

## Draft 2022-2023 Plymouth Bylaws Task Force Report to Council

### Introduction

When Council made the decision to create a task force to study Plymouth's Bylaws, those of us "fortunate few" who were selected to undertake that task knew we were embarking on a bit of an odyssey.

We wrote in our initial memo in October of 2021:

It is, to put it mildly, a daunting task to approach. There are many landmines waiting for any group that has the conceit to think it knows best how Plymouth should be governed and the best way to implement that chosen system. Yet, it is also a task with powerful possibilities for strengthening and invigorating an already dynamic church.

To keep us tethered to reality, we identified our guiding principle in recognizing that which our Constitution puts so simply: "The governing authority of the Church is in its members, who exercise the right of control in all its affairs...." (Article III. Polity).

While the Constitution goes on to state that "The Church Council functions as the trustees of the Church...", it quickly clarifies that "All acts of the Council are subject to the will of the membership."

Nothing we would propose as a task force would attempt to modify this foundation of Congregationalism in general and Plymouth in particular. We trust that our fellow members understand our intentions even if they may be troubled by our proposals.

### Process

The lay leadership of Plymouth has had serious discussions about reviewing our Bylaws since at least 2017. The roles of Council, Stewardship, other boards, Treasurer, Pastor, and staff were muddled and lacked clarity. Who was in charge of what? Leadership was diffused to the point of confusion. We had become heavily dependent on individuals instead of a system. Policies were not defined but often came up preceded by something like "I think there is a policy...."

As different events occurred that upset the balance, some of this confusion was exposed. People rallied and worked to patch different problems but we, as a membership, needed to review our governing documents and see how we could systematize these patches and strengthen other areas that would help us to grow, better serve our mission, and provide the flexibility needed to adapt to changing circumstances.

However, any plans to review the Bylaws were put on hold by the change in pastors and then Covid. After her arrival, Valerie was hesitant when the idea resurfaced. It is a basic rule of incoming leadership to not make drastic changes until people get to know you and you get to know them. Alas for poor Valerie, this is a congregational church with a congregation that has its own ideas. She has been a good sport about it and extremely helpful as a resource. Nonetheless, this is a project of the congregation, not the pastors.

The reality is that Plymouth has a lot of strengths. Our task force was not given the assignment to try to revive a failing patient. Accordingly, we also needed to take care to do no harm. If something is working,

don't mess it up. We are building on a foundation built by decades of amazing volunteers who cared and care deeply about Plymouth.

So we began the process.

Our first task was research. Before trying to decide on any changes, we wanted to fully understand the current state of Plymouth governance and how it got there.

### **Current State of Plymouth Governance**

To help understand the current state, we decided to survey everyone who in the past 10 to 15 years had been a Moderator, a member of Council, or a chair of a board or a committee. Various members of the task force met with some, and for all, we sent out a questionnaire. We were extremely pleased with the quantity and quality of responses. Most of us on the task force have been in at least one of these positions, but the insights from others very much expanded our views and understanding. This included the very popular responses of "I don't remember ever looking at the Bylaws" and "I could never find a copy of the Bylaws." Even these answers told us something about our Bylaws.

Among the helpful insights we received, one of note came from the Plymouth Continuity and Operations Planning (or PCOP) Committee, whose work of systematizing operations had been tremendous:

One focus of PCOP was to clarify our governance structure, particularly as it pertained to the roles of boards and committees and how they work together. We also developed a governance summary to be shared with congregants so they could better understand these roles and responsibilities. In creating an org chart based on the Bylaws, we encountered some confusion on reporting relationships that we felt needed to be addressed when the Bylaws were next revised.

My experience was that some policies were unclear, or in some cases, non-existent. I remember some frustration that we didn't have a Policy Manual.

Just a sampling of other responses provides a helpful overview of some of the thoughts and concerns of a diverse group of leaders:

- It seems to me that term [policy] was used rather loosely to explain or justify continuing to do things the way they were currently being done. Sometimes it was church office policy, sometimes a Church Council policy, sometimes a Senior Pastor policy.
- The Bylaws provide direction and structure to how to govern... however, the Bylaws are specific at a level that it is sometimes hard to understand who is responsible for what and creates a siloed environment.
- Many times in recent years I have asked to see the policies for Plymouth and have never been given a list or seen all the documents.... I would like to see all the policies collated and filed in one location that is able to be accessed by church members.
- The thing that was seared in my brain during my time as Moderator is that process is very important at Plymouth. As a congregational church, the people run the church and the Bylaws were there to ensure that a process was followed to make decisions and give everyone an opportunity to voice their opinion.

- Council is responsible for long-range plans. I would like to see more explicit wording in this item so that we are always working from a current strategic plan developed and approved by the congregation.
- I recently recognized that current Bylaws do not match expectations and functions of the Endowment Committee.... The Endowment Committee continues to keep the best interests of Plymouth in mind even though Bylaws and committee actions don't totally jibe. And the role and title of "committee" and "board" needs to be consistent.
- "Policy" is often used as a way of saying "It's not written down anywhere, but that's how we've always done it."
- Bylaws helpful at times when looking for information such as governance requirements, board responsibilities, requirements for annual meeting. Other decisions were hindered due to ambiguous language or outdated information. Would like to see digital and accessible hard copy... Needs to be clear distinction between policies and Bylaws.

Three responses from different people give a good example of how members of boards other than Stewardship view their role:

- Mainly support Kim and all of the things that he accomplishes at Church.
- We assist Kim in a broad range of areas.
- Work with Kim to plan music and fine arts programs and budgets.

Out of these and the other responses as well as the task force members' own experiences, several issues arose that warranted further study. In addition, two additional issues clearly needed to be addressed: the Bylaws need to be easily accessible and policies must be defined and collected.

The other issues are a little foggier, but there is a shared experience of confusion and frustration at times with a lack of clarity in the roles and relationship of Council, Stewardship, other Boards, Committees, Officers, and staff. Part of that is just the nature of a larger church with a lot of volunteer workers. But the task force came to believe the confusion and frustration was based in something about the structure of the Bylaws.

Yet we also knew and learned that there are many good things happening within Plymouth. Beyond the vibrancy of the life of the church, even with Covid, individuals and groups stepped up and made some important improvements in things such as budgeting and the presentation of the budget, the elimination of the debt, PCOP, and a number of others.

To better understand the structure of the Bylaws and search for more clarification of the "foggy" issues, we wanted to learn and better understand the history of governance at Plymouth to understand how we got to this point.

### **History**

To learn the history, we reviewed Council minutes and did a deep dive into former Bylaws.

We reviewed Council minutes from 2001, 2010, and 2019 in an effort to see how the actions of Council were affected by governance in general and Bylaws in particular. We learned of policies passed that we could not find, but we primarily learned that confusion regarding Bylaws was not something new.

With regard to Bylaws, we chose to look at the Bylaws of 1913, 1936, 1944, 1954, 1961, 1968, 1976, 1984, and 1988. Kudos to our amazing Historian Susan McCarthy and her predecessors including Al Sellen, who made this seemingly impossible task much easier.

We ended our Bylaws review with 1988 because, although there have been amendments, there has not been a thorough “what would we write now if we were starting over” sort of look since 1988. We were fortunate to have an extensive style review in 2014 that helped clean up a number of stylistic inconsistencies and language confusion. Yet the framework of the Bylaws was left intact.

The first thing that jumps out from our history is that our governing documents have, not surprisingly, evolved over the past 170 years or so. Decent records are available from the 1880s on. Skimming through these is both an exercise in humility (no work stands unaltered for long) and in appreciation (for the many before us who put so much into making our church ever stronger).

The base of our current Bylaws is found in the revision of 1988, amended at least 11 times since. This followed major revisions in 1961, 1968, and 1976. All of these versions were amended throughout their existence. Reading through these (as well as the versions that preceded them) helps the reader appreciate that change is inevitable and not much is unchangeable. One should never accept “we’ve always done it this way” as any kind of meaningful argument against change. The only thing we have always done is to change the language almost constantly. That is until after 1988.

This review of Plymouth’s history revealed a gradual evolution as Plymouth adapted to the changing environment. This evolving “structure” was not rebuilt from the ground up but rather by adding rooms, then floors, then a shop out back but still built around the basic structural concept of boards running everything but slowly having more paid staff come aboard to manage.

Initially Plymouth, like many such churches of the time, had one paid minister and a fleet of active volunteers running everything. The unified governing body was the membership in called meetings. While this is still true, the membership then viewed it as hands-on governing. They met more often and exercised their governing authority directly. The 1913 Bylaws called for business meetings of the membership to be held every “Wednesday evening next preceding the Sacrament of the Lord’s Supper.”

In these 1913 Bylaws, Plymouth had a Pastor, a Board of Deacons, a Board of Trustees, and a Bible School. The Pastor preached, the Deacons ran the church program or spiritual affairs, the Trustees ran all secular affairs, and the Bible School taught the children. There was a Prudential Board that contained all Deacons, all Trustees, the Pastor, all church-school officers, and others. Its job was to coordinate. The boards ran everything, all under the regular business meetings of the membership.

Gradually, committees were formed under Deacons to handle certain areas but still controlled by Deacons. First was Music, then a forerunner of Mission, and then various others but all still answering to the Deacons or Trustees. These two boards were independent other than coordinating through the Prudential Board and answering to the membership.

This independence was a necessity in a church where the boards were actually the “staff” running things. Deacons, Trustees (think Stewardship), and Christian Education made day-to-day decisions on everything from worship to Sunday School to music selection to building use to hirings. The Prudential Board was where the leaders of all these groups and others would meet to discuss general functions and goals with the pastor. Prudential was always large to ensure coordination.

In 1961, the Prudential Board was renamed Council and called the “governing board,” but its duties remained to plan and coordinate. Deacons, Trustees, and Christian Education still ran things with operational help from committees. The next big rewrite in 1968 dropped “governing board” language. We don’t know why, but we can guess it was because it wasn’t true.

Even in 1976, in an effort to expand Council’s role, language was added to Council’s description stating: “In conjunction with the Senior Pastor, Council shall recommend both the hiring and termination of employees to the Board of Trustees.” The Senior Pastor and Council were involved with employment decisions, but these decisions were the job of the Board of Trustees.

From a governance standpoint, we have been in a multi-decade transition from lay volunteers running operations to a professional staff running operations overseen by lay volunteers. All along it has been lay volunteers doing much of the work of implementing our mission no matter who planned the activity.

Plymouth has slowly changed to reflect how Americans in general have changed their involvement with community organizations. Our personal time became more splintered. We were more interested in doing things than in meeting about things when it came to our volunteer efforts. This is particularly the case with educated women after they were, finally and slowly, able to enter the workforce in meaningful ways. Great for women, hard on a church dependent on smart women to organize everything (granted they still disproportionately organize everything).

By the mid-1980s, this change was beginning to be felt. The 1988 rewrite of the Bylaws had the stated intention to make Council the trustees of the church and, in effect, the governing body. As mentioned before, Council had been a planning and advisory body of all the various pockets of authority. In 1988, it was to be a true governing body. However, the 1988 Bylaws left the fundamental financial affairs normally assigned to trustees with the newly renamed Trustees, now known as the Stewardship Board. Further, Council was not specifically named as the governing body and was left with a membership of a large group of people with a high yearly turnover rather than the more typical, smaller, governing body.

While the Trustees became Stewardship, their duties stayed the same. Deacons, which had initially been charged with a broad set of responsibilities, had slowly been carved up into committees that themselves became boards starting in 1976. Mission in 1976, Membership and Music and Fine Arts in 1988, and Fellowship in 1991. Yet Deacons and the new boards still retained their independence from Council.

So where are we now? Our membership has not and has not wanted to meet in the frequent business meetings that would be necessary to be the original unified governing body. The membership is in charge, but it delegates most operational decisions always subject to its direction and review. We have a large Council designed as a planning and coordinating body with a large annual turnover but named the governing body. The formerly broadly responsible Deacons have been split into several semi-independent boards dealing with a specific narrow area with most members viewing their role as providing advice and support to a staff member. Board of Trustees still operates very much as it has for decades on secular issues but is called Stewardship and with a large Council layered over it.

### **Drafting Current Practice into Bylaws and Policies**

An overarching concept to keep in mind is that the task force has worked to draft language that reflects the way Plymouth has already evolved in how it operates. While the proposed changes may appear

significant, we believe we can show that while the changes may be significant, those changes have already occurred. We are just trying to recognize those changes in the written structure.

An example of changing structure to meet practice may be helpful to show what we mean. Because some of us are a certain age, when we attended KU not all of today's sidewalks were in place. KU's enrollment more than doubled from 1960 to 15 years later in 1975, growing from around 9,300 to almost 22,000. That's a lot more feet walking around Mount Oread. Paths would develop and eventually the university would recognize those paths as where students wanted to walk and would put in a paved sidewalk.

This recognition of existing practices is what we believe we are trying to do in drafting our Bylaws. It is not so much that we are proposing restructuring Plymouth as it is that we are recognizing how Plymouth has restructured itself already in its practices.

So now that you have all been enthralled by Plymouth history and our current practices – what are we proposing?

While the details are in a Detailed Explanation by Article and other accompanying documents, the task force drafted Bylaws and policies that:

1. Reduce Council from 17 or 18 voting members to 10 members. Reduce Council turnover each year from more than 50% to 33%.
2. Blend Council and Stewardship into one true governing body with the duties and fiduciary responsibilities of trustees, combining the oversight of the church program and the secular functions.
3. Provide a clearer goal setting and strategy process.
4. Transform remaining semi-independent boards into Standing Ministries that continue to provide advice, feedback, and energy.
5. Create new Ministry Teams to encourage members to find ways to live their faith. Fewer meetings and more doing.
6. Develop a policy process and moving many details to flexible policy.

Respectfully Submitted

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