PRESBYTERY OF REDSTONE

A HANDBOOK FOR CLERKS OF SESSION

November 2017 edition

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Our thanks are extended to Paul Stratton, Clerk of Session of the Rehoboth Church in Belle Vernon along with Mary Ellen Lawson and Gary Close, former Stated Clerks of Redstone Presbytery, for their work in drafting this document.

This Handbook is dedicated to all of the Clerks of Session of Redstone Presbytery, both past and present. We are especially indebted to former Stated Clerk, Mary Ellen Lawson, for publishing the first edition of this Handbook for Clerks of Session and to the Presbytery of Pittsburgh for sharing their recent update.

INTRODUCTION

Welcome to the office of Clerk of Session! You have joined a unique and important group of people within the Presbyterian Church (U.S.A.). The *Book of Order* mandates that each governing body of the PCUSA have a moderator and a clerk. (G-3.0104) Clerks of Presbyteries, Synods, and the General Assembly are called Stated Clerks. Those serving sessions are called Clerks of Session.

The Handbook for Clerks of Session is written for clerks by clerks as a guide to the responsibilities of the Clerk of Session. It is written with the following assumptions, that the Clerk of Session:

- plays a vital role within the Presbyterian Church (U.S.A.);
- maintains the history of the faithfulness of the Church through careful minutes and records;
- is interested in and knowledgeable about Presbyterian polity;
- along with the moderator, is the liaison between session and presbytery;
- is always striving to be a servant to session, in the fullest New Testament sense, and is equipped spiritually to fulfill the servant role;
- is elected to be the continuing ecclesiastical officer of the Congregation. In this capacity, the Clerk has the responsibility to see that worship takes place and that the pulpit is filled.

A clerk of a governing body understands that our order is to be derived from Scripture, as it is expressed in the Confessions of our Church. Our order expresses the principle that we must live our lives together in accord with our faith and as a witness to the demands of Scripture. A clerk of a governing body respects the Constitution of the Presbyterian Church (U.S.A.) as our covenant with one another about how we can, in our diversity, be such a witness. A clerk knows that our rules are never an end in themselves, but rather an attempt to be faithful to our covenant. Our polity commits to a shared ministry among ruling elders, deacons, members, and teaching elders; it commits to a representative form of government in which both ruling and teaching elders have care of the congregation; and it commits to corporate governance in which decisions are always corporate, never singular. The Moderator and the Clerk of Session, together, are the guardians of this polity, all to the goal of furthering the "Great Ends of the Church."

The great ends of the church are the proclamation of the gospel for the salvation of humankind; the shelter, nurture, and spiritual fellowship of the children of God; the maintenance of divine worship; the preservation of the truth; the promotion of social righteousness; and the exhibition of the Kingdom of Heaven to the world. (G-1.0200)

As clerk, you will record a good deal of history of your church as you write the minutes of your session. Future generations will learn what your church did to further Christ's mission in the world by reading the minutes you write. It follows then, that it is important that you keep accurate records of all the proceedings in the session meetings and in congregational meetings.

This Handbook has been prepared to provide Clerks of Session with information and examples to assist them in their work and to insure that they have easily accessible information about what must be included in the session record books.

ROLE OF THE CLERK OF SESSION

The primary role of the Clerk of Session is to maintain and preserve the records of the church, including the minutes of session and congregational meetings and the rolls and registers. Clerks may assist the moderator in docket preparation or serve as a sounding board for the moderator. An important role of the clerk is to assist the pastor by keeping the pastor informed and providing information to the pastor as requested. Other assistance will be determined by the relationship between the pastor and the clerk and by the needs of the pastor.

As a new Clerk of Session, your priorities should be to:

1. Locate the minute book and church register. Locate all previous record books. Are they properly stored? These records should never be taken from the church and should be kept in a fire proof safe when not in use. You are the only person who can authorize entries into these books.
2. Locate a current Book of Order. Chapter three of the Book of Order discusses the duties of session. You will find most of the information you need immediately in that chapter. That chapter also describes the rolls and registers of the church and gives instructions on how to maintain them. The Book of Order may be downloaded free of charge from the Presbyterian Church (U.S.A.)'s website at https://www.pcusastore.com/Products/OGA17001/book-of-order-20172019.aspx.
3. Locate a copy of your church bylaws and congregational charter. Where the *Book of Order* is silent, the congregation's by-laws will often tell you what needs to be done.
4. Locate copies of church architectural drawings, mortgage papers, and church histories.
5. Locate a copy of the Clerk's Handbook published by Redstone Presbytery. You will find a great deal of helpful information in the Handbook. Copies of the Handbook are available at Redstone Presbytery Office.
6. Keep the presbytery address, telephone number, and website address, www.redstonepresbytery.org, close at hand. You will find help on almost every problem at presbytery. The Executive Presbyter of Redstone Presbytery is the person to whom you directly relate. For help on your questions and knowledge of whom to call, contact:

   Skip Noftzger, Executive Presbyter
   Presbytery of Redstone
   1004 Mt. Pleasant Road
   Greensburg, PA 15601-5762
   724-837-6737

   Other websites that you may need are:

   The Presbyterian Church (U.S.A.), www.pcusa.org

   The Synod of the Trinity, www.syntrinity.org

   The Board of Pensions, www.pensions.org

7. Make sure that you have the proper supplies.

   Cokesbury Books & Church Supplies, www.cokesbury.com, has many of the supplies and resources you will need.

   For minutes, you will need paper of at least 25% rag content (we recommend that you buy unnumbered paper); register fillers; minute and register binders. In addition to Cokesbury, Staples has paper with 25%rag content and register binders available on line at www.Staples.com and, possibly, in local Staples stores.

Because register binders are very expensive, we recommend that when your minute book is filled, you have the pages bound and reuse your present binder. Presbytery uses the Steadfast Book Bindery, 938 Penn Avenue-Lower Level, Pittsburgh, PA 15222, (412) 281-1149, www.steadfastbookbindery.com.

Presbyterian Church (USA), Office of the General Assembly, 100 Witherspoon St., Louisville KY 40202 has the following supplies: member transfer forms and stubs; baptismal forms and stubs; postcards notifying another church that one of your members is in their area, and so forth. Note that this vital Presbyterian Church (USA) source of information and supplies can also accessed at www.pcusa.org

8. Plan to attend the annual clerk's training each year. You will receive notice of the training. Here you will receive answers to your questions, additional help, and fellowship with other clerks of session.

RESPONSIBILITIES OF CLERK OF SESSION AT A GLANCE

- Keep a full and accurate record of the proceedings of the session (G-3.0204).
- Keep the roll of session membership and attendance (G-3.0104).
- Arrange for the careful preservation of session records (G-3.0104), making recommendation to the session for the permanent safe keeping of its records (G -.0107).
- Furnish extracts from the minutes when required by another Council (governing body) of the church (G-3.0104).
- Maintain and preserve rolls and registers required of session (G-3.0204a).
- Be responsible for the preservation of the records of the Board of Deacons and the Board of Trustees (G-3.0204).
- Be familiar with the responsibilities of the session as described in the *Book of Order* (G-3.0201).
- Notify the session or congregation of special meetings, describing accurately the business that will be transacted. [Notification of annual and special meetings of the congregation usually is given on two successive Sundays (G-1.0501 and G-1.0502)].
- Be sure that the annual statistical form requested by the General Assembly is completed accurately and reported to the PCUSA by the deadline noted in a letter from the presbytery office in December. Also, be sure to return other paperwork requested by the deadlines noted.
- Bring the session minute book and the rolls and registers to one of the Minutes Reading meetings of the presbytery for annual review.
- Serve as secretary for meetings of the congregation (G-1.0507), making sure that the minutes are received by session and are inscribed in the permanent session minute book.
- Bring all official correspondence to the attention of the pastor/moderator and the session, and respond as directed by the session.
- Keep a list of unfinished business, including all matters referred to a committee or a staff member for later report to session, and remind the appropriate persons(s) if not reported expeditiously.
- Be prepared to respond to questions of parliamentary procedure in meetings if requested. (Meetings shall be conducted in accordance with the most recent edition of Robert's Rules of Order (2011) except in those cases where the Book of Order provides otherwise (G-3.0105). Copies of *Robert's Rules of Order* and the latest *Book of Order* should be available at meetings.)
- Receive and submit communications from/to other governing bodies.
- Notify the presbytery office of changes in the membership of session.
- Assist the moderator in preparing the agenda for session meetings, as requested.
- Assist the moderator in church officer training when requested.
- Remind moderator of required annual actions.
- In consultation with the moderator, prepare a statement of highlights of session actions and reports following the meeting for information for the congregation (may be included in the next issue of the congregation's newsletter). Note: Confidential matters should not be included.
- May moderate the congregational meeting, if requested by the pastor or session vote with pastor's concurrence, during the pastor's salary review. If this occurs, a temporary clerk should be appointed.
- File the PA Annual Non Profit Corporation Report if you have had a change in your corporate officers (Trustees) during the preceding calendar year. If you do so, you will not have to pay the state Decennial Filing Fee ($70) in 2021.
- Perform such other duties as may be assigned by the moderator or the session.
- Serve as a resource person to the session (judicial process) for any remedial or disciplinary matters related to members of the congregation.

TIME LINE FOR CLERKS RELATED TO SESSION MEETINGS

Many clerks are aided by the church secretary. However, ***the clerk is accountable for the following responsibilities*** and directs the church secretary in the following tasks.

Two Weeks Before Session

Send meeting notices. Contact committee chairs about unfinished and referred business for which they are responsible. Remind chairs that all recommendations need to be in writing with enough copies for the members of session.

The call of a special meeting must include the exact purpose for which the meeting is called and no business other than that named can be transacted. The phrase, "and such other business as may come before session" is not adequate in the call of a special meeting.

One Week Before

Develop the docket of the session meeting with the moderator so that all business is handled in the most efficient manner. The docket becomes the outline for the session minutes.

Session Meeting

Seek approval of the minutes of the previous meeting and record the minutes of the meeting.

Most sessions have found that written reports enable the flow of business. In such reports historical and informational material always comes first in the report and the recommendations come last. Only the recommendations appear in session minutes unless session orders the entire report on the minutes. Many sessions find it very helpful for committees to have their reports ready in time to be mailed with the call of the meeting.

After the Session Meeting

Write the minutes. They may be mailed or sent via email to all session members. If the minutes are not mailed, send excerpts from the minutes to each chair of all motions related to the particular committee.

Complete all correspondence directed by the minutes, including letters of transfer. Remember that all correspondence between the governing bodies of the church is "clerk to clerk."

Record in the rolls and registers all membership changes ordered by session.

NOTE: These are manageable tasks if done regularly. If a clerk falls behind, the task becomes very difficult and memory fades. Set a regular schedule for yourself.

Some clerks have church secretaries who have the primary responsibility for the minutes and the rolls and registers. The Clerk of Session supervises the church secretary in all matters related to the minutes and rolls and register. ***The accuracy of these records is the clerk's responsibility, not the secretary's.***

WHAT TO TAKE TO THE SESSION MEETING

You are responsible for all papers and documents that aid the session in reaching its decision. It will be helpful to have at each meeting:

- a current *Book of Order*;
- the congregational bylaws;
- the session committee membership list;
- the current-year session minutes;
- a list of all referred and unfinished business;
- a copy of Robert's Rules of Order.

NOTES ON SESSION MEETINGS

- Session meetings are not to be regarded as open meetings, and attendance is generally restricted to the members and any guests (such as staff) whom the session invites. Members of the congregation wishing to attend are to secure an invitation from the moderator or the clerk. The session should convene without those who asked to be invited; the moderator or clerk explains the reason for the request to be invited, and the session affirms the invitation – either by general consent or by a motion seconded and passed – or does not affirm it. It is the session's meeting, and only the session can render it open to invitees.
- A session may, if it wishes, adopt an "open meeting policy" which in effect invites any or all members of the congregation to all meetings unless a decision is made to close a particular meeting or part of a meeting.
- The pastor of the church is the moderator; where there are co-pastors, they may alternate moderating the session meeting. When the pulpit is vacant, either the interim pastor or another pastor appointed by the presbytery is the moderator. A session cannot meet in the absence of the pastor/moderator except:
  - If the pastor thinks it advisable, he/she with the session's concurrence invites another minister of the presbytery to moderate.
  - If the session is directed to meet by presbytery, the clerk and/or the moderator consult with representatives of the presbytery; depending on circumstances, it may be advisable for a representative of the presbytery to moderate the meeting.
  - If there is no installed pastor or if installed pastor is unable to moderate and cannot name another teaching elder as moderator, the presbytery will appoint a moderator (G-1.0504).
- A quorum of session must be present to have a legal meeting at which actions may be taken. The session or the bylaws of the congregation set the quorum for the session. A suggested quorum of the session might be the pastor or other presiding officer and one third of the elders or a specific percentage. Your session's rule might even (for the reception and dismissing of members) set the quorum as the moderator and two members of the session as it was in the in the *Book of Order* prior to 2011.
- Session meetings in most churches are informal. As clerk, however, you can require that all motions be in writing. Stop the meeting if you must until you are given the exact wording of the motion in writing.
- You may find it necessary to help members of session word their motions. Helpful questions to ask about every session action are:
  - **What** exactly is going to be done?
  - **Who** is going to do it?

- **When** will it be completed or reported?
- **How** much will it cost?
- **Where** will the money come from?
- **Is** the action compatible with the *Book of Order*? [If it is not, the action is null and void.]

ELECTRONIC SESSION MEETINGS

Sometimes matters that need immediate action arise when calling a session meeting is impractical. For those cases, the session may adopt a policy for electronic meetings. A policy should include provisions to reach all members, for two or more members to object and thus cancel the electronic meeting, and for any decisions to be included in the minutes of the next regular session meeting. If the session adopts such a policy, then the policy should be recorded in the minutes of the session meeting. The following is an example of a policy for electronic meetings:

> In those cases where routine matters must be presented to the members of session for action before its next scheduled meeting, then session may conduct this routine business by conference call or electronic means which bring members together, or by polling, either by telephone or other electronic means. The requirements for such meetings are:
>
> - A reasonable attempt shall be made to reach all members.
> - There shall be a quorum of members responding.
> - In the event that any two members object to the electronic or telephone procedure, then in that case the decision shall either be postponed until the next regular meeting or a special meeting must be convened.
> - Any action resulting from a telephone or electronic meeting shall be confirmed at the next scheduled meeting, so that it can be included in the minutes of the session.

GUIDELINES FOR SESSION MINUTES

Minutes of each session meeting must include:

1. Whether the meeting is a regular or special meeting.
2. The name of the church, the place, date and time of the meeting.
3. The name of the moderator of the meeting.
4. The opening and closing of each meeting with prayer.
5. The roll, listing elders present, elders absent and any who are excused; the clerk, moderator, and other staff present or excused; others present and their identity. (Please use first and last names.)
6. The affirmation of a quorum (G-3.0203). Unless the quorum is lost during the meeting, the Clerk's certification of a quorum at the beginning meets this requirement; if the quorum is lost, the minutes should report that the Clerk advised session and its Moderator of that fact.
7. The approval of the agenda. (In case of a special meeting, the call to the meeting stating the purpose becomes the agenda.)
8. The approval of the minutes of the previous meeting. (Any corrections of previous meeting minutes may be listed, or the minutes may be considered as a draft until the corrections are made and the minutes are approved.)

9. Clerk's report may include correspondence, announcements, and report of the serving of the Lord's Supper, in addition to listing of baptisms, marriages, changes in membership rolls.
10. As a general rule, minutes record what was done, not what was said. If included, reports of the pastor, other staff, and the treasurer and committee chairpersons should be summarized briefly in the minutes and, alternatively, may be appended thereto. A carefully selected inclusion makes the minutes a more valuable historical record of the church. The clerk has wide discretion, but should be sure that the inclusion represents the wishes of the session.
11. All motions and amendments, if any, and whether they passed or failed.
    - Record the names of those making motions, but not the second. Details of discussion should not be recorded, except when needed to give a sense of the action.
    - Unless asked to do so, do not record the numerical outcome of votes taken, or the names of those who voted in opposition.
    - Rules for abstentions may be found in *Robert's Rules of Order*.
    - Please ignore anything you have been told to the effect that failed motions do not need to be recorded; you are to record the disposition of ALL motions.
12. Be especially careful and diligent in recording all actions taken to hire, compensate, evaluate, discipline, or terminate non-ordained staff.
    - When the session hires a non-ordained member of the staff, enter into the minutes of the meeting the full and complete employment agreement or contract. Upon the annual review of the person's compensation, record any changes as follows: "On the recommendation of the Personnel Committee, the hourly rate of pay for the Custodian was increased from $10 to $12.50, effective January 1, 20**."
    - Record every evaluation of non-ordained staff that the Personnel Committee reports to session. In every instance where the evaluation indicates less than satisfactory performance, record any remedial course of action that the Personnel Committee proposes.
    - In the event that termination of an employee is recommended, record the Personnel Committee's report that the relevant provisions of the personnel policies have been followed. Be clear in the record that the session, acting in a legal meeting with a quorum present, voted to terminate the employee. The record must not indicate that any individual, or any entity other than the full Session, took this action. Record any severance agreement or terms in full.
13. When a previous action of the session is referred to, the page on which it is recorded, or the date of the meeting at which it occurred, should be designated.

When appropriate, include the following:

14. The prior authorization by the session of the celebration of the Lord's Supper (W-2.4012). Note: The administration of the Sacrament of the Lord's Supper must be reported at the next succeeding regular meeting. When the sacrament has been administered to those unable to attend public worship, the name of the minister officiating and the name of the elder or elders assisting should be noted. (This may be part of the clerk's report or the report of the worship committee.)
15. The prior authorization by the session of each Baptism (W-2.3011). The administration of the Sacrament of Baptism at the next succeeding regular meeting, giving the full name of adults baptized including the maiden name of married women; the record of infants baptized, noting the name of the child, date of birth, and the names of the parents or the one rightly exercising parental responsibility (W-2.3014),

and may include the mother's maiden name. (This may be part of the clerk's report, the pastor's report or that of the appropriate committee.)

16. The full name of applicants for church membership and the manner of their reception:
   a. By profession of faith, previously baptized
   b. By profession of faith and baptism
   c. By re-affirmation of faith
   d. By letter of transfer, giving the name of the church from which received

17. The full title of the church to which a certificate of transfer is granted and the full name of the person transferred with the date of transfer.

18. Record the job descriptions for employed personnel, both clergy and non-clergy, as they are approved.

19. Name of elders elected to be commissioners to meetings of the presbytery, and the exact period for which elected (G-3.0202).

20. Record that commissioner(s) to a presbytery meeting made a report on that meeting to the session. The report may be summarized.

21. When the session finds it necessary to exercise discipline, the Form of Government and the Rules of Discipline should be carefully studied by a committee of the session and if discipline be administered, the minutes of the session must contain such a record of the proceedings, which will enable the presbytery to know who was disciplined, why and how.

22. In case of a sale, mortgage, gift or lease of property, the session records much show (in addition to the record of congregational approval as stated in the *Book of Order* (G-1.0503d & G-4.0101):
   a. Name, address and legal description of the property
   b. Name of buyer/lessee
   c. Sale price
   d. Loan amount purpose and terms, including the name of the lender
   e. Lease terms and liability insurance
   f. Concurrence of the presbytery
   g. If a report is received, note that in the minutes. If the report contains recommendations for actions, those become main motions of the body and are acted upon.

23. If the session endorses, approves, or otherwise adopts a report, or a policy they become the position of the adopting body. The full text of adopted reports and policies must be placed in the minutes. They may be added as attachments to the minutes.

Be sure the following are included each year:

24. Approval of the annual budget (and include budget itself in minutes).

25. Approval of the distribution of the church's benevolences.

26. The annual review with each pastor of the adequacy of compensation.

27. The recommendation to be made to the congregation for changes or for no change in the terms of call for each pastor.

28. The annual review by the personnel committee (or other responsible body appointed by the session) of the adequacy of compensation of all paid staff.

29. Whether new officers have received training and been examined (G-2.0402).

30. The ordination and/or installation of elders and deacons at the next succeeding meeting.

31. The recognition of trustees (if any) at the next succeeding meeting.

32. That property and liability insurance has been obtained (G-.0201) (Insert photocopy of the church's certificate of insurance).

33. An Annual Audit or Review of Financial Records (G-3.0113) and Annual Review of the work of the Deacons (if any) (G.2.020).

At the last meeting of each calendar year or the first meeting of the next calendar year, please include the following in the Clerk's Report:

34. Record that job descriptions have been approved for all employed personnel, both clergy and non-clergy, and indicate by page number where the latest job description for each staff person is located in the minute book.
35. Record changes during the year in the session, the Board of Deacons and the Trustees through death, resignation, or removal.
36. State the composition of the session with regard to racial ethnic members, women, men and age groups, and how this corresponds to the composition of the congregation. (Photocopying the annual statistical report required by the General Assembly into the session records may fulfill this requirement.)
37. If the congregation has a Board of Deacons and/or Trustees, report in the minutes where their records are kept.
38. Include an Annual Narrative Report. (Moderator's annual report or periodic reports to the session of ongoing church life will satisfy this request.)
39. The Annual Report produced by the church may be inserted in the minutes, but may also be introduced by reference. If the latter, care should be taken that the Annual Report is preserved as part of the permanent record of the church.

Keeping minutes safe:

40. Electronic storage, in place of paper storage, is not acceptable because there is no way to attest by signature to the accuracy and correctness of the documents and due to long term storage and accessibility problems.
41. Because official church records are to be held in perpetuity, the only ways that are acceptable for keeping these records are to have them on paper, printed with a laser printer or copier on acid-free paper, or on microfilm.
42. Minutes may be kept in bound books or in loose-leaf binders. When those in loose-leaf binders are to be stored, store the pages in archival boxes.
43. It is important that pages be numbered consecutively, both sides of the page, including any attachments. It is especially important for loose pages or pages kept in a loose-leaf binder to be numbered. If a page or section of a page is intentionally blank, mark it with a stamp that says "Intentionally Left Blank" or mark with a large X.
44. Acceptable numbering schemes are:
   a. A one-up numbering system beginning at as early a time as possible.
   b. A one-up numbering system that starts over at the beginning of each year. In this case, consider some system, such as a note in a header or footer, which keeps track of the year.
   c. Pre-numbered pages in a bound book.
45. Note that the ***Book of Order*** requires that each council shall keep a full and accurate record of its proceedings. Minutes and all other official records of councils are the property in perpetuity of said councils or their legal successors. When a council ceases to exist, its records shall become the property of the next higher council within whose bounds the lower council was prior to its cessation. The clerk of each council shall make recommendation to that body for the permanent safekeeping of the body's records with the Presbyterian Historical Society or in a temperature and humidity controlled environment of a seminary of the Presbyterian Church (U.S.A.). (G- 3.0107)
46. The Presbyterian Historical Society will preserve records for congregations. See their web site http://www.history.pcusa.org/ or call them for information. Their address is 425 Lombard St.,

Philadelphia, PA 19147. Telephone: 215-627-1852, Fax: 215-627- 0509. Hours are Monday through Friday 8:30 a.m. to 4:30 p.m.

Sample Agenda for Stated Session Meeting

- Open with worship/prayer.
- Record those present and absent, and determine that a quorum is present.
- Approve the minutes of the previous meeting.
- Present communications and correspondence and refer to the appropriate committee.
- Hear reports from:
    - pastor
    - clerk
    - treasurer
    - other staff members
    - permanent committees
    - special committees and task forces.
- Take action regarding reception and dismissal of members.
- Hold dialogues with other governing bodies:
    - hear reports from commissioners to presbytery or synod,
    - prepare reports to presbytery as requested.
- Present other matters.
- Summarize the actions and confirm assignments.
- Clarify plans for next meeting.
- Adjourn.
- Close with worship/prayer.

A SUGGESTED NOTEBOOK FOR SESSION MEMBERS

Some churches have developed a notebook, or manual, for each session member that includes the necessary documents and information for intelligent decision-making. Such a tool is particularly helpful in orienting new session members to their task. Suggested items for such a notebook include:

- Introduction or Letter from Pastor and Clerk of Session;
- Information on Church History;
- Information on Church Programs and Activities (Include contact people, telephone numbers and/or email addresses, meeting times and places.);
- List of Church Officers and Staff (Includes names, addresses, email addresses, and telephone numbers.);
- Bylaws of the Congregation;
- A Summary of Session Functions, Duties, and Responsibilities (Includes ordination vows.);
- A List of Session Committees (Include objectives and duties and a list of committee members.);
- A List of Other Committees such as Deacons, Presbyterian Women, Presbyterian Men;
- The Current Annual Budget;
- A List of Special Purpose Funds;
- Special Rules and Regulations;
- Session Minutes;
- Church Membership List;
- Notes.

SESSION AND ITS RELATIONSHIP TO OTHER ORGANIZATIONS

Session supervises all organizations of the congregation. All organizations of the congregation are accountable to session. All organizations should make a financial and programmatic report to session and the congregation annually.

BOARD OF TRUSTEES (G-7.0400, G-8.0000)

The Board of Trustees is accountable to the session. Their powers as trustees are listed in the *Book of Order* at G-7.0402 and shall not infringe on the powers of session. The *Book of Order* section G-7.0401 provides that the active elders shall be the trustees of the corporation unless the by-laws provide otherwise. Having such a unicameral board eliminates conflicts between the session and the board of trustees.

Recommendation #1: it is possible for session to delegate powers to the trustees, although session is still responsible for delegated powers.

Recommendation #2: the budget should be prepared by the board of trustees and the session together.

THE BOARD OF DEACONS (G- 6.0400)

The Board of Deacons is accountable to session; chooses its own officers; meets annually with the session; and must submit its plans to session for approval. The pastor(s) are advisory members of the board of deacons.

NOMINATING COMMITTEE (G-14.0200)

The church Nominating Committee is a committee of the congregation, not of session. They do not report to session; although the committee may wish to consult with session. The pastor is an ex-officio member of this committee.

PASTOR NOMINATING COMMITTEE (G-14.0502)

The Pastor Nominating Committee (PNC) is a committee of the congregation, not of session. The committee has several points of contact with the session:

PNC develops the church information form and the long-range plan.

Session approves both documents.

PNC negotiates the salary of the new pastor in consultation with the session/board of trustees.

PNC requests session to call a congregational meeting when it is ready to bring a candidate.

SESSION AND PERSONNEL (G-10.0102N)

Session supervises all non-ordained staff members; however, this may be delegated the pastor or head of staff. Pastors serving in temporary pastoral relationships are contracted by the session. In the case of installed pastors, the session recommends to the congregation the terms of call. This recommendation must meet the minimum guidelines set by presbytery. The current guidelines may be found on the presbytery website.

OUTSIDE ORGANIZATIONS

Session controls the use of all church property, even to granting permission for the sanctuary to be used for weddings. If outside organizations use your building, be sure the purpose of the organization using the church is not contrary to the mission of the congregation or the Presbyterian Church (USA). It is wise to have a written contract with all organizations using the church building, stipulating any rental fee, maintenance standards, and rooms of the church to be used. It is also recommended that you have “use of the building” guidelines in print.

THE CLERK OF SESSION AND THE CONGREGATIONAL MEETINGS

CLERKING THE CONGREGATIONAL MEETING

1. An annual meeting of the congregation is required (G-1.0501). Special meetings must/shall be called by the session when it deems it necessary; when requested in writing by one-fourth of the members on the active role; and when session is directed by presbytery to call a meeting.
2. The Clerk of Session is secretary to the congregational meeting, both ecclesiastical and corporate (G-7.0307). If your congregation does not have a unicameral board (G-7.0307) the congregation elects the secretary of the corporate meeting. The person elected may be the clerk (G-7.0403).
3. The nature of the business to be conducted governs the notice of meeting requirement. The Book of Order requires that "adequate public notice be given" and that the by-laws provide a "rule for minimum notification requirements" (G-1.0502). Ordinarily, two Sundays of notice, which may be written in the bulletin or made verbally or both suffice – and the meeting can be held on the second Sunday. But when the purpose is to elect a pastor nominating committee, or to hear its report and vote on it, a suggested notice requirement is at least ten (10) days including two Sundays.
4. Meetings of the congregation related to the pastor nominating committee are special meetings, and there are to be no other agenda items. Other special meetings may be called to consider matters related to the powers and responsibilities of the congregation (G-1.0503), and will have limited agendas.
5. A congregational petition for the session to call a congregational meeting, in addition to the requirement that it must be signed by one-fourth of the members on the active roll, must be called to consider one of the matters outlined in G-1.0503. If it is called to consider any matter outside the scope of this provision of the Form of Government, session is to decline the petition, with full explanation.
6. Check the *Book of Order* and your by-laws for the quorum of the congregational meeting. (G-7.0305)
7. If a quorum is not present as the meeting begins, notify the Moderator; the members present may recess and seek a quorum, or the Moderator may adjourn the meeting. If the meeting proceeds in the absence of a quorum, absolutely no votes are to be taken.
8. A rolling congregational meeting is one in which a church has two or more services on a day when a pastoral candidate is heard and will be voted upon, or an item of business is considered that cannot be amended. A vote is taken at each service when the congregational meetings take place. Votes will be kept in a locked box until the last congregational meeting and then counted together
9. As clerk, you should take particular care to alert the moderator of the congregational meeting when business is out of order. You will find a careful listing of such business in the *Book of Order* ("permissive powers" relates to adopting congregational bylaws, establishment of a unicameral board, waivers from election of officers, raising of the quorum, and buying, selling, and mortgaging of real property).
10. The budget is adopted by session, not the congregation. However, session must inform the congregation of the budget. If the congregation does not approve of the use of its gifts, the members will not give. [Recommendation: at an informal meeting of the congregation after worship or a church supper, session should present the budget, invite comment, and solicit suggestions. No actions should be taken at this meeting].
11. The pastor(s) salary must be approved annually by the congregation and reported to presbytery for its approval. The Commission on Ministry will provide this form. (G-7.0302 G-7.0304(3)). The congregation "approves the pastor's salary for recommendation to presbytery."
12. Proxy voting is not permitted in church meetings, ecclesiastical or corporate.
13. Always be prepared for a paper ballot vote to elect officers. If there is more than one nominee for an office, the election must be by ballot. (G-14.0204b).
14. The election of a pastor is always by paper ballot.
15. Since only members on the active roll can vote, have your roll book current and bring it with you to the meeting. If there is considerable tension about a particular vote, have active members of the Congregation come to your desk to pick up a ballot.
16. If your congregation does not have by laws, please contact the Stated Clerk for information about how to establish them.

MINUTES OF CONGREGATIONAL MEETINGS

Minutes of all congregational meetings shall be included in the session record book along with session minutes in one chronological order. Minutes of these meetings shall include:

1. Indication of whether the meeting is "regular" or "special", and if it is a "rolling" congregational meeting.
2. If it is a "special meeting," the minutes shall include the call to the meeting. The business to be transacted is limited to those items listed in the call for the meeting. (G-1.0501)
3. Name of the church.
4. Date, time, and place of the meeting.
5. Name of the moderator or presiding officer.
6. Presence of a quorum. Indicate the number of active members needed to satisfy the quorum requirement (G-1.0501), and record the actual number of active members present. (Congregations shall provide by rule the quorum necessary to conduct business. The quorum must be specified in the bylaws of the congregation.)
7. Opening and closing of the meeting with prayer.
8. A record of all actions, whether adopted or lost.
9. At a congregational meeting for the purpose of calling a pastor, in order for each person to be able to vote his/her conscience, a written ballot should be used.
10. Action by the congregation on each pastor's terms of call.
11. Minutes of the meeting of the congregation or corporation at which the annual financial reports are made should indicate, at least:
    a. Report of a full financial review of the financial records (G-3.0205);
    b. A complete, itemized report of income and expenditures for the year;
    c. Provide the complete, itemized proposed budget adopted by the session for the coming year;
    d. Details of the status of loans from the General Assembly, Synod, or presbytery, if any are outstanding.
12. If the congregation does not approve the minutes before adjournment, session may approve the minutes at its next scheduled meeting if this provision is part of the by-laws.
13. The clerk must attest (in ink) congregational meeting minutes. The moderator may also sign the minutes if the congregation has expressed its wish for him/her to do so.

THE CLERK OF SESSION AND ROLLS AND REGISTERS

TYPES OF MEMBERS

The rolls of the church should contain information about those who are members of the local church. It is the responsibility of the Clerk of Session to maintain, or to oversee the maintenance of the rolls as required in G-3.0204a. Names of members shall be placed upon, removed, or deleted from the rolls of the church only by order of the session. (G-3.0204a)

There shall be rolls of baptized, active, and affiliate members in accordance with G-1.0401, G-1.0402 and G-1.0403. The session shall delete names from the roll of the congregation upon the member's death, admission to membership in another congregation or presbytery, or renunciation of jurisdiction. The session may delete names from the roll of the congregation when a member so requests, or has moved or otherwise ceased to participate actively in the work and worship of the congregation for a period of two years. The session shall seek to restore members to active participation and shall provide written notice before deleting names due to member inactivity.

An ***Active Member*** is one who has made a profession of faith in Christ, has been baptized, has been received into membership of the church, has voluntarily submitted to the government of the particular church, and participates in the church's work and worship. Record name, date received into membership, and method of reception. Record date of removal from the particular role and whether by death, transfer to another church, or removed.

A ***Baptized Member*** is one who has received the Sacrament of Baptism but has not made a profession of faith in Jesus Christ as Lord and Savior. This includes adults who were baptized in that particular church who have not made a profession of faith and baptized children of active members or pastors related to the particular church. The 217th General Assembly issued a "clarification of meaning" to this definition to include children of active members who have been baptized in a Christian church (Trinity baptism) but who have not yet been received as Active Members (confirmed). Record the name, date of baptism (if known), church where Sacrament of Baptism occurred. When a profession of faith is made, or when the person moves from the community, note that in the record, but do not obliterate any name from the baptized register. This is a historical document.

To fill out the question on the General Assembly statistical report on "number of persons on the baptized roll", count the names listed on your baptized roll, or register of baptisms. This includes minor children of active members and/or ministers, and any other persons baptized in your church for whom the church feels a current pastoral responsibility. If your roll book does not have a baptized roll, it will be necessary for you to use the register of baptisms. In this event you will need to make note of the changes on the register related to the changes in membership.

An ***Affiliate Member*** is one who is an active member of another church of this denomination or of another denomination or Christian body, who has temporarily moved from the community where the church of active membership is located. Affiliate membership must be renewed every two years. An example of an affiliate member would be a college student living in your community while attending school. Record the name, date of affiliation, name of home church, date of renewal, date of return to home church.

Note from the Stated Clerk: You may notice that there is no **inactive** roll, as there has been in Books of Order prior to 2011. The session may choose to maintain another participant's roll or an inactive roll, however, and, if it does, then the rules for keeping an individual on that roll or for deleting such an individual should be determined by the session, recorded in the minutes of the session, and kept in a Manual of Administrative Operations. The former definition is this: An inactive member of a particular church is one who does not participate in the church's work and worship. An inactive member is entitled to all the rights and privileges of an active member except the right to speak in the meetings of the congregation and to vote and hold office.

ROLL BOOKS

Roll books usually provide double pages for a chronological roll by date of reception into membership with columns for name, how received, name of church from which member transferred if that is the manner of reception, date of deletion from the active roll and reason— by death, inactivity, or transfer, in which case the name of the church to which the member is transferring is listed.

Pages may be provided in the same binder for an alphabetical listing of members along with the membership number that is assigned in the chronological roll. Many find it easier to keep the alphabetical listing electronically, printing the list, along with the member number, at least annually. Pages also should be provided for Baptized, Affiliate and pages for Other Participants or Inactive members may also be included in the same rolls binder. Pages containing columns for the information requested may be obtained through Cokesbury.

PAPER VS. ELECTRONIC ROLLS

For many of the reasons that appropriate paper records of session minutes are required, a chronological paper record of rolls and registers shall also be kept. Electronic records are useful for counting the various categories of members and for keeping an alphabetical list. Paper rolls are chronological and should have the full name, date joined, and how joined (letter of transfer, profession, reaffirmation) as a minimum. If by letter, record the name of the church. It should record the date of removal from the roll and the reason. A one-up roll book number makes it possible to cross-reference alphabetical lists with chronological lists. These are the minimum items for an electronic roll, too. We suggest adding to an electronic roll the information that the Annual Statistical Report asks for, such as gender, racial/ethnic identity, disability (if applicable), and date of birth (for calculating ages). Many old roll books contain a section for adding member names in an alphabetical order, at least by the first letter of the surname. That function may best be done via an electronic roll. Print an alphabetical list, with roll book number, at least annually, and keep this alphabetical list with the paper Roll Book.

REGISTERS

Registers are historical records and need to be carefully maintained. It is the responsibility of the clerk of session to maintain or oversee the maintenance of registers as required in G-3.014 which says it is the duty of the Clerk to “maintain and required registers” which would include “baptisms authorized by the session, ruling elders and deacons, installed pastors with dates of service and such other registers as the session may deem necessary.” (G-3.02040)

Most sessions maintain the following registers:

- ***Register of Marriages*** shall include marriages of members of the church, all marriages conducted by the ministerial staff of the church, and all marriages performed on church property.
- ***Register of Infant and Adult Baptisms*** shall include name, parents’ names, and date of birth of those being baptized.
- ***Register of Ruling Elders*** shall include each elder’s name, the name of the church in which each was ordained, date of ordination, terms of active service, and record of removals.
- ***Register of Deacons*** shall include each deacon’s name, the name of the church in which each was ordained, date of ordination, terms of active service, and record of removals.
- ***Register of Teaching Elders*** shall include the names of Pastors, Co-Pastors, Associate Pastors, and Temporary pastoral relationships serving the church, with dates of service.

INTERACTIONS BETWEEN SESSION AND PRESBYTERY

Official communication between session and presbytery is from the Clerk of Session to the Stated Clerk of presbytery. The relationship between the session of a congregation and presbytery is set forth in the *Book of Order* and in the Manual of Redstone Presbytery. Each minister has a copy of this Manual. The Manual and most of the information routinely needed by Clerks of Session can be found on the presbytery's website, www.redstonepresbytery.org. Sessions interact with presbytery in the following ways:

SENDING COMMISSIONERS TO PRESBYTERY MEETINGS

Presbyterian polity is a representative polity. It works only when each church takes seriously its responsibility to elect elder commissioners who attend the meeting and stay through the end of the meeting, and report to the session. There are six regular presbytery meetings each year: January, March, May, July, September, and November. A list of presbytery meetings for the present year is available on the Redstone Presbytery's website, www.redstonepresbytery.org under Forms and Resources.

Each session is responsible for electing commissioners to presbytery. The number of commissioners depends upon the size of the congregation. (G-11.0101) The number of commissioners to which a congregation is entitled also varies according to the annual plan for ruling elder equalization. Before the first presbytery meeting of each new year, the Clerk of Session will be notified of the number of elders to which the congregation is entitled.

Churches are encouraged to elect their commissioners for the entire year, preferably for two or three years. Some churches elect different commissioners for each meeting. It is even possible to elect a commissioner for the first half of a presbytery meeting and another commissioner for the second half.

A session which does not attend at least half of the presbytery meetings in a given year is not eligible to propose an elder for nomination as a commissioner to Synod or General Assembly.

Notices of presbytery meetings are sent to Clerks of Session to be distributed to the duly elected commissioners before the presbytery meeting. Business papers for the presbytery meeting are available on-line at the presbytery's web site, www.redstonepresbytery.org. Informational and promotional papers are distributed at the presbytery meeting. These papers should be distributed by the commissioners when the commissioners return to their churches.

Each commissioner is required by the *Book of Order* to report to session about the meeting:

- significant actions taken by the presbytery;
- a summary of issues deliberated upon;
- policy decisions made;
- implications of presbytery actions for the congregation;
- concerns and opportunities open to the congregation through presbytery;
- raising of consciousness of the congregation's participation in the total ministry of Jesus Christ.

Presbytery is always looking for particular skills and interest among the members of our congregations. Redstone Presbytery is also committed to finding racial/ethnic minority members of our churches with skills and interest in serving on a presbytery committee. Please share the gifts of your congregation with your presbytery. Contact the Nominating Committee of Redstone Presbytery for more information. Contact information is available at the presbytery office.

ANNUAL GENERAL ASSEMBLY STATISTICAL REPORT AND CLERK'S QUESTIONNAIRE

The Annual General Assembly Statistical Report is session's report to the General Assembly and is the specific responsibility of the session and the Clerk of Session. It is sent by the presbytery office to the church, addressed to the Clerk of Session. The report is an on-line form which is available at http://ogaapps.pcusa.org/section/churchwide-ministries/stats/. Notification of the report is sent out the last week of December. If it has not arrived by the first week of the New Year, please call the presbytery office immediately. The report usually is due in February.

In addition to the Statistical Report, clerks are asked to fill out an Annual Clerk Questionnaires. This too is an on-line form and notification of its availability is usually sent out in the fall.

If you have missed the deadlines for these reports, call the presbytery office immediately. If you are too late or do not submit at all, membership and financial figure from the previous year will be used. This does a great disservice to the congregation, particularly if it is searching for a pastor.

The "Instructions for Completing the On-Line Session Annual Statistical Report" is available as a link on the above web page. It opens with two pages of "Frequently Asked Questions" that can solve a lot of problems and should be read carefully. Included there are a phone number and an e-mail address for obtaining help in completing the report.

ANNUAL REVIEW OF SESSION RECORDS

The presbytery holds several opportunities for the required annual review of records. The meetings are usually held in the different branches of the presbytery to shorten travel distances, but clerks are welcome to come to any of the meetings. At the meeting clerks will have an opportunity to read the minutes kept by another clerk and to ask questions of and share experiences with other clerks.

A list of this year's minutes review meetings available on the presbytery website as are the Session Minutes Review Form and the Examination of Rolls and Registers form.

After you have completed the appropriate forms, please make a copy of each and bring both the original and the copy to the review session.

ANNUAL REVIEW OF THE CALL

Each year the session is required by the *Book of Order* to review the adequacy of the salaries of all pastoral staff. If session wishes to make any change in the terms of call as they were last approved by presbytery, the change in terms of call must be brought to the congregation for approval, contingent upon the approval of presbytery which, finally, approves all terms of call and all changes in terms of call. Annually, the Commission on Ministry sends to each session a form upon which to report changes in terms of call. As soon as the congregation has approved new terms of call for its pastor(s), the call forms must be returned to the Commission on Ministry for recommendation to presbytery. Please be sure that this form is returned each year.

MINIMUM COMPENSATION FOR PASTORS

Each September, the presbytery adopts minimum terms of call for all installed pastors. All terms of call must meet this minimum standard for presbytery to approve the call. The minimum terms of call are published to the churches each fall through a letter to the session from the Commission on Ministry. Annually, session will receive notification of minimum terms of call as soon as they are adopted by presbytery.

APPROVAL OF CERTAIN ACTIONS

Certain actions sought to be taken by sessions must first be approved by presbytery and/or a committee thereof, including sale of property, taking an Inquirer under care, changing the name of the church, waiving the limitations of terms of officers, etc. A copy of the form to request waiver of limitations of terms of officers is available on the presbytery website, www.redstonepresbytery.org.

OVERTURES TO PRESBYTERY, SYNOD, OR GENERAL ASSEMBLY

A member of the congregation may ask session to petition the presbytery. A session may petition or overture presbytery or synod or General Assembly through the presbytery. Session cannot overture Synod or General Assembly directly. For information on overtures, contact the presbytery office.

TIME LINE FOR CLERKS RELATED TO PRESBYTERY

January Complete your annual statistical report and submit it by the announced annual due date (usually mid-February). Do not wait for your congregational meeting.

February Prepare your Minute Book and Register for the annual administrative review by presbytery. Fill in the requirements form with the requested page numbers for each book.

Announce presbytery meeting dates for the year. Session elects commissioners for each meeting according to the number of commissioners assigned to your church for the year. You will be informed of the number before the February presbytery meeting.

Plan to attend the annual Clerks' Training.

March - June Bring your Minutes and Register to presbytery for annual review. Prepare to stay and read another clerk's records. You will receive notice of specific dates at the February presbytery meeting. Remember that you may attend any minutes reading. A make-up session typically will be held in September at the presbytery offices.

Fall Send all necessary requests for waiver to the presbytery office well before your proposed ordination and installation date. Ordination and installation cannot take place until presbytery has approved your request for waiver. A copy of the waiver request form is available on the presbytery website, www.redstonepresbytery.org.

Early December Notification of the annual report of session to the General Assembly will be sent to the church c/o Pastor/Clerk. If you have not received the notification by the first of the year, call the presbytery office promptly.

THE CHURCH AND CIVIL LAW

Churches interact with civil law in a number of ways. Litigation has become more and more frequent against churches in recent years, and while the following discussion is not to be taken as legal advice, it is meant to highlight a number of things that the Clerk of Session will want to bear in mind as he or she regularly becomes involved in or aware of vents within the church.

The discussion is intended to accompany legal advice and opinions which session may receive from the church's own lawyer from time to time. Church law is becoming a specialized field of the law. **IF SESSION IS AT ALL IN DOUBT, CONSULT A LAWYER FOR HELP.**

CORPORATION LAW

If the individual local church you serve as Clerk of Session has grown beyond the development stages, it has no doubt been incorporated within the Commonwealth of Pennsylvania as a religious, non-profit corporation. As a corporate entity, the church is distinct from its members, its moderator, and its Clerk of Session, and it is important to continue to do the things that are necessary to ensure that the church's separate corporate identity is maintained. In this area federal, state and local laws come in to play, not the *Book of Order*.

The Clerk of Session will want to locate the church's legal incorporation documents. In recent years it has also become more and more possible to look up corporate status on the Commonwealth's web site. The Clerk of Session can visit: www.state.pa.us then click on the Department of State, and Search of Business to verify the church's status.

[Note: If your church is not shown, don't panic, that may only mean that the church was incorporated well before the date after which the Commonwealth began scanning corporate records.]

To clearly maintain that separate corporate existence it's important to be certain the corporation acts like a separate entity. Thus, the Clerk of Session's role in taking minutes of session meetings, and keeping rolls of members and the like is crucial not only for Presbyterian *Book of Order* requirements but also for the requirements of corporate law to prove the entity is operating separately from its members.

Officers certainly need to be elected by the Church as a non-profit corporation. A Treasurer is a requirement, as is the recognition that the Clerk of Session acts as the corporations Corporate Secretary. Note that with unicameral boards the session (the ecclesiastical governing body) and the corporate trustees ("directors") are one in the same, thus from time to time separate corporate meetings may need to be formally held.

Contracts for church matters should be done in the church's name, not the pastor's name, an elder's name or Clerk of Session's name. Likewise, Pennsylvania's non-profit corporation law requires directors of a non-profit corporation to present annually to the members in writing an annual report signed by the president and treasurer. "Directors" of a Presbyterian church are the trustees. When the church is governed by a single board (the unicameral system) then the elders are also the trustees and, therefore, the directors. Thus, the annual *Book of Order* requirements of an annual report and annual audit also is required to maintain the corporate status.

Note that Pennsylvania law provides that no officer, director or trustee of a nonprofit corporation serving without compensation shall be liable for any civil damages, and the church's by-laws should have some provisions about that indemnity. (It is important to note that inclusion of a limitation of personal liability clause in by laws does not, however, replace directors' and officers' liability insurance or render such insurance superfluous). Session may wish to recommend to the congregation that the congregational bylaws be amended to include an indemnification clause for church officers.

INTELLECTUAL PROPERTY

Churches do not have the right to operate such that they violate any person's intellectual property rights, including copyrights on music (even church hymns), literature, curriculum, art or the like. Likewise churches cannot ignore trademarks owned by others (even, for example, the trademarked logo of the Presbyterian Church (USA)). Presbytery's website www.redstonepresbytery.org has a wealth of information about copyright requirements, protection and licenses to be permitted to use copyrighted materials of others. We encourage you to make use of the presbytery information and blanket licenses.

MAINTAINING NON-PROFIT AND TAX EXEMPT STATUS

Clerks of Session will be aware that there are fairly well-defined limits to what non-profit corporate entities can and cannot do so as not to jeopardize their tax-exempt status under federal and state laws. If session has any doubt about appropriate limits of the church's internal and external actions, it is clearly best to seek legal and tax guidance before undertaking activities that might tend to harm the corporation.

For example, recently some churches' non-profit status has been challenged. Non-profit bulk mailing privileges have been denied by some post offices. If you need to prove your non-profit status as a church, please contact the Office of Legal Services of the General Assembly who will provide you with a letter.

An excellent resource for session is Church Law and Tax Report, published bimonthly by Christian Ministry Resources, P.O Box 1098, Matthews, NC 28106.

Along the way, the Clerk of Session should also help the office ensure that the Church has a current non-profit sales tax exemption certificate issued by the Commonwealth. The law changed in recent years to require that such exemption certificates must be periodically renewed.

EMPLOYER

As a separate legal entity, it is the church which employs secretaries, maintenance persons, custodians and the like, not the session or the pastor. It is recommended that session maintain a personnel committee to oversee the church's employment policies and practices so that all church employees are treated fairly and as required by the employment laws of the Commonwealth. The Presbyterian Church (USA) is particularly interested in church employees being properly treated, and there may well be personnel information and reference guidance available to the Clerk of Session through the national church's web site. Keep the following kinds of employment matters in mind:

Worker's Compensation -- Worker's Compensation must be paid for church employees who earn more than $100. The church is liable for unpaid back compensation plus interest;

Unemployment Compensation -- Churches are not subject to Pennsylvania's Unemployment Compensation Law and services performed in the employ of a church, whether by a minister, organist, custodian or whomever, are not employment for which it is required to pay into the Unemployment Compensation Fund. A church may, however, elect to become subject to such law by proper application;

Social Security -- All non-profit organizations, including churches, are required to pay Social Security taxes for all employees receiving $100 or more annually.

LIABILITY FOR PERSONAL INJURY

Like anywhere else these days accidents and injuries can happen on church property, and it would be prudent for session to have clear policies set out in advance as to who should be notified and what should and should not occur when an unfortunate event occurs. Most certainly as well, the church must in these days be adequately insured for foreseeable contingencies; as required by the *Book of Order*. Insurance agents particularly knowledgeable about church insurance should be consulted.

LAWS REGARDING MANDATORY REPORTING OF CHILD ABUSE, REQUIRED CLEARANCES, BACKGROUND CHECKS AND POLICIES

Effective January 1, 2015, Pennsylvania enacted sweeping changes to its system of laws to protect children. Most notably for churches is the inclusion of pastors and many staff as mandated reporters of suspected child abuse. In addition, employees and volunteers who work with children are required to undergo background checks and clearances. A summary of these laws, including lists of frequently asked questions, is available on the presbytery website, www.redstonepresbytery.org. It is our intention to update this document as needed. Redstone Presbytery also requires each church to approve a Child Protection Policy and a Sexual Misconduct Policy. If questions arise that are not answered by this document, please call the presbytery office.

CLERK OF SESSION AS PARLIAMENTARIAN

PARLIAMENTARY PROCEDURES

Introduction

The Constitution of the Presbyterian Church (U.S.A.) designates *Robert's Rules Of Order; Newly Revised, latest* edition, as the parliamentary authority to be used in governing body meetings. This section and its accompanying charts are an introductory summary of the purpose and practice of common parliamentary principles. It is not a substitute for *Robert's Rules of Order, Newly Revised,* but rather, a way of understanding the basic principles behind the development of parliamentary procedures which should make *Robert* more accessible.

Basic Assumptions Parliamentary procedures, as they are used in the church, are grounded in two assumptions, without which our decisions have no valid basis.

First, there is a presumption of the overwhelming desire for unity on the part of the members as a visible expression of the Body of Christ. It is from this covenant of Presbyterians with one another that the tenacity and patience to live with and work with differences of opinion derives. [G-4.0200]

Second, there is a presumption of the necessity of tension between majority and minority views as the means by which the Spirit is present in the governing bodies of the church. [G-1.0304-1.0305]

Parliamentary conventions have their roots in the origins of the parliamentary system of 13th-16th century England in the struggles between the crown and the feudal barons. Trial and error over a long period of time produced parliamentary practices that became tools for holding conflicting opinions in a dynamic and constructive tension until resolution could be brought about.

Although parliamentary practice grew out of a particular cultural ethos, the unity these practices seek to preserve has made them widely accepted in many cultures. Knowledge of these practices was deeply embedded in the consciousness of our ancestors as the church in the United States was being formed and as these same people helped to formulate the government of the young nation.

How to Write a Motion

The most important characteristics of a good motion are that it is complete and it is simple. With the exception of a resolution, a good motion should try to include all information necessary to making an intelligent decision (and understanding the resulting action if you happen to be from Mars) and should Be in ONE sentence...at least, it is good discipline to try to do so.

The one-sentence motion should include:

WHAT - what exactly is to be done.

WHO - who must approve the recommended action: *who* will do what needs to be done: *who* will appoint/nominate/elect the “who.”

WHEN - when is "it" to be done: when shall the report be made to the responsible body.

HOW - how much will "it" cost; where will the money come from.

WHY - a motion may include supporting reasons for the recommended action. In this case, the motion is called a resolution. The reasons always come before the motion:

Whereas,..; and,

Whereas,..; and,

Whereas,..;

BASIC INFORMATION ON MOTIONS

RANKING MOTIONS	PRINCIPAL CHARACTERISTICS					
These motions are listed in order of rank. When any one of these motions is immediately pending, those above it are in order and those below are not in order.	Second Required	Can be debated	Can be amended	Vote Required	Can be reconsidered	Can interrupt
PRIVILEGED MOTIONS						
13. Fix Time to Which to Adjourn	YES	NO	YES	MAJ	YES	NO
12. Adjourn	YES	NO	NO	MAJ	YES	NO
11. Recess	YES	NO	YES	MAJ	NO	NO
10. Raise a Question of Privilege	NO	NO	NO	X*	NO	YES
9. Call for the Orders of the Day	NO	NO	NO	X*	NO	YES
SUBSIDIARY MOTIONS						
8. Lay on the Table	YES	NO	NO	MAJ	NO	NO
7. Previous Question (close debate)	YES	NO	NO	2/3	YES*	NO
6. Limit or Extend Limits of Debate	YES	NO	YES	2/3	YES*	NO
5. Postpone to a Certain Time	YES	YES	YES	MAJ	YES	NO
4. Commit (or Refer)	YES	YES	YES	MAJ	YES*	NO
3. Amend	YES	=	YES*	MAJ	YES	NO
2. Postpone Indefinitely	YES	YES	NO	MAJ	+	NO
1. MAIN MOTION	YES	YES	YES	MAJ	YES	NO
NON-RANKING MOTIONS Whether these motions are in order depends upon the business already under consideration and what purpose they may serve when introduced.						
INCIDENTAL MOTIONS						
Appeal	YES	NO	NO	MAJ	YES	YES
Close Nominations or the Polls	YES	NO	YES	2/3	NO	NO
Consider by Paragraph or Seriatim	YES	NO	YES	MAJ	NO	NO
Division of the Assembly	NO	NO	NO	NO	NO	YES
Division of the Question	YES	NO	YES	MAJ	NO	NO
Objection to Consideration of a Question	NO	NO	NO	2/3	#	YES*
Parliamentary Inquiry	NO	NO	NO	CHAIR	NO	YES
Point of Order	NO	NO	NO	CHAIR	NO	YES
Reopen Nominations or the Polls	YES	NO	YES	MAJ	#	NO
Suspend the Rules *	YES	NO	NO	2/3	NO	NO
Withdraw a Motion	NO*	NO	NO	MAJ	#	YES
MOTIONS THAT BRING A QUESTION AGAIN BEFORE THE ASSEMBLY						
Reconsider	YES	=	NO	MAJ	NO	NO
Rescind	YES	YES	YES	*	#	NO
Take from the Table	YES	NO	NO	MAJ	NO	NO

KEY TO MARKINGS

* - See *Robert's Rules of Order Newly Revised* for special rules;
X – Usually no vote taken;
+ - Only an affirmative vote may be reconsidered;
# - Only a negative vote may be reconsidered;
= - Debatable when applied to a debatable motion. See *Robert's Rules of Order Newly Revised*.

Each council shall prepare and adopt a budget to support the church's mission within its area. A full financial review of all financial books and records shall be conducted every year by a public accountant or committee of members versed in accounting procedures. Reviewers should not be related to the treasurer(s). Terminology in this section is meant to provide general guidance and is not intended to require or not require specific audit procedures or practices as understood within the professional accounting community. G-3.0113

In addition to those responsibilities described in G-3.0113, the session shall prepare and adopt a budget and determine the distribution of the congregation's benevolences. It shall authorize offerings for Christian purposes and shall account for the proceeds of such offerings and their disbursement. It shall provide full information to the congregation concerning its decisions in such matters. The session shall elect a treasurer for such term as the session shall decide and shall supervise his or her work or delegate that supervision to a board of deacons or trustees. Those in charge of various congregational funds shall report at least annually to the session and more often as requested. Sessions may provide by rule for standard financial practices of the congregation, but shall in no case fail to observe the following procedures:

a. All offerings shall be counted and recorded by at least two duly appointed persons, or by one fidelity bonded person;

b. Financial books and records adequate to reflect all financial transactions shall be kept and shall be open to inspection by authorized church officers at reasonable times;

c. Periodic, and in no case less than annual, reports of all financial activities shall be made to the session or entity vested with financial oversight. G-3.0205

LEASING CHURCH PROPERTY

The rights and responsibilities of the session and the tenant organization should he spelled out in writing. The following points are to be considered:

1. An indemnification and hold harmless agreement in favor of the church for activities of the tenant.

2. A certificate of insurance from the tenant's insurer, naming the church as an additional insured. Check with the church's insurer to determine that coverages are adequate and there are no problems of coverage being created by the lease.

3. Duration of the agreement: How long? Conditions of renegotiation and renewal? How will disputes be resolved? Termination provisions.

4. Spaces and equipment: What rooms? Exclusive use or shared use? Additional storage space?

5. Furniture and equipment to be used, or not used. What hours? What days?

6. Alterations to the building or equipment. At whose expense? Permission of the church required. Specify that attached improvements become the property of the church.

7. Responsibilities for: Set-up and take-down? Open and close the building? General cleaning?

Regulate heating and cooling? General security during activities? Repair of damage?

8. Policy for requests for special additional uses now and then? Who speaks for the session and for the tenants? Dispute resolution?

9. Agreements regarding symbols and displays that may be put up or must be removed by either party.

10. Rent? Direct cost repayment? Service in exchange for use?

11. If the tenant is a service program in which the church is also a sponsor or participant, what is the linkage? Is there to be a session-appointed person on the tenant's board of committee?

C. Fred Jenkins

Director, Constitutional Services Presbyterian Church (USA)

Sample Agreement

This agreement should be reviewed and approved by your attorney

Agreement for the Use of Building

This agreement by and between ___(name of owner),___(address of owner)___(Owner), and ___(name of user),___(address of user)___(User), will take effect on the (day of month) day of ___(month and year)___ and will continue for a period of ___(length of time for contract)___.

WHEREAS, Owner owns a building located at ___(complete address of building)___which is normally used for (type of use)___, and

WHEREAS, User desires to use the ___(area of the building)___area of the building for the purpose of (type of use)___, and

WHEREAS, Owner has agreed to allow User to use the building provided that the following terms and conditions are met.

IT IS THEREFORE AGREED BY AND BETWEEN THE PARTIES:

a. Owner hereby agrees to let User use the above described building for the use described above on ___(describe times and day of usage). ___(name of person)___is the contact person for User to coordinate the details of usage.
b. User agrees to pay Owner ___(amount of period of time)___for the use of the building.
c. User agrees to abide by any rules or regulations for the use of the building which are attached to this Agreement.
d. User promises and warrants that it carries liability and medical payments insurance to cover the liability and medical payments exposures resulting from User's use of Owner's building. User will have Owner names as an Additional Insured on User's policy and will provide a Certificate of Insurance to Owner showing Owner as an Additional Insured.
e. User agrees to hold harmless, indemnify and defend Owner from any and all liability which may result from any person using the building, its entrances and exits, and surrounding for User's purposes.
f. User agrees to be responsible for preparing for use and returning to the pre-use condition all areas of the building which User will use, including entrances and exits.
g. User agrees to conduct a visual inspection of the building, including entrances and exits, prior to each use, and warrants that the building will be used only if it is in a safe and non-hazardous condition.

This Agreement may be canceled unilaterally by either party with fourteen days' written notice.

Dated this _______________ day of _________________, 20____

Owner (owner signature),___(owner printed name),___(position with owner)

User (user signature),___(user printed name),___(position with user)

(Sample provided by: Brotherhood Mutual Insurance Company, 6400 Brotherhood Way, P.O. Box 2227, Fort Wayne, IN 46801-2227)

SHIPPING RECORDS

Records should be securely wrapped and a dated inventory on the governing body's letterhead included in the package. The inventory should describe the type of records, the dates, and the number of volumes (e.g. session minutes, 1900-1980, 5 vols.). A copy of the inventory should be sent under separate cover. This inventory will be used to acknowledge receipt of the records. For further information about microfilming or your vital records, contact Microfilming Services or the Archives:

Department of History
Presbyterian Church (U.S.A.)
425 **Lombard Street**
Philadelphia, PA 19147-1516
(215) 627-1852

SESSION'S VITAL RECORDS

RECORDS OF PERMANENT VALUE

Below is a list of records that possess administrative, legal or historical value. It is recommended that these records be stored in a fireproof, waterproof safe **at the church.** They should **never** be removed from the church or stored in members' homes.

Session Minutes

Congregational Minutes

Rolls and Register Books

Charter and/or incorporation papers

Congregational By Laws

Annual Audit

Financial ledgers of final entry

Deacons' Minutes and Reports

Church School Minutes and Reports

Presbyterian Women's Minutes

Miscellaneous

Property deeds

Photographs - identified

Manuals and Directories

Newsletters

Anniversary publications

Blueprints, architectural drawings

Scrapbooks

Worship bulletins

Histories

Ministers' biographies and photos

RECORDS OF TEMPORARY VALUE

Any records not possessing permanent value would, of course, automatically fall into the "temporary" category. The following list presents only a few examples of the many such records. Realistically evaluated, there should be many more records judged "temporary" than "permanent" in most offices.

Few temporary records should be retained beyond seven years: an example of an exception would be Workmen's Compensation Reports which should be held ten years before destruction. When in doubt, check with your auditor regarding retention periods for financial records.

RECORDS AND COMPUTERS

Many churches keep their current membership on computers for mailing convenience. This is entirely appropriate but computer membership records **do not** replace the rolls, registers and the minute book and computer print-outs are not acceptable at the annual administrative review of church records.

Financial records can be kept on the computer but always have a hard copy of each new record.

PROCEDURES FOR INCLUSION IN PRESBYTERIAN CHURCH (USA) FEDERAL GROUP EXEMPTION

The Presbyterian Church (U.S.A.) has been issued a Group Ruling (hereinafter "Group Ruling") by the Internal Revenue Service (hereinafter "IRS"). Since the initial ruling of January 31, 1964, the IRS has reaffirmed the Group Ruling periodically. The Group Ruling exempts the Presbyterian Church (U.S.A.) and its related organizations, from federal income tax under section 501(c)(3) of the Internal Revenue Code (hereinafter "Code"). The Presbyterian Church (U.S.A.) lists all of its related organizations that are entitled to the benefits associated with the exemption in *its Minutes* (hereinafter "Minutes"), which are published every year.

The responsibility for reviewing applications/requests for inclusion in the Group Ruling rests with the Office of the General Assembly. Because of the tax consequences of the Group Ruling to each covered organization, it is essential to maintain the integrity of the Group Ruling process.