

MEMORANDUM

To: Rev. J. Herbert Nelson, II, Stated Clerk and Rev. Barbara Gaddis, Chairperson of Committee on the Office of the General Assembly and to the various agencies and entities of the Presbyterian Church (USA).

From: Rev. Larryetta Ellis, Elder Marco Grimaldo and The Moving Forward Implementation Commission (MFIC)

Re: Moving Forward Implementation Commission Administrative Supplement

Date: June 18, 2020

On behalf of the Moving Forward Implementation Commission (MFIC), we want to express our appreciation to the leadership of the various entities of the Presbyterian Church (USA), their executives, staff and boards/committees for their hard work toward a stronger and more faithful church to the glory of God. When we began our service to fulfill our mandate as assigned by the 223rd General Assembly, we sought to support the work of the agencies and take action as needed to ensure that the restructured A Corp board and the newly established Administrative Services Group (ASG) would have the authority and support they need to succeed.

MFIC seeks to encourage the agencies in the time of fiscal challenges to be bold and broadly collaborative. We challenge especially OGA, PMA, and ASG to live into the values of openness, collaboration and transparency. Our hope is:

1. That PMA and OGA continue to explore the possibility of merger and other actions, like the possibility of moving Mission Engagement Services to ASG, as they seek answers to the likely budget shortfalls and other challenges ahead.
2. That together with the Special Committee on Financial Sustainability and Per Capita we will present options to GA225 for more effective means of both budgeting and funds development.
3. That PMA, OGA, and ASG will work together on issues related to agency culture, recognizing the ways in which their respective responsibilities fit together and resolving concerns in mutually supportive ways that allow each to excel to the glory of God.

The Moving Forward Implementation Commission takes the following actions:

1. **The Moving Forward Implementation Commission directs the Stated Clerk, the President/Executive Director of the Presbyterian Mission Agency, and the President of A Corporation to create a coordination table comprised of the entities under the A-Corporation**
 - A. Specific ongoing topics for discernment, collaboration, and coordination shall include but not be limited to:
 - Responses to General Assembly mandates/actions,
 - Ongoing and/or emerging vision, mission, and related ministries, and
 - The development of a unified budget process which results in a single budget for the three entities.

This table should foster unity and purpose, provide direction and focus, establish a basis for trust, undergird strategic decision-making processes, offer a path for alignment of staffing and programmatic choices, and inspire people to get involved in the work of the church.

Permanent Membership shall include Executive Leadership, Senior Staff, and Committee/Board Leadership. Other staff, board/committee members, and outside consultants may be added on a permanent basis or for a particular term, project, initiative, or assignment as agreed-upon by the table and must be relevant to a particular initiative of the table.

- B. The first task of this group will be to create a memorandum or memorandums of understanding between, or among the Office of the General Assembly, the Presbyterian Mission Agency, and Presbyterian Church, A Corporation to clarify/map specific roles and responsibilities of each entity. This document should provide a baseline for the ongoing relationship between the entities and will be a supplemental document to the Organization for Mission, Board Manuals, Bylaws and other governing documents.

If the 224th General Assembly continues the work of the Moving Forward Implementation Commission as a commission or special committee, the commission/committee shall be responsible for coordinating the creation and implementation of this table.

2. The Moving Forward Implementation Commission suspends “Appendix A” of the Organization for Mission beginning at the conclusion of the 224th General Assembly through the 225th General Assembly.

The Moving Forward Implementation Commission, in partnership with the Special Committee on Per Capita and Financial Sustainability, took action to move the entities under the Presbyterian Church (U.S.A), A Corporation (The Office of the General Assembly, Presbyterian Mission Agency) toward a unified budget process. The vision and goal of the Unified Budget Process is to create a process where all revenue and expenses are considered together to ensure that all critical functions, initiatives, and activities receive sufficient funding.

As a first step in this process, the MFIC convened a Budget Summit in late 2019 to bring together executive and board/committee leadership of all entities. At this summit all entities agreed to a new way of budgeting which looks holistically at the budgets of all three entities. Unfortunately, existing governing language found in Appendix A limited the entities’ ability to fully live-into this vision. While a unified presentation will be made to the 224th General Assembly, the budget still requires seven votes to approve.

Without the existing Appendix A, the entities (in coordination with the Moving Forward Implementation Commission/Special Committee, if continued) shall work together to create a new process of creating a single budget which incorporates all revenue sources (mission/per capita budgets) and both ecclesial (OGA) and missional (PMA) expenses into a single process and approval vote by all entities.

The unified budget shall provide a mutuality of focus, efficiencies in processes, and movement towards a shared vision as well as a sharing of all resources to meet the financial needs of all A-Corporation entities. It will be presented and approved as a single budget with multiple revenue streams.

The new process shall be written as a new Appendix A and approved in concept by the entities' boards/committees prior to implementation. The revised Appendix A shall be presented to the 225th General Assembly with the recommendation that it be added to the Organization for Mission. Primary responsibility for this process shall be retained by the Coordination Table and, through the 225th General Assembly.

3. The Moving Forward Implementation Commission directs the agencies and entities of the PCUSA to continue the work of the Diverse Voices Table through the 225th General Assembly with coordination, oversight, and reporting through the Moving Forward Implementation Commission/Special Committee. Their work shall include, but not be limited to the following:

- Serving as the organizing body and connection point for consultants doing any equity and inclusion assessments going forward.
- Assessing and addressing ongoing Agency and Entity needs, including changing the frequency of outside consultant evaluation to at least every 6 years so that meaningful efforts and organizational changes can happen between assessments.
- Providing input to agency and entity reviews to ensure that the equity and inclusion lens is included and monitoring and assessing implementation plans and progress on the goals that result from any review processes.
- Continuing to keep its work centered on the goal of coordination and collaboration until such time as it is determined that a unified effort to assess and maintain racial equity has permeated the entire denominational structure.
- Collaborating with Chairs and Executives to select the external auditor for the Equity and Inclusion audit due in 2026.
- Communicating regularly with the boards and executives of its constituent entities.
- Reporting its activities to the 225th General Assembly through the Moving Forward Implementation Commission/Special Committee and to subsequent assemblies through the appropriate body. The MFIC will work with the Diverse Voices Table and the executives of each of the partner agencies and entities to identify the appropriate means for reporting in the future.

4. The Moving Forward Commission directs the Presbyterian Mission Agency Board (PMAB) to revise the board manuals, bylaws, Organization for Mission, and all other governing documents and/or policies to reflect the previous action of this Commission (MFIC). Specifically, the following edits must be made to the PMA Manual of Operations (Section G6b)

a. Property/Legal Committee

The Property/Legal Committee focuses on the proper management of the legal and property matters of the agency and ensures appropriate consideration on matters of risk by the agency and its employees.

including:

- ~~Assertion of attorney-client privilege, work-product privilege, self-critical analysis privilege, ecclesiastical privileges, and any other applicable privileges;~~
- ~~Management, control, and decision-making with respect to pending or threatened litigation or other legal claims or proceedings;~~
- ~~Management, control, and direction of former, current, or future outside counsel;~~

(1) Oversight

It is responsible for the Board's oversight in these areas including:

- (a) Review with legal staff and the President/Executive Director all legal and property matters to ensure their proper management, and work to educate the Board on these matters.
- ~~(b) Review with staff the appropriate enterprise risk management policies and concerns necessary for ensuring that the ministry and the mission of the agency are performed without undue hindrance or delay.~~
- ~~(c) Hiring outside legal counsel, when required by the board~~

(2) Functions

Functions within the Agency reporting through this committee include:

- (a) Legal
- (b) Enterprise risk management
- (c) Property

(3) Broader Relationships

Its broader relationships will include:

- (a) Committee on the Office of General Assembly (COGA)
- (b) Presbyterian Church (U.S.A.), A Corporation

~~(4) Designations~~

- ~~(a) The Presbyterian Mission Agency Board and the Property/Legal Committee expressly elect to be governed exclusively by the law of the Commonwealth of Kentucky, and expressly reject to be governed by the law of the Commonwealth of Pennsylvania, with respect to the matters addressed in this Manual.~~
- ~~(b) If for any reason, it is determined by any court of competent jurisdiction that Legal/Property Committee, or the Presbyterian Mission Agency Board is unable to assert any privilege, Stoll Keenon Ogden PLLC (“SKO”) is authorized and directed to do so under Kentucky Rule of Evidence 503 and Federal Rules of Evidence 501, 502~~

On June 24, 2019, the Moving Forward Implementation Commission voted to suspend the Manual of Operations of the Presbyterian Mission Agency Board II.G.(6)(b) where it contradicts the Articles of Incorporation, Bylaws, General Assembly Actions and other documents empowering the Presbyterian Church (U.S.A.), A Corporation Board and the transfer of responsibilities and duties, and/or to take other such actions necessary in its power to prevent immediate and future obstruction in the work and responsibilities of the Presbyterian Church (U.S.A.), A Corporation Board.

5. The Moving Forward Implementation Commission recommends that the Stated Clerk, the Office of the General Assembly, and the General Assembly Nominating Committee, suspend the process of agency reviews until the 225th Assembly in order to create a sustainable model for review processes for the six agencies of the PC(USA) and A Corporation.

The Moving Forward Implementation Commission wholeheartedly affirms that an independent review process should be conducted for each of the six agencies and A Corporation by teams elected by the General Assembly. However, the current context brought about by the Coronavirus crisis has shifted operational and missional dynamics significantly. Given that organizational goals and ministry foci have shifted to meet the current crisis, and considering the

logistical difficulty in assembling review teams to meet and do the assessment work, it is impractical to attempt any reviews at this time. In addition, the current structure can be additionally streamlined, which would provide some relief to an already overburdened GANC.