authorized to undertake a particular Specialized Ministry may not take up a different Specialized Ministry without the Presbytery's approval given through the COMC.

If a Minister of Word and Sacrament engaged in a validated Specialized Ministry leaves that work, they will automatically be designated as an at-large member of the Presbytery pending further changes. This is an action taken by the Stated Clerk of the Presbytery and does not require any action by the COMC.

### **E.3001 — POINTS OF INFORMATION REGARDING SPECIALIZED MINISTRIES**

Specialized Ministers are not required to be enrolled in the pension plan of the Board of Pensions of the PC(USA). A Specialized Minister who wishes to be so enrolled must be employed at least 20 hours per week and have the Presbytery's approval of the ministry. This information must be conveyed to the Board of Pensions in writing so that coverage can be obtained.

A Specialized Minister's compensation is not subject to approval by the COMC unless the minister is a staff member of a presbytery, a synod, or the General Assembly. Otherwise, a Specialized Minister not so engaged will be considered to be in a validated ministry beyond the jurisdiction of the church (G.2.0503(a)).

Either the Specialized Minister or their employer may submit to the COMC a request for a portion of compensation as a housing allowance so that this portion may be considered for exclusion from income taxes.

### **E.4000 — SPECIFICS**

#### **E.4001 CRITERIA FOR DETERMINING A PARTICULAR SPECIALIZED MINISTRY TO BE A VALIDATED MINISTRY BEYOND THE JURISDICTION OF THE CHURCH (G-2.0503a)**

In order for a Specialized Ministry to meet the criteria for validation, it must meet one or more of the following requirements:

- Involve a mission project or other form of ministry
- Involve a chaplaincy
- Involve pastoral care in some form
- Involve pastoral counseling
- Involve pastoral education
- Involve health care (service(s))
- Involve a ministry related to a theological seminary acceptable to the Presbytery
- Be related to a domestic church-related organization other than the PC(USA)
- Be related to an international church-related organization

Additional criteria that may be considered for validation are:

- The ministry serves or aids others, enables the ministry of others, or otherwise relates to the service of people rather than the production of goods or products.
- The ministry is carried out with accountability for its characteristics, conduct and performance to a management committee, a board of directors, or other body or individual responsible for the overall results of the total program involved. The ministry that makes active and effective use of the Biblical and theological training required for ordination as a Minister of Word and Sacrament in the PC(USA).
- The ministry is of a nature and character such that it can be expected to meet the requirements of the Presbytery in terms of agreed-upon results or activities. To this end, a review of every Specialized Ministry will be conducted by the COMC on a yearly basis, and a face-to-face review with the COMC will be scheduled every three years.
- The ministry is one that will allow the Specialized Minister to participate actively in the life of a member congregation of the Presbytery or of a congregation in a denomination with which the PC(USA) is in correspondence.
- The ministry is one that will allow the Specialized Minister to participate in the life of the Presbytery.

#### **E.4002 ~~COMMITTEE~~ *COMMISSION* ON MINISTERS AND CONGREGATIONS PROCEDURE FOR VALIDATING MINISTRIES BEYOND THE JURISDICTION OF THE PRESBYTERY**

- A) Each year, in March, the COMC (via the Stated Clerk) will send a letter/form, together with a copy of the above criteria, to each Minister of Word and Sacrament member currently in a validated Specialized Ministry beyond the jurisdiction of the Presbytery. Each such member will be asked in what ways they continues to be in compliance with the policies of the Presbytery and whether or not they desire to continue in a position of “Validated Specialized Ministry beyond the Jurisdiction of New Castle Presbytery.” The written response will be due by April 30.

- B) If a written response is received by the April 30 due date, a subcommittee of the COMC will review it and recommend to the full COMC by not later than the following September 30 whether or not to continue in active validated status the Specialized Minister working beyond the Presbytery's jurisdiction. Every third year, the process will also include a face-to-face interview by a COMC subcommittee for each such Specialized Minister. The COMC will report to the Presbytery as appropriate on these matters.
- C) If a written response is not received from a Specialized Minister by the April 30 due date, the COMC will notify the minister in writing of its intention to place them on the Presbytery's roll of inactive Ministers of Word and Sacrament effective with the first stated Presbytery meeting of the following calendar year.

### **E.4003 CRITERIA NOT MET**

If one or more of the above criteria cannot be met, a Specialized Minister working beyond the Presbytery's jurisdiction should ask to be designated either as a member-at-large or as an inactive member of the Presbytery.

### **E.4004 POSSIBLE REMOVAL FROM OFFICE FOR NON-COMPLIANCE**

The Book of Order, (G-2.0508), describes the consequences of failure by a Minister of Word and Sacrament to engage in validated ministry. It is further noted here that of Minister of Word and Sacrament members from ordered ministry is possible when such members working outside the jurisdiction of the Presbytery persist in non-compliance with its policies. Restoration to this ministry without a requirement for re-ordination may be possible in some circumstances. It is the intent of the COMC and the Presbytery not to be judgmental in any such cases, but rather to facilitate steps toward restoration.

# APPENDIX F

## EXAMINATIONS

### F.1001 PREFACE

Examinations of candidates for membership in New Castle Presbytery shall be conducted in a manner that is sensitive to the individual, faithful to Reformed theology, useful as a practice for spiritual formation, that demonstrates a spirit of graciousness toward one another, and, when there is a specific call, seeks to discern the ways that the candidate's gifts and skills are a good match for the congregation. The examination process (as set forth in F-1002 and F-1003 below) shall apply both to Ministers of Word and Sacrament and to Ruling Elders seeking commissioning to a particular pastoral service.

### F.1002 FORMAT

The examination shall take the form of a conversation around the following areas of discussion:

- A) Personal faith journey
- B) Discernment concerning this particular call (how does the candidate sense God's call to this particular ministry? What gifts/skills seem to match the congregation? etc.)
- C) Personal strengths and growing edges in ministry
- D) Compensation/Terms of Call (review of Terms of Call form; what questions need to be addressed or discussions still needed about salary, benefits, etc.)
- E) Connecting with Presbytery (what gifts & interests the candidate might share with the presbytery; where might the candidate engage or connect? etc.)
- F) General questions of all candidates for membership in NCP:
  - 1) Are you able to answer in the affirmative the Constitutional Questions for Ordination, Installation, and Commissioning set forth in W-4.0404?
  - 2) Are you willing to affirm/re-affirm your commitment to "be governed by our church's polity and abide by its discipline?" (W-4.0404e)

### F.1003 EXAMINATION OF FIT

In the interest of affirming suitability of a candidate for a particular position, the Examinations and Credentials Team of COMC (as defined in F.1004) will verify that the candidate and the pastor nominating committee (PNC) (or other search body involved) have both discussed the particular church's tone, tenor, and theological leanings.

### F.1004 THE EXAMINATIONS AND CREDENTIALS TEAM

The Examinations and Credentials Team of three (3) to five (5) members shall include persons of theological diversity and persons knowledgeable of the theological position of the church involved. The Examinations and Credentials Team shall include, but not be limited to, COMC members. In the case of a Minister of Word and



Sacrament seeking a position within the Presbytery, the team shall conduct the examination prior to announcement of the candidate to the congregation involved and the calling of a congregational meeting at which the Minister of Word and Sacrament is to be a candidate (or calling of a session meeting in the case of an interim pastoral candidate). If the team has concerns as a result of the examination, it will immediately report these concerns to the PNC (or session) of the church involved and to the COMC. The COMC will then stop the process so that the concerns can be addressed. Any scruple declared by a candidate will be brought before a meeting of the Presbytery for review.

### **F.1005 DELEGATION OF AUTHORITY**

The Presbytery specifically delegates the responsibility to examine and approve pastoral relationships to the COMC. This includes actions to:

- A) Examine and Receive Ministers of Word and Sacrament into New Castle Presbytery
- B) Approve formation of an Administrative Commission for the purpose of Installation*
- C) Dismiss Ministers of Word and Sacrament to other presbyteries
- D) Dissolve a pastoral relationship (including approval of the dissolution agreement) in cases in which the pastor and congregation concur
- E) Authorize Ministers of Word and Sacrament to labor within the bounds of New Castle Presbytery
- F) Authorize Ministers of Word and Sacrament members to labor outside the bounds of New Castle Presbytery
- G) Approve validated ministries
- H) Approve membership-at-large and inactive membership in the Presbytery

These actions by the COMC shall be reported to the Presbytery at the next stated meeting.

### **F.1006 INTRODUCTION AND WELCOME**

Following examination and approval by the COMC, the Minister of Word and Sacrament will be introduced and welcomed into the Presbytery at the earliest possible Presbytery meeting. The introduction and welcome shall include:

- A) The pastor's Statement of Faith and Faith Journey which will be included in the Presbytery Docket Packet
- B) The pastor's brief (two minute or less) description of their faith journey and how it has led them to New Castle Presbytery
- C) One question from the Chair of the ~~Committee~~ *Commission* on Ministers and Congregations, or designee

### **F.1007 EXAMINATION OF CANDIDATES**

Candidates for the ministry who are Certified Ready to Receive a Call and have received a valid call shall go before the full Presbytery to be introduced, examined and approved. The examination on the floor of the Presbytery shall be limited to:

- A) An introduction by the COMC and the calling congregation
- B) The candidate's brief (two minute or less) presentation of their Statement of Faith and Faith Journey – included in the Docket Packet
- C) An initial question from the Chair of the COMC or their designee
- D) Questions from the floor of the Presbytery regarding the candidate's Statement of Faith and Faith Journey

## APPENDIX G

### CODE OF ETHICS FOR MINISTER OF WORD AND SACRAMENT MEMBERS AND OTHER CHURCH PROFESSIONALS

#### G.1001 — PREFACE

As members of the ordained ordered ministry of the Presbyterian Church (U.S.A.) (PC(USA)) who are under obedience to Jesus Christ, under the authority of Scripture, and under the guidance of the Confessions of the PC(USA), Ministers of Word and Sacrament and other church professionals shall affirm the vows made at their ordinations, if any, shall confirm that Jesus Christ is the pattern for their life and ministry, and in reliance on God's grace, shall commit themselves to the following standards of ethical conduct.

These ethical standards also seek to inform the non-ordained members of the PC(USA) as to what they can expect from Ministers of Word and Sacrament and other church professionals. It is recommended that sessions of the Presbytery's local churches adopt similar standards for their own employees.

These standards do not speak to all aspects of the lives of Ministers of Word and Sacrament and other professionals. They are minimum standards, and guidance should also be sought from Scripture, personal conscience, the Book of Order, Christian tradition, and peer review. This code does however articulate certain customs and practices that have been well accepted for Ministers of Word and Sacrament and those serving in allied church professions.

#### G.2001 — PERSONAL LIFE

Ministers of Word and Sacrament and other church professionals will conduct their lives in a manner that is faithful to the Gospel and consistent with their public ministry. Therefore, Ministers of Word and Sacrament and other church professionals will:

- A) Practice the disciplines of study, prayer, reflection, worship, stewardship, and service
- B) Be honest and truthful in their relationships with others
- C) Be faithful, keeping the covenants they make and honoring marriage vows
- D) Report to the chair of the ~~Committee~~ *Commission* on Ministry (COMC) any divorce actions in which they may become involved
- E) Treat all persons with equal respect and concern as beloved children of God
- F) Maintain a healthy balance among the responsibilities of their office of ministry, their commitments to family and other primary relationships, and their need for spiritual, physical, emotional, and intellectual renewal
- G) Refrain from abusive, addictive, or exploitative behavior and seek help to overcome such behavior if it occurs
- H) Refrain from gossip and abusive speech

- I) Maintain an attitude of repentance, humility, and forgiveness, responsive to God's reconciling will
- J) Refrain from incurring indebtedness that might compromise their ministry
- K) Report to the Connectional Presbyter or to the chair of the COMC any incidents where they are arrested
- L) Report to the Connectional Presbyter or chair of the COMC any civil litigation in which the Minister of Word and Sacrament or church professional becomes involved

### **G.3001 — PROFESSIONAL LIFE**

Ministers of Word and Sacrament and other church professionals will conduct their ministry so that nothing need be hidden from a council or from colleagues in ministry.

Therefore they will:

- A) Preach, teach, and bear witness to the gospel of Jesus Christ with courage, speaking the truth in love
- B) Honor the sacred trust of relationships within the covenant community and observe appropriate judicious in the exercise of the power and privileges of their office and positions held
- C) Avoid conflicts of interest that might compromise the effectiveness of their ministry
- D) Refrain from exploiting relationships within the community of faith for personal gain or gratification, including sexual harassment and misconduct as defined by Presbyterian Church (U.S.A.) policy
- E) Respect the privacy of individuals and not divulge information obtained in confidence without express permission, unless an individual is a danger to self or others
- F) Recognize the limits of their own gifts and training, and refer persons and tasks to others as appropriate
- G) Claim only those qualifications actually attained, give appropriate credit for all sources used in sermons, papers, music, and presentations, and observe copyrights
- H) Be a faithful steward of, and fully account for funds and property entrusted to them
- I) If unmarried, refrain from dating any member of a congregation they may be serving, or any other person with whom the minister has a direct pastoral responsibility
- J) Observe limits set by the appropriate council or other governing body for honoraria, personal business endeavors, and gifts or loans from persons other than family members, in compliance with the Presbytery's guidelines
- K) Accept the discipline of the church and the appropriate guidance of those to whom they are accountable for ministry
- L) Participate in continuing education and seek the counsel of mentors and professional advisors

- M) Deal honorably with the record of their predecessor and upon leaving a ministry or office, speak and act in ways that support the ministry of their successor
- N) Participate in the life of any former ministry setting only in compliance with the Presbytery's Policy on Concerning Departing Pastors" (Appendix D of this MANUAL)
- O) Refrain from providing pastoral services for a congregation they previously served in compliance with this policy on departed pastors
- P) Consult with the COMC in the presbytery of their residence regarding their involvement in any ministry setting during their retirement

### **G.4001 — THE LARGER CHURCH**

Ministers of Word and Sacrament and other church professionals will participate as partners with others in the ministry and mission of the church universal. Therefore they will:

- A) Participate in the mission and governance of the Presbyterian Church (U.S.A.) and work for the unity of the holy catholic church
- B) Show respect and provide encouragement for colleagues in ministry
- C) Recruit church members responsibly, respect existing congregational relationships, and refrain from exploiting persons in vulnerable situations
- D) Cooperate with those working in the world for justice, compassion, and peace, including partners in ministry of other faith traditions

### **G.5001 — VIOLATIONS AND SANCTIONS**

The Presbytery considers that fidelity to these standards enhances the peace, unity, and purity of the church. Violations of these standards may be viewed as a breaking of ordination vows and subject to the disciplinary processes of the Book of Order of the Presbyterian Church (U.S.A.).

### **G.6001 — CANDIDATES AND INQUIRERS**

The Presbytery's ~~Committee~~ *Commission* on Preparation for Missional Ministry shall make these standards available to its inquirers and candidates seeking ordination as Minister of Word and Sacrament. It shall make clear that these standards apply to those under its supervision.

### **G.7001 — CONCLUSION AND RATIONALE**

Central to the vocation of Minister of Word and Sacrament is leadership of the people of God in a peculiarly Christian lifestyle which has at its core the embodiment of Jesus' words in John 15:12. "This is my commandment, that you love one another as I have loved you." These ethical standards are an attempt not to set legalistic limitations but rather to guide us all in showing the kind of love for each other that Christ has shown. So may all be encouraged to live in such a manner as to promote the health and growth of the Church, and to give glory to God in Jesus Christ.

## **APPENDIX I**

### **GUIDELINES FOR HOSTING NEW CASTLE PRESBYTERY MEETINGS**

The following guidelines are for local churches wishing to host stated meetings of New Castle Presbytery (“the Presbytery”).

These guidelines are intended to convey what are ordinarily considered minimum standards and conditions for such meetings. Presbytery’s *Round Table* ~~Committee on Coordination~~ will accept invitations to host stated meetings, will evaluate the local church’s likely capability for hosting, and then will determine which invitations to accept and when during any given year the Presbytery will meet at that church. Local churches are encouraged to indicate whether they prefer to host a Saturday meeting or a Tuesday meeting. Absolute requirements, such as limitations on parking, should also be conveyed for the information of the *Round Table* ~~Committee on Coordination~~ in making its decision.

For the purposes of this document, “must” means shall and is mandatory. “Should” or “ordinarily” means discretion may be exercised.

- A) Churches hosting Presbytery meetings should be fully handicapped accessible. "Fully" means able to accommodate wheel chairs without an individual being required to be moved from the chair. This means accessible to the meeting and to the meal. Handicapped accessible restrooms are also required.
- B) The host church must have a sanctuary or meeting hall capable of easily seating 140 persons. "Easily" means without crowding.
- C) The host church should have a meeting hall or dining facility capable of seating a minimum of 125 persons for a meal without crowding. This facility may be in a separate building. Multiple rooms may be used.
- D) The host church should have parking for 75 cars within easy walking distance of the registration location. If necessary, additional parking must be made available. A shuttle may be necessary in such cases.
- E) The host church must be capable of providing a meal for a minimum of 125 persons. Catered meals are acceptable.
- F) The host church should ordinarily provide coffee, tea and snacks during the one-hour registration time.
- G) The host church must have a room or foyer capable of accommodating the Presbytery's meeting registration. This area must be large enough to

accommodate information displays approved by the Stated Clerk, in addition to no less than two (2) six-foot tables for registration materials.

- H) The sanctuary or church meeting hall must have a public address system allowing speakers to be easily heard. The host church may arrange for two (2) additional microphones for the use of the presbyters.
- I) The host church should have at least three (3) meeting rooms/areas for small groups or committees. Such meetings normally occur either before the Presbytery meeting, or during the meal.
- J) Special meetings of Presbytery will be held at a church centrally located within the Presbytery or may be held at a church that otherwise does not possess facilities adequate to host a stated meeting.
- K) The host church is requested to supply childcare, if needed, based on the requirement for notification by the requester no later than five (5) days prior to the Presbytery meeting. The host church will supply this service by caregivers who have received background clearance for criminal and sexual offenses. Should the church be unable to supply this service, the Presbytery will either provide the caregivers or provide appropriate notification as to alternatives.

## **APPENDIX J**

### **GUIDELINES FOR SCHEDULING AND CONDUCTING NEW CASTLE PRESBYTERY MEETINGS**

#### **J.1000 — MEETING SPECIFICS**

##### **J.1001 STATED MEETINGS**

New Castle Presbytery ordinarily will hold five (5) Stated Meetings per year. These Stated Meetings are planned and organized by the *Round Table* Committee on Coordination (CoC). The *Round Table* CoC will recommend to the Presbytery for its adoption a schedule of Stated Meetings for the following calendar year.

##### **J.1002 SPECIAL CALLED MEETINGS**

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 a 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.

##### **J.1003 ADJOURNED SESSIONS OF MEETINGS**

The Presbytery may adjourn either a Stated Meeting or a Special Meeting to a definite time and place, to continue its business as a continuation of the same meeting, OR it may designate certain persons or agencies to determine the time and place of reconvening. Any business may then be transacted which legally could have been transacted during the original session, and no other business, for the adjourned session is a continuation of the initial meeting. No substitution of commissioners shall be permitted at an adjourned Stated Meeting or Special Meeting without the specific approval of the Presbytery.

##### **J.1004 TIME AND PLACE OF MEETINGS**

The Presbytery shall have the authority to schedule and to reschedule Presbytery meetings in particular locations and set times of convening and adjourning.

##### **J.1005 NOTICE OF MEETINGS AND MAILING LISTS**

Written notice of every stated and every Special Meeting of the Presbytery shall be sent electronically not less than fourteen (14) days prior to the meeting to: (1) every Minister member of the Presbytery, and (2) every clerk of session of a member church. The written notice, which shall be supplemented by a comparable notice on the website of the Presbytery, shall include the date and time of the upcoming



meeting and also notification that the meeting docket and read-ahead meeting materials can be found on the Presbytery website. Commissioners who do not have internet access, or who are unable to download the materials, are encouraged to call the Presbytery office to request that the materials be mailed.

### **J.1006 MEETING QUORUMS**

A quorum competent to conduct the business of the Presbytery requires the meeting of not fewer than three Minister members of the Presbytery and three Ruling Elder commissioners from three different congregations of the Presbytery (G-3.0304).

### **J.1007 AUTHORITY OVER MEETINGS**

Responsibility for the conduct of Presbytery meetings belongs to the Moderator and the Stated Clerk.

### **J.1008 DOCKET/NEW BUSINESS**

A) The docket for a meeting of the Presbytery shall be drafted by the *Round Table Committee on Coordination*. The docket will be considered and adopted as one of the first orders of business after a Presbytery meeting is convened. Committees/*commissions* are requested to forward to the Presbytery office items for docket consideration at least twelve (12) days prior to the scheduled Presbytery meeting.

B) The meeting docket shall be posted on the Presbytery's website as soon as possible after the *Round Table Committee on Coordination* approves it. In addition, all written materials in support of major items of meeting business will be posted on the website as they become available. (Web notice of anticipated items with expected dates of posting will be included.) Presbyters are requested to download all such materials prior to a Presbytery meeting.

C) Any items for "new business" being offered by presbyters on the day of the meeting shall be in the hands of the Stated Clerk no later than one hour prior to the convening of the meeting. This shall include sufficient printed copies of any motions sought to be offered for distribution to presbyters before the beginning of the meeting. No other motions under the subject of "new business" shall be considered "in order" once the docket is adopted.

### **J.1009 DISTRIBUTION OF MATERIALS AT MEETINGS**

With the permission of the Stated Clerk, committees/*commissions* of the Presbytery, the Synod and the General Assembly, and institutions and organizations related to the Presbyterian Church (USA) may obtain table space for distribution of literature at the Presbytery meetings in order to effect open communication and freedom of information.

### **J.1010 HANDICAPPED ACCESSIBILITY**

Presbytery meetings shall be held in locations that are fully accessible to persons with physical handicaps (see Appendix I of THE MANUAL).

### **J.1011 CHILD CARE**

Host churches shall provide childcare for all participants' families at stated meetings of the Presbytery. This childcare normally includes children up to the age of twelve and is to be provided on an as-needed basis. Persons requesting childcare shall make this request to the Presbytery Office at least five days prior to a Presbytery meeting. If volunteers are not available and caregivers are paid, the host congregation is normally expected to allocate \$25.00, with any balance to be paid by the Presbytery.

### **J.1012 MEALS**

Host churches are requested to provide a meal appropriate to the time of day for the Presbytery meeting. A meal fee approved by the *Round Table* ~~Committee on~~ ~~Coordination~~ and provided to the host as outlined in the Presbytery Meeting Guidelines may be collected during the meeting registration by the host church. Hosts should attempt to plan meals with thought to dietary needs and restrictions.

### **J.1013 EXPENSES OF MINISTER OF WORD AND SACRAMENT**

Active Ministers of Word and Sacrament attending Presbytery meetings who do not have a travel allowance in their call or contract may request that the Presbytery pay their expenses. Such expenses would include travel (at 50% of the current IRS reimbursement rate) and meal costs.

### **J.1014 BRIEFING OF NEW COMMISSIONERS**

A briefing of commissioners new to the Presbytery should be conducted by the Vice-Moderator, or a knowledgeable substitute, fifteen minutes prior to the meeting, normally in a room designated by the host church.

### **J.1015 REGULAR WORSHIP**

Worship will be a part of every Stated Meeting of the Presbytery. Providing for worship is a responsibility of the *Round Table* ~~Committee on~~ ~~Coordination~~ and the host congregation.

### **J.1016 INCLUSIVE LANGUAGE**

Worship, as with all other elements of meetings of the Presbytery, shall be conducted with language appropriate to a diverse and inclusive community of faith.

### **J.1017 OFFERINGS**

Reception of an offering shall normally be a part of Presbytery worship. Ordinarily the offering will be for the PCUSA Special Offering next on the calendar.

## **J.1018 SACRAMENT OF THE LORD'S SUPPER**

The Presbytery schedules the celebration of the Lord's Supper at meetings of the Presbytery through the *Round Table* ~~Committee on Coordination~~ at least annually. Whenever fermented wine is served as a part of this sacrament, unfermented wine (grape juice) shall also be served with equal dignity and equal availability. Provision of a small amount of gluten-free bread is also recommended to accommodate those with this dietary restriction.

## **J.1019 REMEMBRANCES AND MEMORIALS**

A remembrance of Ruling Elders who have been members of a constituent church and who have died shall be included at least annually in a Necrology Report and celebrated as a part of the worship of the Presbytery. Memorial minutes for deceased Ministers of Word and Sacrament members shall be provided in a timely manner, most appropriately in a time of worship.

## **J.1020 AMENDMENTS, BILLS AND OVERTURES**

The Stated Clerk may refer all bills, overtures and constitutional amendments to an appropriate committee, for recommendations to the Presbytery.

## **J.1021 WRITTEN MATERIALS**

All information related to expected actions by the Presbytery shall be included in the meeting docket posted on the Presbytery's website prior to the meeting. When actions anticipated for a vote are not posted, the website shall contain notice of when they will be available.

## **J.1022 REQUESTS FOR DOCKET TIME**

All requests for time on the Presbytery Docket shall be made to the Stated Clerk. The Moderator will be responsible for sharing pastoral concerns with the Presbytery.

## **J.1023 DEBATE**

The maker of a motion shall have the privilege of first and last debate on the motion.

## **J.1024 RULES**

In all cases not provided for in this MANUAL, the Presbytery shall be guided by the most recent edition of Robert's Rules of Order.

## **J.1025 INCLUSIVE LANGUAGE**

With leadership from the Moderator, meetings of the Presbytery shall be conducted with language appropriate to an inclusive community of faith.

## **J.1026 MEETING MINUTES**

The reporting of minutes of meetings of the Presbytery may take various forms. Normally the minutes will be made available on the Presbytery webpage and may be distributed in paper form by U.S. mail upon request. Additionally, copies of the

complete minutes of any Special Meeting or Stated Meeting will be available for distribution at the next subsequent Stated Meeting of the Presbytery. For purposes of preservation, official copies of meeting minutes after a lapse of five years may be deposited with the Department of History of the Presbyterian Church (U.S.A.) in Philadelphia.

No unauthorized audio or video recordings will be allowed nor will they be considered as official transcripts of the meeting.

### **J.1027 SOLICITATIONS AND USE OF MEMBERSHIP LISTS**

- A) Before the Presbytery takes action on a funding request by any group or institution, on receiving a special offering, or on participation in a financial campaign of the Synod, such action shall first be recommended by a committee of the Presbytery and presented to the Presbytery for its approval.
- B) When a financial campaign involves more than one presbytery and/or its churches, including capital campaigns initiated by institutions and agencies official related to the Synod, the campaign shall be preceded by approval by the Synod Council and by the Synod at a meeting held at least one year prior to the start of the campaign.
- C) Once approval is obtained from a church session and either or both of the Synod and the Presbytery as outlined in (a) and (b) above, the solicitation process may begin.
- D) Acquisition and use of the church, Presbytery and Synod membership rolls, directories, mailing lists and the like require the advance approval of the applicable governing body.

# **APPENDIX N**

## **CHILD PROTECTION POLICY**

The Presbytery of New Castle is committed to the safety, welfare and protection of all children and youth participating in the activities and programs of the Presbytery. Therefore, the Presbytery hereby adopts reasonable policies and procedures in order to minimize the possibility that any child or youth (17 years of age and younger) will be subjected to any form of abuse or neglect by Presbytery staff, paid childcare workers, teachers, or volunteers while engaged in Presbytery programs or activities. These policies and procedures seek to balance the security and welfare of the children and the legitimate expectations of privacy of staff and volunteers.

### **STANDARDS OF CONDUCT**

No harmful or diminishing behavior towards children (including physical, emotional, sexual harm or abuse) is tolerated at Presbytery of New Castle meetings and events. Paid or volunteer leaders shall not touch or interact with children or youth in any way that is sexually stimulating, emotionally demeaning, or exploitative. Common expressions of affection and affirmation (hugs and pats on the back) or physical care (diaper changes or first aid) are appropriate in this or any community of caring Christians. Staff and volunteers must be careful that physical expressions of affection are not excessive or imposed upon another individual.

Paid and volunteer leaders working with children and youth are tasked with guarding the physical and emotional safety of those in their care and to be aware of signs indicating neglect of the child's well-being. At least two adult leaders/chaperones will be present for any activity and additional adult volunteers are required to provide adequate supervision and care appropriate to the number of children participating. Staff and volunteers shall transport children and youth in groups rather than alone. In ordinary circumstances, an unaccompanied adult should not drive a single child in a Presbytery sponsored activity without the permission of the child's parent or guardian.

### **IMPLEMENTATION**

An Event Form (appendix A) must be completed and approved by Committee on Leadership prior to advertisement of the event and/or the recruitment of volunteers and leaders. A Child Protection Policy statement must be provided to and signed by all employees and volunteers participating in any Presbytery program or activity involving children and/or youth. In general, volunteer applications will be accepted only after six months of active involvement as members of a church within the Presbytery.

Exceptions may be made at the discretion of the Committee on Leadership to cover short-term involvement in children's activities such as service projects, VBS, childcare for Presbytery events, etc. In these cases, a new member will be paired with a vetted member or staff person.

Applications will be submitted through the committee chair responsible for the particular program in which the volunteer wishes to participate. The completed application will be forwarded to the Connectional Presbyter, who will ensure a criminal background check is completed.

## **PROCEDURES FOR HANDLING MISCONDUCT ALLEGATIONS**

The issues of abuse or neglect involving a minor, whether witnessed or suspected, need to be dealt with immediately, effectively, and with great discretion. State law requires that any abuse or neglect of children be reported immediately to proper civil authorities.

Within the presbytery, reports of abuse or neglect of children or concerns regarding possible abuse shall be reported to the Connectional Presbyter/Stated Clerk of the Presbytery.

**N.1000 APPENDIX A**

**PRESBYTERY OF NEW CASTLE**

**EVENT FORM**

Event name and description:

Sponsoring committee, ministry or task force:

Date(s) and time:

Transportation arrangements plan:

Facility and arrangements (describe for all activities, including sleeping accommodations and restrooms):

Overview of program activities:

Leadership plan, including responsibilities of all adult leaders and chaperones:

Contact Person for this Event:

E-Mail:

Phone:

**\*\*Please submit the completed event form to the Presbytery's Committee on Leadership for approval prior to advertising the event and/or recruiting volunteers and participants.**

**N.2000 APPENDIX B**

**CHILDREN AND YOUTH WORK APPLICATION FOR  
VOLUNTEERS AND EMPLOYEES PRESBYTERY OF NEW  
CASTLE**

Date:

Name:

Telephone:

Address:

In which Children/Youth Program(s) are you seeking to become involved?

What skills or interests would you bring to the Children/Youth program?

What experience with children/youth have you had the in last 5 years? Include organization name, program title, dates, and contact information (phone number/ email).



Have you at any time ever:

Been arrested for any reason?

Been convicted of, or pleaded no contest to, any crime involving children?

Been convicted of, or pleaded no contest to, a moving violation in the last 3 years?

Engaged in, or been accused of, any act of child molestation and/or exploitation, abuse or neglect?

Are you aware of:

Having any traits or tendencies that could pose a threat to children, youth or others?

Any reason why you should not work with children, youth or others?

## **ACTIVITY**

What church or churches have you regularly attended in the past 5 years? Include the church name(s), pastor's name, phone number, and years attended.

## **REFERENCES**

List at least two references other than family members, including name, relationship, email address, and phone number.

**APPLICANT VERIFICATION AND RELEASE:**

I recognize that the Presbytery of New Castle is relying upon the accuracy of the information contained herein. Accordingly, I attest and affirm that all the information that I have provided is completely true and correct.

I authorize the Presbytery of New Castle to contact any person or entity listed in this application and I further authorize any such person or entity to provide information, opinions, and impression relating to my background or qualifications. I further authorize the presbytery to conduct and pay for a criminal background check if the check is deemed necessary.

I voluntarily release the Presbytery of New Castle and any such organization or entity listed herein by me from liability involving the communication of information related to my background or qualifications.

I have carefully read the Child Protection Policy and the Prevention of Sexual Misconduct Policy.

Signature:

Date:

## **APPENDIX O**

### **GUIDELINES FOR SABBATICAL LEAVES**

#### **O.1000 — FOR THE PASTOR**

A pastor is eligible for a sabbatical after serving for six years in a call, and the recommended length is three months. A pastor may choose to add vacation time or accrued continuing education time to extend the length of the sabbatical beyond three months.

Usually, the pastor will begin sabbatical planning the calendar year before intending to take the sabbatical. This allows a session to consider financial implications in the coming year and may allow for application for sabbatical support grants, such as the Lily Foundation. When a pastor begins to consider taking a sabbatical, it is important to inform the chair of COMC, the church's liaison, and the Presbyters so they can be partners in the process.

A pastor shall have full access to continuing education and professional expense funds that are part of the terms of call to help support the sabbatical plan. Continuing education funds and time may be accrued for up to three years, which can be tracked by the church's treasurer.

A sabbatical is meant to be a time of renewal and recommitment, and the means of achieving that goal differ from person to person. It is appropriate for the pastor to plan a sabbatical experience with elements of travel, rest, relaxation, exploration, and learning, based on the pastor's own needs and desires.

During the sabbatical, the pastor should be able to turn off work email and not respond to phone calls from the church. Part of the preparation for the sabbatical is ensuring that appropriate leadership and care is in place for the congregation so that the pastor can disengage entirely for the length of the sabbatical. It is the pastor's responsibility to observe this boundary and opportunity, and to help communicate it clearly to the session and congregation.

#### **O.2000 — FOR THE SESSION**

The session, along with the pastor, should discern what form of leadership will be most appropriate during the pastor's sabbatical. This is an opportunity to invite a new voice into the pulpit or to explore a new program. The session may discern, along with the pastor, that the congregation could benefit from a kind of sabbatical, taking rest from programs and activities and experiencing a different form of worship that invites reflection. On the other hand, the session may discern, along with the pastor, that the sabbatical time is an opportunity to explore a particular topic, like stewardship or leadership development. This discernment is key to the next steps.

Having discerned the purpose of the sabbatical for the congregation, the session will now work with the Presbytery through COMC to prepare a short term position description and circulate that description as appropriate. COMC shall approve any such position description and the compensation associated with it, and shall determine fit and responsibilities of the

person selected to fill the position. Since a long-term moderator will be required, COMC shall approve the moderator in the pastor's absence.

The session may serve as the search committee for an approved short-term position, or may appoint a task force to do that work. The session is the body with the authority to approve both the contract and the person selected to fill the position, and may not delegate that authority.

The session is required to continue all compensation, including benefits, up to date during the pastor's sabbatical. For some congregations, hiring a second person during that time may be financially difficult. If this is the case, the session is encouraged to be in contact with the Presbyters to explore options.

The session, along with the pastor, is responsible for communicating expectations and helping to set boundaries during the sabbatical time, including boundaries around contacting the pastor.

### **O.3000 – FOR COMC**

COMC, through the church's liaison and through the Presbyters, will help interpret the reason for a sabbatical, supporting both pastor and session during the preparation period and the sabbatical period.

The Presbyters will support the pastor as the sabbatical planning takes shape, helping to connect with resources and providing feedback on the plan. Once the dates for the sabbatical are fairly firm, the pastor shall ask COMC to approve those dates.

COMC will work with the pastor and session as they discern the plan for the congregation and the plan for leadership. COMC will fill the normal functions of approving a position description, compensation, and interviewing the person selected to fill the position for fit. COMC also has the right to assign the moderator, in consultation with the pastor, if a bridge pastor is not selected.

COMC will assist, as requested, the session in circulating an approved position description and will work to suggest appropriate people for the short term position.

# APPENDIX P

## PREVENTION OF SEXUAL MISCONDUCT POLICY

### P.1000 — INTRODUCTION

New Castle Presbytery (the Presbytery or NCP) of the Presbyterian Church (U.S.A.), in an effort to further the peace, unity and purity of the church through the prevention and remediation of sexual misconduct within the church, has developed the following policy. The structures and procedures for responding to allegations of sexual misconduct are mandated by the Book of Order, particularly at G-3.0106, G-3.0109b, and D-10.401c. The prevention of sexual misconduct policy of the Presbytery applies to all Ministers of Word and Sacrament members as well as to any Ruling Elder(s) commissioned by the Presbytery to a particular service (CRE/CREs). Others who serve the church, paid and volunteer, are usually under the jurisdiction of the session of a particular member church.

### P.2000 — THE PURPOSE OF THIS APPENDIX

To define sexual misconduct by Ministers of Word and Sacrament members and CREs of the Presbytery and to describe the procedures for reporting sexual misconduct to the Presbytery.

#### A) Definition of Sexual Misconduct

Sexual misconduct in the ministerial relationship is an abuse of authority and power, breaching Christian ethical principles by misusing a trust relationship to gain advantage over another for personal gratification in an exploitative and unjust manner. It is the comprehensive term used in this policy to include: sexual abuse of children or adults, rape or sexual assault, sexual harassment, and viewing, storing, or transmitting pornographic material for any purpose on church property and/or with church-owned devices such as, but not limited, to computers and cellular telephones. Categories of sexual misconduct are:

- 1) **Sexual abuse:** Sexual abuse occurs whenever a person in a position of trust or authority engages in a sexual act or sexual contact with another person to whom he or she owes a professional responsibility. Such abuse shall include, but not be limited to, the following:
  - Sexual acts or sexual contact with a minor.
  - Sexual acts or sexual contact involving inducement, threat, coercion, force, violence, or intimidation of another person.
  - Sexual acts or contact between a Minister of Word and Sacrament or CRE and a non-ordained person with whom the Minister of Word and Sacrament or CRE has a professional relationship. This includes consensual physical relationships. Sexual relationships even when consensual are not acceptable, whether or not pastoral care is involved.

The inherent imbalance of power between a Minister of Word and Sacrament or CRE and a person who is not ordained undermines the validity of such consent.

- Sexual acts or sexual contact with another person who is incapable of appraising the nature of the conduct or physically incapable of declining participation in, or communicating unwillingness to engage in, that sexual act or sexual contact.
  - Sexual acts or sexual contact arising from the administration to another person of a drug or intoxicant which impairs the ability of that person to appraise or control the nature of the conduct.
  - Suggesting or compelling another person to view pornography in any form.
- 2) **Child sexual abuse.** Child sexual abuse includes, but is not limited to, any contact or interaction between a child and an adult when the child is being used for the sexual stimulation of the adult person or of a third person. The behavior may or may not involve touching. Child sexual abuse between an adult and a child is always considered forced whether or not consented to by the child. Child sexual abuse is a crime in all states and must be reported to civil authorities and to the Stated Clerk of the Presbytery (the Stated Clerk). Anyone who knows or has reason to suspect that child abuse has occurred or is occurring may be a mandated reporter under the law.
- 3) **Rape or sexual assault.** Rape or sexual assault is a crime in every state and should be reported to civil authorities and to the Stated Clerk.
- 4) **Sexual harassment.** Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexually offensive nature when:
- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or his or her continued status in an institution in either a professional or volunteer capacity;
  - submission to or rejection of such conduct by an individual is the basis for employment decisions affecting that individual; or
  - such conduct has the purpose or effect of unreasonably interfering with an individual's work or volunteer performance by creating an intimidating, hostile, or offensive working environment. Sexual harassment may consist of a single intense or severe act or multiple persistent or persuasive acts.

Sexual harassment may include, but is not limited to:

- sexually oriented jokes or humor
- sexually demeaning comments
- verbal suggestions of sexual involvement or sexual activity
- questions or comments about sexual behavior
- unwelcome or inappropriate physical contact
- graphic or degrading comments about an individual's physical appearance
- express or implied sexual advances or propositions
- display of sexually suggestive objects or pictures
- repeated requests for social engagements after an individual refuses

B) Policy on Sexual Misconduct

- 1) Sexual misconduct is never permissible. It is a violation of the principles set forth in Scripture as well as of ministerial, pastoral, employment, and professional relationships. Sexual misconduct by Ministers of Word and Sacrament and CREs violates the ordination vows of the Presbyterian Church (U.S.A.) and Presbytery's Code of Ethics for Minister of Word and Sacrament Members and Other Church Professionals (Appendix G of THE MANUAL).
- 2) All Ministers of Word and Sacrament members and all CREs of the Presbytery shall attend a seminar on the issues of prevention of sexual misconduct offered by the Presbytery, or another source satisfactory to the ~~Committee~~ *Commission* on Ministers & Congregations (COMC), within 18 months of the adoption of this policy. All candidates and inquirers of the Presbytery shall attend a seminar offered by the Presbytery, or another source satisfactory to the ~~Committee~~ *Commission* on Preparation for Missional Ministry, on the issues of prevention of sexual misconduct. All Ministers of Word and Sacrament received by the Presbytery from another Presbytery and all CREs upon commissioning shall attend a seminar on the issues of prevention of sexual misconduct offered by the Presbytery, or another source satisfactory to the COMC, within one (1) year of their reception or commissioning.
- 3) Failure to attend such a seminar within one (1) year after a Minister of Word and Sacrament is received by the Presbytery or within eighteen (18) months after adoption of this policy in the case of an existing Minister of Word and Sacrament member or CREs, shall result in a Minister of Word and Sacrament member or CRE being placed automatically on unpaid administrative leave until that Minister of Word and Sacrament member or CRE has attended such a seminar. It is further specified that a reminder letter for compliance with the policy shall be sent by U.S. first-class mail by the Stated Clerk to any Minister of Word and Sacrament member or CRE who has not attended the required seminar: a) within the first twelve (12) months after adoption of the policy in the case of an existing Minister of Word and Sacrament member or CRE, or b) within six (6) months of the date of reception in the case of a Minister of Word and Sacrament received by the

Presbytery subsequent to adoption of the policy. If the Minister of Word and Sacrament member or CRE does not comply with the policy, the unpaid leave shall be applied automatically, requiring no further action by the Presbytery.

- 4) Every three years thereafter, all Ministers of Word and Sacrament members and CREs of the Presbytery shall also attend refresher training on the subject of prevention of clergy sexual misconduct. Such training will be offered at several locations across the Presbytery, or may be taken through another source satisfactory to the COMC.
- 5) Whereas this policy addresses sexual misconduct by Minister of Word and Sacrament members and CREs, each congregation and organization in NCP is responsible for developing a policy consistent with this document for church professionals, officers, members, non-member employees, and volunteers.

### **P.3000 — RESPONSIBILITIES AND ROLES OF THE PRESBYTERY IN POLICY IMPLEMENTATION**

#### **A) Availability of Policies and Procedures**

- 1) All Minister of Word and Sacrament members and CREs of the Presbytery shall be given a copy of the policy and be required to sign an acknowledgment of receipt.
- 2) This document shall also be available on the Presbytery's web site and shall be available to all church members and to the public.
- 3) Presbytery employees shall receive this document as a supplement to the New Castle Presbytery Personnel Policies (Appendix Q of THE MANUAL).
- 4) This policy will be sent to every clerk of session annually.

#### **B) Management of Allegations of Sexual Misconduct**

- 1) **Resource Documents** - The responsibilities, structures and procedures for responding to allegations of sexual misconduct are described in part by the Book of Order and in part by THE MANUAL. Attention is drawn to G-3.0307 and M-5.301(c) for the authority and functions of the COMC and to D-10.0200 for the functions of an investigating committee.
- 2) **Liability and Insurance** - The Presbytery and its congregations shall periodically obtain from their insurance agents confirmation that their liability insurance policies cover sexual misconduct liability for their programs and activities.
- 3) **Record Keeping** - The Presbytery will include in every personnel file, including those for Minister of Word and Sacrament members, the application for employment, any employment questionnaires, reference responses, and other



documents related to this policy. This includes, in the case of continuing and prospective Minister of Word and Sacrament members, a signed receipt for receiving the sexual misconduct policy, as well as documentation on attendance at the prevention education seminar.

C) Pre-Employment Screening for Prospective Incoming Ministers of Word and Sacrament

- 1) **Reference Checks** - Pre-employment screening includes specific questions related to previous complaints of sexual misconduct. The Presbytery reviews sexual misconduct information in the Personal Information Form of the Presbyterian Church (U.S.A.) when interviewing persons seeking calls for service as Minister of Word and Sacrament.
- 2) The Connectional Presbyter is responsible for making reference checks through the appropriate PC(USA) council executives (synod, presbytery) or other authorized persons to ascertain whether a prospective Minister of Word and Sacrament member has any history of sexual misconduct. The Connectional Presbyter will report to the COMC either that there was no reported sexual misconduct, or that the COMC should inquire into reported sexual misconduct. A written record of conversations and correspondence with those providing references will be kept in the Minister of Word and Sacrament's/employee's permanent personnel file.
- 3) References on behalf of the Presbytery as provided by the Connectional Presbyter or the COL shall contain truthful information regarding complaints, inquiries, and administrative or disciplinary action related to sexual misconduct by an applicant. Applicants shall be given an opportunity to correct or respond to information regarding sexual misconduct obtained from a reference check.
- 4) **Background Checks** - Pre-employment screening for prospective incoming Ministers of Word and Sacrament shall also include a mandatory Criminal History Background Check performed by a private investigative firm able to access the misdemeanor and felony conviction records of courts in the United States. The criminal background check will be based on the last seven years' residential history of the applicant.

As part of the COMC's clearance process, all prospective incoming clergy shall be required to sign a written consent and release form authorizing the Criminal History Background Check. The COMC will provide all prospective incoming clergy with a written disclosure that a criminal record background report will be requested. Only the Connectional Presbyter shall order and review the criminal record background reports. The discovery of a criminal conviction will not automatically exclude a person from entry into the Presbytery and work in its congregations. The use the Presbytery makes of the criminal record background report will be determined on a case by case basis. The Connectional Presbyter

and the COMC will counsel with both the prospective Minister of Word and Sacrament and the calling congregation where appropriate. At the same time, the COMC will take with full seriousness the failure of any incoming prospective Minister of Word and Sacrament to volunteer critically important information regarding his or her criminal history.

The Connectional Presbyter shall ensure the confidentiality and appropriate retention of criminal record background reports.

A prospective Minister of Word and Sacrament who claims that the information in the background report is inaccurate, false or incomplete shall have the right to dispute it with the investigative firm.

The Presbytery will follow all the steps set forth in the Federal Fair Credit Reporting Act.

#### D) Education

New Castle Presbytery has a commitment to offer, provide resources for, and to publicize educational opportunities to prevent sexual misconduct in the church. Presbytery staff, Sexual Misconduct Response Team members, as described in Section E of this Appendix, and all persons and committees working with the issue, including local congregations, will be encouraged to utilize the resources and attend sexual misconduct prevention seminars.

#### E) Maintenance of Sexual Misconduct Response Team

A Presbytery Sexual Misconduct Response Team (The TEAM) shall be maintained. The purpose of the TEAM is to assure that an expeditious, professional, objective, effective, and caring response is made by the Presbytery to charges of sexual misconduct. The TEAM will not investigate an allegation or in any way usurp the roles of NCP staff or committees (including investigating committees). The TEAM will confine its activities to:

- 1) Coordinating a process that addresses the specific needs of the alleged victims and their families, those accused and their families, an affected congregation, and the Presbytery;
- 2) Assigning advocates, if requested by the alleged victims, the accused, family members, or an involved congregation;
- 3) Recommending, providing, and participating in education regarding sexual misconduct, its consequences, and its prevention.

Members of the TEAM and any individual participating in the work of the TEAM shall sign a pledge of confidentiality, copies of which shall be furnished to the chair of the TEAM, and the Connectional Presbyter.

## **P.4000 — POLICY ON RESPONSE TO ALLEGATIONS OF SEXUAL MISCONDUCT BY MINISTER OF WORD AND SACRAMENT OR CRE**

- A) Known or suspected sexual misconduct by a Minister of Word and Sacrament member or CRE shall be reported in writing to the Stated Clerk and to civil authorities where required.
- B) Sexual abuse involving children, and allegations of rape, sexual assault or other misconduct that violates criminal law shall be reported to civil authorities and to the Stated Clerk.
- C) In the event that an alleged incident of sexual harassment comes to the attention of a clerk of session, the moderator of the Sexual Misconduct Response Team, the moderator of the COMC, or the Stated Clerk of the Presbytery, any two of these four will contact the accuser/victim and discuss the following alternatives:
  - 1) At the session or employing agency level: referring the matter to the church session and/or personnel committee for their consideration and action.
  - 2) At the COMC level: requesting an intervention by the TEAM or other COMC representatives with whichever parties they see fit to contact.
  - 3) At the Presbytery level: proceeding directly to the judicial process defined in the Rules of Discipline of the Book of Order. Out of this conversation each participant shall determine the appropriate level of intervention and offer that view to the others.
- D) Ministers of Word and Sacrament and CREs are subject to inquiry and discipline under the *Rules of Discipline*. A final report, including any charges filed, and actions taken shall be made by the Stated Clerk to the Presbytery. A copy of the report will be filed in the permanent personnel file of the accused.
- E) A written complaint to the Stated Clerk alleging sexual misconduct by a Minister of Word and Sacrament member or CRE of the Presbytery will subject that Minister of Word and Sacrament or CRE to the NCP policy set forth in Appendix S of THE MANUAL. The provisions of D-10.0106 apply in cases of sexual misconduct involving a child.
- F) A Minister of Word and Sacrament or CRE may make a written confession of misconduct to the Stated Clerk without a victim's complaint. The Clerk will proceed under the Rules of Discipline.
- G) The Presbytery will respect the rights of all parties involved: accusers, victims, accused, and an involved congregation. These rights include:
  - 1) To be heard and taken seriously. From the time that sexual misconduct is reported, all persons involved shall receive immediate attention and serious

consideration from those representing the Presbytery. A reasonable attempt to identify and to locate the victim(s) will be made in the case of self-accusal.

- 2) To be informed about church procedures with regard to the accusation. One member of the TEAM will be the Presbytery contact for each party involved.
- 3) To obtain legal advice.
- 4) To be offered an advocate trained by the TEAM. While NCP proceeds to deal with the accusation, the Presbytery has the responsibility to provide each party involved moral support from an individual made available to him, her or them.
- 5) To be assured that justice will be pursued through the procedures set forth in the Book of Order and this Policy.
- 6) To become engaged in work toward healing and reconciliation.

H) The Presbytery shall design a plan for provision of counseling or reimbursement of counseling fees for the victim(s). As appropriate, victim's (or victims') fees may be met by one or more of the Presbytery, the victim's (or victims') insurance, the perpetrator, and the congregation or its insurance. Such fees will be supplied for a reasonable period of time, up to a maximum of one year.

## **P.5000 — GLOSSARY OF TERMS USED IN THIS APPENDIX**

- **Accused** is the person against whom a claim of sexual misconduct is being made.
- **Accuser/victim** is the person claiming knowledge of sexual misconduct by a person covered by this policy. The victim is the person alleged to have been subjected to sexual misconduct by a person covered under this policy. The accuser may or may not have been the victim of the alleged sexual misconduct.
- **Advocate** is a person trained by the TEAM in the issues of sexual misconduct and to provide support, and emotional and physical presence, to either the alleged victim(s) and their family, the accused, family members of the accused, or the congregation involved in a sexual misconduct case. The advocate also provides clarification of the investigative process of the church and the judicial process of the church to the person(s) with whom they work. The role of an advocate is not to speak for the party for whom they advocate, but to inform that party of their rights within the investigative process. The advocate shall not give advice regarding civil legal matters. When requested by the party for whom they advocate, the advocate may accompany that person to meetings of Presbytery entities when that party is testifying.
- **Mandated Reporter** is a person described by the laws of the State of Delaware and/or Maryland as one who is required to report any and all suspected incidents of child abuse, including child sexual abuse, that come to his or her attention. It is

noted that state laws may vary from defining "all persons having knowledge" as mandated reporters to specifying a very limited list of professions whose members are required to report child abuse. The policies of the Presbyterian Church (U.S.A.) require all Ruling Elders, deacons and Ministers of Word and Sacrament to serve as "Mandated Reporters" and report all suspected incidents.

- **Ruling Elder Commissioned for Pastoral Service (CRE)** is a Ruling Elder of the Presbyterian Church (U.S.A.) who under the provisions of G.21001 of the Book of Order has been commissioned to limited pastoral service by the Presbytery. As with Ministers of Word and Sacrament, those serving as CREs are bound by G-4.0301 to maintain a relationship of trust and confidentiality and to hold in confidence all information revealed to them in the course of providing care and all information relating to the exercise of such care.
- **Minister of Word and Sacrament, also known as a teaching elder or pastor**, is defined in the Book of Order, G-2.0501.
- **Minister of Word and Sacrament Member** is a teaching elder or pastor who has been received into the membership of the Presbytery. This includes a Minister of Word and Sacrament whose credentials are held simultaneously by another denomination (such as a "Formula of Agreement" denomination) but who serves within the bounds of the Presbytery.

# APPENDIX Q

## PERSONNEL POLICIES *(Revised September 14, 2021)*

### Q.1000 – INTRODUCTION

#### Q.1001 INTRODUCTORY STATEMENT

These policies do not constitute a statement of employment. They are subject to amendment, modification, or termination without notice at the discretion of New Castle Presbytery, hereafter the Presbytery or NCP. These policies supersede all previous Personnel Policies of NCP.

#### Q.1002 EMPLOYER

For all employees of the Presbytery, the legal corporate employer to whom the policies of THE MANUAL and this Appendix apply is both New Castle Presbytery, Inc., a legal corporation in the State of Delaware, and the Presbytery of New Castle, Inc., a legal corporation in the State of Maryland. Employees covered are those serving the Presbytery.

#### Q.1003 RELIGIOUS AFFILIATION AND MISSION

The Presbytery is a religious organization formed under the Presbyterian Church (U.S.A.) (PC(USA)) and subject to its mandates and Constitution. Religion is therefore a bona fide occupational qualification for its positions in some circumstances. Certain staff positions of the Presbytery held by Ministers of Word and Sacrament of the PC(USA) are classified as “ordained exempt positions.” Those holding such ordained exempt positions are subject to a written call by the Presbytery that includes the terms of employment and functions. They are also required to be in good standing with the PC(USA) under the provisions of its Book of Order. The terms of call, which normally include policies of employment as well as compensation and other benefits, are reviewed and approved annually by the Presbytery. Determination of exempt employment positions (see Q.5001), including ordained exempt positions, will be by the Presbytery, upon recommendation of the Presbytery Committee on Leadership (COL) (M.2.001(d)).

Employees of the Presbytery are reminded that as a religiously affiliated employer, NCP is committed to the highest level of ethics and morality. Acts of immorality, public scandal, or public rejection of the official teachings of the PC(USA) will have a negative impact on the Presbytery and the values it seeks to impart. Actions that are inconsistent with the expected standards of ethics, morality, and values of NCP may lead to disciplinary action, including termination of employment.

#### Q.1004 DETERMINATION OF POLICIES

Personnel policies are determined by the Presbytery upon the recommendation of the Committee on Leadership (COL).

## **Q.2000 – EQUAL EMPLOYMENT OPPORTUNITY**

All employment decisions, including recruiting, hiring, training, promoting, and/or separating employees from employment, will be made without regard to race, creed, color, sex, sexual orientation, gender identity or expression, national origin, age, marital status, citizenship status, genetic information, physical or mental disability, or any other category protected by law. Religion or religious affiliation shall not be used as a criterion in employment except for positions in which religion is a bona fide occupational qualification, or an employee engages in conduct that is not in keeping with the religious mission of the organization.

### **Q.2001 PURPOSE**

To define as the policy of NCP that consistent practice of Equal Employment Opportunity is essential to the success of NCP and to the happiness and well-being of all employees.

### **Q.2002 POLICY STATEMENT**

Equal Employment Opportunities will be provided in all aspects of the employer/employee relationship. This includes recruiting, hiring, promoting, and conditions and privileges of employment. Also included are training, education assistance, recreational programs, compensation, benefits, transfers, discipline, layoffs, recalls, and termination of employment.

Harassment or discrimination against an individual on the basis of race, creed, color, sex, sexual orientation, gender identity or expression, national origin, age, marital status, citizenship status, genetic information, physical or mental disability, religion, or religious affiliation is inappropriate, offensive, illegal, and will not be tolerated. Such behavior may result in disciplinary action up to and including termination.

In accordance with its policy not to discriminate against qualified individuals with disabilities, NCP will reasonably accommodate disabled persons so long as the accommodation does not create an undue hardship to the organization. It is the responsibility of any employee or applicant who believes that they require a reasonable accommodation due to a physical or mental disability to advise NCP that such accommodation is necessary. The COL is responsible for determining whether an accommodation is reasonable and necessary. In fulfilling its duty of reasonable accommodation, the COL will designate a representative to engage in dialog with the employee or applicant to determine whether an accommodation can be made and what type of accommodation is reasonable. NCP will consider, among other things, the nature and extent of the accommodation, the financial cost, the organization's resources, the impact on the organization's mission, and other relevant factors.

NCP also prohibits any form of employment-related retaliation against any applicant or employee who files a charge of discrimination with any federal, state, or

local fair employment practices agency or who participates in such investigations or opposes unlawful employment practices. NCP will take appropriate disciplinary action, up to and including termination, against anyone found to have engaged in retaliation against such persons.

### **Q.2003      COVERAGE**

All NCP employees and applicants for employment are included.

### **Q.2004      MANAGEMENT RESPONSIBILITY**

The Equal Employment Opportunity Policy will be distributed to all applicants or employees of NCP through orientation, publications, and other communications. Copies of the policy statements on Equal Opportunity Employment will be posted in NCP offices. Orientation interviews with new employees will stress the significance of NCP's Equal Employment Opportunity Policy.

### **Q.2005      POLICY IMPLEMENTATION**

#### **A) Employment and Placement**

All applicants for employment must be considered and hired without regard to race, creed, color, age, sex, sexual orientation, gender identity or expression, national origin, citizenship status, marital status, physical or mental disability, citizenship status, genetic information, religious affiliation or religion, or any other category protected by law. In limited circumstances, the law permits consideration of such characteristics if they constitute Bona Fide Occupational Qualifications (BFOQ). The BFOQ exception is narrowly construed and applicable only if there is a legitimate business purpose necessary to the safe and efficient operation of NCP and the fulfillment of its religious mission.

Employment applications or other such information, including position descriptions, will be easily located and accessible to all applicants.

All applicants for employment should be received with courtesy and shall be treated equally and without discrimination. All applicants shall be permitted to apply for employment when positions are available.

All screening processes including interviewing and reference checking shall be conducted in conformance with the expressed intent of NCP's Equal Employment Opportunity Policy and applicable state, local, and federal laws.

All applications, eligible or ineligible, shall be maintained on file for appropriate periods in accordance with legal requirements and NCP policy. Applications shall not be marked or coded to reflect the race, color, creed, sex, sexual orientation, gender identity or expression, national origin, age, marital status, citizenship status, physical or mental disability, genetic information, religious affiliation or religion or any other category protected by law.



B) Personnel Actions

All personnel actions shall be based on the employees' qualifications, ability to perform the assigned work, merit, length of service, and other legitimate business reasons.

The COL is charged with the responsibility of guaranteeing that all individual personnel actions are implemented in accordance with NCP's policy regarding non-discrimination and applicable state, local, and federal laws.

C) Complaints

Any applicant or employee who believes that they have been the victim of discrimination, harassment, or retaliation in violation of this policy must immediately notify the Connectional Presbyter. If an employee or applicant feels uncomfortable reporting an incident of discrimination, harassment, or retaliation to the Connectional Presbyter, they may report the incident to the chair of the COL.

The Connectional Presbyter is responsible for investigating all such complaints. If a complaint is made to the chair of the COL, they and/or their designee will investigate the allegations. The investigation shall be conducted promptly and as confidentially as possible under the circumstances. NCP policy forbids any reprisal against any employee or applicant who reports, notifies, or participates in the investigation of any charge of discrimination, harassment, or retaliation.

If it is determined that an applicant or employee has been the victim of discrimination, harassment, or retaliation, NCP will immediately take appropriate remedial action, including, without limitation, discipline of the offender.

## **Q.3000 – PREVENTION OF SEXUAL AND OTHER HARASSMENT**

It is the policy of the Presbytery to maintain a workplace free from any form of sexual misconduct or sexual harassment by any employee, member or friend of the Presbytery. This policy is based on those of the Presbytery as set forth in Appendix P of THE MANUAL, which in turn are grounded in the policies of the PC(USA).

Respect for the dignity and worth of each individual is a basic tenet of NCP. Unlawful harassment in the workplace is a form of intentional employment discrimination. Each individual has the right to work in an environment conducive to equal opportunity and free from discriminatory practices.

### **Q.3001 SEXUALLY HARASSING CONDUCT DEFINED**

For purposes of this policy, and consistent with Appendix P of THE MANUAL, the terminology sexually harassing conduct refers to any unwelcome sexual attention, sexual advances, request for sexual favors and other verbal, visual or physical conduct of a sexual nature. Such conduct is a serious matter and may subject NCP to liability under state and federal employment discrimination laws. Such conduct is illegal if:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance; or
- Such conduct has the purpose or effect of creating an intimidating, hostile or offensive working environment.

Examples of sexually harassing conduct include, but are not limited to:

- Threatening adverse employment actions if sexual favors are not granted.
- Promising preferential treatment in return for sexual favors.
- Unwelcome physical contact.
- Persistent unwelcome sexual advances, including requests for dates or other social contacts.
- Offensive remarks, including unwelcome comments about appearance, sexual activities, off-color jokes or inappropriate use of sexually explicit language.
- Display in the workplace of sexually suggestive objects or pictures.
- Circulation via email, or otherwise, of sexually suggestive or offensive pictures, jokes, stories, and similar materials.
- Unwelcome sexual advances by visitors to NCP premises.

An intimidating, hostile or offensive working environment may be created by conduct such as that described in the preceding paragraph. In addition, any hostile or abusive treatment motivated by the victim's sex constitutes harassing conduct that is prohibited by this policy.

### **Q.3002 OTHER FORMS OF PROHIBITED HARASSING CONDUCT**

Offensive or derogatory remarks, hostile or abusive actions, or jokes based on race, creed, color, sex, sexual orientation, gender identity or expression, age, religion or religious affiliation, national origin, citizenship status, marital status, physical or mental disability, genetic information or any other legally protected characteristic will not be tolerated.

### **Q.3003 VOLUNTARY RELATIONSHIPS**

Voluntary, welcomed romantic or sexual relationships between members of NCP management and their subordinates, may compromise (or create a perception of compromise) the ability of a supervisor to perform their job. Such relationships may also lead to exposure to legal liability. Any romantic or sexual relationship between any officer, manager, supervisor, or other agent of the organization with anyone they supervise, either directly or indirectly, is prohibited.

In addition, even welcomed, voluntary romantic or sexual relationships between workplace peers may cause disruption, impact an employee's ability to do their job, adversely affect morale, or negatively impact perceptions of NCP. Such relationships are discouraged. Employees who enter into such relationships are advised that they are held to the same level of performance as other employees, and disruption and other adverse impacts on the workplace will not be tolerated.

### **Q.3004 PERSONS COVERED**

This policy prohibits harassing conduct directed toward all employees and applicants for employment.

### **Q.3005 ENFORCEMENT OF THE POLICY**

Applicants or employees who believe that they have been a victim of harassment in violation of this policy shall file a complaint in accordance with the NCP Equal Employment Opportunity Policy.

## **Q.4000 – PROCESS OF EMPLOYMENT**

### **Q.4001 POSITION DESCRIPTIONS**

Position descriptions that accurately reflect the job functions for each position are defined and written by the Connectional and Missional Presbyters in consultation with the COL. They must be approved by the COL and are to be reviewed annually and updated as needed.

### **Q.4002 POSITION ADVERTISEMENT**

If the position is advertised, the advertisement shall state that NCP is an Equal Employment Opportunity employer.

### **Q.4003 EQUAL EMPLOYMENT OPPORTUNITY**

The Equal Employment Opportunity policy of NCP shall be followed in consideration of applicants for interviews and employment.

### **Q.4004 INTERVIEW POLICY**

Care shall be taken during interviews to ensure that the privacy of the candidate is protected. Questions shall be job-related.

## **Q.4005 EMPLOYMENT REFERENCES**

References and other material involving the employment process shall be kept for a maximum of two years from the date of employment after which they shall be destroyed.

## **Q.5000 – EMPLOYMENT SPECIFICS**

### **Q.5001 EXEMPT AND NON-EXEMPT EMPLOYEES**

The Fair Labor Standards Act of June 25, 1938 (FLSA) established the minimum wage and maximum hours and defined the kinds of work subject to the overtime requirements of the Act. Exempt positions are those that do not require payment of overtime under the FLSA. Non-Exempt positions under FLSA refer to jobs for which the employer must pay overtime pay for work in excess of 40 hours per week. It is the policy of the PC(USA) to comply with FLSA and state wage and hour laws through accurate classification of employees as exempt or non-exempt from overtime and by payment of one and one-half times the regular hourly rate to non-exempt employees who work over 40 hours in a workweek. Employees are eligible for overtime unless they meet the requirements of one of the exemptions as outlined in the FLSA. These include: executive employees, administrative employees, professional employees, teachers or administrators in secondary schools, highly skilled computer operators, and outside salespersons. An employee's actual job duties, not job title, will be the determining factor in classifying employees as Exempt or Non-Exempt. Any employee who believes that their position is improperly classified should contact the COL. Overtime is based on working time under the FLSA. This means that only hours actually worked are included in meeting the 40-hour requirement. Vacation time, holidays, and other non-working time, even if compensated, do not count towards meeting the 40-hour requirement under the FLSA. Ordained Exempt Staff members shall be elected in accordance with THE MANUAL of the Presbytery. Election is ordinarily for a five-year term. Staff members of the Presbytery who hold ordained exempt positions (see Q.1000, Section A) shall be elected for terms of service in accordance with the provisions of THE MANUAL. All holding ordained exempt positions shall be provided with a written document of call stating their terms of employment, as prepared on behalf of the Presbytery by the COL. All written calls shall contain wording to indicate that it is the intent of the employer, i.e., the Presbytery, to honor the terms of a call except in case of (1) a failure of the employee to perform satisfactorily, or (2) a change in employment structure or function, in which case adequate notice and assistance in relocation will be given.

### **Q.5002 PART-TIME AND FULL-TIME EMPLOYEES**

#### **A) Part-time Employees**

Part-time employees are defined as those regularly scheduled to perform (on-average) less than 32 hours of work per week.

B) Full-time Employees

Full-time employees are defined as those regularly scheduled to perform (on-average) 32 or more hours per week.

**Q.5003 WORK WEEK FOR FULL-TIME EMPLOYEES**

The normal work week for full-time non-exempt personnel is 32 to 40 hours per week. All hours worked to 40 hours per week will be paid at the regular rate. For time over 40 hours per week, pay rate is at one and one-half times the regular hourly rate as set forth in the preceding section.

**Q.5004 WORK WEEK FOR PART-TIME EMPLOYEES**

If the normal work week for a non-exempt position is less than 40 hours per week, all hours worked to 40 hours a week will be paid at the regular hourly rate. Hours worked in excess of 40 in a work week will be compensated at time and one half.

**Q.5005 OVERTIME**

All overtime work must be approved in advance by the Connectional Presbyter. Written documentation for overtime is required (e.g., memo, e-mail, etc.) and must be included when reporting any overtime hours worked in a given week. Typically, such written authorization will be issued at the time of the pre-approval. In unusual circumstances when only oral approval can be given to approve overtime, the Connectional Presbyter must follow-up with written authorization for the overtime hours. Any extra pay for working weekends or nights is a matter of agreement between NCP and the employee. The FLSA does not require extra pay for weekend or night work or double-time pay. In addition, the FLSA does not require extra pay for weekend or night work or double-time pay. In addition, the FLSA does not require overtime pay for work on Saturdays, Sundays, holidays or regular days of rest, unless overtime hours are worked on such days.

**Q.5006 EMPLOYMENT ORIENTATION PERIOD**

A) Duration

The first three months of employment are an orientation period during which NCP and the employee determine whether the employee is a good fit for their position. Pay in lieu of notice will not be given an employee terminated during the orientation period.

B) Benefits

During the orientation period of employment for full-time employees, the employee is entitled to enrollment in a health plan (see Q.6003), one paid sick day, paid holidays observed by NCP, coverage as provided by Workers' Compensation, and absence for jury duty. If absent for any other reason, pay will be deducted for the time missed.

C) At-Will Relationship

Continuation of employment at the conclusion of the orientation period does not change the at-will employment relationship, nor constitute a contractual or other guarantee of continued employment.

**Q.5007 TRAVEL BY ADMINISTRATIVE EMPLOYEES**

Administrative employees of the Presbytery may travel and use their personal vehicles for Presbytery business with the authorization of the Connectional Presbyter, budgetary considerations permitting. Reimbursement will be at the current IRS-approved rate for business travel.

**Q.5008 GRIEVANCES**

A) Initial Referrals

Any problems arising from employment or conditions of employment are to be directed to the Connectional Presbyter. In those cases where the solution to a problem has not been worked out in discussion with the Connectional Presbyter, the employee may appeal to the COL in writing.

B) Further Appeal

If the above steps fail to provide an acceptable resolution of the grievance, the employee may file a written complaint with the Chairperson of the COL. The COL becomes the mediator between the parties involved and will attempt to work out a solution acceptable to all parties. If such mediation is unsuccessful in resolving the dispute, COL shall render a decision which shall be final and binding.

**Q.5009 CRIMINAL OFFENSES**

Any employee who is indicted or arrested for, charged with, or convicted of a criminal offense, other than a traffic violation, must immediately notify the Connectional Presbyter; the Connectional Presbyter shall notify the chair of COL in the same event. Failure to notify the Connectional Presbyter will result in disciplinary action, which may include dismissal.

NCP will investigate each such indictment, arrest, charge or conviction to determine whether it presents health, safety, or other concerns in the workplace, including an adverse impact on the reputation and mission of NCP and/or any local PC(USA) church. NCP will determine on a case-by-case basis whether any indictment, arrest, charge, or conviction necessitates personnel action.

NCP may take such action as is appropriate under the circumstances, including dismissal, suspension with or without pay, leave without pay, or any other step that it believes is necessary. NCP will make an independent assessment of whether personnel action should be taken. It may place an employee on leave without pay while criminal proceedings are pending, but NCP is not required to await the

conclusion of criminal proceedings nor is it bound by the outcome of the criminal justice system. NCP's decision with respect to personnel action will include, but is not limited to, consideration of the nature and severity of the offense, whether it involves violence, theft, immorality or dishonesty, the position and responsibilities of the employee, and all other relevant circumstances.

## **Q.5010 ETHICS AND CONFLICTS OF INTEREST**

Employees are expected to use good judgment, adhere to high ethical standards, and avoid situations that create an actual or perceived conflict between their personal interests and those of the organization. NCP requires that the transactions employees participate in are ethical and within the law, both in letter and in spirit.

NCP recognizes that the different organizations have different codes of ethics. Conduct that may be acceptable by others outside of NCP as "standard practice," is not necessarily acceptable at NCP. There is no way to develop a comprehensive, detailed set of rules to cover every situation. The tenets in this policy outline some basic guidelines for ethical behavior at NCP. Whenever employees are in doubt, they should consult with the Connectional Presbyter.

Conflicts of interests or unethical behavior may take many forms including but not limited to the acceptance of gifts from vendors or potential vendors. Gifts from vendors or potential vendors may only be accepted if they have a nominal retail value and only on appropriate occasions (for example, a holiday gift). Employees are cautioned not to accept any form of remuneration or non-business related entertainment from vendors or potential vendors, nor may employees sell to third parties any information, products, or materials acquired from the organization.

Employees may engage in outside business activities, provided such activities do not adversely affect NCP or the employee's job performance and the employee does not work for a vendor. Employees are prohibited from engaging in financial participation, outside employment or any other business undertaking that is prejudicial to the best interests of NCP. Employees may not use proprietary and/or confidential information for personal gain or to the detriment of NCP, nor may they use assets or labor for personal use without permission from the Connectional Presbyter and the COL.

If an employee, or someone with whom the employee has a close personal relationship, has a financial, personal or employment relationship with a vendor or potential vendor of the organization, the employee must disclose this fact in writing to the COL. The committee will determine what course of action must be taken to resolve any conflict it believes may exist. In appropriate circumstances, NCP may be forced to ask the employee to take action to eliminate the conflict or tender their resignation. NCP has sole discretion to determine whether such a conflict of interest exists. Employees are encouraged to seek assistance from the Connectional Presbyter and the COL with any legal or ethical concerns.

## **Q.5011 SOLICITATION AND DISTRIBUTION OF LITERATURE**

### **A) By Non-Employees**

In an effort to ensure a productive and harmonious work environment, persons not employed by NCP may not solicit or distribute literature in the workplace at any time for any reason without permission from the Connectional Presbyter or the COL.

### **B) By Employees**

Employees may not solicit or distribute literature concerning non-work events, organizations, or activities during working time or in any working areas without permission from the Connectional Presbyter or the COL.

### **C) Posting of Literature**

The posting of written solicitations on NCP bulletin boards is prohibited without permission from the Connectional Presbyter or the COL.

## **Q.5012 MILITARY/RESERVE LEAVE**

NCP will abide by all applicable provisions of the Uniformed Services Employment and Re-Employment Act.

## **Q.5013 OTHER POLICIES**

### **A) Outside Employment**

NCP has no objection to an employee holding another job as long as there is no conflict of interest and they can effectively meet the performance standards for their position with NCP. Each employee must think seriously about the effects that such extra work may have on the limits of their endurance, overall personal health, and effectiveness with NCP. NCP holds all employees to the same standards of performance and scheduling demands and cannot make exceptions for employees who hold outside jobs.

### **B) Employment References**

Requests for references from persons outside NCP concerning current, retired, or terminated employees must be submitted in writing to the Connectional Presbyter. References are limited to dates of employment, title or job position, and verification of salary range for the position, if requested by a prospective employer. Only the Connectional Presbyter and the COL are authorized to release such information.

### **C) Mortgage and Loan Information**

NCP will honor requests from bank and mortgage institutions for employees who are applying for mortgages/loans, provided that the employee has provided



written authorization for release of such information. Such requests must be in writing and directed to the Connectional Presbyter.

D) Release of Employee Information

NCP complies with State and Federal regulations in releasing employee information and strives to ensure that the confidentiality of the employees' records is reasonably maintained.

E) Changes in Employee Status

Employees will report to the Connectional Presbyter, in writing, if there are any changes to the employee's name, address, phone number, or other changes that may have an impact on the employee's benefits.

## **Q.5014 EMPLOYEE PERSONNEL FILES**

Employees may review their personnel files by appointment with the Connectional Presbyter. Employee records will not be released to any other person without written permission from the employee.

Employee personnel files may include the following:

- Resume and documentation of reference checks
- Position description
- Dates and amounts of salary adjustments
- Annual performance evaluations
- Attendance records
- Records of discipline (including discipline for violation of EEO policies) or resolution of personnel matters
- Other relevant materials

Any medical records, workers' compensation claims, charges or allegations that the employee has been a victim of discrimination, harassment, or retaliation will be separately maintained and shall not be a part of the employee's personnel file.

## **Q.6000 – BENEFITS**

### **Q.6001 SOCIAL SECURITY**

All employees except for those in ordained exempt positions are covered by the Federal Old Age and Survivors Benefits Act (Social Security). For Social Security purposes, ordained Ministers of Word and Sacrament of the PC(USA) are considered self-employed with respect to their ministerial services.

### **Q.6002 RETIREMENT SAVINGS PLAN**

The retirement savings plan is a 403(b) defined contribution plan administered by the Board of Pensions of the PC(USA). The plan is available to all employees of the Presbytery. Contributions to the plan come from the employee's voluntary

contributions. Generally, these contributions are not subject to Federal or State income tax, nor are the investment earnings taxed on an annual basis. Both the investments and the earnings are taxed on withdrawal. Contributions must follow IRS regulations. Since this is a retirement plan, according to law, funds usually may not be withdrawn until age 59½, although some special circumstances permit earlier withdrawal. If an employee leaves the employ of NCP, investments may be left in place or may be transferred to another qualifying plan.

### **Q.6003 HEALTH INSURANCE**

Medical insurance for called and elected ordained personnel will be provided in accordance with the guidelines of the Board of Pensions of the PC(USA). Other employees scheduled to work on-average 20 or more hours a week are eligible for individual health insurance. The specific plan will be selected by the Connectional Presbyter and the COL. The Presbytery will pay 100% of the cost for individual coverage. Family members may be added at the employee's expense. It is possible that future financial conditions may require changes in coverage and employee participation in premium costs. If an employee chooses not to enroll in the health insurance plan, any potential adjustments to the salary or overall compensation of the employee are at the discretion of the Connectional Presbyter after consultation with the COL.

### **Q.6004 VACATION**

#### A) Connectional and Missional Presbyters

Vacation time for the Connectional and Missional Presbyters will be at least four weeks with an additional week granted for twenty or more years of experience. Vacations will be scheduled in accordance with their terms of call and in consideration of the needs of the Presbytery.

#### B) Other Employees

Employees working 20 hours per week or more will be granted vacation time with pay based on the years of service which will be completed during the current calendar year, as follows:

- One-half to less than one year of service: 1 week
- 1 Year to 2 years of service: 2 weeks
- 3 Years to 9 years of service: 3 weeks
- 10 Years service or more: 4 weeks

In the first year of service, an employee starting work prior to June 30 will be eligible for one week of vacation benefit after six months of service, beginning the first of the month in which that anniversary falls. All employees starting work after June 30 shall become eligible for vacation benefits in the following calendar year, in accordance with the above schedule. All employees shall negotiate their vacation times with the Connectional Presbyter. Up to one week of unused vacation may be carried forward into the following year.

Employees working under 20 hours per week will have vacation as negotiated at time of employment and approved by COL.

### **Q.6005 HOLIDAYS**

All full-time employees are entitled to the following 14 paid holidays: New Year's Day, Martin Luther King Day, Presidents' Day, Good Friday, Monday after Easter, Memorial Day, Juneteenth, Independence Day, Labor Day, Thanksgiving Day, Thanksgiving Friday, Christmas Eve, Christmas Day and New Year's Eve Day. When a designated holiday falls on a Saturday, the Friday immediately preceding shall be observed (with the exception that when Christmas falls on Saturday, the observed date shall be the following Monday). When a designated holiday falls on a Sunday, the Monday immediately following shall be observed. Part-time employees working 20 hours a week or more are entitled to holidays with pay if such holidays fall on scheduled work days.

If any employee of NCP works on a holiday, they may choose to take another day in observance of the holiday. Likewise, if a holiday falls on a day normally taken as a Sabbath day by the Connectional or Missional Presbyters, they may choose to take another day in observance of the holiday.

### **Q.6006 WORKERS' COMPENSATION INSURANCE**

All employees shall be covered by the Workers' Compensation Law of Delaware.

### **Q.6007 SICK LEAVE**

On January 1, full-time employees shall become eligible for 10 days of sick leave for the forthcoming year. Accumulated sick leave not used that year may be carried into the next year, up to a cumulative total of 30 days. At the termination of employment (either voluntary or involuntary), an employee shall have no claim for pay in lieu of unused sick leave. Sick leave entitlement during the first year of employment will be prorated according to length of employment. To be eligible for sick leave, the absence must not be due to injury a) intentionally self-inflicted, b) attributed to illegal drugs, c) incurred while committing a felony, d) resulting from employment of any kind other than employment by the church, or e) to illness attributed to use of illegal drugs. Medical certification of illness or injury may be required for qualification and/or return to work.

### **Q.6008 DISABILITY**

Full-time employees who are, according to certification by a licensed physician, temporarily disabled and who are not covered by a required state disability plan, shall receive full salary and benefits for a period of such disability not to exceed 90 days, at which time if disability continues, application may be made for disability benefits from the Board of Pensions for members of the PC(USA) Pension Plan. This

policy shall apply to all medically certified disabilities, including pregnancy-related disability. If a part-time staff member is unable to perform their duties because of disabling injury or illness, including disabling pregnancy that renders the employee unable to perform the duties of the position, the employee may be granted disability leave of up to three months. Disability leave is unpaid except that the employee may take unused vacation or sick days during the leave. The COL, in consultation with the Connectional Presbyter, will determine whether it is necessary to replace an employee during or at the conclusion of disability leave. Limitations for Disability are the same as for Sick Leave (Q.6008). A physician's certificate indicating the employee is unable to work for medical reasons will be required.

#### **Q.6009 PARENTAL LEAVE**

Full-time employees with one year's service are eligible for leave immediately preceding and following the birth, adoption or guardianship of a child. Application for, and extent of, leave must be submitted through the Connectional Presbyter to the COL.

#### **Q.6010 FAMILY LEAVE**

Requests for family leave will be handled on a case-by-case basis. Requests will be made to the Connectional Presbyter who will make a recommendation to the COL for final disposition.

#### **Q.6011 OTHER LEAVES OF ABSENCE WITH PAY**

Leaves of absence with pay for full-time employees are as follows:

- For regular training period in the U.S. Armed Forces: Up to two weeks annually.
- Jury duty: Up to two weeks annually.
- Marriage of an employee who has 1 year or more of service: Up to three days.
- Death in family. In case of death in the immediate family (spouse, parent, parent-in-law, child, brother, sister, grandparent, son-in-law, daughter-in-law), the employee will be paid normal salary for up to four days of absence. The exact length of absence shall be established by the Connectional Presbyter according to the needs of the situation.
- Personal and family emergencies that cannot be cared for outside working hours: up to three days with advanced approval of the Connectional Presbyter.

#### **Q.6012 OTHER LEAVES OF ABSENCE WITHOUT PAY**

Such leaves may be granted at the discretion of the Connectional Presbyter, and the COL.

#### **Q.6013 EMERGENCY LEAVES OF ABSENCE WITH PAY**

Such leaves may be granted by the Connectional Presbyter, and the COL in the event of family crisis, critical illness, or critical injury to an employee or to a member of an employee's immediate family.

## **Q.6014 ALLOWANCES**

### **A) Housing Allowance (Clergy)**

For staff members of NCP who have ordained status, a portion of their compensation may be designated as housing allowance. The amount of the housing allowance will be established each year on the basis of an estimate provided by each ordained staff member, and will be explicitly so designated in their terms of call. The housing allowance is ordinarily nontaxable for income tax reporting purposes to the extent that the ordained staff member's expenses incurred in renting or owning and maintaining a primary residence equals or exceeds the allowance. It is the responsibility of an ordained staff member claiming a housing allowance to ensure that this is the case.

### **B) Study and Sabbatical Leaves (Connectional and Missional Presbyters)**

A minimum of two weeks' annual study/continuing education leave with pay will be granted for the Connectional and Missional Presbyters. Annual study leave may be accumulated from year to year for up to three (3) years, with the total accumulation of leave being no more than six (6) weeks. Unused funds may be escrowed for up to three years by request of employee. In addition, the Connectional and Missional Presbyters will be eligible for a two-month paid Sabbatical Leave every five years, in consultation with each other and the COL.

### **C) Travel**

Reimbursement for use of personal vehicles will be at the current IRS-approved business rate.

## **Q.7000 — GENERAL POLICIES**

It is the policy of NCP that employment relationships are at-will. Either NCP or the employee may terminate the employment relationship at any time with or without cause, except as otherwise required by law.

Terminations may occur for many reasons including voluntary resignation, involuntary separation, dismissal, reduction in force, job abandonment, and retirement.

All decisions regarding termination of employment will be made without discrimination on the basis of race, color, national origin, gender, age, marital status, sex, sexual orientation, gender identity or expression, genetic information, physical or mental disability, citizenship status, marital status, or any other category protected by law. Religion or religious affiliation shall not be used as a basis for termination from employment except for positions in which religion is a bona fide occupational qualification or an employee engages in conduct that is not in keeping with the religious mission of the organization.

## **Q.7001 VOLUNTARY SEPARATION**

Voluntary separation is the result of the employee's decision to voluntarily resign or

retire from their position. Employees should give at least two weeks' notice. When an employee resigns or retires, vacation will be prorated for months worked during the calendar year. If the employee has not taken the prorated vacation days, pay in lieu of vacation will be added to the employee's final paycheck, provided two weeks' notice has been given. Any unused continuing education time is forfeited.

#### **Q.7002 INVOLUNTARY SEPARATION**

Involuntary separation may occur because of reorganization, retrenchment of programs, or other circumstances beyond the control of, or through no fault of, the employee. All such employees will be given a minimum of two weeks written notice, or at NCP's discretion, payment in lieu of notice, and will be paid for time worked plus prorated unused vacation time. NCP reserves the right in its sole discretion to determine the applicability of this section to the employee's termination.

#### **Q.7003 DISMISSAL**

Employment at NCP is at-will. This means that an employee may be terminated with or without cause for any reason that NCP, at its sole discretion, believes to warrant separation from employment, including, but not limited to: unsatisfactory job performance; refusal to do assigned work; unexcused absences; tardiness; incompetence; insubordination; neglect or misuse of employer's property or funds; sexual harassment or misconduct; failure or refusal to observe employer's policies or a violation of this handbook; use of alcohol or illegal drugs on the job; reporting to work under the influence of drugs or alcohol; conduct that may damage the reputation of NCP or which is not in keeping with NCP's mission, vision, goals, religious doctrine, or moral philosophy; and illegal, dishonest, unethical, or disreputable conduct.

The forgoing is not an exclusive list of the reasons for dismissal from employment and is included for illustration only. Employees who are dismissed will receive the cash equivalent of their unused, earned vacation and no other payment.

#### **Q.7004 EXIT INTERVIEW**

For all terminations, an exit interview should be held with the employee by the Connectional Presbyter and COL representation if requested.

#### **Q.7005 SEARCH TEAM**

In the event of a vacancy in the positions of Connectional Presbyter or Missional Presbyter, COL shall consult with the Committee on Representation and Nominations (CORN) to nominate a search team of no fewer than five people to be elected by NCP, with one member included from COL. COL will also be responsible for developing a position description which shall be approved by NCP.

## **Q.8000 – REVIEWS**

### **Q.8001 EMPLOYEES**

The Committee on Leadership, in conjunction with the Connectional Presbyter, shall conduct an annual discussion of performance with the Accounting Administrator/ Treasurer and the Administrator/Assistant Stated Clerk. This review shall include a discussion of accomplishments in relation to:

- elements of the position description;
- identification of any areas within the position description that suggest changes in the description and future program due to changes in the needs or priorities of the organization;
- discussion of the goals and objectives for the ensuing period;
- review of training, professional development, and continuing education opportunities; and
- stewardship of Presbytery resources.

### **Q.8002 CONNECTIONAL AND MISSIONAL PRESBYTERS**

Performance reviews will be scheduled on an annual basis by the Committee on Leadership for those holding the positions of Connectional Presbyter and Missional Presbyter. The annual reviews for the Connectional Presbyter and the Missional Presbyter will be conducted by the COL, with input invited from other committees, commissions, and individuals with whom the Presbyters have worked closely.

More extensive evaluations of those holding the positions of Connectional Presbyter and Missional Presbyter will be conducted by the COL near the close of their terms of office in preparation for recommendations to the Presbytery regarding renewal or change in position/staff structure.

### **Q.8003 ANNUAL COMPENSATION REVIEW**

The Committee on Leadership, with input from the Connectional Presbyter, will annually review the adequacy of compensation for each employee of NCP considering cost of living, the employee's performance, its available resources, and other factors in determining employee wages and salary. Salary scales shall meet the provisions of laws covering minimum wages and overtime compensation.

## **Q.9000 – POLICY ON USE OF COMPUTERS AND E-MAIL**

### **Q.9001 ACCEPTABLE USES OF NCP ELECTRONIC SERVICES**

Every employee has a responsibility to maintain and enhance NCP's public image and to use NCP's electronic equipment and access to the Internet in a productive manner. NCP cannot control the availability of Internet information or restrict access to it. All employees must therefore understand that they are responsible for the material they access and download.

## **Q.9002 NOTICE OF MONITORING OF NCP'S ELECTRONIC SERVICES**

In accordance with Delaware law, all employees are notified that NCP, its agents, or representatives may monitor or intercept any electronic mail or transmission or Internet access or usage on any computer, equipment, or other electronic device in the workplace or which takes place on NCP computers, equipment, or other electronic devices. Any improper use of NCP computers, the Internet, or e-mail is not acceptable and is not permitted.

## **Q.9003 UNACCEPTABLE USES OF NCP ELECTRONIC SERVICES**

NCP's computers, equipment, or other electronic devices, including e-mail and Internet access may **NOT** be used for:

- A) Transmitting, retrieving, displaying, printing, storing or otherwise disseminating any communications, including images and documents, which are fraudulent, discriminatory, intimidating, illegal, harassing, embarrassing, abusive, sexually explicit, obscene, profane, offensive or defamatory.
- B) Transmitting, retrieving, displaying, printing, storing or otherwise disseminating any messages with derogatory or inflammatory remarks about an individual's race, age, sex, sexual orientation, gender identify or expression, disability, religion, national origin, physical attributes, or any other characteristic protected by federal, state and local laws.
- C) Transmitting confidential, proprietary or privileged information or material concerning NCP without authorization.
- D) Any other purpose which is illegal or against NCP's policies or contrary to NCP's best interest.
- E) Personal advertisements, solicitations of non-NCP's business, political material, or for personal gain.

Employees encountering any such prohibited use should report it to the Connectional Presbyter or to the COL.



**EMPLOYEE ACKNOWLEDGEMENT/DISCLAIMER FORM**

I have received a copy of the Personnel Policies of the New Castle Presbytery (NCP) as set forth in Appendix Q of THE MANUAL of NCP, and have read and understood these policies. I also understand that NCP is an at-will employer and, as such, employment by NCP is not for a fixed term or definite period and may be terminated at any time at the will of either party, with or without cause. In addition, I understand that the Personnel Policies set forth in Appendix Q reflect the policies and procedures of NCP in effect as of the date of publication of Appendix Q. I additionally understand that the Personnel Policies of Appendix Q do not create or constitute a contract between any employee and NCP. I also understand that these policies and procedures are subject to continuing evaluation and may be amended, modified, or discontinued at any time by NCP.

I also acknowledge that, in accordance with Delaware law, I have been advised that any electronic mail or other electronic transmission of communications in the workplace of the NCP is subject to monitoring and interception. Such monitoring and interception may include accessing and use of the Internet on any computer or other electronic device in the workplace, whether or not provided by the NCP.

Sign and date to acknowledge receipt of this document, and return it to the Connectional Presbyter.

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

# APPENDIX R

## DISMANTLING RACISM POLICY

### R.1000 — COMMITMENT TO POLICY

New Castle Presbytery makes a commitment to offer, provide resources for, and to publicize educational opportunities that focus on dismantling racism within our church institutions (Presbytery and congregations) and the communities we serve. The Presbytery intends to provide a training that is both didactic and experiential to incorporate the following elements and concepts:

- A theological grounding in our call to a Beloved Community
- Our local Delaware and Maryland history, including Presbyterian church history
- Core concepts of institutionalized racism and its manifestation at the individual level
- A new awareness of the impact of church policies and decisions on people of color
- Tools and strategies to develop anti-racist behavior and culture within our church life

A) The Dismantling Racism training shall be required at least once every three years for:

- 1) All Ministers of Word and Sacrament who are serving as pastors to a congregation or otherwise engaged in a Validated Ministry are required to attend New Castle Presbytery's educational program on Dismantling Racism within one year after their arrival. Failure to fulfill this requirement within the specified time will result in unpaid administrative leave until it is completed. This requirement will be included in the terms of call. Notation of participation will be made in their permanent file. The New Castle Presbytery will communicate to Pastoral Nominating Committees and presbyteries who are requesting references on the status of candidates with respect to this requirement.
- 2) Commissioned Ruling Elders (CREs) and Ruling Elders elected to serve on the ~~Committee~~ *Commission* on Ministers and Congregations (COMC) and the ~~Committee~~ *Commission* on Preparation for Missional Ministry (CPMM) are required to participate in a training within one year of being commissioned (CRE) or elected to COMC or CPMM.
- 3) All Candidates for Ministry are required to attend a Dismantling Racism training or similar training (approved by the Presbytery). In the event that the timing or location of a training is not feasible, the candidate may work with CPMM to determine an alternative means to meet this requirement.
- 4) All Presbytery staff are required to attend within one year of hire/election.
- 5) The Presbytery strongly encourages honorably retired teaching elders, ruling elders serving in leadership roles in the Presbytery, session members and other

congregational leaders to participate in such trainings.

B) Proposed Training Schedule & Locations

If the way be clear, the inaugural training will be carried out in 2020, or as soon thereafter as possible.

The Presbytery will offer multiple training opportunities during the next two years to ensure adequate time to meet this new requirement. Current members of the Presbytery and staff required to participate in a Dismantling Racism training will be expected to complete their first training by the end of 2021. The trainings will be offered in different locations, to be determined in consultation with the ~~Committee~~ *Commission* on Ministers and Congregations.

The Presbytery will offer at least one Dismantling Racism training per year beginning in 2021, based on demand.

While “in-person” training sessions are preferable, on-line training may be provided if social distancing requirements are in effect.

C) Training Administration & Oversight

This policy will be administered by the ~~Committee~~ *Commission* on Ministers and Congregations and the Connectional Presbyter who shall provide oversight and authorize the hiring of training consultants. The COMC is responsible for reviewing follow-up reports from training participants and evaluating the effectiveness and impact of the trainings.

A Dismantling Racism Training Team shall be established as a Special Committee in order to develop the training curriculum, identify potential trainers and coordinate the training events. The COMC shall appoint the members of the Team who shall make regular reports to the COMC on their activities.

The Connectional Presbyter is responsible for ensuring notation of TE and CRE participation is made in their permanent files and notifying them of compliance deadlines. The Presbytery will communicate to Pastoral Nominating Committees and presbyteries who are requesting references on the status of candidates with respect to this requirement.

Either the Connectional Presbyter or Missional Presbyter will serve as staff support to the Team.

D) Provision for Training Evaluation & Policy Review

The COMC shall also undertake an initial review of this policy by the end of 2023 and bring recommendations for any changes to the policy or training requirements to Presbytery in 2023.

## **R.2000 — FUNDING**

The Presbytery shall designate funding in the Presbytery Budget in order to provide these trainings, to be led by an outside organization or consultants. Each training is expected to accommodate 30 to 40 participants.

# APPENDIX S

## ADMINISTRATIVE LEAVE

### S.1000 — BACKGROUND

The Book of Order speaks to the matter of administrative leave for Ministers of Word and Sacrament and commissioned Ruling Elders in the context of disciplinary cases in D-10.0106 of the Rules of Discipline. To supplement this provision for administrative leave, New Castle Presbytery (hereafter the Presbytery) has adopted its own Policy on Administrative Leave, including the following rationale, process, and explanations of terminology.

### S.1001 RATIONALE

Should a Minister of Word and Sacrament or commissioned Ruling Elder member of the Presbytery become subject to judicial process under the Rules of Discipline, or be found non-compliant with the mandated policies of the Presbytery, strain may develop in the relationship between the Minister of Word and Sacrament or commissioned Ruling Elder and the congregation or other institution under the jurisdiction of the Presbytery being served, such as the staff of the Presbytery or the Campus Ministry at the University of Delaware. Such a strained relationship may occur independent of the validity of any accusations or the outcome of process involved. An Administrative Leave may alleviate any additional discord or stress, both for the congregation/institution, and the Minister of Word and Sacrament or commissioned Ruling Elder, by providing a safe separation. An Administrative Leave may also relieve the Minister of Word and Sacrament or commissioned Ruling Elder of continued pastoral/professional work in the midst of a potentially conflicted situation.

The Presbytery has sought to broaden the scope of administrative leave described in D-10.0106 and to streamline the process by applying its own Policy on Administrative Leave in the following situations:

- In matters of disciplinary allegations not specifically mentioned in D-10.0106.
- In non-disciplinary matters where a Minister of Word and Sacrament or Commissioned Ruling Elder is found to be non-compliant with mandated policies of the Presbytery, specifically its Code of Ethics or its Sexual Misconduct Policy as set forth in Appendix G and Appendix P, respectively, of THE MANUAL.
- In ways found to be more expedient, should they prove to be in the best interest of the Minister of Word and Sacrament or Commissioned Ruling Elder and/or congregation/institution involved.

## **S.1002 PROCESS**

When the Stated Clerk of the Presbytery receives a written complaint in keeping with D-10.0106 of the Rules of Discipline, or a written complaint that alleges a violation of the Code of Ethics or Sexual Misconduct Policy of the Presbytery, the Stated Clerk shall consult on the complaint with the moderator of ~~Committee~~ *Commission* on Ministers & Congregations (the COMC) and the chairperson of the Committee on Leadership (COL). If, in their judgment, the complaint warrants an Administrative Leave, the Stated Clerk will notify the Minister of Word and Sacrament or Commissioned Ruling Elder and-session involved (or the Committee on Leadership in the case of a member of the staff of the Presbytery or other institution under the jurisdiction of the Presbytery). The COMC will be asked for its concurrence in the action at its next meeting, and shall then serve as the body responsible for establishing the financial and other terms set forth in the Administrative Leave Policy Agreement of Section S.3000.

## **S.1003 TERMINOLOGY**

- A) **Definition:** Administrative Leave means an imposed leave of absence from professional duties for a Minister of Word and Sacrament or Commissioned Ruling Elder who is a member of the Presbytery and/or is in a position under the jurisdiction of the Presbytery.
- B) **Term of Leave:** The duration of an Administrative Leave will depend on the time needed for resolution of the matter involved, either by an investigative and judicial process or another procedure. The investigation will proceed to conclusion with all deliberate speed, mindful of the financial obligations of the congregation/institution involved.
- C) **Financial Terms:** The congregation/institution involved will honor the terms of call of the Minister of Word and Sacrament or Commissioned Ruling Elder on Administrative Leave unless or until the congregation/institution votes to change them by modification of the agreement prepared in accordance with S.3000, with the approval of the COMC. In the case of a congregation, financial terms for temporary pastoral services will be addressed by the COMC on a case-by-case basis.

## **S.2000 CONDUCT OF THOSE ON ADMINISTRATIVE LEAVE**

A Minister of Word and Sacrament or Commissioned Ruling Elder on Administrative Leave shall comply with the following requirements:

- A) Remain out of all buildings and off grounds of the church/institution involved (excluding a church manse or school on a church property where the Minister of Word and Sacrament or Commissioned Ruling Elder is acting in the role of a parent of a child enrolled in the school) throughout the duration of Administrative Leave.

- B) Not initiate or sustain contact with any member of the staff of the church/ institution involved, except for one member of the staff who, by prior mutual agreement, may be designated to deliver personal mail or other personal effects to the Minister of Word and Sacrament or Commissioned Ruling Elder on Administrative Leave.
- C) Not attend any session, board, committee or other meetings or activities of any other body of Presbyterian Church (U.S.A.). As indicated in B) above, a Minister of Word and Sacrament or Commissioned Ruling Elder on Administrative Leave may, by prior mutual agreement, communicate with one session or staff member to receive delivery of personal items.
- D) Not initiate nor sustain contact with any member of the congregation/institution involved, except for contact as authorized by the Stated Clerk of the Presbytery for the purposes of investigation for the defense, or as specified in B) and C) above. Even where non-church events are involved, such as scouting, school or sports programs, a Minister of Word and Sacrament or Commissioned Ruling Elder on Administrative Leave shall not use social contacts at such events to garner support for her/his case.
- E) Not conduct worship services, weddings, funerals, administer the sacraments or engage in any form of pastoral leadership in any setting, which will include services in a congregation in which the Minister of Word and Sacrament or Commissioned Ruling Elder has served, in any other congregation in the Presbytery or in any other presbytery, and in funeral homes and wedding chapels. For exceptions where extraordinary pastoral care needs are involved, the Stated Clerk of the Presbytery, or the chairperson of the COMC may be consulted.

### **S.2001 SUPPORT FOR THOSE ON ADMINISTRATIVE LEAVE**

When a Minister of Word and Sacrament or Commissioned Ruling Elder is on Administrative Leave, the COMC will assign a team to meet with the church session (or other institutional body involved). The COMC will also assign person(s) to provide pastoral care to the Minister of Word and Sacrament or Commissioned Ruling Elder on Administrative Leave and to her/his family. Additionally, where the church is involved, the COMC will appoint a temporary moderator of the session if necessary.

### **S.2002 ENFORCEMENT OF THE ADMINISTRATIVE LEAVE POLICY**

Any violations of the requirements set forth in S.2000 above, as identified by the team referenced in S.2001 or otherwise reported to COMC, will be referred to the Stated Clerk of the Presbytery. Such violations will be considered disciplinary offenses subject to initiation of a judicial process, including possible formation of an

investigating committee for the Minister of Word and Sacrament or Commissioned Ruling Elder and/or an administrative commission if a congregation is involved.



**S.3000 ADMINISTRATIVE LEAVE POLICY AGREEMENT**

Date of Agreement \_\_\_\_\_

During the Period of Administrative Leave, for Minister of Word and Sacrament or Commissioned Ruling Elder \_\_\_\_\_ (name), which is to extend from \_\_\_\_\_ to \_\_\_\_\_ (dates), the session and congregation of \_\_\_\_\_ (church)

OR

The following institution under the jurisdiction of the Presbytery \_\_\_\_\_ (name) agrees to pay said Minister of Word and Sacrament or Commissioned Ruling Elder according to her/his current terms of call.

If an Administrative Leave is extended beyond the period of time above specified owing to a lack of cooperation by or on behalf of said Minister of Word and Sacrament or Commissioned Ruling Elder, thereby causing a delay in the investigative and/or judicial process, the congregation/institution involved has the right to amend the terms of call of said Minister of Word and Sacrament or Commissioned Ruling Elder, subject to the approval of COMC, during any extension of the Administrative Leave. Any such amendments of in the terms of call should be negotiated by the COMC and the session (or other institution in the Presbytery involved) and put before the congregation or the Presbytery (or other institutions) for approval. The Presbytery recommends that no payments be made from said Minister of Word and Sacrament's/Commissioned Ruling Elder's discretionary funds while her/his Administrative Leave is in effect.

Signatures/Printed Names:

Minister of Word and Sacrament/Commissioned Ruling Elder

\_\_\_\_\_

COMC Representative

\_\_\_\_\_

Clerk of Session (if applicable)

\_\_\_\_\_

Stated Clerk of the Presbytery

\_\_\_\_\_