

# **Manual of Administrative Operations of the Presbytery of San Diego**

**Initially Prepared by:**

The Restructuring Committee

**Maintained by:**

The Ecclesiastical Committee  
**Presbytery of San Diego**  
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San Diego, CA 92107

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Final Reading with changes through 05/08/2023

## RECORD OF CHANGES

| Change Number | Date     | Description   | Page(s)   |
|---------------|----------|---|---|
| 1             | 2/4/03   | Added Stated Clerk to membership of the Executive Committee of Council  | 3, 35   |
| 2             | 11/16/04 | <ol style="list-style-type: none"> <li>1. Numerous editorial changes.</li> <li>2. Revised terms for members-at-large of General Council.</li> </ol>   | 1, 5, 7–15, 22, 32, 33, 35–37, 39 & 40  |
| 3             | 10/18/05 | <ol style="list-style-type: none"> <li>1. Revisions to incorporate Mission Projects and Steering Committees per the Task Force to Evaluate Mission Programs of Presbytery.</li> <li>2. Deleted the Worship Ministry Team, which was dissolved at the September 2005 Presbytery meeting.</li> <li>3. References to Presbytery commissions; clarified various types of committees' duties.</li> <li>4. Revised the size of a quorum.</li> <li>5. Changes to reflect the shift from annual to bi-annual meetings of the General Assembly.</li> <li>6. Revisions to delete the CFO position, which was eliminated at the January 2005 Presbytery meeting; converted to the staff position of Financial Director.</li> <li>7. Incorporated the concept of Commissioned Lay Pastors.</li> <li>8. Numerous minor substantive changes.</li> <li>9. Numerous editorial changes.</li> </ol>   | All pages of this <i>Manual</i> are impacted by one or more of these items.   |
| 4             | 11/17/12 | <ol style="list-style-type: none"> <li>1. Revisions to bring various portions into conformance with the nFOG changes.</li> <li>2. Revised the geographic description of the Presbytery to include a portion of Hawaii.</li> <li>3. Eliminated “Standing Committees of Council” category. Relocated Ecclesiastical Committee to Chapter 10. Kept the Human Resources Committee in Chapter 14. Relocated Budget, Property and Finance Committee to Chapter 15. Relocated Executive Committee to Chapter 6. And Renumbered Chapter 6 to 7.</li> <li>4. Revised the number of ruling elder commissioners to Presbytery based on congregation size.</li> <li>5. Identified certain personnel practices and clarified others related to employees of the Presbytery and teaching elders installed in pastoral relationships.</li> <li>6. Identifies standing committee meeting standards, including electronic means.</li> <li>7. Transferred responsibilities of the Committee on Representation to the Nominating Committee.</li> <li>8. Identified certain functions for which the Committees on Ministry (COM) and Preparation for</li> </ol> | <ol style="list-style-type: none"> <li>1. All pages of the <i>Manual</i></li> <li>2. Chapter 1</li> <li>3. All pages of the <i>Manual</i></li> <li>4. Chapter 1, §III</li> <li>5. Chapters 2, 3, 8, 14 &amp; 17</li> <li>6. Chapter 4, §II</li> <li>7. Chapter 7</li> </ol> |

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|---|----------|--|--|
|   |          | <p>Ministry (CPM) are designated as administrative commissions.</p> <p>9. Authorized CPM to act as a commission of Presbytery for certain actions.</p> <p>10. Consolidated Evangelism &amp; Missions in Chapter</p> <p>11. Relocated Ministry Teams to Chapter 13.</p> <p>11. Identified the fiduciary relationship between the Presbytery and the Budget, Property and Finance Committee (BP&amp;F).</p> <p>12. Established a policy for travel reimbursement by the Presbytery.</p> <p>13. Clarify responsibilities for control of various budget elements.</p> <p>14. Identified special funds and the committee responsible for each fund’s administration.</p> <p>15. Brought standing rules into alignment with current Presbytery practices.</p> <p>16. Updated Standards of Ethical Conduct and clarified to whom those standards apply.</p> <p>17. Deleted “Special Organizations” section</p> <p>18. Numerous editorial changes.</p> | <p>8. Chapter 8, §IV &amp; Chapter 9, §IV</p> <p>9. Chapter 9, §IV</p> <p>10. All pages of the <i>Manual</i></p> <p>11. Chapter 15, §II &amp; §III</p> <p>12. Chapter 15, §III</p> <p>13. Chapters 11–12 &amp; 15</p> <p>14. Chapter 15, §III</p> <p>15. Chapter 16</p> <p>16. Chapter 16, §VI</p> <p>17. Chapter 16, §VII</p> <p>18. All pages of the <i>Manual</i></p> |
| 5 | 11/17/15 | Give authority to BP&F as a “commission” to do certain things on behalf of the Presbytery  |  |
| 6 | 11/13/18 | <p>1. Eliminated ministry teams as an organizational entity.</p> <p>2. Identified the mission budget; assigned responsibility for that budget to E&amp;M Committee.</p> <p>3. Streamlined oversight and budget responsibilities for mission projects.</p> <p>4. Adjusted number of members for certain standing committees.</p> <p>5. Numerous minor substantive changes.</p> <p>6. Numerous editorial changes including those required as a result of making Chapter 13 reserved for future use.</p> <p>7. Revised description of Presbytery boundaries and payments for travel within the Presbytery.</p> <p>8. Clarified stated clerk position requirements and membership in Presbytery.</p>   | <p>1–6:<br/>All pages of this <i>Manual</i> are impacted by one or more of these items.</p> <p>7. Chapters 1, §II &amp; 15, ¶III.C</p> <p>8. Chapter 2, ¶II.B</p> <p>9. Chapters 3 &amp; 12, ¶IV.B &amp; 14, §III</p>  |

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|   |          | <p>9. Clarified annual review and administrative reporting relationships for Presbytery staff personnel, and the role of the HR Committee.</p> <p>10. Added process to follow when the Permanent Judicial Commission is unable to reach a quorum.</p> <p>11. Aligned Presbytery meetings for elections with current practices.</p> <p>12. Updated requirements for electronic voting via e-mail.</p> <p>13. Expanded authority of CPM to certify candidates</p> <p>14. Clarified definition of mission projects and role of mission project steering committees for administrative and financial aspects of those committees.</p> <p>15. Clarified duties and relationships of the HR Committee.</p> <p>16. Clarified types of funds maintained by the Presbytery</p> <p>17. Noting that Ministers of the Word and Sacrament are called teaching elders throughout this <i>Manual</i>.</p> <p>18. Identified requirements for congregations to provide certain documents to the Presbytery</p> <p>19. Clarified commissioned ruling elder (CRE) appointments.</p> <p>20. Added requirements for driving vehicles for Presbytery purposes.</p> <p>21. Added the Child/Youth/Vulnerable Adults Protection Policy approved at the November 13, 2018, Presbytery meeting.</p> <p>22. Added the Sexual Harassment and Misconduct Prevention Policy approved at the November 13, 2018, Presbytery meeting.</p> | <p>10. Chapter 5, §I</p> <p>11. Chapters 2, §II &amp; 6, §III &amp; 7, §III &amp; 16, ¶VII.A</p> <p>12. Chapters 6, §I &amp; 16, ¶XI.B</p> <p>13. Chapter 9, §IV</p> <p>14. Chapter 12</p> <p>15. Chapter 14, §III</p> <p>16. Chapter 15, ¶III.B</p> <p>17. Chapter 16, ¶II.A</p> <p>18. Chapter 16, III.B</p> <p>19. Chapter 16, ¶¶IV.C &amp; D</p> <p>20. Chapter 16, ¶VI.K</p> <p>21. Chapter 16, ¶VII.C</p> <p>22. Chapter 16, ¶VII.D</p> |
| 7 | 11/19/19 | <p>1. Added text to reserved chapter 13 to make the Cyclical San Diego Committee a standing committee of Presbytery; revised other chapters accordingly.</p>   | <p>1. Fig. 1, Chapter 4, ¶II.B.1,</p>   |

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|   |          | <p>2. Revised membership requirements for all Presbytery standing committees.</p> <p>3. Clarified requirements for administrative commissions.</p> <p>4. Removed references to a Mission Budget (mission funding is line items of the Presbytery budget)</p> <p>5. Removed references to Ministry Teams (see Rev. 6, above)</p> <p>6. Granted Committee on Ministry authority to designate administrative commissions to install pastors.</p> <p>7. Stated meeting &amp; quorum requirements for Presbytery committees.</p> <p>8. Clarified requirements for PJC records of trials.</p> <p>9. Removed requirement for vacancy dues.</p> <p>10. Clarified requirements for voting by electronic means.</p> <p>11. Various editorial changes.</p> | <p>Chapters 11, 13 &amp; 15</p> <p>2. Chapter 4, ¶II.B.4 &amp; 7, Chapters 7, 8, 9, 10, 11, 14 &amp; 15, §§I</p> <p>3. Chapter 4, ¶II.C.4, Chapter 16, ¶V.B</p> <p>4. Various chapters</p> <p>5. Preface &amp; Chapter 6, ¶II.A,</p> <p>6. Chapter 8, ¶IV.B</p> <p>7. Chapter 4, ¶II.B.5 &amp; 6</p> <p>8. Chapter 5, ¶III.C &amp; ¶IV.B &amp; C</p> <p>9. Chapter 16, ¶VI.E.2</p> <p>10. Chapter 16, ¶XI.A.2</p> <p>11. All chapters</p> |
| 8 | 11/17/20 | <p>1. Identified a process to employ an interim Executive Director if approved by the Presbytery.</p> <p>2. Revised Executive Directory &amp; Stated Clerk responsibilities to ensure continuity of organizational functions in the absence of an Executive Director.</p> <p>3. Minor editorial changes for clarification or standardization of wording.</p>  | <p>1. Chapter 3, ¶I.D &amp; E</p> <p>2. Chapter 2, ¶II.B.2.o &amp; Chapter 3, ¶I.A.8, 13 &amp; 14</p> <p>3. Chapters 2 &amp; 3</p>  |
| 9 | 2/14/23  | <p>1. Replaced ‘Executive Presbyter’/ ‘EP’ with ‘Executive Director’/’ED’ throughout the document.</p> <p>2. Replaced the chapter for Evangelism and Missions Committee with the chapter for Discernment and Congregational Vitality Committee</p>  | <p>1. All chapters</p> <p>2. Chapter 11</p>   |
|   |          |   |   |

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## PREFACE

The Presbytery of San Diego is structured to achieve effective ministry, establish healthy congregations and pastors, and transform lives in accordance with the mission and ministry envisioned in the Presbytery of San Diego Mission Study, revised February 2000, and the final report of the Task Force to Evaluate Mission Programs of Presbytery of San Diego, issued November 2002.

Emphasis has been placed on establishing the Presbytery of San Diego as the “leadership cadre and catalyst for the churches within its boundaries, celebrating the Lordship of Jesus Christ under the authority of Scripture, empowering churches to minister to their congregations and communities, demonstrating what God intends for all humanity.”

The Presbytery of San Diego (hereinafter “the [or this] Presbytery”) formerly primarily was a governing body, now is primarily a relational agency, and we hope to become primarily a mission agency. Changes to the *Book of Order (BoO)* have been intended to move the Presbyterian Church (U.S.A.) (PC(USA)) “toward a more flexible, less regulatory polity.” This *Manual of Administrative Operations of the Presbytery of San Diego* (this *Manual*) may be revised from time to time as deemed necessary. A review will be made of all changes adopted by each General Assembly and approved by the presbyteries, with appropriate updates to this *Manual*.

Councils that govern the PC(USA) are composed of officers elected by the people (see *BoO*<sup>1</sup> F-3.0202) and are united by nature of the church and share with one another responsibilities, rights, and powers as provided in the Constitution of the PC(USA). The Presbytery is a council of the PC(USA) pursuant to *BoO* G-3.0101. This Presbytery is the next higher council for each member church. The Synod of Southern California and Hawaii (the Synod) and the General Assembly of the PC(USA) are the councils of jurisdiction over this Presbytery.

Additional advisory handbooks to enhance or secure the ministry of this Presbytery in carrying out its responsibilities are:

- (1) Committee on Ministry Handbook;
- (2) Committee on Preparation for Ministry Process Chart;
- (3) Budget, Property and Finance Committee financial policies; and
- (4) Employee Handbook.

This *Manual* provides policy, guidance, operational procedures, Standing Rules, and the administrative structure of the Presbytery, as presented as Figure 1. The Presbytery of San Diego has a simple structure with emphasis on a small number of standing committees and commissions of Presbytery and the Executive Committee’s focus.

Key terms used to describe the Presbytery of San Diego’s structure include:

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<sup>1</sup> All references to the *BoO* throughout this *Manual* are to The Constitution of the Presbyterian Church (U.S.A.) Part II, *Book of Order* 2019/2021.

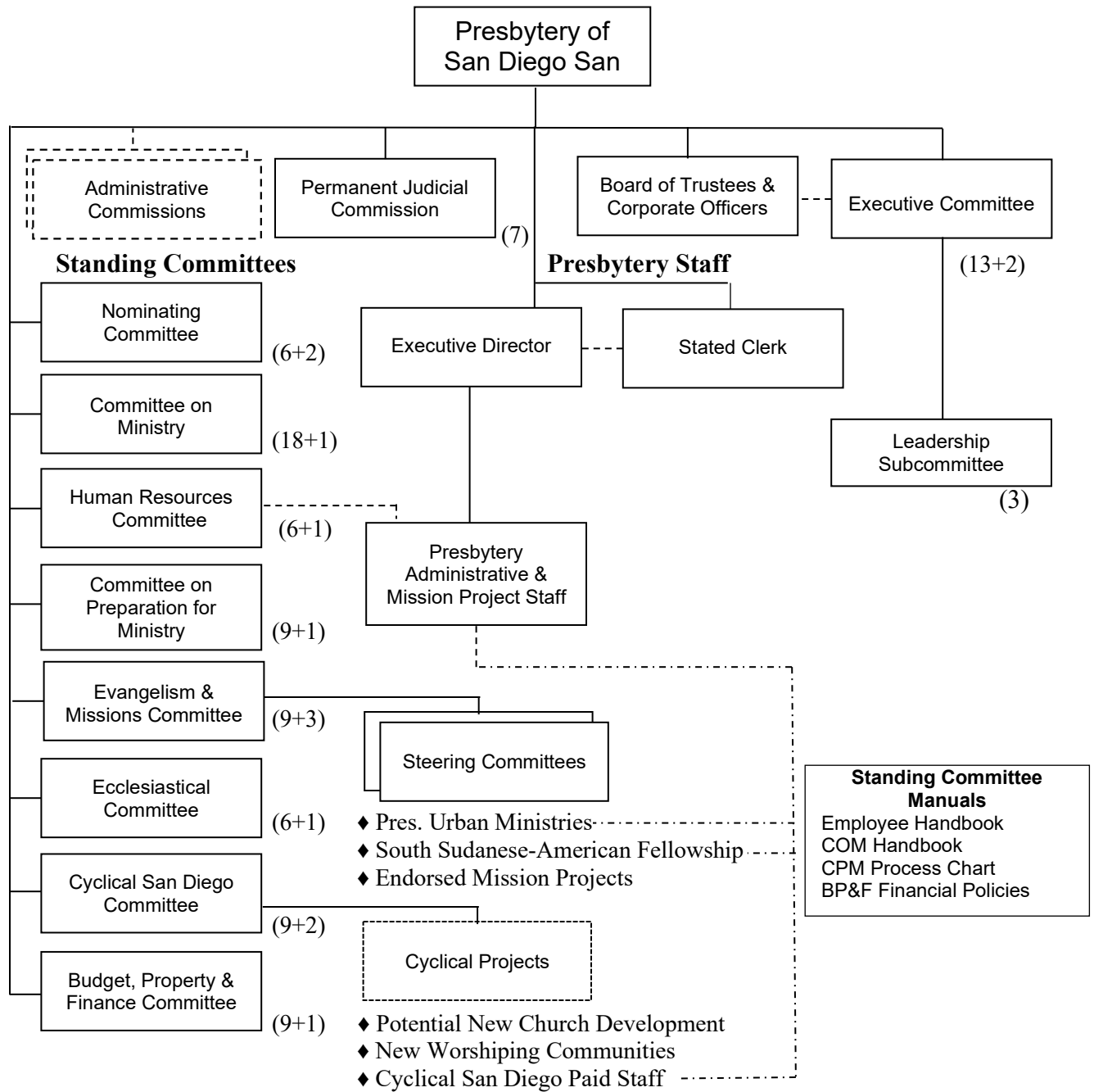
- ❑ **Standing Committees of Presbytery** — a committee that carries out duties of the Presbytery as defined by the *BoO* and/or this *Manual*. Standing committees of Presbytery are established or disestablished upon amendment of this *Manual*; specific details are provided in Chapters 7 through 16 herein.
- ❑ **Mission Projects and their Steering Committees** — groups formed to oversee and manage specific mission projects the Presbytery. Mission projects are formed upon the recommendation of the Mission and Evangelism Committee of the Presbytery; specific details are provided in Chapter 12 of this *Manual*.
- ❑ **Leadership Subcommittee of the Executive Committee** — officers of the Presbytery responsible for administrative work in support of the Executive Committee as described in Chapter 6 of this *Manual*.

The Presbytery’s structure is based on conforming to the requirements of *BoO* G-3.03 for a presbytery as a council of the church. Benefits of the structure of the Presbytery include:

- ❑ Responsive to change as the Holy Spirit leads us;
- ❑ Streamlined organizational structure to enhance ministry;
- ❑ Uses steering committees to control the work of the organizations that carry out the Presbytery’s mission projects; and
- ❑ Encourages the Presbytery to establish clear responsibilities, delegate authority closer to the front lines of ministry, and demand accountability.

All organizations of this Presbytery are to be open to the leading of the Holy Spirit in directing the Presbytery as a council. Reformed theology believes that the Holy Spirit is best received and discerned when believers are gathered together for debate and discussion. Therefore, in-person meetings of all organizations of this council are encouraged.





**Administrative Commissions**  
are designated for:

- ◆ Ordination & installation
- ◆ New Church Development
- ◆ Other G-3.0109b purposes

**Special Commissions & Committees of Presbytery**  
The Presbytery, Executive Committee and standing committees can create committees and subcommittees. Each entity reports its work to the body that created that entity. The creating body is responsible for any financial aspects of the created entity's work.

(n+m) = maximum committee membership + *ex officio* membership

**Figure 1. Presbytery of San Diego Organizational Structure**

**CHAPTER ONE**  
**THE PRESBYTERY**

I. The name of this presbytery is The Presbytery of San Diego.

II. Boundaries

The Presbytery of San Diego, which was organized on 4 January 1968, is the organizational unit and the seat of original authority of the PC(USA) realized by the convocation of all teaching and ruling elders representing churches and ministries within the counties of San Diego and Imperial, in the State of California, with the exception of that portion of Imperial County lying east of a line beginning at a point in the Colorado River two miles west of the community of Picacho, California, and proceeding on a straight line in a southwesterly direction to a point on the United States–Mexico border, two miles west of Andrade, California; and with the exception of that portion of Imperial County lying on the extreme northwesterly corner of that county, up to four miles south from the Riverside County line and up to twelve miles east from the San Diego County line.

III. Membership of the Presbytery (see *BoO* G-3.0301)

A. The Presbytery is a corporate expression of the church that comprises all of the congregations and teaching elders duly enrolled. Each congregation’s session elects ruling elder commissioner(s) as follows:

- 300 or fewer — 1 ruling elder
- 301 – 600 — 2 ruling elders
- 601 – 900 — 3 ruling elders
- 901 – 1200 — 4 ruling elders
- 1201 – 1500 — 5 ruling elders
- 1501 and more — 6 ruling elders.

Teaching elders are also called ministers of Word and Sacrament. The term “teaching elder” is used throughout this document, and should be understood to also mean ministers of Word and Sacrament.

B. The following shall also be enrolled as members of the Presbytery for their respective terms of office:

1. A ruling elder elected Moderator or Vice-moderator, whether or not commissioned by his/her session.
2. Officers of the Presbytery and chairs of the standing committees of Presbytery identified by Figure 1, and members of the Presbytery Executive Committee.
3. The Stated Clerk and Executive director.

- C. Annually, during the month of January, the Stated Clerk ascertains the number of teaching elders who are members of this Presbytery, the ruling elders that are enrolled as members of the Presbytery pursuant to paragraph A, above, and the number of ruling elders the churches are entitled to send as commissioners. When the number of teaching elders is larger than the total number of ruling elders enrolled as members, the Stated Clerk brings the imbalance to the attention of the Presbytery at its first meeting of a calendar year with a recommendation for redress.
  - 1. Presbytery redresses the imbalance and the Stated Clerk invites sessions to elect additional ruling elder commissioners.
  - 2. All ruling elders elected as a commissioner are enrolled as members of the Presbytery upon written notification to the Stated Clerk from the commissioners' sessions.
- D. Commissioned Ruling Elders (CREs) may be given voice and vote at Presbytery meetings as specified by their commission.
- E. Presbyters (teaching or ruling elders) in good standing in other governing bodies of this church or any other Christian church, who are present at any meeting of the Presbytery, may be invited to participate with voice but without vote.

#### IV. Purpose, Mission, Ministry, Powers and Duties, and Government

- A. The Presbytery is a council whose purpose is to nurture, guide, and govern those who witness as part of the PC(USA) to the end that such witness strengthens the whole church and gives glory to God (see *BoO* G-3.0101).

The Presbytery supports, nurtures, and equips its churches for effective ministry in the name of Christ to achieve the Great Ends of the Church (see *BoO* F-1.0304). The Presbytery may facilitate mission projects that are beyond the scope of individual congregations.

- B. We affirm that the Presbytery is the catalyst of Presbyterian life, enthusiasm, and leadership in San Diego and Imperial Counties and those additional areas where member-churches are within the boundary of this Presbytery. Rather than do ministry on behalf of congregations, both the Presbytery's staff and its committees are called upon to enable congregations to do ministry between and among them.

The mission of this Presbytery is to serve its congregations so that they are healthy and vital as evidenced by their fruit in bringing others to Christ, by their vibrant worship, and by their active participation in the mission of Christ's Church.

- C. The ministry of the Presbytery is to promote the worship, fellowship, nurture, and growth of its members and congregations.

- D. The members of the Presbytery are spiritual, missional and relational leaders assisting and supporting congregations to become communities of faith, hope, love and witness.
- E. The powers and duties of Presbytery are in accordance with *BoO* G-3.0301–0303.
- F. Presbytery is governed primarily by applicable portions of the Constitution of the PC(USA) and secondarily by this *Manual*.
- G. Meetings of the Presbytery, commissions, and committees shall be conducted in accordance with the most recent edition of Robert’s Rules of Order, except in those cases where *BoO* G-3.0105 or this *Manual* provide otherwise.
- H. The Presbytery constantly strives to be inclusive, within the guidelines set forth in the *BoO*, particularly soliciting the contributions of disaffected minorities. This encourages maximum use of resources across the whole Presbytery and acknowledges the pluralistic reality of life.
- I. Each committee, commission, officer, employee and enrolled member of the Presbytery shall not take any legal actions on behalf of the Presbytery Corporation that are outside the authority to act that is expressly stated for that position, within this *Manual*.

#### V. Meetings of Presbytery

- A. There are four stated meetings of Presbytery each year, held during the months of February, May or June, September and November. The Executive Committee proposes the meeting dates and venues to the Presbytery each year. All congregations of the Presbytery are encouraged to invite the Presbytery to meet at their facilities.
- B. Adjourned meetings may be held as Presbytery may determine. Special meetings may be called as directed by the Synod in accordance with *BoO* G-3.0304 and as prescribed below.
- C. Necessary changes in the date or place of stated meetings or calling special meetings may be made by Presbytery at a preceding meeting, by the Executive Committee, or by the Presbytery Moderator in an emergency, provided notification of such intention is sent to all members and to the session of every church at least ten days prior to the earlier of the dates.
- D. Notice of all meetings, other than adjourned meetings, is distributed to all members of the Presbytery and to the session of every church not less than ten days before meetings, specifying place, date, and hour. The Stated Clerk posts on the Presbytery web site the call of each meeting and material appropriate for broad dissemination, no later than ten days prior to each meeting. Business to be conducted at special meetings shall only be that stated in the call for the meeting.

- E. Each stated meeting of the Presbytery is opened and closed with prayer and includes worship planned by the Moderator and the host church. Once a year, the Sacrament of the Lord's Supper is celebrated and ordinarily includes a necrology report by the Committee on Ministry, assisted by the Stated Clerk, and a sermon by the retiring Moderator.
- F. Minutes of each stated and special meeting are the responsibility of the Stated Clerk and are distributed, in a timely manner, to the members of Presbytery. Approval of the minutes will be asked for at a succeeding stated meeting of Presbytery. Minutes of stated meetings are posted electronically on the Presbytery web site no later than ten days prior to the next stated meeting.
- G. Quorums of the Presbytery shall be any eight teaching elder members and an equal number of ruling elder members physically present, provided that at least eight churches are represented by ruling elders and the teaching elders serve in at least six different churches or other validated positions of the Presbytery, not including the Executive Presbyter and the Stated Clerk. A quorum may not be established by proxy vote.
- H. It is the responsibility of each teaching elder member and each ruling elder commissioner to be present at all stated meetings of the Presbytery. Requests for excused absences from all or part of a meeting will ordinarily be submitted to the Stated Clerk no later than one day preceding that meeting. Sessions are responsible for electing alternate ruling elders to attend. Teaching elders who have been granted the status of honorably retired will be automatically excused without a written request unless they are serving in a temporary pastoral position following the granting of such status.
- I. The intent to introduce an item of new business not already docketed or to reconsider a previous Presbytery action at a prior stated meeting of the Presbytery, shall be made in writing to the Stated Clerk within one hour after a stated meeting has been called to order. The Moderator shall announce at the next appropriate interval the item to be introduced.
- J. Ordinarily, reports distributed to the members are not read unless one-third ( $\frac{1}{3}$ ) of the members present so request, except for those reports coming from either the COM or CPM that are the statements of faith from candidates applying for membership in the Presbytery or for ordination. Reading of statements of faith published at least 10 days in advance of a meeting may be waived by an action of the Moderator with the unanimous consent of those present at that meeting. Full opportunity is given for any member present to ask questions on any part of the reports coming from any committee prior to action by Presbytery.
- K. All voting at stated, adjourned and called meetings is by those physically present; voting by proxy is not allowed.

## **CHAPTER TWO**

### **OFFICERS OF THE PRESBYTERY**

#### I. Principal Officers

The principal officers of Presbytery are the Moderator, Vice-moderator, and Stated Clerk. All officers must reside within the bounds of the Presbytery. Those officers that are ruling elders shall be an active member of a congregation of the Presbytery.

#### II. Mode of Election, Terms and Duties

##### A. Moderator and Vice-moderator

1. The Moderator is elected at the November stated meeting of Presbytery for a term of one (1) year, to take office on the subsequent January 1. The incoming moderator and vice-moderator will be formally installed at the first meeting of that year.
  - a. The Moderator possesses the authority necessary for preserving order and for conducting efficiently the business of the Presbytery. He/she convenes and adjourns the Presbytery and may, in an emergency, convene the Presbytery by written notice at a time and place to be designated in the notice. The Moderator also performs any other duties assigned by this *Manual* and/or the Presbytery.
  - b. The Moderator creates and appoints (in consultation with the Stated Clerk and/or Presbytery attorney) members of an investigating committee (IC) upon receipt of notice from the Stated Clerk that a written statement of an alleged offense(s) has been received. The Presbytery is notified when an IC has been appointed, but not the composition or purpose (see *BoO* D-10.0103 & 10.0201).
  - c. The Moderator creates and appoints (in consultation with the Stated Clerk and/or Presbytery attorney) members of a committee of counsel upon receipt of notice from the Stated Clerk that a written statement of a complaint of a remedial offense(s) has been received from an IC. The Presbytery is notified when a committee of counsel has been appointed (see *BoO* D-6.0302 & 6.0303)
  - d. The Moderator appoints (in consultation with the Stated Clerk and Executive Director, as appropriate) members of administrative commissions, subject to approval of the Presbytery.
  - e. The outgoing Moderator becomes the Chair of the Presbytery Executive Committee beginning January 1. In the event this person cannot serve as Committee Chair, the most recent past Moderator residing within the bounds of the Presbytery becomes the Chair.
2. The Vice-moderator is elected at the November stated meeting of Presbytery for a term of one (1) year, to take office on the subsequent January 1.

- a. The Vice-moderator ordinarily will be the only nominee for Moderator presented by the Nominating Committee for the succeeding year.
  - b. The Vice-moderator serves in the absence of the Moderator or when requested by the Moderator to do so.
3. In the absence of the Moderator and Vice-moderator, the next previous Moderator residing within the bounds of the Presbytery present shall perform the duties of the Moderator.
4. Ordinarily, the Moderator for a year during which a General Assembly meeting will be held, is a nominee for election as a commissioner to General Assembly, or if not a commissioner, may attend General Assembly at the expense of the Presbytery. If the Moderator is unable to attend the General Assembly, the Vice-moderator ordinarily will be a nominee for commissioner.
5. At the November stated meeting of Presbytery, the Nominating Committee presents nominations for Moderator and Vice-moderator, ordinarily alternating annually between teaching and ruling elders.
  - a. Nominations are made after consideration of the following criteria:
    - i. General knowledge of the PC(USA);
    - ii. Tenure as a member of, and service to, the Presbytery;
    - iii. Availability and adaptability to serve three consecutive years in the positions of Vice-Moderator, Moderator, and Chair of the Presbytery Executive Committee;
    - iv. Commitment to the theology and polity of the Reformed tradition
    - v. Availability to serve as a commissioner to stated and special meetings of the General Assembly;
    - vi. General knowledge of parliamentary procedures; and
    - vii. A commitment to the PC(USA).
  - b. Nominations for Moderator and Vice-moderator may be made from the floor with the consent of the individual to be nominated.
  - c. In the notice of the November stated meeting that is posted on the Presbytery web site, the Stated Clerk includes written statements or printed material regarding the

Vice-moderator nominee(s), and the Moderator nominee(s) if not currently serving as Vice-moderator.

## B. Stated Clerk

1. The Stated Clerk is elected at a November stated meeting of the Presbytery and serves for a term of three (3) years, beginning January 1 following his/her election. A new Stated Clerk is elected to fill partial terms as described below. The Stated Clerk may be either a teaching or ruling elder. When the individual is a teaching elder, this is a validated ministry when the individual is not serving in an installed position in a congregation.
  - a. Whenever a vacancy occurs in the office of the Stated Clerk, or when the Stated Clerk Evaluation Committee recommends that the incumbent not be reelected to another term, the Presbytery elects a Stated Clerk Search Committee. This special committee is responsible to the Presbytery to nominate a successor.
  - b. The Stated Clerk Search Committee consists of five (5) members, with at least two (2) each teaching and ruling elders. It identifies and evaluates potential candidates for the position after advising the Presbytery of the individual to whom suggestions and applications should be submitted. It accepts suggestions and applications for a period of not less than 30 days after it has posted notice of the open position.
  - c. The Stated Clerk Search Committee presents a nomination to the Presbytery for election to a full 3-year term. A newly elected Stated Clerk, if a teaching elder that is not a member of this Presbytery, is approved for membership in the Presbytery as described in section III of Chapter 1 of this *Manual*, upon installation in the position.
2. The duties of the Stated Clerk are those specified at *BoO* G-3.0104 and G-3.0305 and any other requirements of the *BoO* and this *Manual*, to include:
  - a. Providing the Executive Committee and the Presbytery with polity guidance regarding the *BoO*, interpretation of this *Manual*, and application of Robert's Rules of Order;
  - b. Reporting to Presbytery the receipt, disposition and/or referral of all correspondence and communications to the Presbytery;
  - c. Arranging with host churches for the logistics of Presbytery meetings;
  - d. Preparing and sending official correspondence directed by the Presbytery;
  - e. Conducting training for session clerks at least annually, in cooperation with the Ecclesiastical Committee;



- f. Preparing with input from the Leadership Subcommittee of Executive Committee and the Executive Director, the docket for that Committee's meetings;
- g. Maintaining a record of all standing committees of Presbytery, copies of minutes of their meetings, and rosters of their membership;
- h. Serves *ex-officio* without vote and supports the standing committees of the Presbytery as identified by this *Manual*;
- i. Advises administrative commissions for new church developments on the ecclesiastical and secular (corporate) tasks that must be completed prior to a new congregation becoming a stand-alone, member church of this Presbytery;
- j. Providing for the permanent safekeeping of the Presbytery's records, including transfer to the Presbyterian Historical Society; providing for safekeeping of records from any church of the Presbytery for which the congregation is dissolved;
- k. Directing the activities of the Minute Clerk, if one is appointed;
- l. Referring to the PJC any written complaint alleging an irregularity in a particular decision or action, or alleged delinquency;
- m. Referring to the Presbytery Moderator notice of a written statement of an alleged offense(s) (but not the name of the individual against whom the offense is made) and requesting the Moderator appoint an IC (see *BoO* D-10.0103);
- n. Providing support and Constitutional advice to ICs as necessary, including payment of expenses of each IC;
- o. Working collaboratively with the Executive Director (ED) to ensure continuity of necessary Presbytery functions during a temporary absence of the ED or prior to a replacement assuming the position after the ED departs from the position.
  - i. Coordinate the implementation of the Presbytery mission and decisions;
  - ii. Implement the church-wide plan for equal employment opportunities and the Presbytery's affirmative action plan;
  - iii. Serve as liaison to the General Assembly and the Synod of Southern California and Hawaii;
  - iv. Obtain references and reports of past performances from counterparts (or other appropriate individuals ) in the presbytery( or denomination) of

membership for teaching elders seeking to become members of this Presbytery;

- v. Work collaboratively with congregations and transitioning personnel to support the transition of pastors and commissioned ruling elders; and
- p. Performing other administrative tasks designated by Executive Committee or Presbytery.

### 3. Accountability

The Stated Clerk is accountable to the Presbytery through the Executive Committee in his/her performance of the constitutional requirements of the position. The Stated Clerk is accountable to the Executive Director for performance of the administrative responsibilities of the position.

### 4. Evaluation of Performance

- a. An annual performance review is conducted by the Human Resources (HR) Committee, which solicits input from the various constituencies of the Presbytery, and in consultation with the Executive Director. Should the HR Committee determine that the Stated Clerk's performance during the preceding year has been unsatisfactory, one of the two following is accomplished:
  - i. The Stated Clerk implements a set of remedial steps agreed upon with the HR Committee, with periodic review of progress during the succeeding year; or
  - ii. The HR Committee recommends to the Presbytery that the term of office be terminated and, upon vote of the Presbytery, the process to fill a vacancy in the office is initiated, as described in this Chapter (see *BoO* G-3.0104 & G-3.0110).
- b. In the third year of his/her term, an in-depth evaluation is conducted by a special committee of (5), nominated by the Presbytery Nominating Committee and elected by the Presbytery, to include representation from the HR Committee. This Stated Clerk Evaluation Committee reviews the service of the Stated Clerk and the anticipated needs of the Presbytery for the future, and makes a recommendation regarding the possible re-nomination of the Stated Clerk to an additional term. The Evaluation Committee is elected no later than the spring of the final year of the Stated Clerk's 3-year term.
- c. The Stated Clerk Evaluation Committee notifies the Executive Committee no later than September 1 of the third year of the Stated Clerk's term that the Stated Clerk has notified the Evaluation Committee if he/she does not wish to be considered for reelection or if it will not recommend reelection. A recommendation for

reelection is presented to the November stated meeting of the Presbytery, during which meeting a vote is held.

5. A Minute Clerk of Presbytery may be appointed by the Stated Clerk at the November meeting of Presbytery for a term of one (1) year, to begin service on January 1 following his/her appointment.
  - a. The Minute Clerk works under the direction of the Stated Clerk and assists him/her in the following ways:
    - i. Writing the original draft of all minutes of Presbytery meetings;
    - ii. Maintaining proper records for all stated, adjourned and special Presbytery meetings that are held during the term of office.
  - b. An acting Minute Clerk may be appointed by the Stated Clerk, for the balance of an incomplete term, any time the office becomes vacant for any reason.
  - c. The appointment of the Minute Clerk or acting Minute Clerk is ratified by the Presbytery at its next stated meeting.

### III. Vacancies

- A. Any officer except the Stated Clerk may resign by giving at least thirty days' notice to the Stated Clerk. Any vacancy by resignation or created by death, permanent disability, disqualification, or any other cause, the balance of the term shall be filled by regular election procedures at the Presbytery's earliest convenience.
- B. The Stated Clerk presents his/her resignation, allowing for at least thirty days' notice, to the Moderator.
  1. The Nominating Committee nominates a replacement to fill the unexpired portion of the Stated Clerk's term following the process described above, when a vacancy occurs in the Stated Clerk's office by any cause, for a period of one (1) year or longer. The balance of the term is filled by regular election procedures at the Presbytery's earliest convenience.
  2. The Executive Committee is authorized to appoint an acting Stated Clerk in the event that office should be vacated between meetings of Presbytery or with less than one (1) year remaining in a 3-year term; such appointment is subject to ratification by Presbytery.

### IV. Compensation

- A. The Presbytery provides remuneration for the services of the Stated Clerk and Minute Clerk, if they are not volunteers. The amount of remuneration for the Stated Clerk is

determined annually by HR Committee based on the budget allocated by the Presbytery for personnel expenses. Any remuneration for the Minute Clerk is provided from the Stated Clerk's budget.

- B. Presbytery makes provisions for the expenses of the Moderator, Vice-moderator and Stated Clerk, when those expenses are related to performance of the duties of the office. Reimbursement is in accordance with Chapter 15 of this *Manual*.

## **CHAPTER THREE** **PRESBYTERY STAFF**

### I. Executive Director

- A. The Presbytery may employ an Executive Director to provide encouraging leadership for the Presbytery to fulfill its stated purpose. An individual so employed, or another individual fulfilling the role of the Executive Director (ED), is a member of the administrative staff. The ED may be either a teaching or ruling elder. In providing this leadership, the Executive Director:
1. Implements strategic partnerships among pastors, ruling elders and congregations within the Body of Christ in the local community and throughout the world, in order to fulfill the Great Ends of the Church;
  2. Coordinates the implementation of the Presbytery mission and decisions;
  3. Serves *ex-officio* without vote and supports the standing committees of the Presbytery as identified by this *Manual* in maintaining accountability and integrity in their work;
  4. Implements the church-wide plan for equal employment opportunities and the Presbytery's affirmative action plan;
  5. Leads Presbytery personnel as head of staff for administrative staff members, including conducting annual reviews of all staff personnel;
  6. Supervises paid Presbytery mission project and Cyclical San Diego staff for administrative purposes;
  7. Serves as liaison to Synod and General Assembly;
  8. Serves as the spiritual, business, and organizational leader of the Presbytery;
  9. Obtains references and reports of past performance from counterparts (or other appropriate individuals) in the presbytery (or denomination) of membership for teaching elders seeking to become members of this Presbytery;
  10. Works collaboratively with congregations and transitioning personnel to support the transition of pastors and commissioned ruling elders (CREs);
  11. Provides personal nurture and support to the individual members of the Presbytery;
  12. Serves as the official spokesperson for the Presbytery;
  13. The ED works collaboratively with Stated Clerk to ensure a continuation of the Presbytery organizational functions as described in paragraphs 2, 4, 7, 9, and 10; and

14. Performs any other responsibilities assigned by the Presbytery, Presbytery Executive Committee, or this *Manual*.
- B. The ED is employed to serve an indefinite term. When the individual is a teaching elder, this is a validated ministry when the individual is not serving in an installed position in a congregation.
  - C. Performance reviews are conducted as follows:
    1. An annual performance review is conducted by the Human Resources (HR) Committee, which solicits input from the various constituencies of the Presbytery. Should the HR Committee determine that the ED's performance during the preceding year has been unsatisfactory, one of the two following is accomplished:
      - a. The Executive Director implements a set of remedial steps agreed upon with the HR Committee, with periodic review of progress during the succeeding year; or
      - b. The HR Committee recommends to the Presbytery that employment be terminated and, upon Presbytery's vote to terminate, the process to fill a vacancy in the office is initiated, as described below (see *BoO* G-3.0110).
    2. Every five (5) years of his/her service in this call, an in-depth evaluation of the ED's position is conducted by the HR Committee. This review evaluates the performance of the incumbent ED and the anticipated needs of the Presbytery for the future, as identified by the Executive Committee.
  - D. A special committee of Presbytery is elected to search for a new indefinite-term ED should the office become vacant for any reason.
    1. The Nominating Committee nominates an Executive Director Search Committee (ED Search Committee) of seven (7) members, to include at least three (3) each teaching and ruling elders, and to include at least one member of the HR Committee. The Search Committee is elected by the Presbytery and conducts a broad search for a new Executive Director.
    2. The HR Committee reviews the existing position description and, after consultation with other Presbytery committees as deemed appropriate, recommends to the ED Search Committee a position description and range of compensation.
    3. This ED Search Committee reviews the duties of the ED and the anticipated future needs of the Presbytery. The Committee conforms to any Synod requirements for such search committees. It accepts suggestions and applications for a period of not less than 30 days after it has posted notice of the open position. After completion of

the search process, it makes a recommendation to the Presbytery regarding the call of a new indefinite-term ED.

4. The ED Search Committee, in consultation with the HR Committee develops the position description to be used in the search process. The Executive Committee then reviews the position description for final approval.
5. The Presbytery votes to approve the employment and terms for an ED by a majority vote of those presbyters present and voting.
6. An ED, upon election to the position, is approved for membership in the Presbytery upon assuming the position, as described in section III of Chapter 1 of this *Manual*.
7. The new ED normally will be employed no sooner than 30 days after the meeting at which elected and no later than the next stated meeting of the Presbytery.

#### E. Interim Executive Director

The Executive Committee may determine that a search for a new long term ED probably will exceed six (6) months. This might include an evaluation of the Presbytery and determination that an indefinite-term ED no longer is required. Should the Executive Committee conclude that a longer period search will be required, the following process is implemented.

1. The Presbytery shall be notified at the meeting during which an ED Search Committee is to be elected (see above) that the Committee will be tasked to propose an interim ED to serve until such time as an indefinite-term ED assumes the office or employment is terminated for other good reason.
2. The interim ED shall not be involved in the search process for the new indefinite-term ED.
3. The ED Search Committee immediately initiates a search to fill the interim position.
  - a. The position description to be used for this phase of the search process shall be the description in effect at the time the position became vacant.
  - b. An interim ED, as a rule, is not eligible to be considered for an indefinite-term position. This rule shall clearly be stated in the notice posted for the interim search and the resultant interim contract. The ED Search Committee may request an exception to the rule. The process for requesting exceptions to this requirement shall follow the procedures identified in the “Committee on Ministry Handbook” for exceptions in the case of interim pastors. Any exceptions to this requirement must be included in the employment contract

- c. An interim ED is subject to the duties, privileges, responsibilities and terms for the position described above, as they may be revised from time-to-time during the period of employment.
  - d. An interim ED position is on a month-to-month basis, with a minimum 45-day notice of termination or upon the newly elected indefinite-term ED assuming the position.
  - e. An interim ED is subject to the Human Resources policies as described below.
  - f. The ED Search Committee shall notify the Executive Committee immediately upon selecting a nominee for the interim ED position.
4. The Executive Committee shall include actions on the ED Search Committee's recommendation at the next stated meeting of the Presbytery, or call a special meeting if the next stated meeting is over 30 days away. The call for that meeting shall include a motion to employ an interim ED unless previously approved by the Presbytery.
  5. The Presbytery votes to approve the employment and terms for an interim ED by a majority vote of those presbyters present and voting.
  6. The interim ED assumes the position as soon as possible after election by the Presbytery and in no case more than 30 days after that election.

## II. Administrative Staff

- A. Presbytery office administrative staff positions may be created for the Presbytery to accomplish its purposes.
  1. Position descriptions for all administrative staff members are the responsibility of the HR Committee.
  2. Employment of administrative staff originates with the HR Committee and is reported to the Executive Committee.
  3. Bookkeeper for the Presbytery

The job description for the Bookkeeper includes, but is not be limited to, the following responsibilities, as expressly approved by the HR Committee in consultation with the Budget, Property and Finance (BP&F) Committee:

- a. Support the BP&F Committee in the annual Presbytery budget process, which includes the budgets for the Presbytery missions (*e.g.*, Presbyterian Urban Ministries and South-Sudanese American Presbyterian Fellowship);



- b. Maintain current all required local and State of California non-profit organization filings for the Presbytery Corporation;
- c. Provide financial oversight of, and review financial reports of, Presbytery mission projects for compliance with good business practices and the Presbytery's financial policies, and advise the BP&F Committee regarding financial support for those Projects;
- d. Advise standing committee chairs on budget matters and actual expenses, as related to their respective committee, as requested during the year;
- e. Establish individual lines of accounting for grants received by entities of the Presbytery other than individual congregations;
- f. Present monthly financial reports to the BP&F and E&M Committees and advise those body about financial matters;
- g. Maintain financial records for the Presbytery;
- h. Serve as a resource on call to the BP&F Committee, the Executive Committee, the Board of Trustees, and the standing committees of Presbytery;
- i. Support the BP&F Committee in its implementation of the Presbytery's Financial Policy;
- j. Maintain current, appropriate and adequate insurance, as described in the Standing Rules of this *Manual*, for the Presbytery and copies of such coverage for each church of the Presbytery; and
- k. Maintain all financial records in accordance with Generally Accepted Accounting Principles.

B. Evaluation of administrative staff performance

- 1. An annual performance review of each administrative staff member's performance is conducted by the Executive Director in consultation with the HR Committee.
- 2. The process of employment, the method of annual evaluation of work, and the termination of employment are set forth in the Employee Handbook.

III. Presbytery Mission Project and Cyclical San Diego Staff

- A. Each steering committee for a mission project may create one or more paid staff positions to accomplish the work necessary to meet that mission project's approved mission statement. The Cyclical San Diego Committee similarly is responsible for any paid positions that it creates.

1. The steering committee is responsible for developing a position description and terms of employment for each position, working collaboratively with the HR Committee. Maintaining current the position descriptions and terms of employment for these staff positions is the responsibility of the steering committee.
  2. The steering committee reports changes in necessary paid staff positions for its mission project to the Evangelism and Missions (E&M) Committee. The Committee on Ministry shall immediately be informed of any decision to hire or terminate a teaching elder in a mission project staff position. All calls to teaching elders to serve in a staff position also follow the process for admission into membership of the Presbytery as described in the Standing Rules of this *Manual*.
  3. Evaluation of mission project staff performance.
    - a. An annual performance review of each staff member's performance is conducted by the Executive Director in consultation with the project's steering committee.
    - b. Annual evaluations shall be completed in sufficient time to support requests for compensation for the subsequent year.
- B. Employment, the method of annual evaluation of work and the termination of employment are set forth in the Employee Handbook.
1. The director of each mission project, within guidelines set by the HR Committee, requests salaries for paid mission project staff. Salaries are established by E&M through the budget process.
  2. The process of employment, the method of annual evaluation of work, and the termination of employment are set forth in the Employee Handbook.

#### IV. Human Resources Policies

- A. Matters concerning employment hiring, responsibilities, benefits and termination of all staff members are defined in the Employee Handbook.
- B. All paid staff members employed pursuant to this *Manual* and all volunteers that serve the Presbytery or its committees or its mission projects in any capacity or manner are subject to, and shall conform to, the Standards of Ethical Conduct found in the Standing Rules of this *Manual*.
- C. Pursuant to California Labor Code Section 3363.6(a), persons who perform voluntary service without pay are deemed an employee of the organization while performing such service, for the purposes of Worker's Compensation coverage.

#### V. Accountability

- A. All Presbytery administrative, paid Cyclical San Diego, and mission project staff members are accountable to the HR Committee through the Executive Director, as head of staff.
- B. Each paid mission project staff member is accountable to the E&M Committee, through the steering committee, for operational aspects of that project. Each paid staff member of Cyclical San Diego is accountable to the Cyclical San Diego Committee for operational performance in the position.

## **CHAPTER FOUR**

### **OPERATIONAL STRUCTURE**

#### I. General Principles

- A. In order to discharge its ecclesiastical and mission functions in the work of the church, Presbytery is a council organized with the following components:
- Presbytery Executive Committee, with its Leadership Subcommittee;
  - Standing and special commissions and committees of Presbytery; and
  - Mission projects with associated steering committees.
- B. In order to discharge its civil functions, the Presbytery is organized as a corporation that is described below.
- C. The fiscal year of the Presbytery is the calendar year.

#### II. Organizational Bodies

##### A. Presbytery Executive Committee

1. The Executive Committee is directly accountable to the Presbytery. It makes a full report to Presbytery of its meetings and its recommendations that require action by Presbytery for implementation. Presbytery may, from time to time, delegate stated and specific responsibilities to the Committee, in which case the Committee makes a full report of its actions to Presbytery at its next stated meeting or special meeting called for the purpose of hearing that report.
2. In any calendar month in which Presbytery does not have a stated meeting, the Executive Committee may, if necessary, exercise any of the responsibilities otherwise appropriate to Presbytery, except as noted in Chapter 6 of this *Manual*, with the provision that all actions so taken shall be reported to the next stated meeting of Presbytery.
3. The power and responsibilities of the Executive Committee is limited to those powers and responsibilities assigned by this *Manual* in Chapter 6. The Committee is allocated funds to support its activities through the approved operations budget.
4. The Executive Committee holds quarterly stated meetings in months where there is not a regular stated meeting of the Presbytery.
5. The Chair of the Executive Committee, in cooperation with its Leadership Subcommittee, may call additional meetings of the Executive Committee when needed.

##### B. Standing Commission and Committees of Presbytery

1. The power and responsibilities of each standing committee is limited to those powers and responsibilities assigned by this *Manual* in the chapter devoted to that committee. Each committee is allocated funds to support its activities through the approved operations budget.
2. The standing committees of Presbytery are:
  - Committee on Ministry (COM),
  - Committee on Preparation for Ministry (CPM),
  - Nominating Committee,
  - Evangelism & Missions (E&M) Committee,
  - Budget, Property and Finance (BP&F) Committee,
  - Human Resources (HR) Committee,
  - Ecclesiastical Committee; and
  - Cyclical San Diego Committee.
3. The standing committees of Presbytery are directly accountable to the Presbytery and report directly to it.
4. A purpose is identified in this *Manual* for each standing committee identified above. That purpose identifies the portion of the responsibilities for the Presbytery to accomplish its mission that is assigned to the committee, in accordance with *BoO* G-3.0109. Committees develop procedures and processes to achieve the desired outcome related to that area of responsibilities. Standing committees also study and recommend actions and carry out decisions of the Presbytery as appropriate to that committee's area of responsibility.
5. Teaching elders and ruling elders shall comprise the membership of each standing committee. The Nominating Committee shall take care to maintain an equal balance between ruling and teaching elders at the time each new class is elected (to include any members elected to fill unexpired terms).
6. Standing committees of Presbytery hold stated meetings with a periodicity determined appropriate by that committee. It is preferred that all committees hold in-person meetings whenever possible. Electronic meetings may be conducted as described at Chapter 16, section XI, when necessary.
7. Special meetings of standing committees may be called with due notice by the committee chair, upon request of two (2) members of the committee, or upon request by the Executive Committee.
8. A quorum for each standing and special committee meeting is a simple majority of the number of members elected to that committee physically present in person (not necessarily a majority of the number of positions authorized for that committee).

9. Committee chairs may call on teaching elders, ruling elders, deacons and church members to advise their respective committee. Such individuals may be granted voice, but not vote, in discussing committee business.
10. The standing commission of Presbytery is the Permanent Judicial Commission (PJC).

#### C. Special Committees and Commissions

1. The Presbytery or Presbytery Executive Committee may appoint special committees. Appointments include the chair and members to facilitate the mission or special purposes to achieve a desired outcome. Such committees perform the duties and exist for such length of time as determined by the appointing entity when establishing the committees, either a date or event(s) certain.
2. Each special committee is accountable to the body that established it.
3. The special committees of Presbytery that are routinely nominated and elected by the Presbytery, as required by this *Manual*, are:
  - a. Executive Director Search Committee (elected when a vacancy in office occurs see Chapter 3, paragraph I.D);
  - b. Stated Clerk Search Committee (elected when a vacancy in office occurs, see Chapter 2, paragraph II.B.1); and
  - c. Stated Clerk Evaluation Committee (triennial, see Chapter 2, paragraph II.B.4).
4. The Presbytery may designate an administrative commission to carry out a specific action or actions as provided for by *BoO* G-3.0109b. Each commission so designated is accountable to the Presbytery within the scope of the commission's powers and any restrictions on those powers under the authority of the designating action. Each administrative commission shall make a report to the Presbytery no less often than each of the stated meetings during the tenure of the commission. Typical administrative commission authority includes, but is not limited to:
  - a. Ordaining and/or installing pastors called to service of a particular congregation;
  - b. Guiding new church developments on the ecclesiastical and secular (corporate) tasks that must be completed prior to a new congregation becoming a stand-alone, member of this Presbytery; or
  - c. Visiting congregations affected with disorder, as recommended by the COM, to inquire into and settle the difficulties therein.

#### D. Subcommittees

1. The Presbytery subcommittees are established by the Executive Committee and standing committees to carry out the work and mission of that committee.
2. Subcommittees are established and discontinued as determined necessary by the parent committee.
3. Subcommittees include ruling and teaching elders, deacons and church members with expertise in the area for which the subcommittee is created. Subcommittees may include advisory members that are not under the ecclesiastical authority of this Presbytery. The chair and membership of each subcommittee is determined by the parent committee as a whole.
4. The powers and responsibilities of subcommittees shall be those expressly granted by the sponsoring committee, provided that such powers and responsibilities are not in conflict with the requirements of this *Manual* for the sponsoring committee.
5. Any reports of subcommittees that need to be brought to the attention of the Presbytery are presented to the Presbytery by the parent committee.

#### E. Mission Projects

1. The Presbytery authorizes each mission project to be organized within the Presbytery. It also authorizes any funds to be expended by each mission project as part of the budget. The E&M Committee is responsible for organizing each authorized mission project.
2. Proposals for new mission projects first are presented to the E&M Committee for refinement and presentation to the Presbytery. The E&M Committee may favorably endorse or negatively recommend authorization.
3. Presbytery mission projects are constituted and governed as described in Chapter 12. Project steering committees perform the duties described in this *Manual*.
4. The Executive Director, based on the recommendation of the E&M Committee, reviews and approves if appropriate any applications for grants for mission projects. Such grant applications are reported to the Executive Committee at its next stated meeting. Any funds received as a result of a grant application must be expended in strict accordance with the conditions related to the grant.

### III. Organization Principles

#### A. Membership

1. All members of the Executive Committee, the standing committees of Presbytery, the steering committee chairs, and any special committees that may be elected or

appointed shall be on the active member roll of a church of the Presbytery or teaching elders that are enrolled in the Presbytery.

2. All members of the Executive Committee, CPM, COM, and the PJC shall be either ruling elders that are members of a congregation of the Presbytery or teaching elders that are enrolled in the Presbytery. The members of the remaining standing committees and steering committee chairs may be teaching or ruling elders, deacons or members on the active roll of a church of the Presbytery.
3. For standing committees of Presbytery, consideration is given to having teaching elders or other officers in ordered ministry and/or church members as described herein by the chapter addressing those committees.
4. For the Executive Committee, consideration is given to equal numbers of teaching and ruling elders.
5. Individuals may serve on no more than two standing committees of Presbytery. Members of steering committees may be members of other committees authorized by this *Manual* except for the standing committee of the Presbytery that sponsors the mission project.

#### B. Nomination and Election

1. The membership of the Executive Committee, the standing committees of Presbytery, with the exception of the Nominating Committee, shall be nominated by the Nominating Committee in accordance with the *BoO* and the requirements of this *Manual*, and be elected by a majority vote of Presbytery. Standing committee chairs shall be elected for one-year terms to be effective 1 January.
2. The steering committees' chairs shall be nominated by the standing committee of the Presbytery that sponsors the mission project, and elected by a majority vote of the Executive Committee. Steering committee chairs shall be elected for a one-year term to be effective 1 January, and may be re-elected for not more than five additional consecutive terms (for a total service of six (6) years).
3. The membership of each mission project steering committee other than the chair is nominated by the chair of that committee. Each steering committee determines its own size, length of term (if terms are used), and composition. An individual may serve on a steering committee without limitation on the length of time served. Membership of steering committees is reported to the Leadership Subcommittee of the Executive Committee.
4. The chair and members of the Presbytery Nominating Committee are elected annually by a majority vote of Presbytery following nomination by the Executive Committee pursuant to the process described in section III of Chapter 6.



### C. Absence

When an at-large member of the Presbytery Executive Committee or a member of any standing committee has been absent without approved written excuse from three (3) meetings in a one-year period, then on recommendation of the chair of the Executive Committee or the affected standing committee, as appropriate, the Presbytery may declare the position vacant. Any vacancies will be referred by the Stated Clerk to the Nominating Committee to fill the unexpired term.

### D. Resignation

All resignations from the Executive Committee, standing committees of Presbytery, commissions elected by Presbytery, or steering committee chairs should be submitted in writing to the Stated Clerk (with a copy to the appropriate committee chair), who reports the resignation to Presbytery and refers the resulting vacancy to the Nominating Committee.

### E. Conflicts of Interest

1. Anyone who has a personal interest in a matter before Presbytery, Executive Committee, any commission of Presbytery, or any committee of Presbytery, including any person who has an affiliation with a congregation or community organization that is the recipient of Presbytery financial assistance or has an application before Presbytery for financial assistance for any purpose, will be regarded as having a conflict of interest. Anyone with a close family member (*i.e.*, spouse, parent, sibling or child) who has such a personal interest or affiliation also will be considered to have a conflict of interest. "Affiliation" is construed to mean membership in a congregation, a community organization, group that is connected to a community organization, or a salaried or unsalaried staff person of any such entity.
2. Any individual with a conflict of interest shall be bound by the following:
  - a. At any meeting of the Executive Committee, or a standing committee of Presbytery, or a special committee, or a steering committee, or a commission elected by Presbytery, no person may speak about, or advocate for, matters relating to any situation in which he or she may have a conflict of interest without first disclosing to that committee, commission, or team the existence of the conflict of interest. Furthermore, a person having a conflict of interest in matters coming before the Executive Committee, a committee, or commission shall always be recused from the meeting during voting on such matters.
  - b. At any meeting of Presbytery, no person may participate in debate upon matters relating to any situation in which he or she may have a conflict of interest without first disclosing to the presbyters the existence of the conflict of interest. No one with voting rights at a meeting of the Presbytery may participate in the discussion

unless asked a specific question during the proceedings of a constituent church or sponsored mission project are being reviewed, such as, but not limited to:

- A report (*e.g.*, report of an administrative commission) when a ruling elder is a member of, or a teaching elder is in an installed position at, the church about which the report is made; or
- A report on a mission project for which a ruling or teaching elder is a member of the steering committee for that project.

Such persons with a conflict of interest shall always be recused from the meeting during voting on such matters.

- c. No person may preside as Moderator of the Presbytery, as chair of the Executive Committee, as chair of a standing or special committee of Presbytery, or as moderator of a commission, or as chair of a steering committee at any meeting during such time that any matter regarding which he or she may have a conflict of interest is debated and voted on.
  - d. If a person that is presiding at a meeting desires to participate in the debate, that person must excuse themselves from moderating the body through such time as the matter is resolved by a vote or other parliamentary method.
3. Any individual with a conflict of interest shall not be elected to a commission of the Presbytery that is established for any purpose related to the matter that creates the conflict of interest.

#### IV. The Presbytery of San Diego Corporation

##### A. The Corporation

1. The Presbytery was incorporated by the State of California on January 30, 1968, with Articles of Incorporation filed with the State on February 19, 1968, as a non-profit religious corporation. The Presbytery Corporation (and other corporations that may be formed as needed) enable it to:
  - a. Purchase, receive, hold, encumber, lease, manage and transfer such property as may come under its jurisdiction; and
  - b. Manage its corporate affairs as Presbytery may direct from time to time.
2. This Corporation is organized and operated exclusively for religious purposes within the meaning of Internal Revenue Code section 501(c)(3).

3. A copy of the Articles of Incorporation of the Presbytery of San Diego and original Corporation Bylaws and any amendments thereto are on file with the Stated Clerk and recorded in the Official Minutes, Volume One.

B. The Trustees and Officers

1. The members of the Executive Committee, by virtue of their office, and any Officers of the Board of Trustees listed below, collectively serve as trustees of the Presbytery Corporation and constitute that Board as provided herein. This Board is responsible to the Presbytery according to the *BoO*, and this *Manual*, and to the Corporation according to the laws of the State of California. The trustees also are “directors” of the Corporation as defined by the laws of the State of California.
2. All actions of the Board of Trustees and the individual trustees are under the provisions of *BoO* G-4.01, “Incorporation and Trustees,” and G-4.02, “Church Property.” The powers and duties of the trustees shall not infringe upon the powers and duties of either the Executive Committee or the various committees and commissions elected by the Presbytery.
3. The Officers of the Board of Trustees of the Presbytery Corporation serve by virtue of their position in the Presbytery organization and shall be:
  - President — Chair of the Executive Committee
  - Vice-president — Vice-chair of the Executive Committee
  - Secretary — Presbytery Stated Clerk
  - Treasurer — Chair of the Budget, Property and Finance Committee.
4. The Board of Trustees from time-to-time promulgates an Authority to Act that identifies by name and/or position those individuals that are authorized to sign documents of any type on behalf of the Presbytery Corporation. The Board also shall designate on an annual basis those individuals authorized to sign financial transaction documents (*e.g.*, checks, electronic fund transfers).

**CHAPTER FIVE**  
**PERMANENT JUDICIAL COMMISSION**

I. Membership

- A. The members of the Presbytery Permanent Judicial Commission (PJC) are nominated by the Presbytery Nominating Committee and elected by majority vote of the Presbytery.
- B. The PJC consists of seven (7) members, three of whom shall be teaching elders and three shall be ruling elders, broadly representative of the member churches of the presbytery. The additional member may be either a teaching or ruling elder. The PJC shall be divided into three classes, two of two members and one of three members. There shall be at least one ruling elder and one teaching elder in each class.
- C. A quorum is a majority of the members present in person, except that the quorum for a disciplinary case shall be a majority of the membership other than the two members assigned responsibilities under *BoO* D-1-.0204 or D-10.0303 (see *BoO* D-5.0204). When the PJC is unable to reach a quorum, the process of *BoO* G-5.0206 shall be followed.
- D. The Stated Clerk shall maintain a roster of former PJC members who continue to be members of the Presbytery or members of congregations of the Presbytery.

II. Terms of Office

The term of office for each member of the PJC shall be six (6) years. No person having served on the PJC for a full term of six years shall be eligible for reelection until after a period of four (4) years has elapsed (see *BoO* D-5.0105). No person shall serve on more than one permanent judicial commission (*i.e.*, on the Presbytery, Synod, or General Assembly Permanent Judicial Commission) at the same time (see *BoO* D-5.0105).

III. Powers and Duties

- A. The PJC elects from its members a moderator and a clerk, and, in the cases transmitted to it, has the powers prescribed by, and conducts its proceedings according to, the Constitution of the PC(USA) and rules governing the procedure in such cases (see *BoO* D-5.0201 & D-5.0202).
- B. The PJC acts only upon reference by the Stated Clerk or an investigating committee, in accordance with the *BoO* (see *BoO* D-6.0103b or D-10.0404b). Its decisions, unless appealed, are final and shall be reported to Presbytery and entered in the Minutes.
- C. The PJC prepares and maintains a record of each remedial case as described at *BoO* D-7.0601d. It prepares and maintains a record of each disciplinary case as described at *BoO* D-11.0601d.

- D. The Stated Clerk provides Constitutional advice and direction to the PJC. The Stated Clerk may consult with Synod and General Assembly staff persons as necessary in providing such advice.
- E. The PJC may incur expenses associated with its procedures pursuant to the *BoO* Rules of Discipline (*e.g.*, hiring counsel for the accused). The PJC moderator notifies the BP&F Committee of anticipated expenses other than those that are *de minimis*.

#### IV. Accountability

- A. The PJC is accountable to the Synod Permanent Judicial Commission through the appeal process.
- B. The decision in each remedial case shall be certified and transmitted with the record of the case to the Stated Clerk of the Presbytery (see *BoO* D-7.0601e).
- C. The decision in each disciplinary case shall be certified and transmitted with the record of the case to the Stated Clerk of the Presbytery (see *BoO* D-11.0601e.(2)).

**CHAPTER SIX**  
**EXECUTIVE COMMITTEE**

I. Membership

A. The Presbytery Executive Committee consists of thirteen (13) members that serve by virtue of their position or are nominated by the Nominating Committee and elected by the Presbytery.

1. The members of the Executive Committee are:

- Chair of Executive Committee
- Presbytery Moderator
- Presbytery Vice-moderator
- Chair of Committee on Ministry (COM)
- Chair of Committee on Preparation for Ministry (CPM)
- Chair of Nominating Committee
- Chair of Evangelism and Missions (E&M) Committee
- Chair of Budget, Property and Finance (BP&F) Committee
- Chair of Human Resources (HR) Committee
- Chair of Ecclesiastical Committee
- Chair of Cyclical San Diego Committee
- Member-at-Large for two-year term (elected in even-numbered years)
- Member-at-Large for two-year term (elected in odd-numbered years).

2. A quorum of the Executive Committee is a majority of the above-listed members present in person for that meeting. Meetings may be conducted in person, by video conference, or by teleconference. Electronic voting is conducted as described in Chapter 16, paragraph XI.B.

3. *Ex-officio* members of the Executive Committee, without vote are:

- Executive Director and
- Stated Clerk.

4. The Officers of Executive Committee are:

- a. The chair is the most recent past Moderator, residing within the bounds of Presbytery, and assumes office on January 1 of the year following service as Moderator;
- b. A vice-chair from the remaining above-listed members is appointed for a 1-year term by the chair at the first Executive Committee meeting of the calendar year.

B. The Leadership Subcommittee of Executive Committee consists of the Chair of the Executive Committee, the Presbytery Moderator, the Presbytery Vice-moderator, the

Stated Clerk and the Executive Director. The Executive Director and Stated Clerk are *ex-officio* members, without vote.

### C. Executive Committee Members-at-Large

1. Members-at-large are ruling elders on the active member roll of a congregation of the Presbytery or teaching elders that are enrolled in the Presbytery. Each year's class normally is elected to provide a balance in the number of each when considering total Committee membership.
2. A member-at-large, whether ruling or teaching elder, may not be a member or installed pastor from the same church as any other member of the Committee.
3. Member-at-large terms may not be served consecutively after any other term on the Committee.
4. Members-at-large that have completed a full 2-year term are not eligible for re-election to a subsequent member-at-large term until at least two (2) years have passed after completion of that term. A member-at-large that has been elected to fill the remainder of a term, and has served for fewer than 18 months, is eligible for re-election to a member-at-large term after one year following completion of the partial term.

## II. Accountability

- A. The Executive Committee works with and supports the congregations of the Presbytery, sets goals and does strategic planning for Presbytery; and oversees the ecclesiastical responsibilities of this Presbytery as a governing body.
- B. The Executive Committee is accountable to the Presbytery for actions within its authority to act as described below. It is to be open to the leading of the Holy Spirit in directing the Presbytery.
- C. The power and responsibilities of the Executive Committee are limited to those powers and responsibilities assigned by this *Manual* or by Presbytery. Its expenditures shall be within its approved budget.

## III. Duties and Responsibilities

- A. The Executive Committee has the following duties, responsibilities and powers in accordance with *BoO* G-3.0106:
  1. Arranges the docket of business for meetings of Presbytery, with the assistance of the Stated Clerk;

2. Considers and reports to Presbytery upon all new program proposals and any appeals for monies not included in either a designated fund or the approved operational or missions budgets;
  3. Reviews and evaluates the work of Presbytery in light of the goals, priorities, and directions developed by the Presbytery, Synod and General Assembly;
  4. Provides an input to the HR Committee that identifies the anticipated needs of the Presbytery for the future for that Committee's use in conducting its in-depth evaluations of the Executive Director, or to the Executive Director Search Committee when such a committee has been elected;
  5. Reviews and comments on a proposed budgets to be presented to Presbytery by the BP&F and E&M Committees;
  6. Selects nominees for the Nominating Committee by the following process:
    - a. The Leadership Subcommittee, no later than October, presents nominees for chair and members of the Nominating Committee.
    - b. The Nominating Committee chair is elected for a one-year term to be effective 1 January, and may be re-elected for not more than one additional term.
    - c. Executive Committee presents nominees for chair and membership in the Presbytery Nominating Committee to Presbytery at its November stated meeting, for election by majority vote.
  7. Hears reports from its subcommittees, commissions and standing committees, upon request, and acts upon them;
  8. Acts on items that have been assigned to it by the Presbytery (to be reported to Presbytery in assembly) for action between meetings of Presbytery;
  9. Receives, acts on, and/or refers correspondence that is directed to the Executive Committee; and
  10. Prepares a report for each stated meeting of Presbytery including items of business transacted by the Executive Committee.
- B. The Presbytery Executive Committee may appoint special committees as needed to facilitate its mission or for special purposes. Unless otherwise provided, the Committee names the chair and members of these special committees.
- C. The Leadership Subcommittee has the following duties, responsibilities and powers:



1. Carry out specific tasks on behalf of the Executive Committee, as assigned by that Committee, within its duties and responsibilities.
2. Recommends individuals and groups to be included on the agenda for each Presbytery meeting.
3. Determine the need for, and agenda for, meetings of the Presbytery Board of Trustees.
4. Supports the nominating process as described above.

D. Expenses of the Presbytery Executive Committee are provided as prescribed in this *Manual*. The Committee submits its budget for inclusion in the annual, unified budget.

#### IV. Authority to Act

- A. The decisions of the Executive Committee become immediately operative wherever the Presbytery has conferred power. Decisions may be reviewed and reversed by the Presbytery.
- B. The Presbytery has broad power to delegate its responsibilities to the Executive Committee. Any delegation beyond that expressly identified by this *Manual* is made upon a majority vote of the Presbytery.
- C. The Executive Committee has authority to act as set forth at paragraph II.A.2 in Chapter 4 of this *Manual*.
- D. The following responsibilities of the Presbytery may not be delegated to the Executive Committee:
  1. The responsibilities and powers, as enumerated at *BoO* G-3.0301–.0303, that are basic to the life and work of the Presbytery:
    - a. Developing strategy for the mission of the church;
    - b. Organizing new churches and receiving or uniting churches;
    - c. Dividing, dismissing or dissolving churches;
    - d. Controlling the location of new churches and of churches desiring to move within the bounds of this Presbytery;
    - e. Assuming original jurisdiction when it is determined that a session cannot exercise its authority; and

- f. Maintaining regular and continuing relationship to the higher governing bodies of the church, including electing commissioners to the synod and to the General Assembly.
2. Other functions:
- a. Electing officers;
  - b. Electing an Executive Director;
  - c. Electing Presbytery Executive Committee and the Permanent Judicial Commission;
  - d. Acting on overtures to, and on proposals for constitutional change received from the General Assembly; and
  - e. Delegating any of power of the Presbytery, whether or not that power has been delegated to the Executive Committee.

**CHAPTER SEVEN**  
**NOMINATING COMMITTEE**

I. Membership

- A. This committee consists of five (5) or six (6) members, broadly representative of the member churches of the Presbytery, divided into three classes of equal size.
- B. The Presbytery Executive Committee nominates teaching and ruling elders, including both women and men, to serve on the Nominating Committee. Special attention should be given to inclusiveness and to persons who are completing terms of service on other Presbytery committees for service on this Committee.
- C. A quorum shall be as prescribed by Chapter 4, paragraph II.B of this *Manual*.
- D. The Executive Director and Stated Clerk serve as *ex-officio* members without vote.

II. Purpose and Accountability

A. Purpose

The purpose of the Nominating Committee is to:

- 1. Identify and present to the Presbytery officers in ordered ministry of this Presbytery and its churches and members of its congregations for service on committees and commissions of the Presbytery pursuant to *BoO* G-3.0109.
  - 2. Nominate individuals to serve in positions requiring election by the Presbytery pursuant to *BoO* G-3.0111.
  - 3. Provide opportunities for officers in ordered ministry and members of the Presbytery and its congregations to participate in the missional activities as well as the administrative decision making process of the Presbytery pursuant to *BoO* G-3.0103.
- B. The Nominating Committee implements the principles of participation and inclusiveness in decision making of the church in order to ensure fair and effective representation, regardless of race ethnicity, sex, age, geography, disability, or theological conviction. (see *BoO* G-2.0401, G-3.0103, and F-1.0403)
  - C. The Nominating Committee consults with the Executive Committee and each standing committee of Presbytery concerning a description of positions to be filled.
  - D. The Nominating Committee is accountable to the Presbytery and reports directly to it in all matters.

III. Duties

The Nominating Committee:

- A. Serves as a committee on nominations, seeking to discover and develop the most effective possible personnel for all Presbytery committees and representatives and commissioners to higher level councils (*i.e.*, Synod of Southern California and Hawaii and the General Assembly).
- B. Nominates persons to fill all vacancies on standing committees and commissions of Presbytery as provided for by Chapter 4 of this *Manual*, boards and other bodies that require election by Presbytery or Synod, on an ongoing basis. The Committee shall discuss with the chair of each of the other committees the needs of individual committees for which nominations are to be made.
- C. Nominates individuals from the Presbytery to serve on commissions and committees of higher level councils.
- D. Presents nominations for Moderator and Vice-moderator of Presbytery pursuant to section II of Chapter 2 of this *Manual*.
- E. Presents nominations for the chairs of all standing committees of Presbytery (except the Standing Committee on Nominations) at the November meeting of Presbytery.
- F. Considers qualified teaching and ruling elders, deacons, and members from the particular churches, who are recognized for their commitment to Jesus Christ and who are available for service at Presbytery, Synod, and General Assembly levels.
- G. Maintains records sufficient to ensure that no committee member serves for consecutive terms on a committee, either full or partial, aggregating more than six (6) years, and having so served, a member shall not be eligible for another term on that committee until one year has elapsed. A partial term of six (6) months or less shall not count toward the above limitation.
- H. Nominates delegates (*e.g.*, young adult advisory delegates) to meetings of the General Assembly in accordance with the requirements of that council.
- I. The General Assembly commissioner and delegate nominations shall be made no later than the November stated meeting of Presbytery for election at the first meeting of a year in which a General Assembly meeting will be held pursuant to section VIII of Chapter 16 of this *Manual*.
- J. The Synod commissioner nominations shall be made no later than the November Presbytery meeting pursuant to section IX of Chapter 16 of this *Manual*.
- K. Makes other nominations as directed by Presbytery.

#### IV. Nomination and Election Procedures

- A. The Nominating Committee places in nomination only persons who have consented to serve in a particular position. The floor shall be opened for nominations as part of each election by the Presbytery; members and commissioners may make nominations provided that: (i) each person nominated has consented to serve; and (ii) the nomination(s) from the floor are made prior to the Moderator of Presbytery declaring nominations to be closed for election to that position.
- B. Elections are by voice vote except when there are two (2) or more nominees for the same position, in which case election shall be by written ballot. A majority vote shall be required to elect, with subsequent rounds of voting held until a majority is reached. When more than two nominees are presented for a position, the nominee with the lowest number of votes shall be excluded from each required subsequent round of voting.
- C. Nominations to vacancies are made, whenever possible, no later than the stated meeting following the announcement of the vacancy by the Stated Clerk. When notified in sufficient time, nominations are included in the notice of each stated meeting of the Presbytery that is posted on the web site.

#### V. Participation and Representation

The Nominating Committee develops procedures and mechanisms for promoting and reviewing the Presbytery's implementation of inclusiveness and representation on committees and commissions of the Presbytery. It fulfills the following functions (see *BoO* G-3.0103):

- A. Advises the Executive Committee and the Presbytery as a whole on implementation of principles of unity and diversity (see *BoO* F-1.0403).
- B. Advocates for diversity in leadership of the Presbytery and its constituent organizations.

## **CHAPTER EIGHT** **COMMITTEE ON MINISTRY**

### I. Membership

- A. The Committee on Ministry (COM) consists of twelve (12) to eighteen (18) members divided into three classes of equal size..
- B. A quorum shall be as prescribed by Chapter 4, paragraph II.B of this *Manual*.
- C. The Stated Clerk serves as an *ex officio* member of the Committee, without vote, and is the COM's secretary, taking minutes at its meetings and conducting correspondence as related to calls or as requested.

### II. Purpose and Accountability

#### A. Purpose

The purpose of the COM is to:

1. Provide and execute effective processes related to calling, ordaining, installing and dissolving pastoral relationships with teaching elders in this Presbytery pursuant to *BoO* G-2.07, 2.08 and 2.09.
2. Provide and execute effective processes related to calling, commissioning and dissolving relationships with commissioned ruling elders (CREs) and certified Christian educators (CCEs) in this Presbytery pursuant to *BoO* G-2.10 and 2.11, respectively.
3. Maintain effective communications and relationships with sessions of the Presbytery pursuant to *BoO* G-3.0303.
4. Examine teaching elders and candidates seeking membership in this Presbytery and recommend to the Presbytery its action pursuant to *BoO* G-3.0306.
5. Examine ministers of another Christian church that have been called to work properly under the jurisdiction of the Presbytery pursuant to *BoO* G-2.0505.
6. Maintain communications regarding the life and ministry of congregations, teaching elders, CCEs and CREs pursuant to *BoO* G-3.0307.
7. Settle difficulties on behalf of the Presbytery where possible and expedient pursuant to *BoO* G-3.0307.

- B. The COM is directly accountable to, and reports directly to, the Presbytery.

### III. Duties

The COM:

- A. Assists the Presbytery in fulfilling its functions related to teaching elders, CREs and congregations as required by the *BoO*;
- B. Represents the interest of the Board of Pensions in the Presbytery and provides advice to members of the Benefits Plan and to the particular churches on matters relating to the Plan and the Board;
- C. Nominates to the Presbytery administrative commissions for pastoral ordinations and/or installations and reports the completion of such to the next stated meeting of Presbytery following completion of each commission's work;
- D. Recommends to the Presbytery that it take action to create administrative commissions to inquire into pastoral relationships with congregations or conditions within congregations when deemed appropriate after exhausting all other methods to resolve conflict;
- E. Maintains a pastoral relationship to all teaching elders, and particularly to retirees, special-need cases and to their families;
- F. Maintains a process to validate ministries in which teaching elders that are members of the Presbytery are working, when other than an installed pastoral position or temporary pastoral relationship (see *BoO* G-3.0306);
- G. Reviews annually the work of all teaching elders engaged in validated ministries outside a congregation of this Presbytery (see *BoO* G-2.0503a);
- H. Maintain the Child/Youth/Vulnerable Adults Protection Policy set forth in Chapter 16, paragraph VII.C of this *Manual*.
- I. Implements and monitors the Sexual Harassment and Misconduct Prevention Policy as set forth in Chapter 16, paragraph VII.D of this *Manual*.
- J. Maintains a process for temporary pastoral relationships (see *BoO* G-2.0504b):
  - 1. Consults with sessions regarding teaching elders, candidates, or ruling elders being considered for temporary pastoral relationships.
  - 2. Maintains oversight of temporary pastoral relationships as identified by the Standing Rules of this *Manual*.
- K. Maintains a process for CCEs and associate CCEs (see *BoO* G-2.1103b):
  - 1. Minimum requirements for compensation and benefits;

2. Recommend Presbytery status with regard to participation in Presbytery meetings.
- L. Maintains a process for CREs (see *BoO* G-2.1001 & .1002):
1. Establish training and other requirements to become a CRE;
  2. Examine ruling elders that apply to become a CRE, in consultation with a session;
  3. Recommend to the Presbytery ruling elders to be commissioned to particular pastoral service and the authority of their commission;
  4. Maintain a pastoral relationship to all CREs during the time of their commission.
- M. Provides for appropriate recognition for teaching elder members of Presbytery at the time of their retirement, including, when appropriate, recommendation that the Presbytery transfer that individual to the honorably retired status (see *BoO* G-2.0503c);
- N. Prepares annually and submits to Presbytery a report of the compensation received by teaching elders, CREs and CCEs of the Presbytery and recommends annually to Presbytery minimum terms of compensation for installed teaching elders (see *BoO* G-3.0303c):
1. Minimum terms do not apply to teaching elders in validated ministries or temporary pastoral relationships, including employees of the Presbytery;
  2. Minimum terms are pro-rated for part-time installed positions proportionate to the number of hours worked per week pursuant to an individual's call;
- O. Confers with sessions of churches without pastors with respect to compensation and reimbursement to temporary session moderators appointed by Presbytery;
- P. Designates a moderator of session and congregational meetings for each church of the Presbytery without an installed pastor; such moderators are teaching or ruling elder members of the Presbytery;
- Q. Authorizes the times and places for teaching elders that are not serving in an installed pastoral positions to administer the Sacraments;
- R. Provides consultative services to congregations in the conducting of congregation mission studies. A current mission study is a prerequisite to the pastoral call process beginning and is subject to the approval of the Committee on Ministry as follows:
1. The COM may waive, by majority vote, completion of a mission study for the call of a designated pastor. Notwithstanding the provisions of paragraph XI.B of Chapter



16, of this *Manual*, this requirement for a mission study may be waived by a two-thirds majority vote of the Committee for all other pastoral calls;

2. Encourages congregations to conduct a mission study every five years and update it as appropriate; and
3. Maintains and fulfills any additional requirements specified in the Committee on Ministry Handbook.

#### IV. Authority to Act

- A. The COM is empowered to do the following, provided that all such actions are reported to the next stated meeting of the Presbytery (see *BoO* G-2.0804, G-3.0106):
  1. Review and present to the Presbytery for approval calls for services of installed teaching elders and commissioned ruling elders; and
  2. Examine each teaching elder requesting a transfer from another Presbytery on his or her Christian faith and views of theology, the Sacraments and the government of this church, as required by *BoO* G-3.0306, and make a recommendation to Presbytery. Present the teaching elder to Presbytery for its examination prior to a vote to admit the minister into membership of the Presbytery. This requirement may not be waived for any teaching elder requesting to join this Presbytery.
- B. The COM is empowered to do the following as a commission of the Presbytery, pursuant to *BoO* G-3.0109b, provided that all such actions are reported to the next stated meeting of the Presbytery for incorporation in its records:
  1. Find in order terms of call issued by churches and any revisions thereto (see *BoO* G-3.0109b(3));
  2. Dissolve the pastoral relationship in cases where the congregation and the pastor concur;
  3. Grant permission to labor within or outside the bounds of this Presbytery;
  4. Designate administrative commissions (ACs) for the purpose of installing pastors and associate pastors to called positions, ensuring the composition of each AC meets the requirements of chapter 16, section V of this *Manual*;
  5. Appoint (in consultation with the Stated Clerk and Executive Director, as appropriate) members of ACs for the installation in pastoral positions; and
  6. Dismiss teaching elders to other presbyteries provided that no allegations or charges are pending against that individual and all financial obligations to the last place of employment or call have been met.

**CHAPTER NINE**  
**COMMITTEE ON PREPARATION FOR MINISTRY**

I. Membership

- A. The Committee on Preparation for Ministry (CPM) consists of six (6) to nine (9) members, divided into three classes of equal size. .
- B. The Stated Clerk of the Presbytery serves as an *ex-officio* member of the Committee, without vote, for the purpose of conducting correspondence pertaining to the Committee, its inquirers, and candidates. The Executive Director also serves as an *ex-officio* member of this Committee, without vote.
- C. A quorum shall be as prescribed by Chapter 4, paragraph II.B of this *Manual*.

II. Purpose and Accountability

A. Purpose

The purpose of the CPM Committee is to:

- 1. Guide the preparation of those who are members of congregations of this Presbytery to become teaching elders pursuant to *BoO* G-3.0301a and G-3.0307.
- 2. Maintain covenant relationships with individuals of the Presbytery seeking to become teaching elders and with their sessions and congregations pursuant to *BoO* G-2.0601.
- 3. Fulfill the Presbytery's responsibilities related to those preparing for ministry as prescribed by *BoO* G-2.06.

- B. The CPM is directly accountable to, and reports directly to, the Presbytery.

III. Duties

The CPM:

- A. Assists the Presbytery in fulfilling its functions related to inquirers and candidates as required by the *BoO*;
- B. Administers scholarship funds according to the policies and directives of Presbytery;
- C. Counsels with pastors and sessions as they relate to "Inquirers" and "Candidates" from particular churches; and
- D. Fulfills any additional requirements specified in the CPM Process Chart.

E. Receives inquirers and candidates from other presbyteries. This process shall include obtaining concurrence of the committee in the presbytery of membership to release the individual and transfer responsibility for oversight to this Presbytery. Such transfers might occur when:

1. That individual is a member of a church that is admitted to this Presbytery through transfer from another presbytery; or
2. That individual relocates to this area and joins a church of this Presbytery.

#### IV. Authority to Act

The CPM is empowered to do the following as a commission of the Presbytery, pursuant to *BoO* G-3.0109b and G-2.06, provided that all such actions are reported to the next stated meeting of the Presbytery for incorporation in its records:

1. Enroll individuals as inquirers;
2. Advance inquirers to candidate status;
3. Dismiss inquirers or candidates from the preparation process;
4. Certify candidates ready to receive a call. Candidates are presented to the Presbytery for celebration once the candidate has been certified; and
5. Transfer inquirers or candidates to another presbytery upon request of the inquirer or candidate and agreement by that presbytery to receive the individual and assume oversight (see *BoO* G-2.0608).

**CHAPTER TEN**  
**ECCLESIASTICAL COMMITTEE**

I. Membership

- A. The Ecclesiastical Committee consists of five (5) or six (6) members, divided into three classes of equal size.
- B. A quorum shall be as prescribed by Chapter 4, paragraph II.B of this *Manual*.
- C. The Stated Clerk is an *ex-officio* member without vote and provides Constitutional advice when appropriate.

II. Purpose and Accountability

A. Purpose

The purpose of the Ecclesiastical Committee is to:

- 1. Provide an adequate structure for the ecclesiastical jurisdiction of this Presbytery pursuant to *BoO* G-3.0102.
- 2. Ensure full and accurate records are maintained pursuant to *BoO* G-3.0107.

- B. The Ecclesiastical Committee is directly accountable to, and reports directly to the Presbytery.

III. Duties

- A. Assists the Presbytery in fulfilling its ecclesiastical functions as required by the *BoO*;
- B. Provides training and support for the clerks of session of the churches of Presbytery in cooperation with the Stated Clerk;
- C. Conducts an annual review of session minutes and registers of all churches in the Presbytery and recommends appropriate action to Presbytery;
- D. Maintains a file of the Bylaws, manuals of administrative operations, and Articles of Incorporation of all churches in the Presbytery;
- E. Reviews and recommends to the Presbytery any action on overtures received from congregations within this Presbytery or from standing committees of this Presbytery or from other presbyteries. Overtures to be acted on at the bi-annual meeting of General Assembly must be received by the Ecclesiastical Committee no later than 60 days prior to the due date for submission to the General Assembly;

- F. Reviews all proposed amendments to the *Constitution of the Presbyterian Church (U.S.A.)* Part I, *The book of Confessions*, and to Part II, the *Book of Order*, transmitted from General Assembly and recommend approval or disapproval to Presbytery;
- G. Serves as the committee on review and revision of this *Manual* in accordance with changes submitted to the Committee;
- H. Conducts as deemed necessary an annual review of minutes of the standing committees of Presbytery; and
- I. Develops changes as necessary, reviews changes recommended by other committees or sessions, and recommends action to maintain this *Manual* as a current and accurate description of Presbytery processes.

**CHAPTER ELEVEN**  
**DISCERNMENT & CONGREGATIONAL VITALITY COMMITTEE**

I. Membership

- A. The Discernment and Congregational Vitality (DCV) Committee consists of six (6) members divided into three classes of two each. The Committee is to be balanced as closely as possible to one-half teaching elders and one-half ruling elders.
- B. The Executive Director serves as *ex-officio* on the Committee, without vote.
- C. One (1) member of the Committee shall be *ex-officio* from BP&F.
- D. A quorum is a simple majority of the elected members present.

II. Purpose and Accountability

A. Purpose

The purpose of the Discernment and Congregational Vitality Committee is to:

- 1. Serve as encourager for Presbytery-wide efforts of congregational vitality in life-long discipleship formation and intentional evangelism. The DCV Committee exists to help develop and promote healthy leaders and healthy congregations.
  - 2. Provide leadership in helping local congregations witness to the sovereign activity of God in the world, so they become communities of faith, hope, love, and witness, and connect to mission opportunities around the world pursuant to *BoO* G-3.0301.
  - 3. Provide financial and other resources to congregations and programs that will assist in increasing the health and vitality of the serving and called Pastors or Congregations in the Presbytery.
- B. The DCV Committee is directly accountable to, and reports directly to, the Presbytery.
  - C. The DCV Committee holds stated meetings and may, with due notice, hold special meetings as called by the Chair or by two (2) members of the Committee through its Chair.

### III. Duties

In fulfilling its role in discerning the congregational vitality, the Committee:

1. Trains new members of the DCV Committee in requirements and processes of this *Manual*, as they apply to the work of the Committee.
2. Researches PC(USA) resources and other Christian resources on ways to vitalize congregations that are in varying demographic situations.
3. Establishes metrics to measure effectiveness of resources when used in various geographic areas.
4. Encourages, supports and provides opportunities for local congregations that are exploring new ways of “being church” or being neighbors in their community.
5. Provides education, awareness and assistance to congregations seeking guidance in discerning their vitality through the study of demographic research or other methods to identify future ministry and outreach possibilities.
6. Develops a process for congregations seeking to implement either proven or experimental methods to apply for funding assistance grants. Develops a matrix to use in following that process
7. Identifies and reviews opportunities for vitalization and/or redevelopment grants from the Synod of Southern California and Hawaii (Synod) or General Assembly (GA). Recommend to local congregations and the Presbytery grant opportunities for vitalization of local congregations.
8. Assists local congregations in preparing grant applications; and prepare grant applications to be submitted by the Presbytery. Identifies sources of Presbytery funding or allowable in-kind contributions that are contingent for any specific grant application.
9. Identifies and researches other outside funding sources for evangelism and

redevelopment ministries. Such funding is not restricted to entities of the PC(USA)

10. Maintains a record of any grants received from the Synod or GA. Reviews and approves any required periodic progress reports for any monies received under grants.
11. Establishes measures of effectiveness to measure implementation of any grant received from the Presbytery, Synod, GA or any outside grants. Maintains a record the results achieved by each congregation to which a grant was provided.
12. Manages funding allocated by the Presbytery for the purpose of congregational vitality.
  - a. Propose to the Budget, Property & Finance (BP&F) Committee an annual vitalization budget. The amount approved by the Presbytery will be spent at the discretion of the DCV Committee as described below
  - b. Coordinate with the BP&F Committee to provide periodic financial reports including performance to budget for Presbytery vitalization funding.
  - c. Prepare a request for each year's Presbytery budget. Report to the Presbytery at each September meeting on grants awarded during the prior year by all sources and results of those grants.
  - d. Evaluate grant requests and determine distribution of Presbytery funds. Such distribution may be through either direct grants to congregations or for providing Presbytery funding to meet in-kind requirements of other grant awarding entities.
  - e. Reviews congregations' requests for funding assistance by the Presbytery. Assesses relative strengths and weaknesses of such grant applications. Awards blocks of grants and provides in-kind funding based on that year's budgeted funds available. (The Committee resolves any conflict of interest in the application approval process)
  - f. Manages the reporting framework for any financial reports required by the Presbytery, Synod, and/or GA.



- g. Monitors the work of each congregation's use of grants received.
  
- 13. Encourages church revitalization by assisting congregations in enhancing outreach ministry into neighborhoods.
  
- 14. Makes recommendations to the Committee on Ministry when vitalization efforts do not prove to be successful.
  
- 15. Make recommendations to the BP&F Committee to consider future property use prior to the dissolution of a congregation.

## **CHAPTER TWELVE**

### **MISSION PROJECTS**

#### I. Definition of Mission Projects

- A. The Presbytery authorizes mission projects that are that are established by and accountable to the Evangelism and Missions (E&M) Committee. The Presbytery receives both undesignated funds that are disbursed through the Presbytery budget and designated funds that are passed through to each mission project. Mission projects are under the Presbytery's IRS Code 501(c)3 registration with the Federal and State of California governments.
- B. The Presbytery endorses various mission projects that are established as independent IRS Code 501(c)3 entities. The Presbytery also receives designated funds from member churches and other entities that are passed through to the endorsed organizations.
- C. Each mission project shall have a clear, concise mission statement that is aligned with the theology of the Reformed tradition, and falls within the purpose, mission and ministry of the Presbytery pursuant to Section IV of Chapter 1 of this *Manual*. Such mission statements shall identify the bounds of the mission project, both geographically and functionally.

#### II. Mission Project Reviews

- A. The E&M Committee conducts semiannual reviews of each mission project sponsored by the Presbytery.
  - 1. The first review, conducted in April, evaluates the project's activities in meeting the approved mission statement and the project's financial viability.
  - 2. The second review, conducted in September, receives the project's proposed budget for the following year and evaluates for inclusion in the Presbytery budget. This review also evaluates performance to the current year budget.
- B. The Committee reports to the Presbytery at either the May or June stated meeting with a recommendation to either continue (with any recommended changes to the mission statement) or discontinue each project.

#### III. Steering Committees

- A. Steering committees serve as "boards of directors" for the mission projects established by the Presbytery. Each mission project has a steering committee that is responsible to the E&M Committee for oversight and management of all aspects of that Project.

B. Each steering committee:

1. Has five to nine members serving three-year terms, who are eligible for re-election. Steering committee size is based on the number of people that it considers necessary to meet the E&M Committee's responsibilities for that committee as related to that specific mission project.
2. Includes ruling and teaching elders, deacons and church members, provided they have a passion for the project. The chair and membership of each steering committee is determined as described in Chapter 4 of this *Manual*.

C. A point of contact is identified for each mission project that is endorsed by the Presbytery. That individual, normally the chair of the steering committee, is responsible for compliance-appropriate provisions related to committee chairs and steering committees for such projects, as identified in this Chapter of the *Manual* and providing any information required by the E&M Committee and the Presbytery.

D. Each steering committee ensures that all paid and voluntary staff members fully comply with the Standards of Ethical Conduct, including the Child and Youth Protection Policy and Sexual Misconduct Policy in Chapter 16 of this *Manual*.

#### IV. Mission Project Accountability

- A. The chair of each steering committee is directly accountable to, and reports directly to, the E&M Committee for the administration of the mission project and its financial status.
- B. The director of each mission project is directly responsible for the project's activities meeting the approved mission statement for that project, and reports to the steering committee for operational aspects of the mission projects activities.
- C. Each steering committee holds monthly meetings. Other meetings may be held as determined necessary.

#### V. Duties of Steering Committees

- A. The activities of each mission project are carried out under the guidance, and with the support, of a steering committee that is established for that purpose.
- B. Each steering committee:
  1. Determines its administrative structure and processes, which include:
    - a. The frequency and location of its meetings;
    - b. Reports to the E&M Committee on the annual budget, receipt and disbursement of funds, and financial reports as required by this *Manual*;

- c. Written, internal processes for managing, tracking and approving mission project expenses; and
  - d. With concurrence of the E&M and the Budget, Property & Finance (BP&F) Committees, maintain a checking account at a Presbytery-approved financial institution, to facilitate handling the project's funds.
    - i. The steering committee names all individuals that are authorized to sign checks or use debit cards drawn against the mission project's accounts in accordance with Chapter 15 of this *Manual*.
    - ii. The steering committee ensures the project director never writes checks or uses a debit card in a manner that would result in an overdrawn condition in any account maintained by the project.
    - iii. The steering committee ensures that receipts for any funds disbursed through check or debit card are made available to the Presbytery upon request to enable reconciliation of bank accounts.
2. Administers grants from the Synod or General Assembly and other organizations as may be appropriate to that mission project's purpose.
- a. Applications for mission projects under \$25,000 are prepared, approved and monitored through the steering committee for the mission project applying for such grants. Grant applications for other purposes and for mission projects that exceed \$25,000, or require matching funds, guarantee, or other support by the Presbytery, submitted for Presbytery approval through the E&M Committee.
  - b. Annual progress reports for any such grants received by the Presbytery are prepared for submission by the E&M Committee.
  - c. Ensures that any requirements for Presbytery contributions, either cash or in-kind, are met as required as a condition of the grant.
  - d. Ensures that any reporting and/or performance requirements associated with grants from the Synod, General Assembly or other organizations are met.
3. Determines the staffing necessary to carry out the work of the mission project, as identified in the approved mission statement. Such staffing can be paid or voluntary workers. Paid mission project staff positions can be full- or part-time.
- a. Develops a position description for each paid position. Those position descriptions are submitted to the Human Resources (HR) Committee for approval prior to advertising for an open position.

- b. Conducts all actions required by Chapter 3 of this *Manual* for paid mission project staff positions.
  - c. Ensures that all voluntary staff positions are filled by individuals that meet the requirements of the Presbytery pursuant to the Standards of Ethical Conduct in the Standing Rules of this *Manual*.
  - d. Identifies the location at which each mission project staff position will carry out the duties and responsibilities of that position.
  - e. Conducts a review of the position description for each position that becomes open prior to coordinating with the HR Committee to employ another person for that position. A triannual review of each position description is conducted when not accomplished sooner for another reason.
4. Defines the role of the director for each mission project.
  5. Works in consultation with E&M Committee to determine the annual budget for the mission project.
    - a. Annual budgets include monthly projections of expenditures and income.
    - b. Budgets are adequate to support the compensation of the paid staff. Budgets also include allowances for compensation of the Presbytery for shared use of administrative staff personnel (*e.g.*, bookkeeper).
    - c. Presents a final proposed budget to the E&M Committee no later than the September stated meeting of that Committee.
  6. Develops sources of funding to support the mission project's annual budget. Provides funding proposals for each annual budget.
  7. Through the year, adjusts planned spending from budgeted levels to avoid spending that exceeds the projected mission project income, including budgeted amounts in the Presbytery budget. Adjusts the subsequent-year budget to "re-pay" the Presbytery for any deficit that the Presbytery was required to cover during a completed year.
  8. Provides adequate financial information on the mission projects income and expenses to support filing tax reports and any other reports required of the Presbytery to maintain its 501(c)3 status.
  9. Oversees the facilities necessary to carry out the project's mission statement.
    - a. Determines, together with the E&M Committee, the facilities necessary to carry out the work of the mission project.

- b. Ensures any real and/or personal property is maintained in an adequate condition for safe use.
  - c. Ensures any vehicles owned by the mission project (with title to the Presbytery) and any other vehicles operated on behalf of the mission project fully comply with the “Transportation for Presbytery Purposes” provisions of Chapter 16 of this *Manual*.
10. Provides to the E&M Committee semiannual reports on the mission project to support the reviews described in paragraph II.A, above.
  11. Works in consultation with churches both within and outside the Presbytery that have an interest in a particular mission project.
  12. Works in cooperation with an administrative commission elected by the Presbytery to transition a mission project to a new worshiping community, starting the process to become a chartered church of the Presbytery.

**CHAPTER THIRTEEN**  
**CYCLICAL SAN DIEGO COMMITTEE**

I. Membership

- A. The Cyclical San Diego Committee consists of six (6) to nine (9) members divided into three classes. The Committee is to be balanced as closely as possible to one-half teaching elders and one-half ruling elders or deacons.
- B. The Executive Director and the Director of Cyclical San Diego serve *ex-officio* members on the Committee, without vote. The director's participation is for the specific purpose of interacting with the Committee with respect to each new worshipping community's (NWC's) activities and financial performance.
- C. A quorum shall be as prescribed by Chapter 4, paragraph II.B of this *Manual*.

II. Purpose and Accountability

A. Purpose

The purpose of the Cyclical San Diego Committee is to:

- 1. Serve as a catalyst for Presbytery-wide efforts of New Church Development (NCD) and NWC functions to provide that the Word of God may be truly preached and heard.
  - 2. Provide guidance to persons, ruling elders and teaching elders that desire to be organized as a fellowship group, NCD or other non-congregational entity meeting within the bounds of the Presbytery.
  - 3. Recommend to the appropriate Presbytery committees when a NCD is prepared to be admitted into its membership as a congregation pursuant to *Book of Order (BoO)* G-1.0201 and G-3.0302a.
  - 4. Provide leadership in helping NWCs and NCDs to become more missional in their communities pursuant to *BoO* F-1.0302d.
- B. The Cyclical San Diego Committee holds periodic stated meetings and may, with due notice, hold special meetings as called by the Chair or by two (2) members of the Committee through its Chair.

III. Duties

A. Provide guidance to individuals that feel called to become discerners and starters.

- 1. Invite individuals to become discerners:

- (a) Assess the abilities of that individual to successfully grow into the role of a starter.
  - (b) Provide support through assessments, gatherings, and coaching.
  - (c) Offer appropriate financial support for training. Such support may not include stipends or other payments for personal services.
2. Equip starters:
- (a) Enter individuals into the starter process after demonstrating adequate skills and capabilities to organize and manage a NWC. The individual shall demonstrate a basic understanding of the theology and polity of the Reformed tradition.
  - (b) Provide support through gatherings and coaching.
  - (c) Provide appropriate financial support for the NWC. Such support may not include stipends or other payments for personal services.
  - (d) Provide discernment for becoming a chartered church of the Presbytery of San Diego or another affiliation.
- B. Provide administrative oversight to each NCD and NWC including:
- 1. Identify a point of contact on the Committee for each NCD and NWC organized or supported by Cyclical.
  - 2. Ensure each NCD and NWC has a clear, concise mission statement that is aligned with the theology of the Reformed tradition, and falls within the purpose, mission and ministry of the Presbytery pursuant to Chapter 1, Section IV, of this *Manual*.
- C. Recommend NWCs desiring to be part of the Presbytery of San Diego.
- 1. Each NWC that is proposed to become a congregation of the Presbytery transitions to a NCD for further development.
  - 2. Proposing an administrative commission (AC) to the Presbytery for the purpose of organizing a new congregation pursuant to *BoO* G-3.0109b when the NCD is sufficiently developed.
  - 3. Each AC for a NCD that desires to become a chartered church shall be designated in accordance with Chapter 16, paragraph V.A, of this *Manual*. Such ACs normally will include one (1) member of the Cyclical San Diego Committee.



4. Responsibilities for oversight of NCDs as described in this Chapter transfer to an AC when a commission has been designated for a particular NCD.
5. Support the AC and church starter to train potential ruling elders to serve the NCD in its transition to a chartered church of the Presbytery.

D. Provide financial oversight for each NCD and NWC including:

1. Establish an individual budget for each NCD and NWC organized or supported by Cyclical.
2. Review performance to budget such as expenditure of funds by any NCD or NWC for Cyclical-budgeted items to ensure operations are within the budget for the specific NCD or NWC.
3. Offer to NCDs and NWCs guidance for maintaining records and making financial reports.
4. Coordinate with the BP&F Committee to provide mission financial reports including budgets and performance to budget throughout the year.

E. Manage the finances of Cyclical San Diego.

1. Review each NCD and NWC budget at the September Committee meeting.
2. Propose the Cyclical San Diego budget to BP&F for the following year.
3. Evaluates requests and determines distribution of funds identified by Chapter 15, paragraph III.B of this *Manual*. Administers those funds as necessary.
4. Administer grants from the Synod or General Assembly through:
  - (a) Identification and research of various funding sources including churches, the Presbytery, the Synod of Southern California and Hawaii and the General Assembly.
  - (b) Identification and research of funding sources outside of the PC(USA).
  - (c) Identification of sources of Presbytery and/or Synod funding or allowable in-kind contributions that are contingent for any specific grant application.
  - (d) Review expenditure of funds by any NCD or NWC that receives funding through grants to ensure that funds are expended for the purpose provided.
  - (e) Review and approval of periodic progress reports for any monies received under grants to the Presbytery for NCDs and NWCs.

- (f) Managing the reporting framework for any financial reports required by entities that make grants for NCDs and NWCs.
- 5. Funds received from sources other than PC(USA) entities must be accounted for as described in paragraph 3, above, unless maintained in a separate account. Any funds received from PC(USA) entities must not be comingled with funds from outside sources in such accounts.
- F. Train members of the Committee in requirements and processes of this Manual, as they apply to the work of the Committee.
- G. Ensure that all paid and voluntary staff members fully comply with the Standards of Ethical Conduct, including the Child and Youth Protection Policy and Sexual Misconduct Policy in Chapter 16 of this *Manual*.
- H. Provide reports to the Presbytery regarding progress of NCDs and NWCs as requested by the Presbytery or Executive Committee.

**CHAPTER FOURTEEN**  
**HUMAN RESOURCES COMMITTEE**

I. Membership

- A. The Human Resources (HR) Committee consists of five (5) or six (6) members, divided into three classes of equal size.
- B. The Stated Clerk may be called upon as a resource to this Committee. The Executive Director serves as an *ex-officio* member, without vote.
- C. A quorum shall be as prescribed by Chapter 4, paragraph II.B of this *Manual*.
- D. Care is taken to nominate a Committee member that has experience in personnel matters.

II. Purpose and Accountability

A. Purpose

The purpose of the HR Committee is to maintain an effective process for employment of administrative and mission project staff pursuant to *BoO* G-3.0110.

B. Accountability

- 1. The HR Committee is guided by this *Manual* and the Employee Handbook.
- 2. The HR Committee is responsible to Presbytery but reports through the Executive Committee.

III. Duties

- A. Provide advice and support to the Executive Director in all human resource related matters including, but not limited to:
  - 1. Provide inputs to annual performance evaluations of all paid staff positions;
  - 2. Advise in matters of employment, termination, and evaluation of all staff members;
  - 3. Recommend, following consultation as prescribed below, the termination of employment at any time, of a member of the administrative or mission project staff;
  - 4. Recommend, in the event of a vacancy in the administrative staff or need for temporary staffing needs, appropriate personnel for temporary employment;

- B. Maintain an Employee Handbook that sets forth the personnel policies and practices of the Presbytery for all administrative and mission project staff members that are Presbytery employees;
- C. Engage in evaluation and counseling with all Presbytery administrative staff members as requested by the Executive Director; engage in evaluation and counseling with all Presbytery mission project staff members as requested by the Executive Director or mission project steering committee;
- D. Ensure performance evaluations of all Presbytery administrative and mission project staff members are conducted on an annual basis (or more frequently if determined appropriate), as described by Chapter 3 of this *Manual*.
  - 1. Provide guidelines for administrative review of administrative, Cyclical San Diego, and mission project staff, including procedures for appeal to the Human Resources Committee;
  - 2. Receive and review reports of the performance reviews; and hear appeals as needed;
- E. Conduct periodic reviews of the Stated Clerk and Executive Directory as described by Chapters 2 and 3 of this *Manual*, respectively.
- F. When dealing with employment, termination, or evaluation of staff, consult with the chair or another representative chosen by any committee to which the staff person is related by position description;
- G. After completion of consultations with the appropriate committee or mission project steering committee, completion of background checks, and selection of a candidate for an administrative or mission project staff position, issue offers of employment;
- H. Review annually and recommend to the BP&F Committee, for inclusion in the Presbytery operations budget, the individual salaries of administrative staff;
- I. Review annually mission project steering committee proposals for salaries and recommend to the E&M Committee for inclusion in the Presbytery missions budget, the individual salaries of mission project staff;
- J. Keep current position descriptions for each administrative and mission project staff member;
- K. Assist churches of the Presbytery, as requested, in the formulation and review of personnel policies, guidelines or procedures for congregational staff;
- L. Provide advice and support to mission project steering committees in all human resource related matters including, but not limited to position descriptions, employment of staff

members, routine personnel administration during the period of employment and, if warranted, termination of employment for mission projects;

M. As requested, provide day-to-day human resource related advice and consultation; and

N. Fulfill any additional requirements specified in this *Manual* and the Employee Handbook.

**CHAPTER FIFTEEN**  
**BUDGET, PROPERTY AND FINANCE COMMITTEE**

I. Membership

- A. The Budget, Property and Finance (BP&F) Committee consists of six (6) to nine (9) members, divided into three classes of equal size.
- B. Care is taken that the Committee chair has experience in budget and finance matters and to have a member of the Committee with real estate expertise.
- C. The Stated Clerk and Bookkeeper serve as a resource to this committee as requested.
- D. The Executive Director serves as an *ex-officio* member, without vote.

II. Purpose and Accountability

A. Purpose

The purpose of the BP&F Committee is to:

- 1. Manage the financial affairs of the Presbytery pursuant to *BoO* G-3.0113.
- 2. Consider and make recommendations to the Presbytery regarding member church requests to take action regarding real property pursuant to *BoO* G-3.0303f and G-4.0206.
- 3. Maintain adequate insurance pursuant to *BoO* G-3.0112.

B. The BP&F Committee is subject to the Presbytery's financial procedures regarding financial processes (*e.g.*, vouchers, monitoring committee budgets, how to apply for budgeted funds, unbudgeted funds).

C. The BP&F Committee is responsible to, and reports to, the Presbytery. It has a **fiduciary duty** to act in the best interest of the Presbytery. It has a **fiduciary obligation** because the Presbytery has a special trust in the Committee to negotiate financial and property matters on its behalf and relies on the Committee to exercise its discretion and expertise in acting for the Presbytery.

III. Duties and Responsibilities

A. The Committee prepares and presents a combined Presbytery operations and missions budget by:

1. Conferring with all standing committees and officers of the Presbytery and the Executive Committee concerning their respective budget needs for the following year, including any anticipated significant revisions or events that affect their work;
2. Preparing and submitting to the Executive Committee a preliminary budget that identifies various categories of operating expenses, the recommended per capita apportionment, and anticipated receipts to fund mission projects and Cyclical San Diego initiatives;
3. Publishing the proposed budget, with the Executive Committee's recommendation for action, immediately following that Committee's October meeting;
4. Submitting the proposed budget for adoption by the Presbytery in November.
5. Coordinating with the Evangelism and Missions (E&M) Committee to provide the combined operations and mission financial reports including budgets and performance to budget.
6. Recommending usage of any Presbytery-owned property.
7. Following action of the trustees of the corporation to offer property for lease or rental, engaging and serving as the point of contact for any agency that manages rental property on behalf of the Presbytery.
8. Reviewing and making recommendations to Presbytery concerning all requests from particular congregations desiring to take property actions as described at *BoO* G-4.0206.
9. Dealing with particular churches regarding property matters, upon request.
10. Providing oversight for mission project performance to budget (*e.g.*, Presbyterian Urban Ministries (PUM)), which may include offering guidance for maintaining records and making financial reports.
11. Providing accounting and financial consulting services to any mission project or other entity of the Presbytery that receives a grant. The committee that submitted a successful application for a grant manages the reporting framework for any financial reports required by the entity that made the grant.
12. Designating those individuals, by name and position, who are authorized to sign checks drawn on, or use debit or credit cards, or withdraw monies from accounts maintained by the Presbytery.
13. Obtaining an annual review or audit (an audit shall be performed at least every five (5) years) of the Presbytery books by an independent public accountant (see *BoO* G-3.0113).

B. Manages and oversees gifts and grants to the Presbytery that are managed through the funds listed below. Supports the Presbytery organization that is designated below for administration of each fund.

1. Funds maintained by the Presbytery are categorized as follows:
  - a. Permanently Restricted Funds include principal for that fund, which is permanently set aside as an endowment to produce income for the purpose stated.
  - b. Donor-restricted Funds are permanently used for the purpose stated by the donor. Both income generated by the fund and principal may be expended for that purpose.
  - c. Presbytery-designated Funds have been set aside by the Presbytery for the purpose stated, and may be changed by an act of the Presbytery.
  - d. Undesignated funds have not been allocated to a particular purpose. Such funds provide a reserve to be used through the Presbytery budgeting process. While restricted and designated funds are administered by the Presbytery committee identified in paragraph 5, below, undesignated funds are administered by the committee identified at the time the fund expenditure is authorized.
2. Funds are maintained in investment accounts as determined by the BP&F Committee. Income (including interest) that is generated by those investments is allocated to each specific fund on a pro-rated formula for any fund that exceeds \$10,000 in principal value.
3. BP&F exercises oversight over funds administered by the designated committee. Fund administration includes, but is not limited to:
  - a. Ensuring funds withdrawn during each year do not exceed the income unless otherwise provided for within the Presbytery's annual budget.
  - b. Validating and approving any monies disbursed from funds.
  - c. Advising the Bookkeeper on the account to credit for any monies received other than those processed through the Presbytery's accounting system prior to their being made available for use through that system.
4. Disbursement of designated and other funds administered by the Presbytery is reviewed by BP&F. Specifically with regard to grant applications for Presbytery funds, BP&F has a fiduciary responsibility to the Presbytery to ensure, to the extent possible through review of documentation available:



- a. The disbursement of funds from a source (*e.g.*, a higher level council of the PC(USA)) that include restrictions on use of those funds is in strict accordance with the rules of uses for the restricted funds from that source.
  - b. The financial capabilities and stability of the intended recipient organization; this would include ability to provide any requisite matching funds.
  - c. Metrics or measurable *objective* data to determine that progress is being made over time to warrant continuation of multi-year grants.
  - d. The organization should have a realistic financial model for the planned activities to be funded by the grant. The importance of a careful, thorough review of that model is directly proportional to the amount of the grant as a percentage of the overall funds required for those activities.
5. Funds maintained by the Presbytery and designated committees for fund administration are:
- a. Permanently Restricted Fund
 

W. James Scholarship Fund — an endowed fund for scholarship grants to Iglesia Presbyteriana Emmanuel Christian ministry students; The Iglesia Administrative Commission (AC).
  - b. Donor-restricted Funds
    - (i) Sudanese Operating fund — funds received for operation of the Sudanese ministry; E&M Committee through the South Sudanese Steering Committee.
    - (ii) Sudanese Rebuilding Hope fund — funds received for mission trips to and building churches and schools in the Sudan; E&M Committee through the South Sudanese Steering Committee.
    - (iii) Committee on Ministry Benevolence Fund — donations received for support of emergency needs; Committee on Ministry (COM).
    - (iv) Disaster Relief Fund — grants received from Presbyterian Disaster Relief and local contributions received to provide disaster preparedness and relief from disasters occurring within the bounds of the Presbytery; Leadership Subcommittee through the Presbyterian Disaster Assistance Team, when active.
    - (v) William MacInnes Scholarship Fund — initially funded by memorial contributions and continued through offerings taken at ordinations and installations of teaching elders, used for scholarships and loans to seminary students; Committee on Preparation for Ministry.

- (vi) Frances Klema & Wittich Fund – initially funds of the First Presbyterian Church of Honolulu, which were combined and are now designated for events, luncheons, or retreats for Presbyterian women and youth and/or youth leaders; E&M Committee.
  - (vii) PUM Operating Fund — current-year contributions and income received from fund-raising special events, all for operation of PUM; E&M Committee through the PUM Steering Committee.
- c. Presbytery-designated funds
- (i) Missional Training Grants — grant received from La Jolla Presbyterian Church for missional training events; COM.
  - (ii) Peacemaking Fund — offerings received from the Peacemaking Offering, used for peacemaking efforts; Leadership Subcommittee.
  - (iii) Vitalizing Congregations fund — funds received from the Ramona Church Fund to be used for events or programs that revitalize existing congregations and/or leadership development; E&M Committee.
  - (iv) PUM Reserve Fund — the investment account for funds set aside for PUM including carry-over income from prior years and residual balance from the Pratt-Kurz Fund upon it being disestablished; E&M Committee.
  - (v) Missional (Fallbrook) Fund — funds received from the Synod resulting from sale of its Wilshire Drive property and revenue received from sale of the Fallbrook church property, dedicated to missional “experiments”; E&M Committee as approved by the Executive Committee.
  - (vi) New Church Development (NCD) Fund — received from various sources to support NCD activities within the geographic bounds of the Presbytery, including any required matching funds for higher level council NCD grants; Executive Committee through the Cyclical San Diego Committee.
  - (vii) Cyclical SD Fund — Funds set aside in 2017 for worshiping community development under the 5-year Cyclical program; Cyclical San Diego Committee.

## C. Expenditures

1. The Committee identifies funding for emergent needs that are outside the annual budget (*e.g.*, investigating committee expenses).

2. After approval of the budget by Presbytery, proposals for new programs or for expenditures of funds for unbudgeted items must be presented to the Executive Committee through the appropriate committee(s). If the Executive Committee concurs with establishing the new program or expenditure, it refers the item to the BP&F Committee. The BP&F Committee, after consultation with the committee(s), sets forth the total estimated costs and proposed source of funding.
3. Reimbursed travel for authorized Presbytery business outside the geographic bounds of the Presbytery must be approved in advance by the chair of the commission, standing committee or Executive Committee for which the travel is budgeted. Reasonable, necessary and actual travel expenses will be reimbursed after travel is complete. Travel expenses for spouses, other family members or guests will not be reimbursed. Economy or tourist-class airfares are to be used when travelling on Presbytery business. Expense reports for travel must be approved by the chair of the commission, standing committee or Executive Committee that sponsored the trip. Committee chairs' travel is approved by the Executive Director. The Executive Director's travel is approved by the Chair of the Human Resources Committee.
4. Reimbursed travel for authorized Presbytery business inside the geographic bounds of the Presbytery must be included in the budget for the commission, standing committee, or Executive Committee for which the travel occurs. Officers and members of churches may be reimbursed for travel as follows:
  - a. Travel to stated and called meetings of the Presbytery that are at a location that exceeds 80 miles from the church, as members of the Presbytery or commissioners to the meeting;
  - b. Travel to meetings of committees and commissions, as members of the committee or commission elected by the Presbytery; and
  - c. Incidental expenses such as working lunch meals or supplies required in performing the business of the entity for which the expense is incurred.
5. The Presbytery office does not issue checks that cause a budget line item to exceed the amount included in the budget approved for that year without approval of the BP&F Committee.

#### D. Property Management

The Committee is responsible for the following:

1. Manage and oversee all real property for which the Presbytery holds title. In instances where a congregation that is a member of this Presbytery occupies the property, all actions related to the property taken by the Committee normally are done in consultation with the session of that congregation.

2. Act as the Presbytery's representative for property of dissolved or extinct congregations, as described by Chapter 16, section VI, of this *Manual*.
3. Recommend to the Presbytery actions regarding the sale, lease or encumbrance of any real property for which the Presbytery holds title.

#### E. Financial Records & Reports

1. All persons handling funds of the Presbytery, its committees, and activities under the auspices or purview of the Presbytery, shall maintain records sufficient to account for the sources and expenditures of those funds, itemized by budget line items.
2. Review financial and/or property documents on behalf of the Presbytery, upon written request by the cognizant standing committee or officer of the Presbytery.
3. Financial reports by Presbytery committees, mission project steering committees ACs shall be made in sufficient detail to demonstrate that expenditures were for authorized purposes.
  - a. Reports should provide summary lines that allow direct comparison to the Presbytery's budget line items.
  - b. Reports should be in a format sufficiently like that of the approved budget for that entity to allow comparison with that document.

#### F. Authority to Act

The Budget Property & Finance Committee is empowered to do the following as a "commission" of the Presbytery, pursuant to *BoO* G-3.0109b, provided that all such actions are reported to the next stated meeting of the Presbytery for incorporation in its records:

Finding in order issues of encumbering congregational property (see *BoO* G-4.0206a) and leasing congregational property (see *BoO* G-4.0206b).

## **CHAPTER SIXTEEN** **THE STANDING RULES**

### I. Membership

The following standing rules are mandatory for all members, committees and commissions of the Presbytery. Those standing rules that apply to individual churches shall be implemented by the session of each member-church when developing or revising its manual of administrative operations pursuant to *BoO* G-3.0106.

### II. Standing Rules Related to Teaching Elders

#### A. Attendance (see *BoO* G-2.0503a(5))

1. It is the duty of all teaching elders to participate in the work of the Presbytery and its stated meetings unless excused in accordance with Chapter 1 of this *Manual*.
2. Teaching elders shall participate in the life of a congregation of this Presbytery or a church in correspondence with the PC(USA).
3. Ministers of the Word and Sacrament also are called teaching elders and pastors, pursuant to *BoO* G-2.0501. This Manual generally uses the term “teaching elder” to indicate Ministers of Word and Sacrament. “Pastors” generally are understood to be teaching elders serving in a called or temporary relationship with a congregation.

#### B. Presbytery Membership

1. Every teaching elder of the PC(USA) engaged in a validated ministry within the bounds of this Presbytery shall ordinarily be a member of this Presbytery.
2. Presbytery shall determine the number of teaching elders who are installed in a pastoral relationship or serving in a temporary relationship with a congregation of this Presbytery, are members-at-large, are engaged in a validated ministry within the bounds of this Presbytery or are honorably retired. On or before 31 December of each year, the Stated Clerk shall determine the category of membership of each continuing member in accordance with the relevant sections of *BoO* G-2.0503 and cause appropriate record of such determination to be made and reported to the Presbytery.
3. Members of Presbytery may be designated as honorably retired teaching elders. This status may be granted in accordance with *BoO* G-2.0503c.

#### C. Reception

Teaching elders of the PC(USA) with letters of dismissal from other presbyteries shall ordinarily be examined and received by a majority vote of Presbytery on recommendation of the Committee on Ministry (COM).

#### D. Temporary Pastoral Relationships

1. Teaching elders that are members of this Presbytery may be appointed as stated or interim supplies on recommendation of the COM. The relationship shall be established only by permission of Presbytery and shall extend for a period not to exceed twelve (12) consecutive months, which is renewable with approval by both the appropriate session and the Presbytery (see *BoO* G-2.0504b). Teaching elders appointed to temporary relationships are not members of the session of the congregation being served. However, teaching elders serving as a temporary pastor may be designated by the COM as the moderator of that session.
  - a. A “stated supply” is invited to serve by the session of a congregation that does not have an installed pastor or associate pastor and is not currently in the search process for calling a teaching elder to that position. Stated supply contracts typically are for 12-month periods, subject to an indefinite number of renewals with approval of the Presbytery. They also are subject to cancellation with a 30-day notice by either the session or the teaching elder.
  - b. An “interim pastor” is invited to serve by the session of a congregation that does not have an installed pastor or associate pastor and is in the search process for calling a teaching elder to that position. Interim contracts typically are for up to 12-month periods, subject to renewal with approval of the Presbytery. They also are subject to cancellation with a 30-day notice by either the session or the teaching elder.
  - c. A “parish associate” is invited to serve by the pastor of a congregation that has an installed pastor (and may have additional associate pastors). The relationship is between the installed pastor, that teaching elder, and the church’s session, with the Presbytery’s approval. A teaching elder invited to become a parish associate may serve in some validated ministry other than a local parish, or be a member-at-large of the Presbytery, or be honorably retired. A parish associate is responsible to the pastor, as head of staff, on an “as needed, as available basis,” and serves with, or without, remuneration. The agreement between the session, the parish associate, and the Presbytery shall terminate when the call to the installed pastor is dissolved or with a 15-day notice by either the installed pastor or the parish associate.
2. This Presbytery mission strategy strongly discourages a teaching elder serving in a temporary pastoral relationship from serving as the next installed pastor, co-pastor, or associate pastor. In the rare instances where such a relationship is essential to the life of a congregation, the relationship may be established by a three-fourths (75%) vote of the members of Presbytery present and voting.

3. Teaching elders that are invited to serve in a temporary pastoral relationship with a congregation of this Presbytery but are a member of another presbytery may work within the bounds of this Presbytery with approval of the Presbytery, upon recommendation of the COM, and approval of their “home” presbytery to work outside the bounds of that presbytery. In such instances, the individual will have privilege of the floor, but not vote, at special and stated Presbytery meetings.

E. Designated Pastors, Designated Associate Pastors and Designated Co-pastor(s)

A designated pastor, associate pastor, or co-pastor is a teaching elder approved by the COM to be elected and installed for a term of not less than two (2) years or more than four (4) years, by a vote of the congregation (see *BoO* G-2.0805). The process to call and renew designated pastoral relationships is described by the COM Handbook. An individual serving in a designated pastoral relationship is eligible to be called to serve in an installed pastoral relationship by a majority vote of the congregation and Presbytery.

F. Service Within or Beyond Jurisdiction of the Church

Teaching elders that are members of the Presbytery may be engaged in a validated ministry within congregations of the PC(USA), in a validated ministry in other service of the Church, or a validated ministry in service beyond the ecclesiastical jurisdiction of the PC (USA) but within the geographic bounds of the Presbytery (see *BoO* G-2.0503a).

1. In the latter case, the teaching elder may be engaged in a nondenominational religious organization or other organization in which this Church has no official participation, or may serve temporarily as pastor or in another capacity in another denomination. Before entering upon such service, the teaching elder shall request permission of the Presbytery through the COM. Permission shall be subject to renewal annually.
2. The COM reviews the work of all teaching elders engaged in validated ministries as required in Chapter 8, section III, of this *Manual*.

G. Ordained Ministers from Other Denominations

1. An ordained minister of another denomination may serve as a member on the administrative (but not pastoral) staff of a church in this Presbytery by invitation of the session of that church (see *BoO* G-2.0504 for “pastoral relationships”). However, such ministers are not granted privilege of the floor or voting rights at meetings of the Presbytery or its committees unless enrolled as described below.
2. Ministers from other Christian churches may serve and be enrolled in Presbytery in accordance with *BoO* G-2.0505 and temporarily have the rights and privileges of membership. When so enrolled they may be employed in pastoral staff positions by a church or serve in staff positions for Presbytery mission projects.

H. Resignations

Any teaching elder proposing to dissolve the relationship with any church as pastor, co-pastor, associate pastor, stated or interim supply or designated pastor or resign as director of a mission project in this Presbytery shall notify the COM chair or the stated clerk before presenting his/her resignation to that organization.

I. Failure to Engage in Validated Ministry

Teaching elders that are members of the Presbytery must continue in a validated ministry or fulfill the criteria for minister-at-large, or be honorably retired as described in paragraph II.B.2, above. When they fail to do so they shall be removed from the roll of the Presbytery as described at *BoO* G-2.0508.

J. Directors of Mission Projects

When the steering committee of a mission project issues a call for a director that is a teaching elder, a preliminary job analysis shall be furnished to both the COM and the Evangelism & Missions (E&M) Committee before those Committees recommend approval. The COM shall confirm that the envisioned position is a validated ministry of this Presbytery.

III. Standing Rules Related to Church Sessions

A. Ruling Elder Commissioners to Presbytery

1. Each church session shall elect ruling elders as commissioners to Presbytery in the number pursuant to Chapter One, section III, of this *Manual*. Ruling elders so elected do not necessarily need to be currently serving on that church's session.
2. When requested by Presbytery, church sessions shall elect additional ruling elder commissioners.

B. Reports to Presbytery

1. Each session shall complete, approve and forward through its clerk, to the Presbytery, the following annual reports:
  - a. A copy of the statistical report submitted to the General Assembly;
  - b. A statement that during the year just ended the contractual provisions of the call(s) or invitation(s) to the pastor(s) have been fulfilled; and a statement that, prior to the adoption of the annual budget of the church, the session has conducted a review of their compensation of the called teaching elders;
  - c. A list of the names and addresses of the moderator, clerk of session, and ruling elder commissioner(s) and alternate(s) to Presbytery;



- d. An annual compensation report required by paragraph VI.D.3, below; and
  - e. Evidence of insurance required by paragraph VI.F, below.
2. Each session shall forward through its clerk of session, to the Presbytery, the following documents as they may be revised from time to time:
    - a. Articles of incorporation for the congregational corporation (see *BoO* G-4.0101);
    - b. Church bylaws and/or manual of administrative operations;
    - c. Copies of any leases of congregational real property and certificates of insurance required by such leases; and
    - d. Copies of the sexual misconduct policy and a child and youth protection policy (see *BoO* G-3.0106).

#### IV. Standing Rules Related to Commissioned Ruling Elders

##### A. Appointment to Limited Pastoral Service

Ruling elders that are members of a church of this Presbytery may be commissioned to specific work of limited pastoral service or service in a validated ministry of the Presbytery on recommendation of the COM (see *BoO* G-2.1001). Such ruling elders shall have faithfully served as a member of the session of the congregation that called them for ordination (see *BoO* G-2.0301). The relationship shall meet the requirements for temporary pastoral relationships as described above pursuant to *BoO* G-2.1001. Commissioned ruling elders (CREs), also known as commissioned pastors, appointed to temporary pastoral relationships do not automatically become a member of the session of a congregation being served. However, CREs serving in such a relationship may be designated by the COM as the moderator of that session.

##### B. Presbytery Membership

1. Every CRE shall ordinarily be a member of this Presbytery when membership is included in the Presbytery's authorization for that position. They shall be included in the number of ruling elder commissioners for purposes of parity.
2. CREs who are listed as active members of the Presbytery are entitled to speak, vote and hold office.
3. It is the duty of all CREs to participate in the work of the Presbytery and its stated meetings unless excused in accordance with Chapter One of this *Manual* (see *BoO* G-2.0503a(5)).

### C. Service Within the Jurisdiction of this Presbytery

The commission for CREs shall be for specific work within the bounds of this Presbytery, for a term not to exceed three (3) years, which shall be renewable. Service as a CRE shall expire upon leaving that specific work. Before entering upon such service, the ruling elder shall request permission of the Presbytery through the COM, with concurrence of the validated ministry to be served. Permission shall be reviewed annually.

### D. Resignations

Any CRE proposing to dissolve the relationship with the specific work to which commissioned shall notify the chair or secretary of the COM before presenting his/her resignation to that organization.

## V. Standing Rules Relating to Administrative Commissions

### A. Composition of Administrative Commissions

1. The Presbytery may designate administrative commissions as defined by *BoO* G-0109b. The specific duties of each administrative commission so designated shall be expressly stated, along with any limitations on actions, if any, by the action of the Presbytery that designates the commission. The Presbytery may revise such duties from time to time as requested and warranted by the reports of the commission to the Presbytery.
2. Administrative commissions of this Presbytery shall be composed of teaching and ruling elders in numbers as nearly equal as possible. When the commission consists of an odd number of members, the additional member may be either a ruling elder or a teaching elder.
3. Administrative commissions shall comprise not fewer than seven (7) members, with not more than one (1) of its ruling elder members from any one of the constituent churches and not more than one (1) of its teaching elder members serving at the same church.

### B. Administrative Commissions for Ordination and/or Installation

Administrative commissions for the purpose of ordaining and/or installing teaching elders shall comprise not fewer than five (5) members subject to the restrictions of paragraph A.3, above. Any members in addition to those five shall be ruling or teaching elders, but are not subject to the restrictions.

## VI. Standing Rules Related to Churches and Mission Projects

### A. Churches

1. The right to organize new churches and control the location of new churches is vested only in the Presbytery (see *BoO* G-3.0301a). The strategy and planning for the location and organizing of new congregations are done in this Presbytery through the Cyclical San Diego Committee. The process to initiate a new church development is described in Chapter 13 herein.
2. The Presbytery has the responsibility, in consultation with churches and their members, to receive, unite, divide, dismiss and dissolve churches.
  - a. The session of a church seeking to be dissolved, first shall consult with the COM. The COM shall advise any teaching elders regarding their status within the PC(USA) should the requested action be implemented.
  - b. The COM shall make a determination if the request for dissolution of the church has sufficient support from the members of the session and the congregation to proceed with the action.
  - c. The Presbytery, upon recommendation of the COM, shall elect an administrative commission to deal with any church that is to proceed with dissolution as a congregation. That commission shall determine if the action is unavoidable and, if it is, plan for the action. The commission shall make a report to Presbytery to effect any dismissal or dissolution action.
  - d. The process defined in the policy titled “Covenants and Gracious Dismissal” was approved by the Presbytery on May 15, 2018. The Presbytery will take such actions as necessary to conform to that policy through completion of any action in response, including either the church remaining within the denomination or being dismissed to another Reformed body.

### B. Churches Without an Installed Pastor

1. When the pulpit of a church becomes or is about to become vacant, the session shall immediately consult with the COM and cooperate with it in supplying the pulpit when authorized by Presbytery and in taking proper steps to seek and secure a new pastor.
2. Upon the election of a pastor or associate pastor nominating committee, that committee shall confer with the COM and follow the process set forth by the COM Handbook.

### C. Per Capita Apportionment

1. Each church is encouraged to pay its apportionment to the Presbytery in a timely manner, in a per capita amount previously established by Presbytery, on the basis of members on the active roll reported to General Assembly as of the beginning of the previous calendar year. From these funds, Presbytery shall meet its expenses as an ecclesiastical body and shall bear its apportioned share of the corresponding expenses of Synod and General Assembly, with the understanding that such payments to Synod and General Assembly are voluntary.
2. The Presbytery will not make up any shortfall in the payments of per capita assessments to the Synod of Southern California & Hawaii and General Assembly that are received from the various churches of the Presbytery. However, the Synod and General Assembly expect the Presbytery to make up such shortfalls.

#### D. Compensation

1. Each church shall pay the salary and benefits of its pastor(s) in regular, periodic payments. Salary and benefits shall meet the minimums established for this Presbytery by the COM (see *BoO* G-2.0804).
2. The Presbytery shall pay its administrative staff, paid Cyclical San Diego staff, and mission project staff persons in regular, periodic payments. Individuals employed by Cyclical San Diego and mission projects are paid as employees of the Presbytery. Employees in staff positions participate in the Board of Pensions plans at Presbytery expense only when approved by the Presbytery.
3. The annual compensation report submitted by churches to the Presbytery shall include a statement as to whether the adequacy of compensation of anyone in a pastoral relationship with that church has been reviewed in the past twelve (12) months. Any congregation that fails to pay regularly the salary and benefits, or to conduct the review, is, in effect, breaking the contractual obligations that it assumed upon installing that individual.
4. No church in the Presbytery, whether self-supporting or aid-receiving, shall be permitted to settle a new pastor or supply, in any pastoral relationship recognized by *BoO* G-2.0504 or a temporary pastoral relationship as described by paragraph II.D, above, until it has provided for the fulfillment of its financial engagements to its former pastor(s).
5. When pulpits are vacant or when pastors are absent on vacation, churches should pay reasonable honorariums to teaching elders, candidates for ordination as teaching elder that are under the care of the CPM, or other individuals that conduct worship services during that vacancy, also taking into account the necessary expense of travel incurred in rendering such service. Honorariums typically are not paid to individuals that are employed on a full time basis or are in a called pastoral position within the Presbytery, its mission projects or its churches.

6. Each church shall provide a minimum 2-week study leave and expenses on an annual basis, for each teaching elder on its staff, with compensation prorated for part-time pastoral staff member.
7. Each church shall provide at least four (4) weeks of annual vacation with normal compensation for each teaching elder or CRE on its staff, with compensation prorated for each part-time pastoral staff member.

#### E. Pension Plan Participation

The call to a teaching elder to an installed pastoral relationship shall always contain provisions for participation of the teaching elder and the calling congregation in the Presbyterian Pension Plan. The employment agreement with a teaching elder in other ministerial service within the Presbytery (*e.g.*, director of a mission project) may also, but is not required to, include provisions for participation in the Pension Plan.

#### F. Insurance

##### 1. Maintenance of Insurance

The Office of Risk Management Services of the PC (USA) maintains a website “Risk Management,” which identifies minimum standards of property and liability insurance for churches, presbyteries and synods. The standards are available at <https://www.presbyterianmission.org/legal-resources/risk-management/>. Both the Presbytery and all of its member churches shall fully consider those standards in establishing amounts for risk coverage as discussed below.

- a. Each church of this Presbytery shall maintain at its own expense property and liability insurance for the adequate protection of its assets pursuant to *BoO* G-3.0112. Evidence of this shall be filed annually with the Budget, Property & Finance (BP&F) Committee.
- b. Every church shall provide workers’ compensation coverage as required by state law for both pastors and all employees.
- c. The Presbytery maintains workers’ compensation coverage for its employees and volunteers. Volunteers are covered by the provisions of Section 3363.6(a) of the California Labor Code. A copy of this policy is available from the Finance Office of the Presbytery.
- d. In the case of any mission project or agency, the title to whose property is held by Presbytery, its insurance shall be provided through the Presbytery policy to the extent that adequate coverage is available, unless the requirement is modified by the Board of Trustees of Presbytery.

2. Any use, rental or lease of church property to any group not sponsored by the particular church requires filing with the church and the Presbytery a Certificate of Comprehensive Liability Insurance (general operations) issued by the insurance company under which the user is insured, in which the particular church, the Presbytery and the Synod (if title is held by Synod) are recognized as additional named insureds. Such coverage shall be for no less than one million dollars (\$1,000,000.00) combined single limits and as respects the additional named insured shall be primary insurance with respect to such use. The policy shall include ten-day written notice to the Presbytery of any cancellation.

## G. Property Transactions

### 1. Change in Property Holding

- a. When a particular church desires to change in any manner the holding of any real property, which includes the purchasing, selling, leasing, or acquisition of property, the borrowing of money for any purpose, the granting of easements, or major changes in grading or topography, it must submit its request to the BP&F Committee for its review and referral to the Presbytery for approval (see *BoO* G-4.02).
- b. A particular church shall not purchase, sell, lease, mortgage or otherwise encumber any of its real property and it shall not acquire real property without the written permission of the Presbytery transmitted through the session of the particular church (see *BoO* G-4.0206).
- c. All property held by and/or for a particular church is held in trust for the use and benefit of the PC (USA) (see *BoO* G-4.0203).

### 2. Outside Use of Property

A particular church shall not allow the use of its real property for the purpose of worship by any group outside the particular church, or lease any of its other real property for more than five (5) years, without the permission of Presbytery (see *BoO* G-4.0206b).

### 3. Continuance of Corporation

Upon the dissolution of a church by Presbytery:

- a. The church corporation shall be kept in existence;
- b. If necessary, the articles of incorporation of the church corporation shall be brought up-to-date and be similar in principle to the articles of incorporation of the Presbytery of San Diego; and the bylaws of the church corporation shall be suitably amended so they are similar in principle to this *Manual*;

- c. The Board of Trustees of the Presbytery shall be elected as the trustees of the discontinued church's corporation; and
- d. The property of a dissolved or extinct congregation may be sold or disposed of as the Presbytery may direct (see *BoO* G-4.0205). The BP&F Committee acts as the Presbytery's representative in such transactions.
- e. The church corporation may be dissolved upon disposal of all real and personal property and resolution of any legal or financial matters related to the dissolved congregation.

#### H. General Mission Remittance

It is recommended that all offerings and other appropriations for the Presbytery's budget be sent monthly to the Presbytery, and that these offerings be then distributed in accordance with the annual budget, unless otherwise specifically designated. The Presbytery budget shall identify the portion of the budget to be transmitted to the Synod and/or General Assembly.

#### I. Church Bylaws and Articles of Incorporation

Any church that has approved bylaws or articles of incorporation or revises the same shall submit a copy to the Stated Clerk and the Ecclesiastical Committee. Every church shall present to the Presbytery a copy of the bylaws and articles of incorporation of any corporation related to that church.

#### J. Mission Projects

Each mission project with paid staff, whether full-time or part-time, shall reimburse the Presbytery for payments of the compensation to its staff, including benefits, in regular, periodic amounts. Reimbursement shall include Presbyterian Pension Plan funding and/or any insurance coverage or other benefits provided by the Presbytery.

#### K. Transportation for Presbytery Purposes

##### 1. Transportation using Presbytery-owned Vehicles

- a. Purpose: to provide guidelines for the safe and legal operation of vehicles owned by the Presbytery.
- b. Policy: Only Authorized Drivers may operate Presbytery-owned vehicles. Presbytery vehicles must be adequately insured.
- c. Procedure:

- i. An individual must meet the following criteria to be considered an Authorized Driver:
  - a) Must be at least 21 years old.
  - b) Must have no more than one moving vehicle violations in the past three (3) years and no serious violations.
  - c) Must have a driver's license (preferably in the state of California) that is valid for the type vehicle being operated.
  - d) Must be approved by a presbytery committee, board, or entity.
  - e) Must be willing to accept or attend training in the safe operation of vehicles.
- ii. Seat belts must be worn by the driver and all passengers at all times during operation. It is the responsibility of the driver to enforce this policy with any vehicle passengers.
- iii. Drivers must follow all applicable laws and regulations in the operation of a Presbytery-owned vehicle. Any activity that serves to distract or interfere with the safe operation of the vehicle (including, but not limited to, use of cell phones) is prohibited.
- iv. The driver is responsible for the payment of any citations received related to driving or parking practices.
- v. The Presbytery entity that uses the vehicle is responsible for maintaining all insurance required by California law and for maintaining current the registration of the vehicle. It also is responsible for any maintenance required to keep the vehicle in good operating condition.

## 2. Transportation Using Other Than Presbytery-owned Vehicles

- a. Purpose: to provide policy for the safe and legal operation of vehicles other than those owned by the Presbytery that are used to participate in events for which the Presbytery is organizing transportation other than commuting to and from meetings or events of the Presbytery (*e.g.*, retreats, mission trips).
- b. Policy: The Presbytery requires that all drivers of non-presbytery-owned vehicles used to participate in events for which the Presbytery is organizing transportation be operated and maintained in a safe manner according to all applicable laws and regulations of each state in which operated.
- c. Procedure:



- i. A vehicle to be used for Presbytery-approved activities must meet the following criteria:
  - a) A current, passing registration sticker must be clearly displayed on the license plate.
  - b) Must have an adequate number of seatbelts for all passengers.
  - c) Must have a valid, current auto insurance declaration page in the vehicle. A copy of the insurance policy or certificate of coverage must be provided to the Presbytery office. A minimum coverage of not less than \$100,000/\$300,000, which will be the primary coverage. The Presbytery's insurance will be secondary coverage in the event of an accident.
- ii. Drivers of non-presbytery-owned vehicles on approved church activities:
  - a) Must have a driver's license (preferably in the state of California) that is valid for the type vehicle being operated.
  - b) Must have no more than one moving vehicle violation in the last three (3) years, and no serious violations.
  - c) Must provide to the Presbytery office proof of insurance that covers the driver, which reflects a minimum level of personal coverage of not less than \$100,000/\$300,000 primary. The Presbytery's insurance will be secondary in the event of an accident.
  - d) Must provide a clear, legible copy of a current, valid driver's license to the Presbytery office.
  - e) Seat belts must be worn by the driver and all passengers at all times during operation. It is the responsibility of the driver to enforce this policy with any vehicle passengers.
  - f) Must follow all applicable laws and regulations in the operation of vehicles during Presbytery-approved activities. Any activity that serves to distract or interfere with the safe operation of the vehicle (including, but not limited to, use of cell phones) is prohibited.
  - g) Must be at least 21 years of age to transport "non-family" passengers to off-site approved Presbytery activities.
  - h) Must ensure that all passengers are accounted for on the return trip.

- i) Must keep a list of passengers and their guardians/emergency contacts, with valid contact information, in the vehicle during operation. Drivers should be aware of any pre-existing health concerns of children and youth passengers. A permission slip is required for all passengers.
    - d) The Driver is responsible for the payment of any citations received related to driving or parking practices.
  - iii. When transporting children or youth to a Presbytery-sanctioned event:
    - a) It is advised that an adult assistant ride with the driver to deal with potential distractions in the vehicle.
    - b) A permission slip is required for all passengers under 18 years of age. A parent or guardian must advise of any pre-existing health concerns as part of the permission slip.

## VII. Standards of Ethical Conduct

- A. All members of this Presbytery shall conform to the “Life Together in the Community of Faith: Standards of Ethical Conduct for Members of the Presbyterian Church (U.S.A.)” found in the Standards for Ethical Conduct approved by the 210<sup>th</sup> General Assembly (1998) of the PC(USA) and most recently reaffirmed by this Presbytery at its stated meeting on February 20, 2018.
  - 1. Any member of this Presbytery engaged in ordered ministry or a certified Christian educator shall conform to the “Life Together in the Community of Faith: Standards of Ethical Conduct for Ordained Officers in the Presbyterian Church (U.S.A.)” found in the Standards for Ethical Conduct.
  - 2. All employees of this Presbytery and volunteers that are not otherwise covered by the standards cited in paragraphs A and B above, shall conform to the “Life Together in the Community of Faith: Standards of Ethical Conduct for Employees and Volunteers of the Presbyterian Church (U.S.A.)” found in the Standards for Ethical Conduct.
- B. Those who are called to office in the church are to lead a life in obedience to Scripture and in conformity to the historic confessional standards of the church. Among those standards is the requirement to live either in fidelity within the covenant of marriage between a man and a woman, or chastity in singleness.
- C. Child/Youth/Vulnerable Adults Protection Policy

It is the policy of the Presbytery of San Diego (hereinafter, the “Presbytery”) to provide a safe environment for the spiritual, physical, and emotional, well-being of youths, children and vulnerable adults who attend, and/or participate in, Presbytery activities. The

requirements and prohibitions set forth in this policy are specifically designed with that in mind. This policy applies to all Presbytery-sponsored activities that involve children, youths, and vulnerable adults.

Amendments to this policy must be in writing and may be made only by the COM and approved by the Presbytery.

## 1. Policy Rationale

The implementation and documentation of a Child/Youth/Vulnerable Protection Policy strives to reduce the risk of abuse and neglect for the following reasons:

- a. Children, youth, and vulnerable adults are a gift from God and the Church has a divine mandate to provide for their safety and nurturing. The Church is called to be a place that reflects the open arms of Jesus. In Matthew 19:14, Jesus says, “Let the little children come to me.” The Church is to be, at all levels of council and in all entities, a place of safety and nurture reflective of the arms of Christ.
- b. Any type of abuse that involves children, youth, or vulnerable adults has lasting and devastating effects on the life of the victim/survivor. It is the call of the Church to be a life-giving entity of Christ’s healing and hope for community and individuals, not an entity that brings harm and hurt.
- c. The larger Church suffers with the victim/survivor and his or her family when abuse and neglect occur. The Church is crippled by the hurt, pain, and distrust that accompany abuse. Not only does the Church lose its credibility at all levels, it also suffers considerable financial loss and loss of integrity. More importantly, in instances of child, youth, or vulnerable adult abuse within the Church, there is immeasurable spiritual, psychological, emotional, and physical harm perpetrated that woefully cripples God’s call on the Church.
- d. The *Book of Order* states: All councils shall adopt and implement a sexual misconduct policy and a child and youth protection policy (see *BoO* G-3.0106).
- e. Children, youths and vulnerable adults are not only persons of care and service in the church, but they are also co-recipients of the graces and love of God. Jesus exemplified this in the Gospel of Mark 10:15–16 when he urged his followers to receive the kingdom of God as a little child. And he specifically takes up the children into his arms and blesses them. So also, the Church, as the body of Christ, is to be the presence of Christ’s love, in the same way taking up all children and youth into its arms and blessing them; providing for them a safe, thriving, and nurturing environment in which to grow in every way.

## 2. Scope

This specific policy applies only to those situations in which the persons involved are accountable to the Presbytery. As such, the policy is limited to those persons who are either continuing members of the Presbytery, employees, elected officials, members of various committees, or volunteers of the Presbytery of San Diego, including:

- Teaching elders on the Presbytery rolls
- Inquirers and candidates under care of the Presbytery
- CREs
- Certified Christian educators (CCEs)
- Leaders of Presbytery-sponsored events while they are at and are in transit to and from the events. Leaders are defined as Presbytery staff or volunteers who provide services for governing bodies and entities of the Presbytery. Volunteers include persons elected, appointed, or selected to serve on boards, committees, and other groups
- Professional persons employed by the Presbytery of San Diego in both exempt and non-exempt positions.

### 3. Definitions

The following is a list of definitions of terms and their intended use in this particular policy. For the purpose of this policy:

**Child:** A child is defined as a person between the ages of 0–11.

**Youth:** A youth is defined as a person between the ages of 12–17.

**Minor:** A minor is any child or youth 0–17 years-old.

**Child/Youth Worker:** Any person, volunteer or paid staff or contractor, who participates at any level at Presbytery-sponsored events or activities that involve children and/or youth. All child/youth workers must be at least 18-years old and four (4) years older than the oldest youth whom they are serving.

**Vulnerable Adult:** Any person 18-years old or older without the developmental or cognitive capacity to consent.

**Vulnerable Adult Abuse:** Any act or failure to act that results in the physical, sexual, psychological, or emotional mistreatment, neglect, or exploitation of a vulnerable adult.

**Child/Youth/Vulnerable Adult Abuse:** Any act or failure to act that results in the physical, sexual, psychological, or emotional mistreatment, neglect, or exploitation of a child, youth or vulnerable adult.

**Sexual Abuse:** *BoO D-10.0401c* defines sexual abuse as, “Sexual abuse of another person is any offense involving sexual conduct in relation to (1) any

person under the age of eighteen years or anyone over the age of eighteen years without the mental capacity to consent; or (2) any person when the conduct includes force, threat, coercion, intimidation, or misuse of ordered ministry or position.”

**Misuse of technology:** The use of technology that results in the harassing or abusing of a child/youth. This includes using technology to send suggestive message and images to a child or youth. Adults should not have any technological contact with a child or youth that is not either pre-approved by the child/youth’s parent or legal guardian with a signed waiver, or the contact is on an open public medium, such as a church website or other social media program.

**Safe Child Response Team:** The Safe Child Response Team is a team comprised of a minimum of three members of, or appointed by, the Presbytery who are specifically trained to respond to allegations and reports of child, youth, or vulnerable adult abuse at Presbytery-sponsored activities. These teams must be readily available to be contacted and used at all Presbytery-sponsored events.

**Sponsoring Group:** Any council, committee, ministry or entity of the Presbytery that is tasked with the responsibility of planning events and activities for children, youth, or vulnerable adults.

**Staff member:** Any person employed by the Presbytery on a full-time or part-time basis.

**Volunteer:** A person, not paid or otherwise employed by the Presbytery who, with the knowledge and consent of the Presbytery, is permitted to assist in the preparation and/or administration of Presbytery activities. There are two kinds of volunteers:

- a. A “senior volunteer” is a volunteer regarding whom a successful background check has been completed, who may interact with youths, children and those vulnerable under the indirect supervision of a staff member (*i.e.*, supervision that does not necessarily include contemporaneous visual observation or verbal direction). A list containing the names, addresses, and telephone numbers of all current senior volunteers for Presbytery activities shall be maintained by the Executive Director.
- b. A “volunteer” is a volunteer regarding whom no background check has been completed, but who has been expressly approved of by the Presbytery. A volunteer may only interact with, or assist, youths, children or those vulnerable (i) in a non-public venue under the direct supervision of a staff member or senior volunteer (*i.e.*, supervision that includes contemporaneous visual observation and verbal direction); and (ii) in a public venue under the indirect supervision of a staff member or senior volunteer.

#### 4. Physical Interactions with Children, Youths or Vulnerable Adults

- a. Certain forms of physical contact with a child, youth or vulnerable adult are inappropriate and, therefore, prohibited and will not be tolerated. They include intentionally touching a child, youth or vulnerable adult in a personal/private area of the body, lying down with a child, youth or vulnerable adult, and intentionally hitting, slapping, or punching, a child, youth or vulnerable adult for punishment or correction.
- b. Other forms of physical contact with a child, youth or vulnerable adult may be appropriate under some circumstances but inappropriate under other circumstances. For example, holding a child in your lap, or carrying a child, may be appropriate as a necessary means of calming, comforting, or reassuring the child, or rendering assistance when walking is difficult or impossible. However, holding a child in your lap, or carrying a child, solely based on your own desire to do so would be inappropriate. Similarly, any other form of physical contact with a child, youth or vulnerable adult that is based solely on your own desire to do so, rather than an applicable contemporaneous need, would be inappropriate.
- c. Staff members, senior volunteers, and volunteers, must establish clear lines and boundaries with children, youths and vulnerable adults. Statements such as “that’s not appropriate,” “that’s not acceptable,” and “that’s not respectful” are helpful.

#### 5. Other Prohibited Behaviors

The following acts or omissions are violations of this Policy and will not be tolerated during any activity or program:

- Verbally abusive language such as belittling, derogatory name-calling, bullying or harassing remarks
- Any display or demonstration of sexual activity, abuse, insinuation of abuse or abusive conduct
- Sexual advances or sexual activity of any kind between a Presbytery worker and a minor or a Presbytery representative and a vulnerable adult
- Physically abusive behavior or infliction of bodily injury to a minor or vulnerable adult
- Mental or emotional injury to a minor or vulnerable adult caused or exacerbated by a Presbytery representative

- Physical neglect of a minor or vulnerable adult including failure to provide adequate supervision in relation to the activities and programs of the Presbytery
- The presence or possession of obscene or pornographic materials at any church-sponsored event
- The presence, possession or being under the influence of any illegal or illicit drugs
- Consumption of or being under the influence of alcohol while leading or participating in church activities while minors are present
- Other acts of child/youth/vulnerable adult abuse, sexual abuse or the misuse of technology are strictly prohibited and must be reported immediately.

## 6. Travel

The policies identified in paragraph VI.K, Transportation for Presbytery Purposes, above, apply to the travel described below.

- a. The driver of an automobile that is transporting children, youths or vulnerable adults for a Presbytery activity must be a staff member, senior volunteer, or volunteer who is 21 years of age or older, who possesses a valid California driver's license and automobile insurance.
- b. Minors should not ride in private vehicles or with other students without a written consent form signed by a parent or legal guardian prior to the Presbytery-sponsored event or activity. At no time shall an adult of the opposite sex be alone in a vehicle with a student during a Presbytery sponsored event or any other activity where a "Presbytery representative-student" relationship exists. Exceptions may be made in the case of an emergency deemed necessary by the driver or Presbytery representative.

## 7. Events

- a. There must be at least one (1) staff or volunteer, when working directly with children, youth or vulnerable adults at any Presbytery of San Diego event, certified in first aid and cardiopulmonary resuscitation (CPR).
- b. Whenever a Presbytery entity organizes an event that includes minors from other church councils, a church that has compliant processes in place for working with youth will lead the child, youth and vulnerable adult activities and apply the policies of that church for the event. Church councils participating in the activity shall abide by the policies of that leading church and shall:

- i. Not send a person to act as a child, youth or vulnerable adult worker whom the council knows has violated the provisions of the *BoO* or policy of a local congregation or Presbytery pertaining to sexual misconduct or child/youth protection.
  - ii. Not send a person to act as a child, youth or vulnerable adult worker for minors when that person is also scheduled to work at the event.
  - iii. Require councils at all levels of church life who are assisting in organizing Presbytery events for minors or sending child, youth or vulnerable adult workers to these events to abide by the same screening, training, and background check standards mandated in this policy for the Presbytery.
- c. The Presbytery requires that any church leading the child/youth and vulnerable adult activities have, as a minimum, established best practices for securing child, youth or vulnerable adult workers and eligibility requirements for all participating churches. Minimum practices shall provide guidance to the councils that are sending child, youth or vulnerable adult workers concerning the requirement that the council perform and pay for background checks for potential child, youth or vulnerable adult workers and how to evaluate the background check for offenses that would disqualify a person from being a child, youth or vulnerable adult worker with minors.

## 8. Screening and Background Checking

- a. A child/youth/vulnerable adult worker, whether staff, contractor, or volunteer basis, shall be subject to:
  - i. The Presbytery's receipt of a completed, signed, and approved application to participate in the event; and
  - ii. Proof of the applicant's background check clearance; or the applicant's consent to a criminal background check to be processed before participation in any child/youth/vulnerable adult activity.
- b. No person may serve as a child/youth worker who has a conviction on his/her record of certain felonies or misdemeanors, including, but not limited to, any of the following:
  - Criminal homicide;
  - Aggravated assault;
  - Crimes related to the possession, use, or sale of drugs or controlled substances;
  - Sexual abuse;
  - Sexual assault;



- Injury to a youth;
  - Incest;
  - Indecency with a youth;
  - Inducing sexual conduct or sexual performance of a youth;
  - Possession or promotion of child pornography;
  - The sale, distribution, or display of harmful material to a minor;
  - Employment harmful to youth;
  - Abandonment or endangerment of a youth;
  - Kidnapping or unlawful restraint;
  - Public lewdness or indecent exposure, and enticement of a youth;
  - Any crime that involves sexual misconduct or sexual abuse, particularly if it involves misconduct or abuse with a minor;
  - Any crime that involves misuse of technology for sexual purposes, such as collecting or distributing photographs of minors who are naked or in sexual or inappropriate poses (child pornography);
  - Any crime that involves the use of force, such as assault or endangerment;
  - Any crime that involves abduction and kidnapping;
  - Any crime that involves drinking and driving, such as driving while intoxicated; or
  - Any crime that involves drugs or theft.
- c. In addition, if the Presbytery is aware that a child, youth or vulnerable adult worker has a prior conviction for one of the aforementioned crimes, or a related crime, the child, youth or vulnerable adult worker shall automatically be ineligible to attend a child, youth or vulnerable adult event in any capacity.

## 9. Safe Environment

It is the goal of the Presbytery to make each environment in which a Presbytery activity takes place a safe environment. In furtherance of this goal the Presbytery will, among other things:

- a. Make reasonable efforts to exclude from any Presbytery activity any person who has no legitimate reason or purpose for being there; and
- b. Strictly control access to Presbytery non-public activities by means that may include limiting entrance to the activity environment or in-person monitoring of access points.

## 10. Reporting Responsibility

- a. In addition to any reporting obligations required by law, it is the responsibility of each staff member, senior volunteer, and volunteer, IMMEDIATELY to report to the Stated Clerk any suspected or known prohibited or inappropriate interaction

between a staff member, senior volunteer, volunteer or event participant, and a child, youth or vulnerable adult.

- b. Any person bringing a report of abuse or assisting in investigating will not be adversely affected in terms and conditions of employment, church membership or affiliation, or otherwise be discriminated against or discharged.

#### 11. The Safe Child Response Team

The Response Team shall have the following responsibilities in response to allegations of child, youth or vulnerable adult abuse or neglect incurred against any child, youth worker or event participant:

- a. Immediately provide for the safety of the alleged victim(s) involved.
- b. If the report alleges abuse or harassment of a minor, the Response Team will:
  - i. immediately ensure the allegation is reported to the civil authorities under state law;
  - ii. immediately notify the parents or guardian of the minor; and
  - iii. notify the insurance company of the allegation and that no investigation has yet occurred.
- c. Make immediate decisions concerning the temporary removal of the individual accused from any contact with children, youth or vulnerable adult pending an investigation and/or removal of the accused from the event until a resolution of the allegations has occurred.
- d. Notify designated people at the Presbytery immediately of the report of alleged abuse/neglect, including the Presbytery's Stated Clerk and attorney. Any possible media requests will be handled by the Executive Director or his/her designee with advice from the attorney, taking care to safeguard the privacy and confidentiality of all involved.
- e. Provide resources for victims of the alleged abuse that may aid in the particular spiritual, psychological, or emotional needs and trauma that may arise from the alleged abuse.
- f. If the report is against a teaching elder, the Response Team shall submit a written statement of alleged offense, together with any supporting information, to the stated clerk of the presbytery that holds the teaching elder's membership. This written statement of allegation will initiate preliminary disciplinary procedures pursuant to *BoO* D-10.0101.

- g. If the report is against a ruling elder, the Response Team shall submit a written statement of alleged offense, together with any supporting information, to the clerk of session of the congregation that holds the ruling elder's membership. This written statement of allegation will initiate preliminary disciplinary procedures pursuant to *BoO* D-10.0101.
- h. If the report is against an employee of the Presbytery, the Response Team will notify the person(s) or committee responsible for supervision of the employee, the Executive Director, the Stated Clerk, Human Resources, and the Presbytery's attorney.
- i. If the report is against an employee of an entity other than the Presbytery of San Diego, the Response Team will notify the person(s) or committee responsible for supervision of the employee. The Response Team will request a follow-up report from the supervisory body of the outcome of any subsequent investigation or discipline.
- j. If the report is against a volunteer or non-member of the Presbytery, the Response Team will request that the Presbytery appoint a special committee of three persons to initiate an inquiry into the allegations in order to (see Chapter 4, paragraph II.C of this *Manual*):
  - i. gather any statements of abuse from those making the report, including any information from the Response Team, and any party to the abuse;
  - ii. gather any information from the person who was accused of abuse;
  - iii. make written determinations and take actions appropriate to resolve the matter including, but not limited to, making recommendations for prevention as well as response.
- k. Provide pastoral counseling for the principal parties involved (accuser(s), possible victim(s), accused, family members).
- l. A written summary of any proceedings in such cases will be maintained by the Presbytery.

## 12. Training

- a. Upon employment and every two years thereafter, the Stated Clerk will ensure that each teaching elder that is a member of the Presbytery receives training regarding the responsibilities and requirements of this Child/Youth/Vulnerable Protection Policy and applicable law. This training is also mandatory for staff members and senior volunteers before they will be permitted to participate in child/youth/vulnerable adult activities. Persons who act as volunteers on a regular basis are encouraged, but not required, to receive the training.

b. The training shall cover:

- What constitutes child/youth/vulnerable adult abuse and neglect;
- How to recognize signs and symptoms of abuse and neglect;
- State laws concerning definitions of abuse and reporting;
- Mandatory criminal background checks and the security of those files;
- Explanation of the importance of the application and screening processes;
- Appropriate boundaries with children and youth, especially regarding adult/child/youth ratios, transportation, and use of technology;
- If an overnight event is planned, discussions of boundaries involving appropriate sleeping arrangements, and restroom/shower facilities use shall be discussed; and
- The presence of a Safe Child Response Team at each event and how to contact them.

13. Receipt and Acknowledgement of Policy

At the time of training, every teaching elder, Presbytery employee, and senior volunteer will be given a copy of this policy and will confirm receipt of same in writing.

14. Confidentiality of Records

The sponsoring organization shall maintain all child/youth/vulnerable adult worker applications, results of background checks, and related information in confidential, secured files.

15. Civil Reporting Procedures for Non-church Activities/Events

a. Who Reports

- Mandated reporters** are clergy and staff who have direct responsibilities for children and youth, which include but, is not limited to: pastors, directors, coordinators, teachers, camp counselors, supervisors of child welfare and care, presenters of child abuse prevention programs and those aides or helpers trained in child abuse reporting. However, every person who has grounds to suspect abuse of children, youth or vulnerable adults should consider it his/her duty to comply with reporting process in the State of California. Clergy are also mandated by California law to alert authorities of any suspicions of abuse of vulnerable adults. This is regardless of whether the suspected abuser is part of the Presbytery community or if information comes from a third party.
- Obligated reporters** include, but are not limited to: Sunday school teachers, program coordinators (*e.g.*, vacation Bible school), camp counselors, child care providers, assistants, and other aides or helpers in the contact of children

and youth. Obligated reporters are encouraged to report known or suspected child abuse by following the procedures below, as if they were a mandated reporter. However, it is reasonable to expect assistance from the church employee who supervises the program or activity in which the church volunteer is engaged.

- iii. The reporting mandates are individual and cannot be delegated to another individual except under circumstances explained later in this policy. The duty to report child abuse is an individual duty and no supervisor, director, or pastor may impede or inhibit such reporting duties. It is in the best interest of children and youth that any and all known or suspected child abuse be reported immediately.

b. When

- i. Reports to protective services are required if there is reasonable suspicion of past, current or future abuse. California Law describes *reasonable suspicion* as situations “when it is objectively reasonable for a person to entertain such suspicion based upon facts that could cause a reasonable person in a like position drawing, when appropriate, on his/her training and experience to suspect child abuse.” An anonymous call that alerts a church staff member to suspect a minor or vulnerable adult who might be at risk may constitute sufficient cause to report.
- ii. Once that level of suspicion is reached, no Presbytery representative should investigate. Determining whether or not the suspected abuse actually occurred is not the responsibility of the Presbytery representative. Such determination and follow-up investigation will be made by a child protective agency.
- iii. No Presbytery representative should confront a parent or suggest any suspicion of child abuse to the child or youth in question. Rather, any suspicion should be communicated confidentially to county protective services (as described below) and/or the Stated Clerk. No other third party will be told any details of any reported matter, unless that person has a legal, business, or ministerial reason to be informed of the results of any investigation, or any actions taken in response to such investigation.

c. How

- i. As stated in the California Penal Code, Section 11164-11174.3, **mandated reporters** shall make an initial report to the agency immediately or as soon as is practicably possible by telephone within 24 hours after a person has reasonable suspicion of possible current or future abuse. The **mandated reporter** shall prepare and send, fax, or electronically submit a written

follow up report within **36 hours of receiving the information concerning the incident.**

- ii. Any person who intends to file a report with civil authorities may alert the Stated Clerk who will help in making the report. *Only* if civil authorities allow such communication can the pastor (or anyone else) speak with the principals in an alleged incident (including the parents) immediately after a report has been made. Often pastors are advised that any contact with principals may affect the investigation.
  - a) **Call** the Child Abuse Hotline first (1-800-344-6000 or 858-560-2191) to make a **verbal report**. Before you call, make notes of any pertinent observations, child's comments, and other information that led to a reasonable suspicion of abuse. This written information about individuals involved and the description of the incident will be of value in making the oral report on the phone and can then be easily transferred to a reporting form and sent to Child Protective Services (CPS) within 36 hours. It is vital to get the name of the hotline worker.
  - b) **Complete** form **DOJ SS8572**, available at:  
[http://ag.ca.gov/childabuse/pdf/ss\\_8572.pdf](http://ag.ca.gov/childabuse/pdf/ss_8572.pdf)
    - 1) Type or print legibly in black ink.
    - 2) Fill in every space on the form. If you do not know certain requested information, write "unknown."
    - 3) In the "Narrative" section, give detailed information. If you have additional information beyond what you have given by phone, please indicate this on the written report. If necessary, please continue your narrative on an additional sheet of paper, identifying the minor and indicating it is page 2 of the referral.
  - c) **Submit** form DOJ SS8572 within 36 hours *after* providing the verbal report.
    - 1) Send Original to San Diego County Health and Human Services Agency/CPS, 6950 Levant St. SD, CA 92111.
    - 2) Send a copy to San Diego Police Department, (MS) 719, Child Abuse Team, 1401 Broadway, SD, CA 92101.
    - 3) Keep a copy in a confidential locked file in the Stated Clerk's office.

- d) When two or more persons who are required to report have joint knowledge of a suspected instance of child abuse, and when they so agree, the telephone report may be made by either of them with the following written report made and signed by the same person. However, if any person knows or should know that the designated person failed to make the report, that person then has a duty to make the report.

d. Immunity and Liability

- i. Presbytery employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse. Mandated reporters are provided immunity from civil or criminal liability as a result of making a required or authorized report of known or suspected child abuse.
- ii. Other persons who report are not liable either civilly or criminally unless it can be proven that a false report was made and that the person knew that the report was false or the report was made with reckless disregard of the truth or falsity of the report. Any such person who makes a report of child abuse known to be false or with reckless disregard of the truth or falsity of the report is liable for any damages caused [Penal Code, 11172, subdivision (a)].
- iii. No person reporting legitimate abuse to protective service shall be subject to any sanction by the Presbytery or its leaders.
- iv. If a mandated reporter fails to report an instance of child abuse which he/she knew to exist or reasonably should know to exist, he/she is guilty of a misdemeanor punishable by confinement in jail for up to six months, a fine of up to \$1,000, or both. The mandated reporter may also be held civilly liable for damages resulting from any injury to the child after a failure to report.

e. Confidentiality

The identity of the mandated reporter shall be held confidential by all parties and may only be disclosed in very specific situations needed to investigate and resolve the complaint, or if the reporter waives confidentiality. (Penal Code 11167)

f. Cooperation With Protective Services

- i. Presbytery representatives shall fully cooperate with the child protective agencies responsible for reporting, investigating, and prosecuting cases of child abuse. The Presbytery's objective will be to encourage candor, cooperation with civil authorities, and maintenance of Presbytery

relationships through the ensuing process. For example, Presbytery officials should not prohibit or restrict law enforcement or Child Protective Services (CPS) officials in their interrogation of children on church premises.

- ii. Upon request, a child protective agency representative may interview a suspected victim of child abuse during regular office hours, on Presbytery premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult Presbytery representative selected by the child (Penal Code 11174-3).
  - iii. A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the Presbytery shall inform him/her, before the interview takes place, of the following legal requirements:
    - a) The purpose for the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
    - b) The selected person shall not participate in the interview discussion.
    - c) The selected person shall not discuss the facts or circumstances of the case with the child.
    - d) The selected person is subject to the confidentiality requirements of the Child Abuse and Reporting Act, a violation of which is punishable as specified in Penal Code 11167.5.
  - iv. The interview shall be held at a time during regular office hours when it does not involve an expense to the Presbytery. (Penal Code 11174.3) The name(s) of CPS and/or law enforcement person(s) interviewing the child shall be recorded for church records.
- g. Release of Child to Protective Services
- i. When a child is released to a peace officer or CPS agent and taken into custody as a victim of suspected child abuse at a non-church activity/event, the church shall **not** notify the parent/guardian as required in other instances of removal of a child from a church program but rather shall provide the peace officer or agent with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer or agent to notify the parent/guardian of the situation.
  - ii. Peace officers and child protective services agents will be asked to sign appropriate release or acceptance of responsibility form. Involve the head of



staff, the executive pastor and/or the director of operations in any decision to release a child to CPS.

h. Statement of Acknowledgement of the San Diego Presbytery  
Child/Youth/Vulnerable Adult Protection Policy

This document is to acknowledge that I have received a copy of the San Diego Presbytery Child/Youth/Vulnerable Adult Protection Policy. I understand and accept that it is my responsibility to read, understand, become familiar with, seek interpretation where necessary, and comply with the policies and procedures contained in this policy.

D. Sexual Harassment and Misconduct Prevention Policy

1. The ethical conduct of all who minister in the name of Jesus Christ is of vital importance to the church because through these representatives an understanding of God and the gospel's good news is conveyed. "Their manner of life should be a demonstration of the Christian gospel in the church and in the world" (see *BoO G-2.0104a*). The intent of all approaches to prevention is to help us recognize our corporate accountability for the integrity of ministry (by teaching elders and others in church leadership positions) and guide us toward responsible exercise of the power entrusted to the position.
2. It is the policy of the Presbytery that all church members, church officers, non-member employees, and volunteers of congregations, governing bodies, and entities of the church are to maintain the integrity of the ministerial, employment, and professional relationship at all times. Persons who engage in sexual misconduct are in violation of the principles set forth in Scripture, and also of the ministerial, pastoral, employment, and professional relationship. It is never permissible nor acceptable for a church member, officer, employee, or volunteer to engage in sexual misconduct.
3. The basic principles of conduct guiding this policy are as follows:
  - a. Sexual misconduct is a violation of the role of pastors, employees, volunteers, counselors, supervisors, teachers, and advisors of any kind who are called upon to exercise integrity, sensitivity, and caring in a trust relationship.
  - b. Sexual misconduct is a misuse of authority and power that breaches Christian ethical principles by misusing a trust relation to gain advantage over another for personal pleasure in an abusive, exploitative, and unjust manner. If the parishioner, student, client, volunteer, officer, or employee initiates or invites sexual content in the relationship, it is the pastor's, counselor's, officer's, or supervisor's responsibility to maintain the appropriate role and prohibit a sexual relationship. It is also their responsibility to immediately report to the Stated

Clerk any sexual overture by a parishioner, student, client, volunteer, officer or employee.

- c. Sexual misconduct takes advantage of the vulnerability of persons who are less powerful to act for their own welfare, including children. It is antithetical to the gospel call to work as God's servant in the struggle to bring wholeness to a broken world. It violates the mandate to protect the vulnerable from harm.

#### 4. Scope

- a. This specific policy applies only to those situations in which the person has been accused of sexual misconduct while acting within the course and scope of duties as a designated representative of the Presbytery. Such persons include Presbytery employees, elected officials, committee members, and volunteers (hereinafter, "Designated Representatives"). Designated Representatives include the following individuals:
  - Teaching elders on the Presbytery rolls
  - Inquirers and candidates under care of the Presbytery
  - Leaders of Presbytery-sponsored events while they are at and are in transit to and from the events. Leaders are defined as Presbytery staff or volunteers who provide services for governing bodies and entities of the Presbytery. Volunteers include persons elected, appointed, or selected to serve on boards, committees, and other Presbytery-led groups.
  - Professional lay persons employed by the Presbytery in both exempt and non-exempt positions.
  - Commissioned ruling elders (CREs).
- b. This policy does not apply to accused persons who are employees of the churches within the Presbytery or any other entities, boards, or agencies to which the Presbytery does not elect or appoint a majority of the governing body. These groups are responsible to adopt and implement a sexual misconduct policy specific to their organization. Per *BoO* G-3.0106, the councils of all congregations or other entities related to the Presbyterian Church (U.S.A.) within the Presbytery shall adopt and implement a sexual misconduct policy and a child and youth protection policy. Complaints involving members of such an organization should be directed to the designated representatives of the organization.
- c. This policy supplements, but does not replace any provision of the *BoO*. To the extent that any inconsistency may arise between this policy and the *BoO*, the *BoO* shall govern.

## 5. Definition of Sexual Misconduct

- a. *Sexual Misconduct* by a Designated Representative is the comprehensive term used in this policy to include:
  - i. *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. Sexual behavior between a child and an adult is always considered forced whether or not consented to by the child. In the Presbytery, the sexual abuse definition of a child is anyone under age eighteen (18).
  - ii. *Sexual abuse* as defined in the *Book of Order*: “Sexual abuse of another person is any offense involving sexual conduct in relation to (1) any person under the age of eighteen years or anyone over the age of eighteen years without the mental capacity to consent; or (2) any person when the conduct includes force, threat, coercion, intimidation, or misuse of ordered ministry or position” (see *BoO* D-10.0401c).
  - iii. *Sexual harassment* is unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
    - a) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, or their continued status in an institution;
    - b) Submission to or rejection of such conduct is used as the basis for employment decisions that affect such an individual;
    - c) Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance by creating an intimidating, hostile, or offensive working environment; or
    - d) An individual is subjected to unwelcome sexual jokes, unwelcome or inappropriate touching, or display of sexual visuals that insult, degrade, and/or sexually exploit men, women, or children.
  - iv. *Rape* or sexual contact by force, threat, or intimidation.
  - v. *Sexual conduct* that is offensive, obsessive, or suggestive language or behavior, unacceptable visual contact, and/or unwelcome touching or fondling that is injurious to the physical or emotional health of another.

- vi. *Sexual malfeasance* is the result of trust broken when a person in a position of pastoral responsibility misuses his/her position and/or power to engage in sexual activity(ies).
  - vii. *Misuse of technology*: use of technology that results in sexually harassing or abusing another person, including texting or emailing suggestive messages and images to persons with whom one has a ministerial relationship. It is never appropriate to view pornography on church property. When this includes a person under the age of eighteen, it is considered child abuse. There is never an expectation of personal privacy when using technological equipment owned by a church or church entity or within the context of ministry.
- b. Examples of sexual misconduct include, but are not limited to, the following behaviors:
- Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations, comments, posts, or messages;
  - Visual displays such as derogatory and/or sexually-oriented posters,
  - photography, Internet sites, cartoons, drawings, or gestures;
  - Sexual acts or sexual contact with a minor;
  - Sexual acts or sexual contact involving inducement, threat, coercion, force, violence, or intimidation of another person;
  - Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work because of sex or gender;
  - Sexual acts or sexual contact with a person while in the context of a professional relationship;
  - Sexual acts or sexual contact with a person who is mentally incapable of understanding the nature or consequences of the behavior or is physically incapable of declining participation;
  - Sexual acts or sexual contact involving the use of drugs or intoxicants that impair the ability to govern the situation;
  - Rape and physical assault of a sexual nature;
  - The use of pornographic materials, including on the Internet within the course and scope of work;

- Threats and demands to submit to sexual requests or sexual advances as a condition of continued employment, or to avoid some other loss and offers of employment benefits in return for sexual favors;
- Retaliation for reporting or threatening to report harassment; and
- Communication via electronic media of any type that includes any conduct that is prohibited by state and/or federal law or by Presbytery policy.

## 6. Prevention

The Committee on Preparation for Ministry shall require that candidates under care of the San Diego Presbytery certify that they have either:

- Completed a recent course in seminary that addresses professional ethics in the areas of sexuality and their own relationships with persons in the church; or
- Attended the training provided for teaching elders in the Presbytery.

## 7. Authority and Responsibility Within the Presbytery

The COM has primary responsibility for implementation and monitoring the execution of this policy. The COM shall:

- Ensure that the Presbytery provides mandatory training on this subject at least every two years for all teaching elders and CREs in the Presbytery and ensure that all teaching elders transferring into this Presbytery receive training in this policy.
- Provide each teaching elder and CRE in the Presbytery with a copy of the policy (and any updates made to the policy) with a form to be signed and returned to the Stated Clerk of the Presbytery. The signature on the form will indicate that the policy has been received and read. The Stated Clerk will manage these records as part of the personnel file.
- Conduct background and reference checks that specifically inquire about sexual misconduct of teaching elders and CREs being considered for calls in the Presbytery.
- Provide an annual report that outlines policy updates and training held to the Presbytery each year.

## 8. Anti-retaliation

- Retaliation is that conduct, behavior, or words exercised in retaliation for reporting or threatening to report sexual misconduct, or for participating in an internal investigation.

- b. The Presbytery will not retaliate against anyone for filing a complaint or participating in any workplace investigation or complaint process and will not tolerate or permit retaliation.
- c. Retaliation should immediately be reported to a member of the Human Resources (HR) Committee, the Stated Clerk of the Presbytery, or the Executive Director. These individuals will take immediate steps to stop the retaliatory behavior.

## 9. Reporting Process

- a. The Presbytery encourages all individuals to immediately report any conduct forbidden by this policy so that complaints can be promptly and fairly resolved. A report should be made by anyone who experiences, witnesses, hears about, receives complaints about, or suspects such conduct.
  - i. Complaints should be made to the Stated Clerk of the Presbytery or a member of the Presbytery's HR Committee. When complaints are made to a member of the HR Committee member, that member will apprise the Stated Clerk of the complaint as soon as possible. The Stated Clerk of the Presbytery will immediately notify the Executive Director and the Chairman of COM of any complaints.

CONTACT INFORMATION: Stated Clerk: (619) 224-2490 x 104. Chair of HR Committee: call Presbytery administrative office, (619) 224-2490 x 100, for the chair person's name and phone number.

Anyone in a supervisory position must immediately refer all complaints that involve conduct prohibited by this policy to the Stated Clerk of the Presbytery or a member of the Presbytery's HR Committee.

- ii. The person receiving the complaint should reassure the complainant that the complaint is being taken seriously and that the Presbytery will promptly, fairly and thoroughly investigate the issues raised.
- iii. The following guidelines apply to the complaint:
  - a) The Rules of Discipline under the current *Book of Order* will be followed to the extent applicable.
  - b) Complainant should provide all known details of the incident or incidents, names of individuals involved and names of any witnesses. Complainant should present the complaint in writing, although this is not mandatory. The complaint form, which is appended to this policy, should be completed by the complainant. If a person needs assistance with the complaint, s/he should contact the Stated Clerk of the

Presbytery or a member of the Presbytery's HR Committee. If complainant makes only a verbal complaint, the recipient of the complaint should put it into writing, using the aforementioned form, and include all information provided by the complainant, have the complainant sign and then immediately provide the written complaint to the Stated Clerk of the Presbytery.

- c) All complaints of sexual misconduct will be taken seriously.
- d) Accused individuals will be given an opportunity to respond.
- e) Complaints will be:
  - Investigated in prompt, thorough and fair manner.
  - Kept confidential, except to the extent reasonably necessary to conduct the investigation and take any remedial actions, or as required by law. The Presbytery may bring the matter to the attention of appropriate law enforcement authorities when appropriate.
  - Investigated impartially by qualified personnel.
  - Documented and tracked for reasonable progress.
  - Closed in a timely manner with a reasonable conclusion based on the evidence collected.
- b. Where misconduct is found, the Presbytery will choose appropriate remedial measures. The remedial action will be taken commensurate with the severity of the offense according to the discretion of the Presbytery. Any persons within the scope of this policy determined by the Presbytery to be responsible for sexual misconduct will be subject to appropriate disciplinary action. All persons under scope of this policy should know that if they engage in unlawful misconduct, they can be held personally liable in civil court.

## 10. False Allegations

- a. If during the investigation it is found that an accusation is false, or after disciplinary proceedings the accusations are found to be false (or not sustained), the accused may request an inquiry for vindication (see *BoO* D-9.0101).
- b. Making a false accusation of sexual misconduct is a serious offense and may result in the bringing of disciplinary charges against the accuser.

## 11. Record Keeping

The Presbytery will keep detailed records of its actions and minutes of its deliberations and its conversations with the accuser, the accused, and other parties involved, correspondence, and copies of the reports received from committees or commissions. The Stated Clerk of Presbytery will maintain the records while the inquiry is in process and will retain the records following closure of the case as required by law.

## 12. Distribution and Training

Once the final form of this new policy is approved by the Presbytery, or its amended or revised form from time to time, a copy of said policy will be provided to every pastor and CRE in the Presbytery for distribution and training, as said pastors and CREs deem appropriate. Copies of this policy will be provided to all employees of the Presbytery at the time of hire and periodically as the policy is amended. The Presbytery through its COM, will arrange for periodic training on this subject. Contact the Chair of COM for additional information or clarification of any portion of this policy.

## 13. Acknowledgement of Receipt of the Sexual Harassment and Misconduct Prevention Policy

I acknowledge that I have received a copy of, read, and understand the Sexual Harassment and Misconduct Prevention policy of The Presbytery of San Diego. I understand that failure to comply with the policy will result in disciplinary action up to and including termination of employment.

## E. Churches

Each congregation of this Presbytery shall adopt standards of ethical conduct, a sexual misconduct policy, and a child and youth protection policy. Those policies shall include, among other topics, identification of mandatory reporters on staff and volunteers. They further shall specify reporting requirements.

## VIII. General Assembly Commissioners, Alternates and Delegates

### A. General Assembly Commissioners and Alternates

#### 1. Time of Election

Commissioners and alternates to General Assembly, in equal numbers of teaching and ruling elders, shall be elected at the first stated meeting of Presbytery during years in which the General Assembly meets, the number governed by *BoO* G-3.0501. The commissioners shall be nominated at the previous November stated meeting.

#### 2. Nomination of Commissioners



Churches are encouraged to nominate teaching and ruling elders to the Presbytery for consideration.

- a. The Nominating Committee should be prepared to identify commissioners to recent Assemblies.
  - b. Nominations will be referred to the Presbytery Nominating Committee for consideration.
  - c. The Nominating Committee will evaluate all the nominations received and develop a slate of recommendations for presentation to the Presbytery at its November meeting of the year prior to an Assembly. The Nominating Committee may nominate commissioner candidates and alternates without a referral from outside the Committee.
  - d. Nominations may be made from the floor of Presbytery at the November stated meeting or first stated meeting of the year in which the General Assembly meets, provided those nominated have previously agreed to serve.
3. Election of Commissioners and Alternates
- a. The Stated Clerk shall prepare printed ballots listing the ruling and teaching elder nominees.
  - b. At the stated meeting of Presbytery during which the election is held, all nominees may be afforded a limited opportunity to address the Presbytery.
  - c. The election shall be by secret ballot if there are more nominations than positions to be filled.
  - d. If needed, election tellers in equal numbers of ruling and teaching elders shall be named by the Moderator.
  - e. Commissioners and alternates shall be elected by majority vote (see *BoO* G-3.0302a).
4. If any Commissioner cannot attend General Assembly or changes Presbytery membership, he/she shall at the earliest day possible return his/her commission to the Stated Clerk of Presbytery for designation of an alternate.
5. Commissioners shall be elected for a two-year period and shall also attend special meetings of General Assembly, for so long as it meets biannually. Should the General Assembly revert to annual stated meetings, commissioners shall be elected for a one-year period.

## 6. Reports to Presbytery

Each of the elected commissioners reports to Presbytery their observations regarding any General Assembly meeting that they attend during their 2-year term.

## B. Advisory Delegates to General Assembly and Synod

The General Assembly will notify the Presbytery when it is allocated a Young Adult Advisory Delegate or Theological Student Advisory Delegate position at a forthcoming General Assembly. Such delegates shall be selected as follows.

### 1. Young Adult Advisory Delegates to General Assembly

Delegates shall be proposed by the Nominating Committee at the November stated meeting of Presbytery, of the year prior to a year during which the General Assembly meets. One delegate and one alternate shall be elected by the Presbytery at the first meeting of the year in which the General Assembly meets. Nominations may be made from the floor at the November stated meeting or the stated meeting during which the election is held. Each nominee shall meet the eligibility requirements of the *Standing Rules of the General Assembly*.

### 2. Theological Student Advisory Delegates to General Assembly

Theological student advisory delegates are individuals enrolled in, and nominated by, one of the theological institutions designated by the PC(USA). The Committee on Preparation for Ministry (CPM) is notified when an inquirer or candidate under care of this Presbytery is so nominated.

### 3. Nomination and Election – Synod Delegates

When applicable, advisory delegate(s) to Synod shall be nominated by the Nominating Committee at the Presbytery's September stated meeting and shall be elected at the same meeting. Nominations may be made from the floor at that meeting.

### 4. Reports to Presbytery

Each of the elected advisory delegates reports to Presbytery their observations regarding any General Assembly or Synod Assembly meeting that they attend.

## IX. Synod Commissioners

### A. Time of Election

Commissioners and alternates to Synod assemblies shall be elected at the November stated meeting, to serve 2-year terms, to commence on January 1 of the succeeding

calendar year. One half of the Presbytery's allocation of commissioners shall be elected in each calendar year. An election may be held at other stated or special Presbytery meetings to fill an unexpired term(s). The number of commissioners shall be determined as defined by the article IV of the Synod *Ecclesiastical and Corporate Bylaws*.

#### B. Nomination and Election

1. Synod commissioners and alternates shall be nominated by the Presbytery Nominating Committee. Nominations may be made from the floor at the time the Nominating Committee presents its report.
2. An equal number of teaching and ruling elders, pursuant to the Synod *Bylaws*, shall be elected by Presbytery as commissioners to Synod. Two alternate ruling and teaching elders shall also be elected for each term.
3. Should a ruling and/or teaching elder commissioner be unable to attend a Synod meeting, an alternate, as appropriate, shall be requested to attend. Should the list of alternates be exhausted, the Moderator of the Presbytery shall instruct the Stated Clerk to appoint additional alternates to serve. Such alternates will be reported by the Stated Clerk to the next stated meeting of the Presbytery following their appointment.

#### C. Eligibility

Any teaching or ruling elder within the Presbytery shall be eligible for election as a Synod commissioner. A commissioner is ineligible to serve more than two (2) successive terms and may not be elected to another term until one (1) year has elapsed.

#### D. Majority Vote

Election for Synod commissioners and alternates shall be by majority vote.

#### E. Reports to Presbytery

One of the elected commissioners shall be appointed by Presbytery, on an annual basis, to be Synod reporter to Presbytery. Alternate reports may be presented when desired by individual commissioners.

### X. Amendment and Suspension of Rules

#### A. Amendments

Amendments to these Standing Rules may be made by a two-thirds ( $\frac{2}{3}$ ) majority vote of the members present at any Presbytery meeting, provided that written notice of the proposed changes shall have been included in the call of such meeting posted at least 10 days prior to the meeting.

## B. Suspension

These Standing Rules may be suspended by a two-thirds ( $\frac{2}{3}$ ) vote of the members present at a stated Presbytery meeting. The suspension so-voted will apply only for the actions taken at that meeting.

## XI. Electronic Meetings and Voting

### A. Electronic meetings

1. Special meetings of standing and special committees may be held by electronic means (*e.g.*, telephone conference call, Zoom) if determined necessary by that committee's chair. The rules for quorum, minutes of the meeting, and other administrative requirements following that committee's process for in-person meetings apply to each special meeting conducted by electronic means.
2. Committee members must personally participate in an electronic meeting, by the electronic means prescribed in the call for the meeting, for the purpose of establishing a quorum. Participation in an in-person committee meeting by electronic means does not qualify for the purpose of establishing a quorum.
3. The Presbytery may not hold stated or special meetings by electronic means. The Permanent Judicial Commission may not hold trials or hearings by electronic means.

### B. Electronic voting via e-mail

From time to time a matter of routine business needs to be acted on between meetings of a particular committee, commission, or steering committee. At the discretion of the chair of the entity, it may be determined reasonable to provide for an electronic vote in the interest of time.

1. This procedure is not intended to be used casually or to circumvent healthy discussion regarding a piece of business, but rather to be a timely means of conducting non-controversial or routine business when necessary.
2. When an electronic vote is called for, all members of the committee or commission must be notified of any motion(s) to be voted upon. Those having no access to a computer must be contacted in person or by telephone.
3. A quorum for the purposes of an electronic vote shall be a majority of the members of the committee or commission responding with an affirmative or negative vote on the question(s) put to the body.
4. The quorum of an electronic vote must be unanimous to carry or defeat a motion. In the case of one or more "yes" or "no" votes contrary to the majority vote, it is

necessary to bring the motion before the body, at the next meeting of that body, in order to obtain a ruling.

5. The person responsible for recording the minutes must record the results of an electronic vote in the next official minutes of the entity.