

## **Policy for Dismissing a Member Congregation of the Presbytery of Donegal to Another Reformed Body**

When a Discernment Team has decided to recommend that a congregation enter the process for Dismissal to another Reformed Body, the following process shall be followed.

### **The Written Report**

1. The Discernment Team shall produce a written report to the Session of the Congregation and to the Leader Team. The report will include:
  - a. The minutes of all meetings of the Discernment Team.
  - b. The record of the formal vote of the Discernment Team to recommend dismissal.
  - c. The counsel of the Discernment Team on whether they believe it will be possible for the Fiduciary Administrative Commission to work collaboratively with the Session regarding the financial settlement.
  - d. Any other history or details the Discernment Team believes should be preserved.
  - e. Identification of the Reformed Denomination to which the Session is recommending dismissal.
  - f. A statement from the Session on the theological rationale for leaving the covenant with the PC(USA) and uniting with another reformed body.
2. In the event that the Discernment Team cannot arrive at a majority recommendation, then the Team shall submit reports from both perspectives to the Session and to the Leader Team.

### **Session Concurrence**

1. The Session will review the written report of the Discernment Team.
2. The Session will vote on whether or not to concur with the recommendation to seek dismissal.
3. The Clerk of Session will inform the Leader Team of the Presbytery, in writing, of the vote total on whether or not to concur with the recommendation of the Discernment Team to seek dismissal.

### **Endorsement by Leader Team**

1. The Leader Team may vote to concur with the recommendation of the Discernment Team and the request of the Session to initiate the Dismissal Process or the Leader Team may refer the recommendation back to the Discernment Team for continued dialogue.
2. Representatives from the Discernment Team may attend the Leader Team meeting to address the report and recommendations.

3. If the Leader Team refers the recommendation back to the Discernment Team, the Leader Team shall convey, in writing, to the Discernment Team its recommendation for further steps in discernment.
4. If the Leader Team votes to concur with the recommendation, the Leader Team shall convey to the Session permission to call a meeting of the congregation to vote on a motion to request dismissal to another Reformed Body.
5. The Leader Team shall inform the Presbytery of this decision at its next stated meeting.

## **Meeting of the Congregation**

### **1. Call to the Congregational Meeting**

The Session shall call for a meeting of the congregation. Advance notice for the meeting shall be sent to each member on the active roll of the congregation, as well as through Sunday worship announcements and other usual forms of communication. The letter shall be mailed at least thirty days in advance of the meeting date, and public worship announcements shall be made at all worship services between the date of the call and the actual congregational meeting. Representatives of the Presbytery (members of the Discernment Team, Presbytery Leader Team, the Executive Presbyter, and Stated Clerk) shall also be invited to the meeting, with the right to address the body. This letter, as well as all subsequent communications including press releases, are to be approved by the Discernment Team, the Executive Presbyter, and the Stated Clerk (See media and communications plan below). The Presbytery may include in this mailing a statement on the Presbytery point of view on the issues of concern and the reasons to stay in the PC(USA).

### **2. Quorum for the Congregational Meeting**

- a. A quorum for this congregational meeting shall be twenty-five percent of the active membership roll at the time of the meeting.
- b. A process for recording those in attendance and distribution of ballots shall be approved by the Discernment Team.

### **3. Presentations to the Congregation**

- a. The Session shall make a written presentation to the congregation regarding the rationale for seeking dismissal and identification of the Reformed Body to which the Session is recommending dismissal.
- b. The Presbytery shall also make a written presentation.
- c. Either or both sides may also make verbal presentations.
- d. The content of all presentations and documents shall be reviewed by the Discernment Team. Each side shall exercise care to speak with respect regarding

opposing viewpoints. All leaders are charged to exercise graciousness in a manner that honors Jesus Christ, our one Lord. This care shall be exercised during the Service of Worship on the day of the congregational meeting as well. Presbytery representatives will attend this service of worship, as available, and may be invited by the Session to participate.

#### **4. Voting Procedures**

- a. After the presentations by Session and Presbytery representatives, all members present, as well as the representatives of the Presbytery, shall have the right to speak during the time for discussion and debate.
- b. When the discussion is concluded, the vote shall be taken by written ballot of the active members of the congregation present.
- c. At least three-quarters of those present and voting must vote in favor of requesting dismissal to another Reformed body in order for the proposal to be passed.
- d. At least four tellers shall be appointed, with at least one teller being a representative of the Presbytery.
- e. A written communication with contact information of Presbytery representatives offering assistance in locating a new PC(USA) church home, should the vote to seek dismissal be in the affirmative, shall be provided along with the written presentations (see 3b).

#### **If the Vote of the Congregation to Seek Dismissal is in the Negative**

1. In the event that the vote to request dismissal does not attain the required level of affirmative votes, then the congregation remains a member congregation of the Presbytery of Donegal, as a part of the PC(USA).
2. The Presbytery shall continue to work with the congregation with the goal of reducing dissatisfaction and enhancing the relationship between the Presbytery and the congregation.
3. Any request to re-enter the discernment process following a vote to remain in the PC(USA) shall be considered by the Leader Team on an individual basis.

#### **If the Vote of the Congregation to Seek Dismissal is in the Affirmative**

1. The Clerk of Session shall immediately inform the Leader Team, in writing, of the outcome of the vote to seek dismissal.
2. The Leader Team shall inform the Fiduciary Administrative Commission for Dismissals of this decision, so that they may begin the process of negotiating the financial and fiduciary settlement.

### **The Work of the Fiduciary Administrative Commission for Dismissals**

1. The Fiduciary AC will retain the services of a professional mediator to work with the AC, the Session, the Leader Team, and any other involved parties in the settlement negotiations. The cost of the mediator shall be paid by the congregation seeking dismissal.
2. The Discernment Team will notify the AC about whether they would like to meet with them to advise on the Discernment Team process and recommendations regarding possibilities for collaborative negotiation with the Session of the congregation.
3. If a meeting is recommended, this meeting may be with the entire Discernment Team, or only the Presbytery side of the Discernment Team. It is recommended the mediator attend this meeting to listen and advise.
4. The Fiduciary AC shall then proceed with its work as specified in the Fiduciary Manual.

### **Fiduciary Settlement Negotiations**

1. The Fiduciary AC shall meet with the Leader Team to inform it regarding the recommended settlement.
2. The AC will then meet with the Session, with the guidance of the mediator, to inform the Session of the settlement proposal and enter conversation about the settlement.
3. The Leader Team shall be informed, at a regular or called meeting, of the settlement proposal and may send the proposal on to the Presbytery for vote or may suggest the AC continue to work with the Session. The Leader Team may not modify the recommendation of the AC.
4. If the Leader Team suggests to the AC further deliberation, then the AC shall meet to consider this request from the Leader Team. The AC may continue deliberations and negotiations, or the AC may inform the Leader Team in writing that the settlement recommendation is complete.
5. When the AC informs the Leader Team that the settlement recommendation is complete, the Leader Team shall transmit the settlement recommendation to the Presbytery for action at its next stated meeting.

### **Action of the Presbytery Regarding the Recommended Settlement**

1. At the meeting of the Presbytery in which the vote to dismiss is to be taken, the chair of the Discernment Team shall present a brief verbal report regarding the Discernment Team process and recommendation.
2. The Fiduciary AC shall present the recommended settlement and rationale.
3. A representative of the Session of the congregation seeking to be dismissed may respond with a brief verbal statement.

4. The packet for the meeting shall include the report of the Discernment Team, a report disclosing all assets and liabilities of the congregation, and the report from the Fiduciary AC. The session may include a written statement.
5. After discussion and debate, the Presbytery shall vote whether or not to concur with the request for dismissal and the terms for dismissal. This vote shall be taken by written ballot.
6. The Presbytery shall pray for the congregation and its leadership.

#### **Meeting of the Congregation to Accept the Terms for Dismissal**

1. The terms of dismissal as adopted by the Presbytery shall be conveyed to the Session in writing.
2. The Session shall then call a meeting of the congregation to vote upon whether to accept the terms of dismissal. A quorum for this congregational meeting shall be ten percent of the active membership roll at the time of the meeting. The Session shall follow the same ballot procedure as the meeting to vote upon whether to request dismissal.
3. The terms of dismissal must be accepted by a simple majority of those present and voting, in order to be the effective decision of the congregation.
4. The Presbytery may have representatives at the meeting if it is deemed wise to do so, or upon the request of the Session.
5. If the vote is in the affirmative, then arrangements for the transfer of the congregation to the designated Reformed Body shall proceed.
6. If the vote is in the negative, then the congregation remains in the PC(USA). The services of the mediator may be retained in order to discern next steps.

#### **Pastoral Care for those Wishing to Unite with a PC(USA) Congregation**

1. In the event that any congregation is approved for dismissal under the terms of this policy, the Presbytery and the congregation shall take all steps possible in order to provide for the pastoral care and congregational life of those members who do not wish to depart the PC(USA). Their protection and nurture shall be a matter of paramount concern to both the departing congregation and to the Presbytery.
2. After the dismissal is approved, a letter shall be sent jointly by the Session and the Presbytery offering assistance and pastoral care in finding a new church home, if desired.
3. A congregation being dismissed shall work closely and diligently with the Presbytery to assist in the transfer of membership of members who do not desire to remain with the disaffiliating congregation.

### **Service of Worship for Celebration, Reconciliation and Commissioning**

1. In the event that any congregation's request for dismissal is approved under the terms of this policy, the Presbytery, in conjunction with the congregation, may hold a final worship service of commissioning, to celebrate our common life in Jesus Christ and to pray for the effectiveness and well-being of both the congregation and the Presbytery.
2. Those departing the PC(USA) will be commissioned by the Presbytery to further their work for the kingdom as they go forward in ministry.
3. The service shall be jointly planned by members of the Discernment Team, the Presbytery Leadership Team, and the Session. All congregations of the Presbytery of Donegal shall be invited.

### **Teaching Elders Serving the Congregation**

1. **Identifying Whether the Teaching Elder Wishes to be Dismissed**
  - a. The Discernment Team shall meet separately with Teaching Elders, Commissioned Ruling Elders, and Certified Christian Educators to determine whether they wish to seek to be dismissed to the Reformed Body as well.
  - b. If any of these persons wish to remain affiliated with the PC(USA), the Discernment Team, in conjunction with the Committee on Connecting our Ministry and the Executive Presbyter, shall negotiate appropriate severance terms prior to proceeding with the vote of the congregation to accept the financial settlement. These severance terms shall be included in the settlement.
2. **Transfer of Teaching Elders**
  - a. An orderly transfer process shall be followed, when possible.
  - b. The Teaching Elder shall arrange for termination with the Board of Pensions, if enrolled, effective the date of dismissal.

### **Media and Communications Plan**

1. The Executive Presbyter serves as Press Agent for the Presbytery, and will serve as spokesperson with all media agents throughout the process. Neither party will communicate with the media, other than to confirm public information, until the process is completed and the outcome is agreed. Any exceptions to this policy must be approved by the Executive Presbyter, in consultation with members of the Presbytery Leadership Team.
2. All documents that may become part of the public domain shall be developed together by the Discernment Team. This includes communications to the congregation and the Presbytery during the process, and all written, electronic and oral statements for any congregational meetings.

3. Should the congregation be dismissed, all representatives of the Presbytery and the departing congregation shall continue to follow the Guiding Principles, including the covenant not to bear false witness against a neighbor. This means that no one bound by this agreement shall make public statements interpreting the actions or beliefs of the other body in a way that harms the reputation of brothers and sisters who are part of the Body of Christ.

**When a Congregation Does not Follow these Procedures**

1. If a congregation or its leadership preemptively files suit in a civil court against the Presbytery, the Presbytery of Donegal will answer the suit.
2. Likewise, if a congregation or its leadership abandons these processes before completion, it is within the purview of the Presbytery to establish an Administrative Commission to work toward resolution of these matters with the congregation. All policy considerations listed in this document also apply to an Administrative Commission.
3. If a Session refuses to follow the procedures in the Discernment Process and Dismissal Policy, then the process for dismissal shall be suspended and an Administrative Commission shall be appointed.