

1 **OVERTURE 26** from Philadelphia Metro West Presbytery

(to CCB, OC)

2 “Amend *BCO* 10 to Permit Telecommunication Meetings”

3
4 **Be it resolved**, that a new Section 10-7 be added to the *Book of Church Order*, as follows
5 (new wording underlined):

6
7 10-7 The General Assembly, presbyteries, and churches, in their discretion,
8 may each conduct meetings using telecommunications arrangements, such as
9 telephone arrangements, internet-based audio and audio-visual communications
10 arrangements, closed circuit audio and audio-visual communications
11 arrangements, and combinations of such arrangements. The General Assembly,
12 presbyteries, and churches, in their discretion, also may each authorize its
13 subordinate committees, commissions, and agencies, to conduct meetings using
14 telecommunications arrangements.

15 Some examples of meetings permitted by this Section 10-7 are a
16 meeting in which all of the persons attending the meeting attend using
17 telecommunications arrangements, and a meeting in which some of the persons
18 attending the meeting attend in-person at the appointed meeting place and some
19 of the persons attending the meeting attend using telecommunications
20 arrangements.

21 The General Assembly, presbyteries, and churches, in their discretion,
22 may for themselves and their subordinate committees, commissions, and
23 agencies, adopt rules determining when telecommunications arrangements may
24 be used for meetings and regulating how meetings using telecommunications
25 arrangements shall be conducted.

26 A meeting using telecommunications arrangements shall be conducted
27 as closely as reasonably feasible in the same manner as an in-person meeting
28 and so as to permit:

- 29 a. each person who is eligible to attend the meeting, to attend the
30 meeting;
31 b. each person who attends the meeting, to hear what is said by the
32 other persons attending the meeting while they are speaking;
33 c. each person who attends the meeting and is eligible to speak to the
34 meeting, to speak to the meeting;
35 d. each person who attends the meeting and is eligible to make a
36 motion at the meeting, to make the motion; and,
37 e. each person who attends the meeting and is eligible to vote on a
38 matter that is being voted on at the meeting, to vote on the matter.

39
40 **Rationale:**

41 The recent Covid19 pandemic has prevented the General Assembly, the presbyteries, the
42 churches, and other bodies of the PCA, from holding in-person meetings. This has resulted
43 in significant delays in conducting business.

1 While it might have been possible for many meetings to be conducted using
2 telecommunications arrangements, the existing language of the *Book of Church Order (BCO)*
3 arguably has sometimes barred the use of such arrangements. For instance, *BCO* 13-4
4 provides in pertinent part:

5
6 13-4 Any three ministers belonging to the Presbytery, together with at least
7 three ruling elders, *being met at the* time and *place appointed*, shall be a
8 quorum competent to proceed to business.

9 However, any Presbytery, by a majority **vote of those present at a**
10 **stated meeting**, may fix its own quorum provided it is not smaller than the
11 quorum stated in this paragraph. (emphasis added)

12
13 On April 23, 2002, the General Assembly Committee on Constitutional Business (CCB) gave
14 the advice (see *Rules of Assembly Operations* 8-2) that the highlighted language of *BCO* 13-4
15 bars the use of teleconferencing arrangements for presbytery meetings:

16
17 Response: It is the opinion of the CCB that the Stated Clerk’s advice correctly
18 referenced *BCO* 13-4 parameters governing the meeting of a presbytery. The
19 CCB further concludes that until the *BCO* is amended to reflect current
20 technological opportunities, the present language in *BCO* 13-4, which specifies
21 that the presbytery meet at the “place appointed” presents a constitutional bar
22 to presbytery meeting via teleconferencing. Additionally, the *BCO* 13-4
23 language requiring the “vote of those present at a stated meeting” confirms the
24 understanding that the people must be present at the “place appointed.”
25 (*Minutes of the Thirtieth General Assembly of the Presbyterian Church in*
26 *America*, Appendix A, p. 353. See also, *Handbook for Presbytery Clerks*, 2020,
27 p. 88-10, Q&A 27.)

28
29 The advice of the CCB with regard to meetings of presbyteries presumably also would apply
30 to meetings of the General Assembly, since *BCO* 14-5 contains language similar to the first
31 sentence of *BCO* 13-4:

32
33 14-5. Any one hundred (100) of these commissioners, of whom half shall be
34 teaching elders and half ruling elders, representing at least one-third (1/3) of the
35 Presbyteries, being met on the day and **at the place appointed**, shall be a
36 quorum for the transaction of business. (emphasis added)

37
38 A review of the language of *BCO* 13-4 and 14-5 in the PCA Historical Center's online
39 publication *The Historical Development of the Book of Church Order* shows that the *BCO* 13-4
40 phrase "being met at the . . . place appointed" was used in the 1789 PCUSA predecessor to
41 the *BCO*, and the *BCO* 14-5 phrase "being met . . . at the place appointed" was used in the
42 1867 PCUS draft predecessor to the *BCO*. (<https://pcahistory.org/bco/fog/13/04.html>;
43 <https://pcahistory.org/bco/fog/14/05.html>)

1 It is understandable that a church in those years, before the advent of the telecommunications
2 arrangements available today¹, would expect that a presbytery meeting would be held in-
3 person. However, there is no reason to continue to apply such a rule in the current day where
4 meetings of many sorts are regularly conducted using telecommunications arrangements.

5
6 With regard to holding meetings using telecommunications arrangements, the *BCO*'s current
7 language also may fail to meet the requirements of *Robert's Rules of Order Newly Revised*
8 (12th Edition, 2020 [*RONR* (12th ed.)]), the principal parliamentary standard used by the
9 General Assembly (*Rules of Assembly Operations*, 19-1). *RONR* (12th ed.) requires that in
10 order for an organization and its committees to conduct meetings using telecommunications
11 arrangements ("electronic meetings"), such meetings using telecommunications arrangements
12 must be authorized by the organization's by-laws or similar rules. *RONR* (12th ed.) 9:30
13 through 9:36. The *BCO*, though, does not expressly authorize meetings using telecommunications
14 arrangements.

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16 To avoid the limitations that currently may be imposed by the *BCO* and address the
17 requirements of *Robert's Rules of Order Newly Revised*, proposed new *BCO* Section 10-7
18 would expressly allow the General Assembly, presbyteries, and churches, in their discretion,
19 to each conduct meetings using telecommunications arrangements, such as telephone
20 arrangements, internet-based audio and audio-visual communications arrangements, closed
21 circuit audio and audio-visual communications arrangements, and combinations of such
22 arrangements. Proposed *BCO* 10-7 also would expressly allow the General Assembly,
23 presbyteries, and churches, in their discretion, to authorize their subordinate committees,
24 commissions, and agencies, to conduct meetings using telecommunications arrangements.

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26 Some examples of meetings that would be permitted by the proposed rule are a meeting in
27 which all of the persons attending the meeting attend using telecommunications arrangements,
28 and a meeting in which some of the persons attending the meeting attend in-person at the
29 appointed meeting place and some of the persons attending the meeting attend using
30 telecommunications arrangements.

31
32 Consistent with the General Assembly's practice of adopting *Rules of Assembly Operations* to
33 regulate the conduct of its meetings and the similar practice of the presbyteries in adopting
34 standing rules, proposed *BCO* Section 10-7 would permit the General Assembly, presbyteries,
35 and churches, each, for itself and its subordinate committees, commissions, and agencies, to
36 adopt rules determining when telecommunications arrangements may be used and regulating
37 how meetings using telecommunications arrangements shall be conducted.

38
39 The final sentence of the proposed *BCO* 10-7 seeks to help assure that persons who are eligible
40 to attend and participate in meetings using telecommunications arrangements will be able to
41 do so. Proposed *BCO* 10-7 provides that a meeting using telecommunications arrangements
42 shall be conducted: (a) as closely as reasonably feasible in the same manner as an in-person
43 meeting; (b) so as to permit each person who is eligible to attend the meeting, to attend the
44 meeting; (c) so as to permit each person who attends the meeting to hear what is said by the

¹ Alexander Graham Bell was awarded the first U.S. patent for the telephone on March 7, 1876.

1 other persons attending the meeting while they are speaking; (d) so as to permit each person
2 who attends the meeting and is eligible to speak to the meeting, to speak to the meeting; (e)
3 so as to permit each person who attends the meeting and is eligible to make a motion at the
4 meeting, to make the motion; and, (f) so as to permit each person who attends the meeting and
5 is eligible to vote on a matter that is being voted on at the meeting, to vote on the matter.
6

7 The rules set out in the final sentence of proposed *BCO* 10-7 are intended to be a basic set of
8 rules helping to assure the fairness and effectiveness of meetings using telecommunications
9 arrangements. It is expected that the additional rules provision of proposed *BCO* 10-7 would
10 be utilized to adopt further rules (such as those suggested in *RONR* (12th ed.) 9-30 through
11 9-36 and pp. 635-649) that would more fully help assure that meetings using telecommunications
12 arrangements are conducted "decently and in good order."
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14 *Adopted by Philadelphia Metro West Presbytery at its stated meeting, September 26, 2020*

15 *Attested by /s/ RE Paul Rich, stated clerk*