

## New Braunfels Presbyterian Church – Bylaws index

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New Braunfels Presbyterian Church Bylaws  
*March 19, 2012*

1.00 Our History

New Braunfels Presbyterian Church (hereinafter referred to as NBPC) was organized April 17, 1955 and enrolled at that time in the Presbytery of Western Texas as reflected in the minutes of the Presbytery (copy retained in NBPC files). Documentation of NBPC's first 50 years of existence is contained in the publication "New Braunfels Presbyterian Church – The Church by Landa Park 1955 – 2005" (copy retained in NBPC files).

2.00 Our Current Organization

The New Braunfels Presbyterian Church is a member of Mission Presbytery, Synod of the Sun, Presbyterian Church (U.S.A.) (hereinafter referred to as PC (U.S.A.)).

3.00 Our Mission, Our Ministry

The mission of New Braunfels Presbyterian Church is to prepare disciples to witness for Jesus Christ in thought, word, and deed.

4.00 Ownership

Consistent with PC (U.S.A.) 2011/2013 Book of Order, G-4.0208 *Exceptions*, as of June 11, 1991 NBPC was exempted from Chapter 8 of the 1991 Book of Order regarding ownership of church property. NBPC property and assets are owned by NBPC as reflected in a warranty deed recorded at the Comal County Court House, Book 106, Pages 366 and 367, signed July 9, 1955 and filed July 18, 1955.

5.00 Incorporation

New Braunfels Presbyterian Church is incorporated under the Texas Non-Profit Corporation Act. Documentation of incorporation is contained in the Secretary of State's file number 13750801. The original articles of incorporation were filed on January 24, 1957 for a fifty-year term. The articles of incorporation were amended on June 12, 2006 changing the corporation's term "to be perpetual" (copy retained in NBPC files).

### 6.00 Tax Status

New Braunfels Presbyterian Church is exempt from Federal income tax as an organization described in Section 501 (c) (3) of the Internal Revenue Code. Documentation of such is contained in a notification to the PC (U.S.A.) from the U.S. Treasury Department, dated January 31, 1964 (copy retained in NBPC files).

### 7.00 Governance of the Church

New Braunfels Presbyterian Church shall be governed in accordance with the Constitution of the PC (U.S.A.). Consistent with that Constitution, these bylaws provide specific guidance for this church. The governance of NBPC shall be the responsibility of the Session, consisting of the Teaching Elder(s) and the Ruling Elders. The Teaching Elder(s) (Pastor and Associate Pastor) and Ruling Elders are called and elected by the members of the congregation.

7.01 The current version of Robert's Rules of Order shall be used for parliamentary guidance.

7.02 All members of NBPC share in the responsibility of fulfilling the church's mission. In Christ, by the power of the Spirit, God unites persons through baptism regardless of race, ethnicity, age, sex, disability, geography or theological conviction. There is therefore no place in the life of the Church for discrimination against any person.

### 8.00 Sexual misconduct policy

NBPC embraces the concept of zero tolerance of sexual misconduct.

8.01 In cases of alleged sexual misconduct the Session will appoint a three person team, consisting of a Ruling Elder, a Pastor, and a member of the congregation, to conduct a timely investigation of the allegations. Individuals involved in the alleged misconduct will be barred from all church related activities while the investigation is being conducted.

8.02 If identified in allegations of sexual misconduct employees of NBPC, as a condition of employment, are required to cooperate with the investigation of the allegations. Employees so identified will be placed on leave of absence with pay for the duration of the investigation.

8.03 Alleged sexual misconduct may be reported to one of the Pastors, a Ruling Elder or any member of the Personnel Committee.

8.04 Substantiated claims of sexual misconduct will be dealt with in a severe fashion including reporting the misconduct to proper authorities in and outside the PC (U.S.A.).

### 9.00 Membership

Persons may enter into active church membership in the following ways:

- a. Public profession of faith, made after careful examination by the Session in the meaning and responsibilities of membership; if not already baptized, the person making profession of faith shall be baptized;
- b. Certificate of transfer, when a person is a member of another Christian church at the time of transfer;
- c. Reaffirmation of faith, for persons previously baptized in the name of the triune God and having publicly professed their faith.

### 10.00 The Session – Ruling Elders

The Session is the council for the congregation. It shall be composed of those persons elected by the congregation to active service as Ruling Elders and periodic Youth Elders, together with all installed Teaching Elder(s) (Pastors and Associate Pastors). All members of the Session are entitled to vote. The Pastor, or Associate Pastor in the absence of the Pastor, shall be the moderator of the Session and the Session shall not meet without the Pastor or designated moderator.

10.01 The Session shall have responsibility for governing the congregation and guiding its witness to the sovereign activity of God in the world, so that the congregation is and becomes a community of faith, hope, love, and witness.

10.02 The Session shall be comprised of three classes of Ruling Elders, serving three-year terms. The longest serving class of Ruling Elders will rotate off the Session each January when the newest elected class begins its service on the Session. The goal is to have approximately three-percent (3%) of the church membership serving on the Session at any given time.

10.03 New Ruling Elders shall be elected each year at the annual meeting of the congregation.

*10.04* The Session shall prepare and adopt an annual budget to support the church's mission. A full review of all financial books and records shall be conducted periodically but no less than every other year by a public accountant or a committee of members versed in accounting procedures.

*10.05* The Session, at its first meeting following the annual meeting of the congregation, shall elect a Ruling Elder to serve as Clerk for such term as it may determine and shall form such committees as necessary to carry out its work. At that same meeting the Session shall also elect, or employ, a Treasurer for such term as it may determine.

*10.06* A quorum for Session meetings shall be the Pastor or other presiding officer and one-third of the Ruling Elders.

*10.07* Vacancies on the Session may be filled at a special meeting of the congregation or at the annual congregational meeting as the Session may determine.

#### *11.00 Participation in Mission Presbytery*

Mission Presbytery is the council serving as a corporate expression of the PC (U.S.A.) within a defined district and is composed of all the congregations and teaching elders within the district. In addition to teaching elders, based upon the size of the congregation, NBPC may send four commissioners to participate in presbytery meetings. The Session selects and approves the commissioners.

#### *12.00 Trustees*

Three individual Trustees shall be elected from the congregation in the same manner as those elected to the position of Ruling Elder. Trustees are elected for a term of three years, and may succeed themselves.

*12.01* Trustees shall have the power to receive, hold, encumber, manage, and transfer property, real or personal, for the congregation, provided that in buying, selling, and mortgaging real property, the Trustees shall act only after the approval of the congregation, granted in a duly constituted meeting; to accept and execute deeds of title to such property; to hold and defend title to such property; to manage any permanent special funds for the furtherance of the purposes of the congregation, all subject to the authority of the Session and under the provisions of the Constitution of the PC (U.S.A.). The powers and duties of the Trustees shall not infringe upon the powers and duties of the Session.

12.02 Vacancies in the Trustee position may be filled at a special meeting of the congregation or at the annual congregational meeting as the Session may determine.

### 13.00 Nominating Committee for Ruling Elders and Trustees

There shall be five active members on the nominating committee at least two of whom shall be Ruling Elders, one of whom shall be designated as the committee chair. The Pastor and Associate Pastor shall be ex-officio members of the committee and will not vote.

13.01 Active members of the congregation will be given an opportunity to make nominations from the floor at the congregational meeting called for the purpose of electing Ruling Elders and Trustees. Persons being nominated must have given their consent to serve if elected.

13.02 A majority of all active members present and voting shall be required to elect Ruling Elders and Trustees.

### 14.00 Pastors and Compensated Staff

Pastors and Associate Pastors are called positions in the church. When the congregation determines there is a need, the process for calling a Pastor or Associate Pastor is administered by the PC (U.S.A.), in conjunction with the congregation, as detailed in the PC (U.S.A.) Book of Order.

14.01 Specific duties and responsibilities of Pastor, Associate Pastor and other compensated staff are outlined in the Session's Manual of Administrative Operations.

### 15.00 Meetings of the Congregation

The congregation shall hold an annual meeting in September and may hold special meetings as necessary, for any or all of the purposes appropriate for congregational consideration. The business to be transacted at special meetings shall be limited to items specifically listed in the call for the meeting. All active members of the congregation present at either annual or special meetings are entitled to vote.

15.01 Congregational meetings normally will be on Sundays following the Traditional Worship Service.

*15.02* A special congregational meeting shall be called at least one month prior to the annual congregational meeting for the specific purpose of electing three members from the congregation to serve on the Ruling Elders and Trustees nominating committee.

*15.03* Business to be transacted at meetings of the congregation shall be limited to matters related to the following:

- electing Ruling Elders and Trustees;
- calling a Pastor, Co-Pastor, or Associate Pastor;
- changing existing pastoral relationships, by such means as reviewing the adequacy of and approving changes to the terms of call of the Pastor or Pastors, or requesting, consenting to, or declining to consent to dissolution;
- buying, mortgaging, or selling real property;
- Requesting the presbytery to grant an exemption as permitted in the Constitution of the PC (U.S.A.).

*15.04* Committee reports, financial reports, and the budget for the following year will be available for review by the congregation at the annual congregational meeting.

*15.05* Both ecclesiastical and corporate business may be conducted at the same congregational meeting.

*15.06* Items not listed in meeting agendas may be brought up for discussion but shall not be acted upon until the next noticed meeting where such items are on the agenda.

#### *16.00 Notice of meetings*

Public notice of all congregational meetings shall be given (normally one week prior to as well as the day of the meeting) including notice given at regular services of worship prior to the meeting.

### 17.00 Moderator of meetings

The senior serving Pastor shall moderate all Session and congregational meetings. Guided by the subject matter to be discussed, or acted upon, the Session may choose a different moderator as deemed appropriate for any given meeting.

*17.01* Since the Pastor is not a member of the Corporation, a member of the Session shall be invited to moderate the meeting when corporate matters appear on the agenda.

### 18.00 Secretary

The Clerk of the Session shall serve as Secretary for all Session and congregational meetings. If the Clerk is unavailable an alternate Secretary shall be selected by the Session or congregation in a called congregational meeting prior to the call to order of the meeting.

### 19.00 Minutes of meetings

The Secretary shall record the actions of the Session and congregation in minutes of their meetings. As an agenda item, the Session will approve minutes at their next scheduled meeting. During a calendar year, approved minutes will be retained in files maintained by the Secretary. At the end of each year, approved Session minutes will be turned over to NBPC for permanent retention.

### 20.00 Quorum for Congregational Meetings

Ten percent of active membership shall constitute a quorum for all congregational meetings.

### 21.00 Congregational Ministry Opportunities

Specific duties and responsibilities of each Ministry are outlined in the Session's Manual of Administrative Operations.

- Christian Education/Youth Ministry
- Communications Ministry
- Congregational Care/Stephen Ministry
- Facilities/Columbarium Ministry
- Fellowship Ministry
- Kids Day Out (Preschool and Kindergarten) Ministry
- Membership Ministry
- Mission/Outreach Ministry
- Personnel Ministry
- Stewardship/Finance Ministry
- Worship Ministry

### 22.00 Amendment of Bylaws

These bylaws are to be approved and/or amended by the congregation subject to the Articles of Incorporation, the laws of the state of Texas and the Constitution of the PC (U.S.A.). Approval and/or amendment of these bylaws require a two-thirds positive vote of the active members present. Proposed bylaws changes shall be distributed in printed form at the same time as the call of the meeting at which the changes are to be voted upon.

### 23.00 Amendment of Session's Manual of Administrative Operations

The Session's Manual of Administrative Operations may be amended at any meeting of the Session by a majority vote of Ruling Elders provided a quorum of Ruling Elders is in attendance and the amendment to be voted upon is a published agenda item for the meeting.