

**THE PRESBYTERY OF SAN JOSE**  
**STANDING RULES**

**Chapter I**  
**BOUNDS AND GOVERNANCE**

- 1.10 The Presbytery of San Jose shall consist of the Presbyterian Church (USA) congregations within the geographical boundaries of the counties of Santa Clara, Santa Cruz, Monterey and San Benito in the State of California.
- 1.11 The Presbytery of San Jose is constitutionally related to the Synod of the Pacific and to the General Assembly of the Presbyterian Church (USA). The Constitution of the Presbyterian Church (USA), these Standing Rules, and the most recent edition of Robert’s Rules of Order shall govern this Presbytery. References in these Standing Rules are to be understood according to the pertinent provisions of the current Book of Order.
- 1.20 As directed by the Book of Order, G-4.0101 the Presbytery of San Jose has caused to be formed a corporation under the laws of the State of California to enable it to receive, hold and transfer property and to facilitate the management of its corporate affairs in such a manner as the Presbytery may from time to time direct.
- 1.30 The name of said corporation is The Presbytery of San Jose. The Articles of Incorporation and the Standing Rules of said corporation as adopted are approved by the Presbytery of San Jose as being the powers and purposes of this corporation.
- 1.40 As permitted by Section 9210(b) of the California Corporations Code, the Presbytery of San Jose shall itself be the governing body (board of directors) of the corporation. From time to time and as specifically now or hereafter authorized in these Standing Rules, the governing body may commission certain of its powers to subordinate units or committees, always reserving the right of final review and decision to itself.
- 1.41 Officers of the corporation shall be the Moderator, Stated Clerk, the Executive Presbyter, and Treasurer of the Presbytery, and the chair of the Committee on Financial Affairs. These shall have authority to sign all legal documents on behalf of the Presbytery when so ordered.

**Chapter II**  
**MEETINGS**

- 2.10 The Presbytery shall hold four stated meetings annually as follows:
 

February	First Saturday	9 AM
May	First Saturday	9 AM
September	Fourth Saturday	9 AM
November	Fourth Saturday	9 AM

(or week before when this is Thanksgiving week)
- 2.10.1 No meeting shall be held during the regular meeting of the Synod of the Pacific or of the General Assembly.

- 2.11 At the November meeting, usually held in the church of the Moderator, the Sacrament of the Lord’s Supper shall be celebrated, with the retiring Moderator, or appointee, officiating. An offering for the Presbytery’s Emergency Assistance Fund will ordinarily be received.
- 2.12 All Ministers of the Word and Sacrament (hereinafter referred to as Ministers) on the roll of the Presbytery and who are able are expected to be present. A Minister who has been absent for a year without excuse shall be required to give an explanation to the Committee on Ministry.
- 2.13 Each session shall be represented at each stated meeting by Ruling Elders in accordance with the Book of Order, G-3.0301. Each session shall be encouraged to choose a Ruling Elder commissioner by November to serve for the next calendar year, and to have the Ruling Elder commissioner report regularly on Presbytery meetings.
- 2.14 The Presbytery Council may change the date or time of any stated meeting when such change is considered necessary.
- 2.15 All committee recommendations or motions shall be in writing and delivered to the Stated Clerk at least 15 days prior to the meeting for preparation and mailing to the Presbytery. Exceptions to this rule may be made by the Presbytery Council. The Stated Clerk shall place in the records of the Presbytery those items required by the Synod of the Pacific.
- 2.16 The Standing Order shall be:

FEBRUARY	<ul style="list-style-type: none"> <li>• Action on amendments to the Constitution referred by General Assembly through the Sub-committee on Polity and Government.</li> <li>• Annual report of the Executive Presbyter.</li> <li>• Report from Synod commissioners.</li> <li>• Annual written report of activities from:                             <ul style="list-style-type: none"> <li>Committee on Ministry</li> <li>Committee on Preparation for Ministry</li> <li>Committee on Financial Affairs</li> <li>Committee on Personnel</li> <li>Committee on Representation and Empowerment</li> </ul> </li> </ul>
MAY	<ul style="list-style-type: none"> <li>• Treasurer’s Report.</li> <li>• Stated Clerk’s statistical report.</li> <li>• Election of Synod commissioners.</li> <li>• Report terms of call for Ministers serving congregations</li> <li>• Annual written report of activities from Subcommittees:                             <ul style="list-style-type: none"> <li>Guiding, Preparing, Safeguarding (GPS)</li> <li>Polity and Government, including session records reviews</li> </ul> </li> </ul>

<p>SEPTEMBER</p>	<ul style="list-style-type: none"> <li>• Report from General Assembly commissioners.</li> <li>• Adoption of Ecclesiastical and Program Budgets.</li> <li>• Committee on Ministry report on minimum salary level for Ministers.</li> <li>• Annual written report of activities from Work Groups and Task Forces.</li> </ul>
<p>NOVEMBER</p>	<ul style="list-style-type: none"> <li>• This shall be the annual meeting of the corporation.</li> <li>• Report of Committee on Nominations.</li> <li>• Sacrament of the Lord’s Supper.</li> <li>• Election of Presbytery officers and committees.</li> <li>• Ordinarily receive an offering for a benevolence such as the Presbytery’s Emergency Assistance Fund.</li> <li>• Installation of the Moderator for the ensuing year. (Or at the next meeting if there is a scheduling conflict.)</li> <li>• Election of General Assembly Commissioners and Young Adult Advisory Delegates.</li> </ul>

- 2.17 The location and order of business of a stated meeting shall be determined by the Stated Clerk in consultation with the Presbytery Council. The standing order of business shall be given priority.
- 2.18 The docket shall include a time when new business may be introduced, with no presentation to exceed five minutes. No new business shall be debated, but rather be referred to an appropriate committee, commission, or the Presbytery Council for study and recommendation.
- 2.19 **Special Meetings:** Should the Moderator and the Stated Clerk determine that an emergent matter of Presbytery business cannot be resolved by other means, they may jointly call a special meeting of the presbytery to be held at a specific place and time by giving at least five days notice to the churches and minister members of the presbytery.
- 2.20 A quorum for all stated or specially called meetings of the presbytery shall be eight Ministers and eight Ruling Elders drawn in any combination from at least six churches in the presbytery. The moderator of the meeting, the Executive Presbyter and the Stated Clerk shall not be counted in order to reach a quorum.

### Chapter III

#### OFFICERS OF THE PRESBYTERY

- 3.10 The officers of the Presbytery shall be the Moderator, the Moderator-elect, Executive Presbyter, Stated Clerk, and Treasurer. The Moderator-elect shall fulfill the responsibilities of a vice moderator.

- 3.11 The Moderator-elect, the Stated Clerk and the Treasurer shall be nominated by the Nominating Committee and elected at the annual meeting in November. The Moderator-elect shall become the Moderator for the year following service as Moderator-elect.
- 3.12 The Moderator shall serve a term of one year, and shall not be eligible to succeed her/himself after serving one full term. The Moderator-elect shall serve a one-year term. The Stated Clerk and the Treasurer shall serve for five-year terms, and may be re-elected at Presbytery's discretion.
- 3.13 All Ruling Elder officers of the Presbytery shall be members of the Presbytery with full privilege of voice and vote. All past Ruling Elder Moderators shall have privilege of voice and vote.
- 3.14 Duties of the officers (Book of Order G-3.0104):
  - 3.14.1 The Moderator shall preside at all meetings of the Presbytery, at all ordinations, and at all installations of Ministers, with the privilege of naming another presbyter to act in these capacities as necessary. The Moderator shall be a member of the Presbytery Council ex-officio, without vote.
  - 3.14.2 The Moderator-elect shall preside in place of the Moderator at the Moderator's request.
  - 3.14.3 The Stated Clerk shall endeavor to conduct his or her duties in a manner which protects the property and assets of the Presbytery; perform all such duties as are prescribed in the Constitution of the Presbyterian Church (USA) (Book of Order G-3.0104, G-3.0105b, G-3.0305, see also references in Rules of Discipline) and as may be required by the acts of higher governing bodies, or as may be assigned by the Presbytery or the Presbytery Council. Specifically, the Stated Clerk shall:
    - a) Notify each member of the Presbytery, and the clerk of each session, at least ten days in advance, of the time and place of each meeting. In consultation with the Moderator, the Stated Clerk will adjust the time and place of a meeting as an emergency warrants.
    - b) Keep and engross in a suitable record book the minutes of all meetings; furnish extracts of the same, duly attested, whenever properly required; keep a roll of Ministers, churches, and candidates, together with their addresses.
    - c) Notify all commissioners and committee personnel of their appointment, and other appointees of their assignment to specific duties; prepare and forward to the General Assembly, or Synod, the statistical reports required by them.
    - d) Make an annual statistical report at the May stated meeting and report at such other times as the Presbytery may direct.
    - e) Be a member ex-officio and without vote of all committees of the Presbytery; serve as secretary of the corporation, Presbytery Council; and be staff resource to Financial Affairs, Committee on Ministry, and all subcommittees.
  - 3.14.4 The Treasurer shall be the chief financial officer of the Presbytery, and shall keep and maintain, or cause to be kept and maintained, adequate and correct accounts of all the monies, properties and business transactions of the Presbytery and the corporation. The books of account shall be available for inspection during normal business hours to any member of the Presbytery.

- a) As directed by the Presbytery, the Treasurer shall deposit all money and other valuables in the name of and in the credit of the Presbytery, shall disburse its funds, and shall render a statement of its accounts and transactions. The Treasurer shall make an annual fiscal report for the preceding calendar year at the May stated meeting.
- b) The Treasurer shall have the books of the Presbytery reviewed annually in accordance with Section 5.17 of these Standing Rules.
- c) The Treasurer shall be bonded.

## Chapter IV

### COMMITTEES

- 4.10 The Presbytery shall establish a Council, standing committees, other committees, and commissions, as needed and as required by the Book of Order G.3-0109. The standing committees shall be: Committee on Ministry, Committee on Nominations, Committee on Personnel, Committee on Preparation for Ministry, Committee on Representation and Empowerment, Committee on Financial Affairs.
- 4.11 Committees, the Presbytery Council and commissions shall have responsibilities as described in the Book of Order and in these Standing Rules.
- 4.12 Committees shall have at least six members. Committees requiring additional members to fulfill their responsibilities shall notify Committee on Nominations. All members shall be active members of a church of the Presbytery of San Jose or Ministers on the active roll of Presbytery. Membership shall conform to the Church's commitment to inclusiveness and participation as described in the Book of Order F-1.0403 and G-3.0103. Committees shall also be representative of the geographical areas of the Presbytery.
- 4.13 Members shall serve for a term of three years and shall be divided into three classes. Members may serve up to 6 years. After having served a total of 6 years on one committee, a member shall be ineligible for re-election to that committee for a period of one year.
- 4.14 The chair of each committee shall be a Minister or a Ruling Elder, shall be elected by the Presbytery for a term of one year, and may be elected for one additional year. The Ruling Elder chair of any standing committee or the Ruling Elder designee if the chair is absent, all Ruling Elder members of Council, and Ruling Elder Synod commissioners, shall be members of the Presbytery with full privileges of voice and vote.
- 4.15 A quorum for Council and Committees shall consist of a majority of members.
- 4.16 **Electronic Meetings:** Committees, commissions, boards and other official entities of the Presbytery may, from time to time when physical meetings are impractical, arrange to meet and conduct business via electronic video and/or audio teleconference. Reasonable notice of the date, time and set-up procedures of electronic meetings will be given by the group's chairperson or moderator. The conduct of electronic meetings will conform as closely as possible to the procedures for physical committee meetings set out in the latest edition of Robert's Rules of Order, including (but not limited to) those for quorums and the recording of minutes. Actions taken in teleconference meetings shall be reported to the Presbytery in the same manner as any other actions are reported. Minutes of teleconference meetings shall be treated as official minutes, must be approved by the

entity at its next physical or electronic meeting and shall be kept and forwarded in the same way as minutes of physical meetings.

- 4.17 **Email Voting:** Committees, commissions, boards and other official entities of the Presbytery may, from time to time, cast binding votes through email or other commonly used but individually addressed electronic tool. Email voting is limited to action items believed to be routine and not controversial. In such cases the chair or moderator of the entity will make a motion (a second is not required) by sending the motion's text and any significant background material to all members of the body. The group's moderator or chairperson will also include an announcement which clearly indicates the deadline for receipt of responses and offers any and all members the opportunity to stop the email vote and call for an electronic meeting to consider the matter. Members of the group voting will use the "respond all" facility of email or otherwise respond in a way by which all participants can see all the votes. Email voting produces a valid action when the number of voters responding meets or exceeds the group's normal quorum, and the measure being voted on receives positive responses from at least 3/4 of those members who respond.

#### **4.20 THE PRESBYTERY COUNCIL**

- 4.21 The purpose of the Presbytery Council is to coordinate the life and ministry of Presbytery in accordance with policies, priorities, and goals enacted by the Presbytery.
- 4.22 The Presbytery Council shall be composed of all chairs of committees of Presbytery (Representation and Empowerment, Nominations, Personnel, Preparation for Ministry, Financial Affairs, Committee on Ministry), all chairs of subcommittees of Council (Guiding Protecting Safeguarding (GPS) and Polity and Government), a Mission Group/Task Force Contact Person, and of the current Moderator of Presbyterian Women in the Presbytery of San Jose, the Moderator, the Moderator-elect, and immediate Past Moderator of the Presbytery. A chair of a committee or subcommittee may designate a member of their committee or subcommittee to Council with the same privileges. In addition, there may be at-large members as determined by Council, divided into 3 classes, elected to terms of 3 years and eligible for re-election for a second term. At-large members should be chosen with attention given to the Minister /Ruling Elder balance of the Council. All members of the Council shall be Ministers or Ruling Elders.
- 4.23 The Chair of the Presbytery Council shall be one of its members, elected by the Presbytery to serve for a term of one year, who shall be eligible for re-election for one additional year.
- 4.24 The Stated Clerk, the Treasurer, and the Executive Presbyter shall serve ex officio, without vote. The Stated Clerk shall act as Presbytery Council Secretary.
- 4.25 All Ministers and Ruling Elders serving on Presbyterian Mission Agency Board shall be corresponding members of Council with voice and no vote.
- 4.26 All Ruling Elder at-large members of Council shall be members of Presbytery with voice and vote.
- 4.27 The Presbytery Council's stated meetings shall be held at least three weeks before each stated meeting of the Presbytery. Special meetings of the Presbytery Council, either physical or electronic, may be called by the chair of Presbytery Council when needed to conduct emergent business.

## 4.28 The Presbytery Council shall:

- 4.28.1 at its discretion, act on behalf of Presbytery on matters both administrative and ecclesiastical that need to be considered prior to the next meeting of Presbytery. No judicial business shall be referred to the Presbytery Council.
- 4.28.2 recommend for Presbytery approval the formation of specific Work Groups and Task Forces and shall provide oversight of all approved Work Groups and Task Forces; authorize and supervise use of any funds made available to a Work Group or Task Force. A Work Group considers a specific subject area which may have multiple tasks and which is likely to need a longer time period to accomplish the work. A Task Force has a specific task to be completed in a designated time period, usually not longer than one year.
- a) The one who proposes the Work Group or Task Force will be expected to recruit the Work Group or Task Force members from not less than three congregations. Minister members must be members of the Presbytery of San Jose. Members from local Presbyterian churches must have their congregational membership confirmed by their session.
  - b) He/she will submit the proposal to Council for approval. The proposal must include:
    1. Goal of proposed Work Group or Task Force
    2. List of persons who will implement the proposal and proof of session confirmation, as needed
    3. Name of Chairperson who must be a Minister or Ruling Elder
    4. Name of person who will act as liaison to Council, giving regular reports and making any necessary requests
    5. Methodologies for achieving the goal(s)
    6. Estimated cost involved
    7. Estimated time needed to make the ministry effective and/or self-sustaining
  - c) Work Groups and Task Forces may be either pan-Presbytery or regional, sometimes with a “lead” church, depending on the scope of interest. Work Groups and Task Forces with related projects might choose to meet together occasionally or regularly.
  - d) The Council will end the Presbytery’s involvement with each such ministry when, in its opinion, interest or leadership cannot be sustained, or it no longer meets its stated purpose.
  - e) Work Groups and Task Forces shall report to Council at least once a year or whenever deemed necessary or requested by Council. The report shall include:
    - 1) Progress towards the proposed goal.
    - 2) List of current leadership and membership, including gender and ethnicity. Please note that changes in membership require session and Council confirmation.
    - 3) Any changes to the liaison to Council.

4) An accounting of any funds involved and requests for future funding.

The Council shall review and approve the report of each Work Group and will include the report in the September meeting of Presbytery. The Council shall review and approve the report of each Task Force at the end of their task and will include the report at the next meeting of Presbytery.

- 4.28.3 correspond with councils of synods and the General Assembly;
- 4.28.4 annually direct the Financial Affairs Committee with budget allocations as they prepare the mission budget for Presbytery approval;
- 4.28.5 review yearly the activities and needs of all the standing committees of the Presbytery. It shall nominate all members and the chair of the Presbytery Committee on Nominations.
- 4.28.6 assist the Presbytery in setting goals for its development. It shall propose concrete strategy suggestions to be adopted by the Presbytery and implemented by appropriate committees and congregations. It shall set specific time limits for such strategies. When the Council devises and approves a strategy and presents it to the Presbytery, the Presbytery will either approve the strategy or refer it back to the Council with suggested modifications. When finally adopted, the strategy becomes the basis for established procedures.
- 4.28.7 The Presbytery Council shall, at each stated meeting of the Presbytery, report each item of business transacted by it. Its decisions shall be immediately operative wherever responsibility has been conferred, but they may be reviewed and reversed by the Presbytery.
- 4.29 The Council shall establish subcommittees as follows:
- 4.29.1. Polity & Government Sub-committee, responsible for:
- a) carrying out the provisions of the Book of Order G-3.0107, G-3.0108, G-3.0305 as they pertain to session records and history.
  - b) receiving proposed amendments to the Book of Order addressed to the Presbytery from General Assembly and reporting to the Presbytery its recommendations for action.
  - c) reviewing for form all proposed overtures to General Assembly from this Presbytery.
  - d) periodically updating and revising the Standing Rules of the Presbytery.
  - e) training an Investigating Committee Pool in all matters necessary to accomplish an inquiry into an allegation of offense. (D-10.0103)
- The chair of Polity & Government subcommittee shall be nominated by the Nominating Committee and elected yearly by the Presbytery. Its membership will be appointed by Presbytery Council and will include Ruling Elders or Ministers who may be members of Council or other Presbytery committees.
- 4.29.2 Guiding Preparing Safeguarding (GPS) Subcommittee, responsible for:
- a) carrying out the provisions of the Book of Order G-3.0106 under the guidance of the Stated Clerk as they pertain to sexual misconduct and protection of children, youth, and vulnerable adults.

- b) carrying out the provisions of the Book of Order G-4.0302 under the guidance of the Stated Clerk as they pertain to mandated reporting.
- c) resourcing congregations on risk management and safety concerns by suggesting materials for use, loaning available materials, and/or providing training.
- d) alerting congregations to emerging issues and new developments in ongoing issues.

The chair of GPS subcommittee shall be nominated by the Nominating Committee and elected yearly by the Presbytery. Its membership will be appointed by Presbytery Council and will include Ruling Elders or Ministers who may be members of Council or other Presbytery committees.

#### **4.30 COMMITTEE ON MINISTRY**

*"...to equip the saints for the work of ministry, for building up the body of Christ..."* (Ephesians 4:12)

- 4.31 The purpose of the Committee on Ministry is to assist congregations as they call, employ, and work with all Ministers and Commissioned Ruling Elders and facilitate relations among Ministers and Commissioned Ruling Elders, congregations and the Presbytery.
- 4.32 This committee may have up to thirty members, equally divided between Ministers and Ruling Elders. To the extent possible at least six of the Ministers shall be pastors of a church.
- 4.33 The committee shall:
  - a) fulfill requirements of the Book of Order G-3.0307 such as:
    - maintain continuing contact with the Minister members of Presbytery and Ministers serving in the bounds of Presbytery;
    - approve Minister placement calls;
    - approve receipt of Minister members from other Presbyteries or ordained ministers from other reformed denominations;
    - present to the Presbytery candidates for ordination examination for church or validated positions;
    - appoint commissions for ordination after any necessary action by Presbytery;
    - appoint commissions for installation;
    - visit each Session at least once every two years;
    - counsel with churches and approve contracts with temporary supply pastors;
    - approve parish associate agreements;
    - appoint moderators of Sessions when a church is without a moderator;
    - assure the implementation of equal employment opportunity for Ministers;
    - report for action on Minister calls, transfers, and dissolutions;
    - mediate and reconcile differences between Ministers and churches;
  - b) exercise oversight of Ministers seeking membership and/or permission to labor within the bounds of the Presbytery;
  - c) provide guidance to sessions in regard to the compensation of Ministers;

- d) maintain communication between the committee and all Ministers including those in ministries other than parish ministries;
  - e) ensure that Ministers are surveyed yearly regarding their terms of call and their use of study leave and sabbatical;
  - f) assist in arbitrating issues between church and Minister;
  - g) certify emergency grants from the Emergency Assistance Fund and draw funds for the relief of members as approved by the Presbytery, or confidentially submitted jointly by the Executive Presbyter and the Stated Clerk;
  - h) arrange periodic continuing education events and retreats for Ministers and lay church employees;
- 4.34 The committee shall be responsible for the following reports to the Presbytery:
- a) at the May meeting, a report on Presbytery minister terms of call for Ministers serving congregations
  - b) at the September meeting, a report on recommended minimum salary levels for the following year.
  - c) at the November meeting, an annual written report of its activities, including a necrology.

#### **4.40 COMMITTEE ON NOMINATIONS**

*“Like good stewards of the manifold grace of God, serve one another with whatever gift each of you has received.” (I Peter 4:10)*

- 4.41 The purpose of the Committee on Nominations is to identify and nominate Persons willing and able to serve the Presbytery in many capacities. This committee will work towards a balanced composition of nominees, considering race, ethnicity, age, sex, disability, geography, theological conviction, and Minister/Ruling Elder roles. (Book of Order F-1.0403).
- 4.42 The committee may have up to twelve members.
- 4.43 The committee shall:
- a) nominate all members and chairs of Presbytery’s committees except the Committee on Nominations; (SR 4.28.5)
  - b) nominate the chair and members of the Presbytery Council, the Moderator-elect, members of the Permanent Judicial Commission, and Synod commissioners, nominate such Presbytery members as are needed to serve in other governing bodies or ecumenical groups with the exception of commissioners to General Assembly, who shall be chosen as described in section 7 of these Standing Rules.
  - c) every five years or when a vacancy occurs in the position of Treasurer or Stated Clerk, the Nominating Committee shall nominate and the Presbytery elect a search committee which shall carry out a search process for the position(s) in accordance with current Presbytery personnel procedures. The candidate(s) chosen through this search process shall be elected by vote of the Presbytery.

**4.50 COMMITTEE ON PERSONNEL**

*“Let us then pursue what makes for peace and for mutual upbuilding.” (Romans 14:19)*

- 4.51 The purpose of the Committee on Personnel is to provide oversight and support of all staff employed by the Presbytery.
- 4.52 This committee shall be composed of six members of which at least two shall be Ministers and at least two shall be Ruling Elders.
- 4.53 This committee shall:
- a) in consultation with Presbytery Council develop position descriptions;
  - b) provide oversight for and support of all staff employed by the Presbytery in accordance with the personnel policies of the Synod of the Pacific and/or the Presbytery of San Jose;
  - c) conduct annual reviews of the Executive Presbyter, the Stated Clerk, and the Treasurer. The Executive’s annual performance review shall be conducted jointly with the Synod Executive.
  - d) review annual evaluations of the administrative support personnel performed by the Executive Presbyter;
  - e) provide consultation with individual staff members when requested, concerning issues related to staff and executive relationships;
  - f) recommend appropriate compensation for all staff within limits set by the Financial Affairs Committee for submission to Presbytery;
  - g) submit their recommendation to Presbytery Council for appropriate action after all necessary disciplinary procedures for unsatisfactory job performance or misconduct have taken place, and the complete record of reasons for discharge has been submitted.

**4.60 COMMITTEE ON PREPARATION FOR MINISTRY**

*“Then I heard the voice of the Lord saying, ‘Whom shall I send and who will go for us?’ And I said, ‘Here am I; send me!’” (Isaiah 6:8)*

- 4.61 The purpose of the Committee on Preparation for Ministry is to give guidance to and have oversight of Inquirers and Candidates for church vocations- as outlined in the entire section of the Book of Order G-2.06.
- 4.62 This committee shall have up to fifteen members, not more than half of whom shall be Ministers. All members shall be Ministers or Ruling Elders.
- 4.63 The committee shall:
- a) give guidance to Inquirers and Candidates in accordance with the Book of Order G-3.0307, these Standing Rules, and “The Statement of Steps Toward Becoming a Candidate in the Presbytery of San Jose”;
  - b) give interpretation and support of the Presbyterian Church (USA) seminaries;
  - c) give guidance to and have oversight of seminary students and graduates who are engaging in or anticipating employment within the bounds of the Presbytery of San Jose which could lead to a call and a request for ordination;
  - d) counsel with pastors and sessions as they relate to Inquirers and Candidates from congregations.

**4.70 COMMITTEE ON REPRESENTATION AND EMPOWERMENT**

*“There is no longer Jew or Greek, there is no longer slave or free, there is no longer male and female; for all of you are one in Christ Jesus.” (Galatians 3:28)*

- 4.71 The purpose of the Committee on Representation and Empowerment is to raise awareness of the principles of participation, inclusiveness, and justice to facilitate fair and effective participation in the church.
- 4.72 This committee shall have at least six members and may have up to twelve members. It shall be selected from the rich diversity of members found within the churches and membership of the Presbytery. The chairperson shall be a Ruling Elder or a Minister. Total membership shall be in accordance with Book of Order G-3.0103
- 4.73 This committee shall
- a) fulfill, as its main function, the duties assigned to the Committee on Representation in the Book of Order G-3.0103;
  - b) develop leadership among those historically excluded from leadership in the church;
  - c) identify, name, and respond to the many forms of discrimination in church and society;
  - d) educate the Presbytery and its congregations on issues of racial and gender justice, diversity, and empowerment.

**4.80 COMMITTEE ON FINANCIAL AFFAIRS**

*“God is able to provide you with every blessing in abundance, so that by always having enough of everything, you may share abundantly in every good work.” (2 Corinthians 9:8)*

- 4.81 The purpose of the Committee on Financial Affairs is to assist and oversee the Presbytery as it manages all real property and assets of the Presbytery and its churches.
- 4.82 This committee may have up to 12 members, all of whom shall be Ruling Elders or Ministers. The Executive Presbyter, Stated Clerk, Treasurer, and Accountant shall be members ex-officio without vote.
- 4.83 This committee shall:
- a) manage all real property and assets of the Presbytery in accordance with the Book of Order G-3.0113, G-4.02 (entire section);
  - b) implement all financial and risk management policy matters decided by the Presbytery regarding assets of the Presbytery and its congregations including property, encumbrances, disbursements, investments and insurance;
  - c) execute all legal documents on behalf of the Presbytery when so ordered;
  - d) Present the ecclesiastical and mission budgets for Presbytery approval and monitor actual results against budget.
- 4.84 Approval of the committee and/or the Presbytery shall be obtained before any church or other agency of the Presbytery shall:
- a) lease or rent any of its real property for a period up to five years;
  - b) lease or rent its real property used for purposes of worship;
  - c) sell or mortgage its property or borrow funds from any source internal or external, including from members of the congregation;

- d) encumber any Presbyterian property;
  - e) initiate any equity sharing agreement or loans to Ministers or employees for housing.
- Unencumbered outright purchase of real property must be reported to the Presbytery through the Stated Clerk, but needs no approval by Presbytery. Proposals for all purchase or acquisition of real property should be submitted to the Financial Affairs Committee for review.
- 4.85 Recommendations brought by the committee to the Presbytery for consideration and vote which involve the liability of the Presbytery, either direct or contingent, shall be prepared in written form, with adequate back-up data, and transmitted with the call for the meeting at which they are to be acted upon.
- 4.86 Those financial commitments of church sessions which have the potential to obligate presbytery to satisfy the terms of a contract shall be brought to the Committee on Financial Affairs for its review prior to legal ratification; such commitments include sale, lease or rental of church property, borrowing or loaning funds from any source internal or external to the congregation, and entering into equity sharing agreements.

## **Chapter V**

### **FINANCES**

- 5.10 The financial commitments of the Presbytery and of the Presbytery as a corporation shall be ordered through an ecclesiastical budget and a mission budget.
- 5.11 The ecclesiastical budget shall be set by the Committee on Financial Affairs.
- 5.12 The ecclesiastical budget shall describe all expenditures for the operation of the Presbytery, including the salaries of all ecclesiastical staff, such as the Stated Clerk, the Treasurer, and their support staff; and also including the administrative expenses of the work of standing committees.
- 5.13 The ecclesiastical budget shall ordinarily be financed by a per capita apportionment to be paid by each church. Per Capita is based on the individual church's total active membership as reported to General Assembly the previous year. Per Capita is payable, or payment arrangements made, before February 1. The apportionment shall be set as part of the process of setting the budget.
- 5.14 The mission budget shall be set by the Committee on Financial Affairs.
- 5.15 The mission budget shall describe all expenditures of the Presbytery for its program, including program staff salaries, such as the Executive Presbyter and the Office Manager.
- 5.16 Both the ecclesiastical and the mission budgets shall be presented to the Presbytery for its discussion and adoption at the September meeting.
- 5.17 The Presbytery shall annually have an audit or review of its financial books as provided for in the Book of Order G-3.0113. The full audit or review shall be reported to the Financial Affairs Committee and a printed audit report shall be made available upon request for examination by Presbytery's members and commissioners.

## Chapter VI

### RULES OF DISCIPLINE

6.10 The Nominating Committee shall nominate, and the Presbytery shall elect, a Permanent Judicial Commission. It shall consist of nine members, five Ministers and four Ruling Elders, elected in three classes, one class being elected every other year. The Permanent Judicial Commission shall have responsibilities as defined in the Book of Order D-5.0100 through D-5.0206.

#### 6.11 INVESTIGATING COMMITTEE POOL

*“He has showed you, O mortal, what is good; and what does the Lord require of you but to do justice and to love kindness, and to walk humbly with your God?”* (Micah 6:8)

6.11.1 The purpose of an Investigating Committee Pool is to provide the presbytery with an identifiable resource of trained persons who may be called upon to serve on an Investigating Committee as the need arises. (Book of Order D-10.0101; D-10.0103)

6.11.2 This Investigating Committee Pool may have up to 12 members broadly representative of the diversity of presbytery, half of whom shall be Ministers, and the remainder Ruling Elders-of the presbytery. (Book of Order D-10.0201a)

6.11.3 Term of service shall be six years, with the members elected in three classes. When established for the first time, one class shall serve for two years, the second class for four years, and the third class for six years. Any person who has served for a full term of six years shall not be eligible for reelection until two years have elapsed after the expired six-year term.

6.11.4 Initially, nomination shall be as follows:

- a) four by the Committee on Ministry;
- b) eight by the Committee on Nominations; thereafter, nominations shall be in odd-numbered years as follows:
  - 1) one by the Committee on Ministry;
  - 2) three by the Committee on Nominations.

6.11.5 Election by Presbytery empowers any combination of Investigating Committee Pool members to serve when called upon by the Stated Clerk, the Chair of Committee on Ministry, and the Chair of Nominating Committee, without necessity of further approval by Presbytery. (Book of Order D-10.0103; D-10.0201b)

6.11.6 The Investigating Committee Pool members shall:

- a) Respond when called upon to fulfill requirements of the Book of Order D-10.0103 through D-10.0202 to the conclusion of the case according to provisions of the Disciplinary process.
- b) Diligently pursue training in the Disciplinary process.
- c) Hear all evidence with objectivity.
- d) Treat all persons with respect and compassion.

- e) Take care not to sacrifice demands of due process to the urgency for resolution.
  - f) Do all within their power to assure that healing and restoration accompany justice.
- 6.11.7 Should the need arise for the appointment of an Investigating Committee at a time when, for any reason, the Investigating Committee pool is insufficient to fill that need, the moderator and Stated Clerk shall call a special meeting of the Presbytery to make the needed appointments.

## **Chapter VII**

### **ELECTING COMMISSIONERS AND YOUNG ADULT ADVISORY DELEGATES TO GENERAL ASSEMBLY**

- 7.10 Commissioners to General Assembly and Young Adult Advisory Delegates shall be elected at the November stated meeting. (Book of Order G-3.0302a)
- 7.11 The Stated Clerk shall enclose in the distribution of the call to the September meeting the invitation to nominate Ministers and Ruling Elders for election as commissioners.
- 7.12 To be eligible for election as a commissioner, a Minister must
- a) be an active member (Book of Order G-2.0502) of Presbytery;
  - b) have been a member of San Jose Presbytery for the previous two years;
  - c) be currently serving on a Presbytery committee/council/commission/Work Group/Task Force or otherwise active in serving the Presbytery;
  - d) be present at election;
  - e) have attended at least three of the stated meetings of Presbytery in the previous year;
  - f) be willing and able to be a resource on General Assembly until the next meeting of the General Assembly.
- 7.13 To be eligible for election as a commissioner, a Ruling Elder must
- a) be nominated by his/her session;
  - b) have been present at least three of the stated meetings of presbytery in the preceding year;
  - c) be present at election;
  - d) be willing and able to be a resource on General Assembly until the next meeting of the General Assembly.
- 7.14 The following shall govern the selection of Minister commissioners:
- 7.14.1 Any Minister who meets the criteria of 7.12 above may be placed in nomination. Others may be nominated from the floor, provided they are present and meet the criteria (a) through (f) of 7.12 above and provide information asked.
- 7.14.2 Presbytery shall vote for as many Minister-commissioners as are allowed by the Book of Order. Those receiving the most votes shall be declared elected, if they have received a majority of the votes cast. If necessary, additional ballots shall be

taken, eliminating those with fewer than 15 percent of votes cast, until a majority is reached.

- 7.15 Each eligible Minister, and each Ruling Elder nominated by his/her session, shall submit the following about her/himself, on one page, for distribution with the call to the November meeting:
- a) Personal background in the Presbyterian Church;
  - b) Personal hopes and desires for the Church;
  - c) Brief descriptions of several significant issues facing the Church;
  - d) A statement that, if elected, she/he intends to be a General Assembly resource for the Presbytery; until the next meeting of the General Assembly.
- 7.16 The following shall govern the selection of Ruling Elder commissioners:
- 7.16.1 All churches shall be invited to nominate a Ruling Elder commissioner provided they meet criteria (a) through (d) of 7.13 above and provide information asked in 7.15 above. The Stated Clerk, with the call to the September meeting, shall invite all churches to nominate an eligible Ruling Elder. All churches responding shall reply to the Stated Clerk with the name and information required in 7.15 above by the 10th of November.
- 7.16.2 Nominations may be made from the floor, provided nominees are present and meet criteria (a) through (d) of 7.13 above, and provide information asked in 7.15 above to the Stated Clerk by the 10th of November.
- 7.16.3 Presbytery shall vote for as many Ruling Elder commissioners as are allowed by the Book of Order. Those receiving the most votes shall be declared elected, if they have received a majority of the votes cast. If necessary, additional ballots shall be taken, eliminating those with fewer than 15 percent of the votes, until a majority is reached.
- 7.16.4 Should any elected commissioner be unable to attend the meeting of General Assembly, his/her runner-up in the election of commissioners shall be the alternate commissioner.
- 7.17 The following shall govern the selection of Young Adult Advisory Delegates to General Assembly:
- 7.17.1 Every session may nominate a person between the ages of 17 and 23 (on the day General Assembly convenes) for the position of Young Adult Advisory Delegate to General Assembly. Nominations must be in writing to the Stated Clerk by the 10th of November, accompanied by the same documents required of nominees for commissioner. (See 7.15 above.) The election process shall be as outlined in 8.16.3.
- 7.17.2 Should any elected Young Adult Advisory Delegate be unable to attend the meeting of General Assembly, the runner-up to the elected YAAD shall be the alternate delegate.

## **Chapter VIII**

### **PRESBYTERY STAFF AND OFFICES**

- 8.10 The Presbytery of San Jose shall have the administrative staff services of an Executive Presbyter and of other staff as needed, in accordance with the Book of Order, G-3.0110.
- 8.11 The Executive Presbyter shall be the administrator for the Presbytery, working to implement decisions of the Presbytery on strategy, program and resources for the agencies and committees of the Presbytery. He/she shall be the head of staff responsible for coordination of the staff services of all personnel, except for the ecclesiastical functions designated to the Stated Clerk by the Book of Order and shall be a member ex-officio of Presbytery committees as assigned by the Personnel Committee, with voice but without vote. The Executive Presbyter is generally accountable to the Synod in accordance with the Synod Personnel Policy and accountable specifically to the Presbytery to carry out the Presbytery of San Jose's decisions and policies. The Executive Presbyter shall assume Synod-wide duties as negotiated between the Presbytery and the Synod Executive.
- 8.12 The executive Presbyter is accountable to the Presbytery through its Council, and to the Synod of the Pacific through the Synod Executive.
- 8.13 Oversight and personnel support of the Executive Presbyter shall be provided by the Presbytery through its Personnel Committee.
- 8.14 Under the oversight of the Personnel Committee the Executive Presbyter shall have overall responsibility for implementing personnel policies and procedures, for hiring, supervising and if appropriate, recommending termination of the administrative support personnel, and for conducting their annual performance reviews in accordance with the Synod Personnel Policy if applicable. Full descriptions of all administrative support positions shall be on file in the Presbytery office and shall be reviewed yearly by no later than October 31.
- 8.15 In the event of a vacancy in the position of Executive Presbyter, the Nominating Committee shall nominate and the Presbytery elect a search committee which, with two representatives from the Synod and the Synod Executive, shall carry out a search process in accordance with Synod personnel procedures. The candidate chosen through this search process shall be elected by vote of the Presbytery.
- 8.16 The Stated Clerk shall be accountable to the Presbytery through the Executive Presbyter, except for those ecclesiastical functions designated to the Stated Clerk by the Book of Order. For ecclesiastical functions the Stated Clerk is accountable only through the Presbytery Personnel Committee. The Treasurer shall be accountable to the Presbytery through the Executive Presbyter and the Presbytery Personnel Committee.
- 8.17 All support staff shall be hired by the Presbytery Personnel Committee in consultation with the administrator having primary supervisory responsibility; support staff for the Stated Clerk shall be supervised by the Stated Clerk and support staff for the administrative office shall be supervised by the Executive Presbyter.
- 8.18 The Presbytery shall maintain an office or offices as needed to support its mission.

## **Chapter IX**

### **AMENDMENTS AND SUSPENSION OF RULES**

- 9.10 These Standing Rules may be amended or repealed by a two-thirds vote of the members present at any Stated Meeting, provided that a copy of the proposed amendment has been included with the call to the meeting as posted on the website and distributed electronically.
- 9.20 These rules may be suspended by a two-thirds vote of those present except when the Form of Government makes other requirements.