

ST. JOSEPH OF CUPERTINO PARISH ADVISORY COUNCIL

Constitution and By-Laws

THE MISSION OF ST. JOSEPH OF CUPERTINO PARISH

We, the faith community of St. Joseph's, united in God's family through our Catholic tradition, gather to bear witness to the teaching of Jesus Christ and share in his eternal mission. We come together for communal worship, education in the faith, spiritual growth and fellowship. Inspired by the Holy Spirit, we reach out as Christ's hands in the world to spread God's love, healing and forgiveness. We are committed to our tradition of hospitality, diversity and tolerance. We invite all to use their time, talent and treasure to make present the kingdom of God.

CONSTITUTION AND BY-LAWS¹

PREAMBLE

We, the members of the Parish Advisory Council of St. Joseph of Cupertino Parish, desire to meet as a body to prayerfully discern God's plan for our parish community; to dialogue and advise the community on matters of importance; to fill a consultative role between the members of the Parish and the Pastor and to build and strengthen community.

ARTICLE 1 NAME

The name of this body is the Parish Advisory Council. This body is part of St. Joseph of Cupertino Parish, Cupertino, California. This council is subsequently be referred to as "PAC" in this document.

ARTICLE 2 PURPOSE

The purpose of the PAC is to act as stewards of the parish mission and to advise the pastor on practical matters of parish life. The PAC studies matters brought to its attention, reflects on them thoroughly, evaluates them and draws sound conclusions. The PAC presents these conclusions to the pastor in the form of recommendations. The threefold task of the PAC is investigating, considering and recommending conclusions.

ARTICLE 3 POWER and AUTHORITY

The PAC makes recommendations to the Pastor on matters related to the needs and expectations of the St. Joseph of Cupertino Parish Community.

The authority of the PAC is derived directly from our Bishop's declaration in February 2006: "Embracing the Second Vatican Council's vision and in accordance with Canon Law (Canons 536 and 537), the Bishop of San Jose mandates that each parish establish, and maintain, consultative bodies to foster pastoral activity and assist in the administration of the goods of the parish."

¹ See ARTICLE 11 REVISIONS

ARTICLE 4 MEMBERSHIP

- 4.1. Membership Composition - The PAC shall consist of nine (9) voting members. The membership shall be composed of nine parishioners selected by the PAC from those nominated by the parish at large and approved by the Pastor. The PAC will seek to maintain a diversity of members by incorporating parishioners from many backgrounds and ages.
- 4.2. Membership Term of office
 - 4.2.1. The term of office for voting members is three (3) calendar years. Cumulative term limit is six (6) years.
 - 4.2.2. Each membership term of office will start and end at the January meeting.
- 4.3. Membership Term Staggering
 - 4.3.1. Terms are staggered to provide continuity and experience from year to year.
 - 4.3.2. At each regular October meeting three (3) new members shall be elected. At each regular January meeting three (3) newly elected members shall be inducted as the first order of business to replace three (3) retiring members.
- 4.4. Nomination Qualifications - The PAC will outline for the community the qualifications, including additional qualifications beyond those in Article 4.5 below, necessary for nomination and election of parishioners in October. And commencing each September the PAC will request member nominations from the parish community for each successive term.
- 4.5. Basic Qualifications for Membership - The basic qualifications necessary for PAC members are as follows:
 - 4.5.1. One who is a registered member of St. Joseph of Cupertino Parish.
 - 4.5.2. One who has a willingness to make recommendations for the good of the whole community without recourse to any special interest group.
 - 4.5.3. One who has demonstrated the ability to work well within a group.
 - 4.5.4. Staff and Deacons are not eligible for voting membership on the PAC since they have continuous opportunities to communicate with the Pastor.
 - 4.5.5. Parishioners cannot simultaneously serve on both the PAC and the Finance Council.
 - 4.5.6. Membership Vacancies - When membership vacancies occur before the expiration of the term in progress, they are filled in the following way (Also See Article 5.5 SUCCESSION of officers):

- 4.5.6.1. When a membership vacancy occurs prior to the last six months of the term associated with the vacancy, the Pastor shall appoint a new voting member from previous un-elected nominees for the remainder of the unexpired term. If there are no un-elected nominees to draw from, then any qualified parishioner, per Article 4, paragraph 4, may be considered.
- 4.5.6.2. When a vacancy occurs within the last six months of the term, the Pastor may elect not to appoint a member for the remainder of the unexpired term.
- 4.6. Continued Membership - Membership on the PAC requires attendance at all regular and special meetings. If a member is absent from three consecutive meetings, such member will be subject to replacement at the discretion of the Pastor.
- 4.7. Member Responsibilities - Responsibilities of each member include: preparation for all meetings by reading minutes of the prior meeting, reviewing upcoming agendas, bringing new ideas and topics to the executive committee, and preparing informational material appropriate to such agendas.

ARTICLE 5 PAC OFFICERS

- 5.1. Election and Term of Officers - The PAC shall elect a Chairperson, a Vice-Chairperson, and an Executive Secretary from among the members at the January meeting, following the induction of new members, for a term of one year for each office held. Officers may serve consecutive terms. A majority vote of voting members is required to elect each officer.
- 5.2. Duties, Limits, & Responsibilities of Chairperson - The Chairperson will preside at all regular and special meetings, and will consult with the Pastor on the necessity for special meetings. Chairpersons explicitly shall be temporarily permitted to fully participate as a quorum member during deliberation of a particular issue by any of the following means, at the choice of that meeting's quorum: (1) suspend the rules, (2) turn over meeting leadership to Vice-Chairperson, (3) remain moderator of meeting while equally recognizing all sides of issue.
- 5.3. Duties, Limits, & Responsibilities of Vice-Chairperson - The Vice-Chairperson will preside at PAC meetings in the absence of the Chairperson, assist the Chairperson as requested by the Pastor or the Chairperson, and carries out other duties as may be requested by a vote of the PAC. The Vice-Chairperson shall be additionally responsible for the timely orientation of each new member and each new officer by use of this Constitution and By-Laws and by other tutorial materials.
- 5.4. Duties, Limits, & Responsibilities of Executive Secretary - The Executive Secretary is responsible for taking minutes at all regular and special meetings. Copies of the minutes will be distributed to members with the agenda for the upcoming meeting by the Executive Secretary.
 - 5.4.1. Distribution of each Meeting's Minutes shall be completed a minimum of two weeks prior to next meeting to allow membership preparation, and Executive Committee completion of new agenda.

5.4.2. Maintain dates for membership terms of office and officer terms of office.

5.4.3. The Executive Secretary shall preside at PAC meetings in the absence of the Chairperson and the Vice-Chairperson. An appointed member shall then perform the duties of the Executive Secretary for the affected meeting.

5.5. SUCCESSION

5.5.1. Chairperson Vacancy - If the Chairperson is permanently unable to conduct the duties of the office due to resignation, recall, or other reasons, the Vice Chairperson shall assume the duties as Chairperson for the remainder of the elected term.

5.5.2. Vice-Chairperson Vacancy - If the Vice-Chairperson is permanently unable to conduct the duties of the office due to resignation, recall, succession, or other reasons, a quorum of members shall elect an eligible member to serve as Vice Chairperson for the remainder of the elected term.

5.5.3. Executive Secretary Vacancy - If the Executive Secretary is permanently unable to conduct the duties of the office due to resignation, recall, succession or other reasons, a quorum of members shall elect an eligible member to serve as Executive Secretary for the remainder of the elected term.

5.5.4. Elections to Fill Vacancies - Elections shall be held at the first meeting following the office vacancy. In the event that any office is not filled at that time, elections will be held at each subsequent meeting until the office is filled.

5.5.5. Recalling Officers -- Any officer may be recalled with or without cause by a majority of the voting members.

ARTICLE 6 PAC MEETINGS

6.1. Meeting Frequency -The PAC meets monthly or as necessary. Meetings during the summer months (June, July, and August) are at the discretion of the Pastor and the Chairperson.

6.2. Executive Committee - The Executive Committee, which consists of the Chairperson, Vice-Chairperson, and Executive Secretary, shall prepare an agenda for each meeting, with the council member's input, and which shall be distributed by the Executive Secretary prior to the next meeting. The structure of agendas shall be the responsibility of the Executive Committee, with input from the membership.

6.2.1. Agenda distribution shall be completed a minimum of one week prior to next meeting to allow membership preparation and thereby promote shortest meeting times. Voting to amend, if required, and to accept distributed agendas may occur at the opening of meetings.

6.2.2. Active promotion of new membership nominees shall be continuous, and maintaining a full voting membership of nine (9) shall be the ongoing responsibility of the Executive Committee.

- 6.2.3. An Annual Calendar indicating the schedule of key events of the PAC shall be prepared by the Pastor and Executive Committee and distributed to membership no later than February regular meeting.
- 6.3. Special Meetings - When issues of major importance to the Parish community exist, it is the responsibility of the PAC to meet as often as necessary to deal with these issues.
- 6.4. Conduct of Meetings - All meetings will be conducted using informal parliamentary procedure. The Chairperson will make a reasonable attempt to reach consensus on debated issues without unduly prolonging discussion prior to calling for a vote.
- 6.4.1. Meetings shall open with a prayer. The prayer leader shall be selected, prior to the meeting, by the chairperson.
- 6.4.2. Definition of Informal Parliamentary Procedure - Informal Parliamentary Procedure shall be chosen from any recognized system of parliamentary procedure, such as Robert's Rules of Order.
- 6.4.3. Suspension of Rules of Order - Under special major circumstances certain of the rules embodied in this constitution and By-Laws document may be temporarily suspended or waived to allow timely disposition of any agenda issue.
- 6.5 Meeting Transparency - Each meeting will be open to all parishioners and include time for individuals from the community at large to address the issues.
- 6.6 Quorum - The notion of a quorum is the minimum standard for consensus, is necessary to validly conduct business, and forms the minimum basis for credibility of our recommendations to our pastor and the community of fellow parishioners. A quorum shall consist of a simple majority of the voting members of the PAC [five (5) members minimum).
- 6.7 Attendance of the Parish Staff - In addition to the regular membership of the PAC, all members of the staff are invited to attend meetings and participate in discussions in their areas of expertise as ex officio participants.
- 6.8 Complex Issues² -- At any time, the Chairperson can postpone an unresolved issue until another meeting or appoint or nominate a subcommittee to study the issue and make recommendations at the next meeting.
- 6.9 Disposition of Issues - All issues appearing on meeting agendas of the PAC must be voted on as the final method of completion. Agenda issues must be voted up or down, so as to prevent legislation by omission. Tabled and/or deferred issues continue as Unfinished Business in future PAC Meetings until voted Up or Down within three (3) regular meetings.

² Examples of Complex Issues: Issues that require more research, those that may require multiple meetings to fully resolve, or those that simply need more time than is available at the current meeting. Other similar situations can occur and these examples are non-exclusive.

- 6.10 Extended Voting - Extended Voting is voting other than voting in-person at regular or special meetings. Members temporarily unable to attend a meeting may use extended voting. Extended voting shall be allowed using an electronic communication means such as the Internet E-Mail, facsimile, or other similar means - or by use of hand-carried written material to/from absent voting member. The Executive Secretary shall be the interface representative of the PAC for extended voting.
- 6.11 Proxy Voting - For voting purposes only, but not to establish a quorum, any member may authorize another member to cast their vote on an issue by conveying a signed and dated written document clearly indicating (1) the issue on which vote is cast, and (2) the vote to be cast: YEA, NAY, or ABSTAIN.
- 6.12. Approval of Executive Secretary Prepared Minutes - See Article 5, paragraph 4. At the commencement of each meeting, the minutes of the prior meeting shall be debated, amended as needed, and approved by a vote of a quorum. A copy of approved minutes shall be provided to the Communications Ministry for publication.

ARTICLE 7 AMENDMENTS

- 7.1. Notice - Amendments to this Constitution and By-Laws must be delivered in writing and to all council members at least two (2) weeks before the meeting at which they will be voted upon.
- 7.2. Super Majority Requirement - This Constitution and By-Laws may be amended by a two thirds majority of the voting members (six (6) members minimum to pass) on each proposed amendment, or on a group of amendments.
- 7.3. Prior Pastoral Approval - Before amendments are changed or added to the Constitution and By-Laws, the Pastor must approve them.

ARTICLE 8 RATIFICATION

A two-thirds majority of the voting members are needed to ratify this constitution and By-Laws.

ARTICLE 9 DAY OF REFLECTION AND/OR RETREAT

All members of the PAC are encouraged to make a day of reflection and/or retreat once a year.

ARTICLE 10 COMMUNICATIONS

- 10.1. It is the Pastor's responsibility to inform the Staff on matters before the PAC and of recommendations made by them on these matters.
- 10.2. It is the PAC Chairperson's responsibility to insure that the community at large is informed of matters pending before the council and of the council's recommendations on these matters.

ARTICAL 11 REVISIONS

Rev.	Date	Description
0	2/6/2006	Adopted during regular Meeting of the Council.
1	3/8/2006	Removed extra "the" from Article 6, paragraph 3. [6.3*]
2	4/6/2006	Revised Article 5 to include Succession section 5 a) to d). (5.1 to 5.5*)
3	6/16/2010	Revised Title, Articles 1, 2, 4, 5, 6, 7 and 7 extensively, minor change to 10. Revisions were primarily for clarification and consistency. Significant changes are definition of member term; Article 1, name stands alone; 2, name consistency, delete pastoral planning; 4, paragraphs 1, 2 and 3; addition of Member Responsibilities paragraph 7; Article 5, clarification of Officer duties, limits and responsibilities, added e) [5.5.5*] Recalling Officers; Article 6, paragraph 2, clarification of Executive Committee duties; Article 6, paragraph 4 [6.4*], clarification of Conduct of Meetings; Article 6, paragraph 6 [6.6), clarification of Quorum; addition of Article 6, paragraphs 9, 10, 11 and 12. Revised numbering scheme* to multi-level, indented. Corresponding referenced paragraphs shown in brackets [*).
4	2/3/2011	Revised Article 3 to include authority reference. Revised Article 4 to change term from 2 to 3 years and cumulative from 4 to 6 years. Revised Article 5.1 to clarify Chairperson's duties during a deliberation.
5	3/4/2021	Add ARTICLE 11 REVISION with reformatting and rephrasing revision 0 description to better maintain historical revisions to the SCJ-PAC Constitution and By-Laws. Add statement to change Parish Advisory Council to PAC in this document. Clarify summer months in Article 6.1. Clarify the duty to maintain full PAC voting membership in Article 6.2.2