

Policy on Right to Inspect Books and Records National Capital Presbytery



National Capital
P R E S B Y T E R Y
MISSIONAL • PASTORAL • **PROPHETIC**

Adopted by Leadership Council July 19, 2011
Amended by Leadership Council October 31, 2019

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As a District of Columbia nonprofit corporation, National Capital Presbytery inc. (hereafter "NCPI") is required to comply with the "right of inspection" provision of the District of Columbia Nonprofit Corporations Act, which reads:

Each corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, board of directors, and committees having any of the authority of the board of directors; and it shall keep at its registered office or principal office in the District of Columbia a record of the names and addresses of its members entitled to vote. All books and records of a corporation may be inspected by any member having voting rights, or his agent or attorney, for any proper purpose at any reasonable time.

NCPI requires that any member desiring to inspect the books and records of the corporation shall present a written notice addressed to the Stated Clerk of National Capital Presbytery or his/her designee at least five (5) business days prior to the date the member wishes to inspect and/or copy the records. In addition, the member's written notice is to specify the "proper purpose" of the request, and is to identify with reasonable particularity the specific records sought. The records sought are to have a direct connection to the "proper purpose." (Revised Model Nonprofit Corporation Act, 1987).

For purposes of compliance with the right of inspection, the "members" of the corporation are:

- The minister members of presbytery as of the date of the request
- The elder-commissioners from the congregations who were present and registered at the most recent meeting of National Capital Presbytery*
- The elders serving on Presbytery Council
- The elders who are Certified Christian Educators or Associate Certified Christian Educators who are currently serving one of the presbytery's congregations

The staff of the presbytery, under the guidance of the General Presbyter, will interpret the "proper purpose" requirement rather broadly, so that the routine decision will be to grant the request for inspection.

Open to inspection are all financial records, minutes of Presbytery meetings, minutes of Council meetings and any other non-confidential records. Specifically exempted from this policy are all documents which are identified and/or marked "Attorney-Client Privilege", Committee on Ministry minutes or records, Committee on Preparation for Ministry minutes or records, Sexual Misconduct Response Team minutes or records, Personnel minutes or records, or any other record of a confidential nature.

Notes which are not part of the policy, but which explain it:

A person who is a member of congregation XYZ may ask any person who fits one of the bulleted categories above, to make a request on his/her behalf. Otherwise, a member of one of the presbytery's congregations who does not fit one of the bulleted categories does not have a right to demand records for the purpose of inspection. The books and records of NCPI are not to be opened for inspection by a member of the general public.

The "books and records" of NCPI are kept at the office of National Capital Presbytery, which may be located at any place within the geographical bounds of the presbytery. The "registered office or principal office in the District of Columbia" is currently the DC office of Jackson and Campbell, legal counsel.

*in the polity of the Presbyterian Church (USA) only the minister members/teaching elders of a presbytery are its "continuing members." The elder-commissioners/ruling elders appointed by a Session of one of the presbytery's congregations are temporary members of the presbytery and NCPI by virtue of being physically present at a meeting and registered in accordance with the sign-in/registration procedure of the presbytery.