

(This document was created around 1964 for St. John Vianney Parish and transcribed by Ellen Turner in September, 2015 so the parish would not lose this history.)

PARISH MANUAL: CHAPTER THREE

CONSTITUTION AND BY-LAWS

ST. JOHN VIANNEY PARISH COUNCIL

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CONSTITUTION

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PREAMBLE

We, the members and the Pastor of St. John Vianney Parish in San Jose, California, affirming our incorporation in the Mystical Body of Christ through the grace of the Holy Spirit, do join together to form a Parish Council to assist each other more effectively in promoting and performing the Mission of the Church in our Parish. In so doing we recognize, accept and affirm our communion with our Chief Pastor, the Bishop of Rome, our Archbishop, and his designated representative, our Pastor, in all things appropriate to our conduct as Christians and members of this parish.

We intend that this Parish Council shall at all times think and act with the mind of the Church as expressed by our Archbishop and our Pastor.

ARTICLE I: NAME

This organization shall be known as the St. John Vianney Parish Council.

ARTICLE II: PURPOSE AND POWERS

SECTION 1. The basic purpose of this Council is to further the fulfillment of the Mission of the Church (that is to teach, sanctify and guide the People of God) within our Parish and as one family unit in the Universal Church.

SECTION 2. To attain this goal, the Council shall plan, initiate, coordinate, promote, develop, support and supervise the execution of the spiritual and material programs of the Parish, and shall implement the recommendations of our Pastor.

SECTION 3. Always within the limitations of Canon Law and subject to Pastoral regulation and guidance, the Council shall be the governing body of the Parish, exercising such powers as are appropriate to its functions and are specified by this Constitution and subsequent legal acts of the Council itself.

ARTICLE III: PATRON

The Council places itself under the holy patronage of St. John Vianney, worldwide model for parish priest and the patron saint of our Parish.

ARTICLE IV: MEMBERSHIP

SECTION 1. Membership in the Council shall be comprised of two classes: ex-officio and elective. Members ex-officio are the Pastor, Assistant Pastors, the Sister Superior, the Lay Theologian and the Immediate Past President. Elective members shall be persons who are not less than twenty-one years of age, are active members of the Parish and are practicing Catholics.

SECTION 2. There shall be twenty-one elective members of the Council serving staggered terms (initially) as follows: seven persons for three year terms seven for two year terms, and seven for one year terms Each of the initial groups shall include one woman parishioner. The duration of the initial Council members' terms of office shall be determined by lot, with separate drawings for men and women. Annually thereafter, effective on such date as the Council shall set in the By-Laws, seven new Council members shall take office for three year terms. Of these seven six shall be men and one a woman.

SECTION 3. Membership in the Council requires attendance at all regular Council meetings. Therefore any elective member absent from three consecutive regular Council meetings without having notified the President in advance that he must be absent for a valid reason shall be automatically dropped from membership.

ARTICLE V: GOVERNMENT

SECTION 1. The Council shall be governed by applicable provisions of Canon law and by its duly elected officers.

SECTION 2. Officers of the Council shall be as follows:

- a. The Chairman ex-officio, who shall always be the Pastor
- b. The President
- c. The Vice President
- d. The Secretary
- e. The Treasurer
- f. The Sergeant-at-arms and Parliamentarian
- g. The Immediate-Past President (ex officio)

SECTION 3. The term of office for all officers, save that of the Chairman ex-officio, shall be for one year or until their successors take office, commencing and terminating upon such dates as shall be set by the Council in the By-Laws. It is the sense of the Council that official continuity be maintained, normally, by the succession of the Vice-President to the office of President, hence the charter Vice-President must be selected for a three year term.

SECTION 4. Duties of Council officers shall be as follows:

The Chairman shall:

- a. Guide and set limits upon Council policies, plan and activities in accordance with Parish needs and circumstances.
- b. Cooperate with the President in the appointment of Committee Chairmen;
- c. Serve ex-officio on all committees.

The President shall:

- a. Conduct all meetings of the Council;
- b. Be a member ex officio of all Committees serving the Council;
- c. In cooperation with the Council Chairman, appoint all committees and designate the Chairman of each.

The Vice President shall:

- a. In the absence of the President, assume all his duties;
- b. Assist the President in the performance of special tasks.

The Secretary shall:

- a. Keep a faithful and true record of all minutes of the Parish Council both regular and special.
- b. Maintain the Official list of Council members, committees serving the Council, and names of the Officer of the Council and Committee chairmen.
- c. Keep a current record of the attendance of members at Council meetings.
- d. Be responsible for all Council correspondence as follows:

- i. Receive and file letters addressed to the Council.
- ii. Notify the Council at the next regular meeting of the contents of all correspondence received.
- iii. Write such letters as the Council and the President of the Council want to be written.
- e. Be responsible for advance notification of all members of the Council for both special meetings and regular meetings.
- f. Notify the President and the Council when a member has been absent from three consecutive regular meetings. (See Art. 4, Section 5)
- g. Serve as a member of the nominating and election committee and be responsible for the preparation of the ballots for the annual Parish Council election

The Treasurer shall:

- a. Be responsible for the proper receipt, accounting and disbursement of Council funds and of the funds of such subsidiary organizations as the Council may place in his care;
- b. Maintain a permanent and acceptable set of records. These records belong to the Council and are open for examination by the Council.

The Sergeant-at-Arms and Parliamentarian shall:

- a. Have charge of all physical arrangements which are required for the activities and conduct of the Council.
- b. Maintain order at Council meetings.
- c. Make certain that all Officers have read and are familiar with these By-Laws and Constitution.

SECTION 5. The Council may appoint, elect, erect or affiliate to itself such Committees and subsidiary organizations as will be useful in the achievement of its purpose, calling upon all qualified persons for special assistance.

ARTICLE VI: MEETINGS

SECTION 1. Regular meetings of the Council shall be held only at such time and place as the Council decides at its first meeting, or changes at a subsequent regular meeting. Such decision of the Council shall be set forth in the minutes and approved by the Chairman.

SECTION 2. Special meetings may be called by the Chairman or by the Council with the approval of the Chairman

ARTICLE VII: AMENDMENTS

SECTION 1. Amendments to this Constitution may be proposed, in writing, at any regular meeting of the Council, by any member of the Council,

SECTION 2. Upon proposal, and after discussion, of any suggested amendment to the Constitution, a simple majority vote of the Council shall pass the suggested Amendment to a second reading. The second reading shall take place at the next regular Council meeting, after all absent Council members have been notified in writing of the exact nature and text of the suggested amendment

After the second reading, a simple majority vote of the Council shall ratify adoption of the amendment

BY-LAWS

ARTICLE I: MEETINGS

SECTION 1. A simple majority vote is required for passage of any proposal.

SECTION 2. The order of business for every Council meeting shall be as follows:

- a. Call to order, prayer, roll call
- b. Reading of the minutes of the last regular and any special meetings
- c. Reports of officers and committees, standing or special
- d. Unfinished business
- e. New business
- f. Adjournment and closing prayer

SECTION 3. Nor regular or special meeting of the Council shall be valid unless there is a quorum consisting of sixteen members of the Council.

SECTION 4. Insofar as practicable, and except as otherwise provided in the Constitution and By-Laws, Robert's Rules of Order Revised (75th Anniversary Edition) shall govern the proceedings of all meetings.

ARTICLE III: ELECTIONS

(Note: See Amendments)

SECTION 1. At its first regular meeting, the Council shall nominate and elect the officers prescribed by the Constitution. Election shall be by secret, written ballot unless the Council unanimously decides upon another method.

SECTION 2. Any vacancy occurring in the roster of the Officers of the Council shall be filled at the next regular meeting of the Council by the method specified in Section I, above.

SECTION 3. **NOMINATIONS:** After the Council has fixed the dates of the Council year, in accordance with Article V, Section 3, of the Constitution, as commencing each Dec. 1 and ending each Nov. 30 the President shall annually appoint a Nominating Committee consisting of three Officers or past Officers of the Council and two additional Council members to meet no less than 90 days prior to the end of the

Council year. The Nominating Committee shall then prepare an election slate consisting of at least fourteen, and not more than twenty-one, qualified* parishioners. This slate shall include three or more women. The Nominating Committee shall present its list to the Council for approval and thereafter obtain agreement from each nominee that, if elected, he will serve. The Nominating Committee shall then prepare a Parish Council Election ballot listing the nominees, stating the purpose and procedure of the election and explaining that two alternative write-in votes are allowed.

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- “Qualified” parishioners are, ideally, those who are:
 - a. Bona fide practicing Catholics of good reputation and apostolic outlook registered members of the parish and participants in the Offertory Plan;
 - b. Willing to give of their time and talent and have the capacity to work, to get results;
 - c. In possession of some administrative ability or experience, or have previous related experience;
 - d. Persons having imagination, prudence, common sense, discretion and parish loyalty.

SECTION 4. The Nominating Committee shall consult with the Pastor to arrange pulpit and bulletin announcement of the election and then send election ballots to every registered parishioner who is a participant in the Parish Offertory Plan and is thereby a qualified Parish elector.

SECTION 5. The Nominating Committee shall then become a Committee on Elections, responsible to the Council for collection, tabulation, verification and report of ballots and results. A simple majority vote of the Council shall ratify the election, upon which action the Secretary shall notify each new Councilor of his election and of the time and place of the next regular Council meeting.

SECTION 6. In the event of the election by write-in of an otherwise unqualified candidate for Councilor, the Council shall invalidate the election and declare that Council seat vacant or elect the Candidate with the next highest vote, at its option.

SECTION 7. In the case of a vacancy on the Council for any reason the Council shall, at its next regular meeting, elect a qualified parishioner for the unexpired term.

ARTICLE IV: COMMITTEES AND SUBSIDIARY ORGANIZATIONS

SECTION 1. It is contemplated that all parish plans and activities shall be activated, coordinated and supervised through and under the Council in order to achieve a harmony of effort and maximum usefulness.

STAFF COMMITTEES

SECTION 2. Executive Committee: In order to function more effectively, the Council may from time to time or on a permanent basis, constitute and empower an Executive

Committee. In such case, the Executive Committee shall consist of the Officers of the Council and such other Council members as the President may appoint. The Council must then specify the powers and duties of the Executive Committee, recording them in the minutes or by amendment to these By-Laws.

SECTION 3. Finance Committee: This staff unit shall supervise and execute the financial policy of the Parish as guided by our Pastor and Council; it will endeavor, through workers in Christ's Workshop Guild, to enlist all parishioners, present and future, in the Parish Offertory Program as a basic Christian act of worship and commitment. The Committee will undertake such other related activities as requested by Pastor and Council.

GUILD COMMITTEES

SECTION 4. Spiritual Formation Committee: This Committee, under the direction of the Pastors and the Council, plans and sees to the proper development and execution of all efforts to form parishioners in the fullness of Christian spiritual understanding and life.

SECTION 5. Education Committee: This Council adjunct shall be concerned, under Council direction, with all educational activities of the parish as to plans, needs, functions and proper performance of tasks. The scope of its concern and assistance shall include: Adult Education, St. John Vianney School, the School of Religion and released time instruction.

SECTION 6. Visitation Committee: The function of this Committee is to organize plans and see to their proper and fruitful execution with respect to person-to-person visitation in the parish. This includes selection of kinds of visitation, training (if necessary) of visitors, supervision, follow-up and reporting. The Little Parishes, as geographical units of our parish, will be key elements in the successful development, stimulation and supervision of the various visitations (and such other operations as the Council may direct). Each Little Parish shall have a leader who shall be ex officio a member of the Visitation Committee.

SECTION 7. Christ's Workshop Committee: This unit, under direction of our Pastor and Council, shall see to all the plans and operations regarding our parish facilities, whether physical, clerical or service, as to establishment, improvement and functioning. Through its Guild, it will supply workers to the Finance Committee as needed.

SECTION 8. Liturgical Committee: The Christian Community's belief is reflected and nourished in its worship. Under Pastoral and Council direction this Committee will urge and assist the Liturgical Guild in every feasible way to enhance the celebration of the liturgy and to deepen and strengthen parish liturgical knowledge, appreciation and life.

SECTION 9. Social Service Committee: This Committee will originate and supervise all plans and functions by which our Christian community expresses its interest,

concern and involvement in the social problems of our brothers and our times: problems, for example, of the old, the young, of racial justice of the needy and distressed.

SECTION 10. Social Activities Committee: Under Council direction and guidance, this Committee will plan and see to the successful operation of our Christian community's social activities and events. Its objective will be to sponsor those affairs which will enable parishioners to form friendships and acquaintanceships, to relax, and to become truly one Christian family.

SPECIAL COMMITTEES

SECTION 11. As to other Committees, affiliates or consultants, the visions of Article V, Section 5, of the Constitution, as implemented by the Council, shall govern.

GENERAL

SECTION 12. The purpose of the Staff Committees is as outlined in the appropriate Sections. The purpose of the Special Committees or other units shall be as designated by the Council in the Minute or in these By-Laws. The general purpose of the Guild Committees is to function as agents of the Council for their respective Guilds and as a liaison between the Guilds and the Council.

The Council shall decide in any case whether Committee Chairmen should be members of the Council or whether a Councillor should be appointed to be the Committee's specific liaison with the Council. Structure of the Committees, tenure and Committee rules and regulations shall be decided by the Council and, under Council authority, by the Committee itself.

ARTICLE IV: FISCAL AFFAIRS

SECTION 1. The Treasurer may, at the discretion of the Council, be bonded.

SECTION 2. Council funds shall be deposited, accounted for, disbursed and reported in such place and fashion as shall from time to time be decided by the Council, and recorded in the minutes.

ARTICLE V: AMENDMENT OF BY-LAWS

SECTION 1. These By-Laws may be amended by using the same procedure specified in Article VII, Sections 1 and 2, for amendment of the Constitution.

AMENDMENTS

Article II, Section 4 (Adopted October, 1965 at a Regular Council Meeting)
Section 4 shall read "The Nominating Committee shall consult with the Pastor to arrange pulpit and bulletin announcements at least twice informing the

parishioners that the election shall take place at the meetings of the Men of St. John Vianney and the Women of St. John Vianney at each of their meetings in November. Each member of the St. John Vianney Parish Offertory Plan is a qualified elector.”

Article II, Section 4 (Adopted October, 1966 at a Regular Council Meeting)

Section 4 shall read “The Nominating Committee shall consult with the Pastor to arrange pulpit and bulletin announcements at least twice informing the parishioners that the election shall take place in the Parish Hall after all Masses on a Sunday in November to be designated by the Council. All registered members of the Parish Offertory Program are qualified as Parish Electors.”