

CONSTITUTION & BYLAWS OF PARISH D

**CONSTITUTION**

PREAMBLE

As members of the Catholic community of this Parish. and in order to provide a forum for discussion on matters of the Parish, we establish a Pastoral Council and agree that the Council be guided by this Constitution.

ARTICLE I - *Name*

This organization shall be known as the Pastoral Council of \_\_\_\_\_ Church. The word "Pastoral" has been adopted to replace the word "Parish."

ARTICLE II - *Purpose*

The Pastoral Council shall:

1. Serve as a consultative body to the pastor (Canon 536) and provide him and the pastoral staff with information and advice on current and proposed parish programs, on maintenance of buildings and grounds, and on finance so that he may better carry out the duties for which he is responsible.
2. Review continually the spiritual and temporal needs of parishioners and non-parishioners of the area.
3. Develop goals and objectives which reflect Gospel values and the needs of parishioners.
4. Evaluate and approve parish progress in light of these goals and objectives.
5. Encourage and support activities and programs to accomplish these goals and objectives.

ARTICLE III - *Authority*

Recognizing the juridical rights of the Diocese of \_\_\_\_\_ and the norms of Canon 536, which prescribe the role of the Council, the members of the Pastoral Council shall represent parishioners of \_\_\_\_\_ Parish.

ARTICLE IV - *Duties*

The Pastoral Council shall:

1. Strive to develop a sense of cooperation among the clergy, religious, and laity, and among diverse groups and interests within the parish.
2. Hear the programs, proposals, and problems presented to the Council by its own members and by others who appear before it.
3. Sponsor General Meetings for all parishioners, with notice of each meeting to be adequately publicized before the date of the meeting, and set up the meeting so that there is an open dialogue between the Council and the parishioners to clarify and strengthen the spiritual life of the' parish.
4. Reflect on the matters brought before it and propose solutions which, once ratified by vote of the Council, may be implemented by any or all of the following: the pastor, associate pastor(s), staff, committees, task forces, or the Council itself
5. Provide leadership to implement the policies approved by the Council, especially in the area of community involvement in the life of the parish.
6. Seek out the talent, time, and resources of the parish members, so that a stronger parish community may be built.
7. Approve committee and/or task force plans and activities that may be carried

out in the name of the parish. 8. Accept any delegated task proposed by the pastor and approved by the Council.

ARTICLE V -*Membership*

The membership of the Pastoral Council shall include elected, appointed, and ex officio members as set forth in the Pastoral Council Bylaws.

ARTICLE VI - *Ratification, Amendments, and Bylaws*

Ratification: This Constitution shall be ratified by a majority of votes cast by the parishioners following approval by the Pastoral Council and the pastor and other members of the pastoral team.

Amendments: Amendments to this Constitution must be ratified by:

1. Submission of the proposed amendment(s) at one regularly scheduled Council meeting;
2. And approval of the proposed amendment(s) by two thirds (2/3) vote of all voting members at a subsequent regularly scheduled Council meeting.

Bylaws: The Council is empowered to create its own Bylaws and to amend or abrogate same.

**CONSTITUTION & BYLAWS OF PARISH D**

**BY LAWS**

**ARTICLE I - *Definition of Terms***

1. Parishioner: Any baptized Roman Catholic living within the territorial boundaries of Parish D, or any individual who regularly attends the parish liturgies and other activities.
2. Registered Parishioner: Anyone currently on the parish rolls.
3. Fiscal Year: The fiscal year begins on January 1 and ends on the following December 31.
4. Employee: An individual who is on the parish payroll.
5. Pastoral Council: Our Pastoral Council shall be referred to as "Council" in these Bylaws.
6. Representative: An individual who represents a particular group for the purpose of sharing information back and forth between the group and the Council.
7. Pastoral Team: Those assigned to the Parish by the Diocese and others so designated by the pastor.

**ARTICLE II -*Membership of the Council***

- I. Composition: The Council shall consist of:
  - A. Elected Members: Six (6) voting members elected by vote of the parishioners.
  - B. Appointed Members: Three (3) voting members appointed by the pastor. When selecting appointees, the pastor will consider the diverse population of the parish community and the demographic balance of the Council.
  - C. EX Officio Members: Non-voting members, including the pastor, associate pastor(s), and members of the pastoral team.
2. Eligibility: To be elected or appointed to the Council, an individual shall be:
  - A. A registered, active member of Parish D who is eighteen (18) years of age or older;
  - B. The only member of an immediate family, living in the same household, currently elected or appointed to the Council.
3. Nomination Election. and Term of Office
  - A. Nomination
    - (I) The Council shall oversee the nomination process of elected Council members and see to it that sufficient notice concerning all steps of the

nominating process is published for the parish community.

- (2) Annually the period for seeking nominees for the coming year's rotating, elected positions on the Council will run from the first weekend in September after Labor Day until 5 :00PM on the last Monday in September.

(3) Those willing to become nominees will provide the Council with the following for publication to the parish:

- (a) A brief biographical statement;
- (b) Reason(s) for willingness to serve on the Council;
- (c) A recent photograph.

(4) Each candidate shall be available for a personal appearance before parishioners and shall be provided an opportunity to speak informally with them.

(5) The parish community will be informed of the names of the nominees on the first weekend in October, and the election will occur two weeks later.

#### B. Election

(1) The Council shall oversee the election process.

(2) Annually the election shall be held during the weekend that begins with the third Friday in October, and ballots may be turned in at the parish office until 5 :00PM on the Monday immediately after the election weekend.

(3) Voting shall be done by ballot. A ballot shall be made up listing in alphabetical order:

(a) Those nominees who have offered their names as candidates and satisfied the conditions set forth in Article II, paragraph 3., A., (3) of these Bylaws;

(b) Those nominees from whom the Council has obtained written permission to submit their names and who have satisfied the conditions set forth in Article II, paragraph 3., A., (3) of these Bylaws;

(4) Voting may be done by mail. Those having reason to vote by mail are to contact the parish office to request a ballot. Those who vote by mail must see to it that their completed ballots reach the parish office by 5:00PM on the Monday after the election weekend.

(5) The ballots shall be counted within the week after the election weekend, and the results shall be posted in the church vestibule before the following Saturday evening Mass. The results also shall be published in the parish bulletin of the weekend following the election.

(6) A candidate shall be deemed elected who has received a majority of ballots cast. When there are multiple positions and more candidates than positions, those candidates receiving the highest number of votes shall be deemed elected to fill the available positions.

#### C. Terms of Office

(1) The term of an ex officio member shall continue until the member is replaced by another ex officio member in the same capacity or until the member is reassigned by the Diocese or by the pastor.

(2) The term for the six (6) elected members shall be two (2) years. Annually in the fall three (3) of the elected positions will be up for election.

(3) The term for the three (3) appointed members shall also be two (2) years. In the fall of even numbered years, the pastor will make two (2) appointments to the Council; and in the fall of odd numbered years, the pastor will make one (1) appointment to the Council. . .

(4) An elected or appointed member shall not serve more than two (2) consecutive terms. After one term out of office, he or she may run for election or be appointed again.

(5) Terms for members elected or appointed to the Council in 1991 shall be determined by lot and result in the following distribution:

a. Three (3) elected and one (1) appointed member shall have terms of two (2) years;

b. Three (3) elected and two (2) appointed members shall have terms of one (1) year.

4. Dismissal: Any Council member shall forfeit his or her membership:

A. If the member has three (3) unexcused absences per year from regular Council meetings.

(1) Unexcused absences occur when the member does not notify the pastor and/or one of the officers of the Council that he or she will miss a meeting due to illness or pressing personal obligations, or fails to notify the pastor or one of the officers of the reason for having missed a meeting.

(2) Excused absences are granted for illness and/or pressing obligations that require the reasonable decision to miss a Council meeting. Pressing obligations are those which cannot be avoided or postponed and that would, if neglected, be detrimental to the well-being of the member or another. Notification of an absence shall be given, in advance whenever possible, to the pastor and/or one of the officers of the Council.

B. For cause if the member is removed by a two-thirds (2/3) secret ballot vote of the other Council members.

(1) Prior to any vote on dismissal, a closed meeting of all council members, including the member in question, shall address the issues and concerns.

5. Vacancies

A. Vacancies to complete the unexpired terms of elected members shall be filled by an eligible parishioner recommended by the Council and approved by the majority of the voting members of the Council.

B. Vacancies to complete the unexpired terms of appointed members shall be filled by the pastor under the guidelines of Article II, paragraph 1., B. above.

C. The term of office of a member elected or appointed to fill the unexpired term of a previously elected or appointed member is considered to have commenced at the beginning of the term of the predecessor who was last regularly elected or appointed at the usually scheduled time.

### Article **III** - *Officers*

1. Positions

A. The Council shall have three (3) primary officers:

(1) President

(2) Vice President

(3) Secretary

B. Other officer positions may be created by when useful or appropriate.

2. Duties

A. The President shall:

(1) Preside at regular and special Council meetings.

(2) Prepare agendas in consultation with the pastor and the Vice President. One week in advance of the next regularly scheduled meeting,

publicize the agenda for the next meeting and distribute copies of it to the Council members.

(3) Appoint all committee and task force members, with the approval of the Council.

(4) Perform all other duties customary to the office of President.

B. The Vice President shall:

(1) Assume all the duties of the president in his or her absence.

(2) Assist in the preparation of the agenda.

(3) Act as liaison between the Council and the various parish committees and ministries. (Added to Bylaws by vote of Council on November 11994.)

(4) Carry out other duties as delegated by the President

C. The Secretary with the help of the parish secretary when necessary, shall:

(1) Record the minutes of each Council meeting.

(2) Distribute to the Council members copies of the minutes within two (2) weeks of the meeting

(3) Prepare a summary of each Council meeting for publication in the parish bulletin within two (2) weeks of the meeting

(4) Maintain all Council records and correspondence.

(5) Ensure that all Council members are notified of all changes in the schedule of meetings.

(6) Carry out other duties as delegated by the President

### 3. Eligibility. Election and Term of Office

A. Annually the President,, Vice President, and Secretary shall be separately elected by the voting members of the Council. The elections shall be by secret ballot, and the results of the elections shall be determined by majority vote. Once elected, the three officers shall serve for one year and shall not hold the same office for more than two (2) consecutive years.

B. The election of officers shall take place annually at the January Council meeting, and the new officers shall take office immediately after the election.

### 4. Dismissal

A . Dismissal of an officer of the Council shall occur for the same reasons and in the same way as dismissal of any member of the Council Refer to Article II, paragraph 4 above.

### 5. Vacancies and Appointments

A. If a vacancy occurs in either the office of President or Vice President, the voting members of the Council shall, by a secret ballot and a majority vote, elect from among the voting members a successor to the unexpired term of the vacant office.

B. This election shall occur at the next regularly scheduled meeting following the vacancy.

C. Unexpired terms filled in accordance with A. and B. above shall not count toward an individual's tenure as Officer as set forth in Article III, paragraph 3., A. above.

Article IV - *Meetings*

1. Rules of Procedure

A. The Council shall adopt rules of procedure based on Robert's Rules of Order. Revised, and/or its own standing rules.

2. Regular Meetings

A. At its first meeting each calendar year, the Council shall determine the dates and times of meetings for the rest of the year.

B. Dates and times of the regular meetings may be changed as needed, provided adequate notice is given to Council members and is published in the parish bulletin.

C. The agenda, as set by the President, Vice President, and pastor, shall determine the business of the meeting. All Council members and all parishioners may propose items for the agenda prior to the meeting. Those items proposed at the regular meeting shall be dealt with as New Business items.

D. All parishioners are welcome to attend meetings of the Council, except those meetings noted under Article II" paragraph 4., B., (1) of these Bylaws.

3. Special Meetings

A. With adequate notice to Council members, the President and/or pastor may call a Special Meeting of the Council .

B. Reason(s) for the call must be given at the time of the call

4. Orientation Meeting

A. Following the election and/or appointment of new Council members and before the Council's next regularly scheduled meeting, there shall be an Orientation Meeting for the new members.

B. The purpose of the meeting shall be to explain the responsibilities of all members and to strengthen the spiritual emphasis of the work of the Council.

5. Quorum and Voting

A. A quorum shall consist of two thirds (2/3) of all voting members of the Council. Once established, a quorum shall exist for the duration of the meeting.

B. Voting shall be by a voice vote, with a simple majority to suffice in all matters except those noted in Article II, paragraph 4., B., of these Bylaws.

6. Committees and Task Forces:

The Council and/or pastor shall create such committees and task forces as are deemed necessary for the well being of the parish. Committees are to meet long-term, continuing needs of the parish, and task forces are created to meet short term, specific needs of the parish. Both must be approved by a majority of the Council and are answerable to the' Council. The Council through the office of the Vice President shall facilitate communication between the Council and the committees and/or task forces.

- A. Committees

(1) Membership will be chosen from parishioners.

(2) The term of membership on any committee formed by the Pastoral Council is for two (2) years, with the possibility of reappointment for a total of six (6) years before a break in service of at least two (2) years is required.

(3) Each committee shall choose from its own membership a

representative to the Council, and each shall choose its chairperson, with the exception of the Finance Committee.

(4) The tides and responsibilities of all committees formed by the Pastoral Council, other than the Parish Finance Committee, shall be determined by the Council.

(a) The Council shall provide in writing a statement of committee members of any committee formed by the Pastoral Council.

(b) The Council shall determine a schedule for periodic reports by the different committees during the year at the Pastoral Council meetings so that there is ongoing communication between the Council and each committee.

(c) The Council may call for joint meetings with one or more of the committees as needed to further the well being of the parish.

(d) The Council may determine that a committee is no longer needed. In such cases the continuance of the committee shall be discussed at one regular Council meeting, and a vote may be taken to discontinue the committee at the next regular Council meeting.

(5) The Pastoral Finance Committee is mandated by the Revised Code of Canon Law. Sections 532537. and 1279 - 1298. In addition to the above Code requirements, this Committee must fulfill the guidelines for the Diocese of Oakland in its composition, term of appointment, and responsibilities.

(a) The Finance Committee is accountable and advisory to the pastor.

(b) The pastor may request the advice of the Council in his selection of Committee members, who must be Roman Catholic and should have some expertise in management, banking, accounting, or related fields.

(c) The Finance Committee is made up of at least three (3) persons appointed by the pastor. One of them must be a member of the Pastoral Council.

(d) Except for the Pastoral Council member, the term of appointment of all members to the Finance Committee is three (3) years, with all terms ending simultaneously. Members may be reappointed.

(e) A change of pastors has no effect on the composition of the Finance Committee.

(t) Appointments to fill vacancies on the Committee will have their terms end at the same time as all others on the Committee.

(g) Eligibility for membership on the Committee is prohibited to those who are close relatives of the pastor or who have a conflict of interest with the financial aspects of the parish.

(h) Responsibilities:

(i) The Finance Committee must be consulted by the pastor concerning any commitment of parish resources in excess of \$5,000.00 before permission is requested of the Chancery Office.

(ii) The Finance Committee must play an active role in the preparation of the budget and financial report of the parish.



(iii) The Finance Committee should help in the formulation of the Annual Parish

Report to the parishioners.

(i) Functions of the Finance Committee:

(i) In cooperation with the other parish committees, prepare and present an annual budget for both operating and capital expenditures based on the goals and objectives decided upon by the pastor and the Pastoral Council. This approved budget is to be published so that it is available to all parishioners.

(ii) Review income and expenditures at least semiannually to determine if the parish is operating within the approved budget.

(iii) Provide the parishioners with periodic reports on the financial position of the parish.

(iv) Approve financial statements for submission to the Chancery.

(v) Assist Pastoral Council committees and task forces in preparing and submitting

(vi) Study parish revenue and make recommendations to the pastor and Pastoral Council for maintaining or increasing revenues to meet parish objectives and budgets.

(vii) Educate parishioners to the need for church support.

(viii) Review and make recommendations to the Council regarding all fund raising programs.

(ix) In accordance with diocesan norms, establish a program of job classification and salary administration for all employees of the parish. .

(x) Review and approve all banking arrangements, bookkeeping procedures, capital expenditures, and contracts, with the purpose of seeing to it that each one is in compliance with diocesan regulations.

#### B. Task Forces

(1) Members are appointed by the Council and/or the pastor with the approval of the Council. The Council also appoints a liaison to the Task Force.

(2) The Task Force shall choose its chairperson.

(3) The term of appointment of a Task Force and of the members to the Task Force shall be for the duration of the task to be accomplished. In no case shall the appointment be for more than one year. Intermittent reports from the task force may be requested by the Council. At the end of a twelve (12) month period, the Task Force shall report to the Council on its progress to accomplish the task assigned to it. A report shall be made to the Council at the completion of the task or at the end of the first twelve (12) month period. The Council may then appoint a new Task Force or renew the current appointment for another twelve (12) months).

#### 7. Amendments

A. These Bylaws may be amended by:

(1) Submission of the proposed amendment at one regularly scheduled Council meeting;

(2) And approval by two thirds (2/3) vote of all voting members at a subsequent regularly scheduled Council meeting.

Revised June, 2003 to reflect the change in the name from Parish Council to Pastoral Council adopted several years earlier.

Revised: March, 1995; (Replaces November 1994).