

CHAPTER I

CONGREGATION VOTES TO CONCLUDE/DISSOLVE THE PASTORAL RELATION

The power to establish and dissolve Pastoral relationships (Pastor, co-Pastor, Associate Pastor, designated Pastor) belongs to the Presbytery. Just as the establishment of a Pastoral relationship requires the vote of the Congregation and Presbytery on the call and the terms of call, the dissolution of the Pastoral relationship requires the vote of the Congregation and Presbytery on the dissolution and its terms. Presbytery's vote is the action which dissolves the relationship.

A. GENERAL PRINCIPLES

1. The COM is Presbytery's instrument for working with Pastors and Congregations concerning the ending of Pastoral relationships as well as establishing and maintaining them.
2. Both Pastors and Congregations have the right to request that Pastoral relationships be dissolved, remembering that Presbytery has the final authority.
3. The effective date of the dissolution ends all responsibilities of the Pastor to the church and the church to the Pastor. Therefore, the dissolution date should be set for the end of any accrued vacation. Presbytery may allow exceptions to this with specifically stated detail in the approved terms of dissolution.
4. Study leave time, expense allowances, and unused sabbatical time and funds are intended to benefit the church as well as the Pastor, and, therefore, are not considered earned benefits requiring compensation at the end of a Pastoral relationship.
5. Terms of dissolutions include, but are not limited to, all financial agreements (salary and benefits, loan repayment, shared equity, expense reimbursement, medical reimbursement), manse usage, use of office and equipment, etc. COM requires the use of the model DISSOLUTION OF PASTORAL RELATIONSHIP, ENHANCED SEVERANCE AGREEMENT AND GENERAL RELEASE. See Appendix I-A.
6. Salary and benefit continuation provisions will ordinarily include the understanding that the church's obligation ends, or is reduced on a one for one basis, when the departing Pastor secures alternate employment. (Salary continuation reduced by amount of alternate employment.)

B. CATEGORIES OF DISSOLUTION OF THE PASTORAL RELATIONSHIP

1. Resignation: The Pastor requests that the relationship be dissolved in order to accept another position, retire, or for some other personal reason. There are no special terms of dissolution other than the fulfillment of the contractual agreement, i.e., unused vacation, repayment of housing loans, etc.
2. Negotiated Termination: Either the Pastor or the Session may request that COM assist in negotiating a peaceful and appropriate end to a relationship which they feel is no longer workable. This may be the result of funding limitations, changing ministry environment, poor performance, or any other situation that brings into question the viability of the Pastoral relationship. In determining the specific terms of the dissolution, consideration must be given to the reason for separation, the financial situation and overall health of the Congregation, and the specific circumstances of the Pastor. Salary and benefit continuation will be negotiated but will not normally exceed six months and the cash equivalent of unused earned vacation.
3. Dissolution for cause: The Pastoral relationship may be dissolved as a result of judicial action or Presbytery determining that “the church’s mission under the Word imperatively demands it.” There are no special terms of dissolution other than the fulfillment of the contractual agreement, i.e., salary and benefits paid up to the date the relationship is dissolved, cash equivalent of unused earned vacation, etc. (see Book of Order G-2.09 and following).

C. STEPS FOR PASTOR AND SESSION

The Presbytery has the responsibility and power to guide through Pastoral transitions.

1. The Pastor shall confidentially communicate the intention to resign to the Moderator of COM, the Executive Presbyter, and any Associate Pastors. The Moderator of COM confidentially communicates the information timely to the COM Liaison.
2. The Associate Pastor shall confidentially communicate the intention to resign to the Moderator of COM, the Executive Presbyter, and the Pastor/Head of Staff. The Moderator of the COM confidentially communicates the information timely to the COM Liaison.
3. The Pastor meets with the Session to communicate that they/he/she is leaving and to reach agreement on dissolution date and plans for the fulfillment of all obligations, taking into account accrued vacation, salary and other contractual agreements. A decision as to when and by what means the congregation will be notified should be made at this meeting. The COM Liaison should be present and available to support this process, including distributing copies to the Session of this Policy, all relevant separation/boundary documents and to assure the Session that the process going forward

is well defined and that COM will work with them every step of the way, including defining some specific goals for the Congregation during the transition period, which will be discussed in more detail at the next meeting.

4. As soon as practical, a Special Session meeting should be scheduled with the COM Liaison to share the steps to be followed as outlined by this Policy as well as the standard transitional tasks [history, new identity, leadership change, denominational ties, new directions]. Before searching for a Transitional Pastor, the Session shall establish goals for the transition period.

Included in this meeting is a review of the Presbytery's "Separation Ethics Policy" and the boundaries Presbytery expects the former Pastor, Session, and Congregation to observe and respect. It may include negotiating a "Covenant" with the "former Pastor" and arranging for a Pastoral letter to be sent to the Congregation. See Appendix I-B and I-C.

5. The Session calls a Congregational meeting and notifies the Congregation in writing of the pending change in the Pastoral relationship and any special terms or conditions. The notice of the called meeting should indicate the purpose:

The Session calls a Called Meeting of the Congregation of _____ church _____ to act on the request of our Pastor (Associate Pastor) to dissolve the Pastoral relationship effective _____ date _____ and to forward this recommendation to Presbytery.

See Section D for outline of Congregational meeting.

6. The Moderator of COM shall appoint the COM Liaison as Alternate Moderator for the Congregational meeting.
7. Congregational Meeting is held to dissolve relationship (see Section D).
8. COM and the Presbytery Stated Clerk shall be notified of the action of the Congregation. Presbytery action is necessary to complete the dissolution.
9. The Session, through its proper committee, will immediately make advance arrangements for guest preachers, at least for a few Sundays following the vacancy.
10. The Session and Pastor shall both notify the Board of Pensions of the changes being made.
11. All contractual obligations and responsibilities shall be completed.
12. Both the Pastor and the church should move to the next steps after appropriate farewells.

D. OUTLINE FOR CONGREGATIONAL MEETING TO DISSOLVE PASTOR RELATIONSHIP

1. Moderator opens meeting with prayer.
2. Moderator reads the call for the meeting. Clerk of Session is asked if a quorum is present. (Clerk of Session serves as Clerk of the Congregational Meeting. If not present, Moderator appoints a Clerk.) Only the purpose named in the call can be considered at a special meeting. If consideration is to be at the annual meeting, proper notice must be given.
3. Pastor (or Associate) presents the request for dissolution. They/He/She may, but need not, be excused by the Moderator.
4. Motion is made and seconded that the Congregation concur with the request of the Pastor or the Associate that the Presbytery dissolve the Pastoral relationship now existing between the Pastor and the church, effective _____. (Financial terms of dissolution are to be shared with the Congregation for approval).
5. Remarks from Pastor and questions from the Congregation.
6. Vote on the motion.
7. Explanation of the Boundaries Covenant. Clerk of Session and Pastor sign the covenant.
8. Session should explain the next steps in moving forward.
9. Adjourn with prayer.