

**A COVENANT BETWEEN AMARILLO CHILDREN'S HOME
AND
PALO DURO PRESBYTERY**

I. The Nature of the Covenant

A. Definition

This covenant is a voluntary agreement between the Presbyterian Home for Children in Amarillo (here called "Amarillo Children's Home" or "ACH") and Palo Duro Presbytery (here called the "Presbytery") to make explicit a historic and continuing relatedness between the two bodies. We choose the term "covenant" as a way of indicating that Amarillo Children's Home and the Presbytery are related to each other in a unique way and as a way of stating the seriousness of our intentions and hopes. Both Amarillo Children's Home and the Presbytery recognize that upon adoption and ratification, this will become the written affirmation of our relationship.

B. The purposes of this covenant are:

1. To clarify the relationship between Amarillo Children's Home and the Presbytery.
2. To maintain the relationship through regular review and renewal.
3. To provide a means of resolving practical and legal questions in the future about the relationship.
4. To affirm mutual trust, concern, and mission.

C. Parties to the Covenant and Their History

Amarillo Children's Home began with the gift by Mr. and Mrs. Allen Early, Sr. of what had been the Lowry-Phillips School properties, additional lots, and \$10,000 as an initial endowment to the Central Presbyterian Church of Amarillo (now First Presbyterian Church). That congregation offered the property to Amarillo Presbytery on April 5, 1923. The Amarillo Presbytery of the Presbyterian Church in the United States of America accepted the gift on April 10, 1923, and appointed a Board of Directors to run the school on June 5, 1923. Presbyterian Home for Children in Amarillo was chartered on November 20, 1924. W. N. Stokes in 1953 wrote:

"... the Amarillo Presbytery appointed the Board of Directors and assumed a benevolent interest in the welfare of the children's home (sic) being operated by said corporation under said trust, and has continued to appoint the directors and advise, direct and visit the home and consulted with its Board of Directors at will and on numerous occasions throughout the period of its existence..."

Thus, Amarillo Children's Home and the Presbytery have been related since the inception of the home. The charter is styled, "The Presbyterian Home for Children in Amarillo," and ACH operates under the name "Amarillo Children's Home."

The original intent of the charter for Amarillo Children's Home was for operating a charitable institution "for orphan and otherwise needy children."

Palo Duro Presbytery is a governing body of the Presbyterian Church (USA). It is the legal successor organization of the Amarillo Presbytery and the later Plains Presbytery of the same denomination. It is an ecclesiastical organization covering 72 counties in West Texas.

The Covenant with the Palo Duro Presbytery continues the charitable public trust that was established with the Amarillo Presbytery after it became the Palo Duro Presbytery in the 1983 reunion which established the Presbyterian Church (USA). The Presbytery accepted the responsibilities of operating and maintaining the property as a charitable public trust when it accepted the gift that originated with Mr. and Mrs. Early. The commissioners of Palo Duro Presbytery constitute a class of members of the corporation, and all members of the corporation will hold one meeting annually for the purpose of hearing a report of the operations and programs of Amarillo Children's Home. The operation of Amarillo Children's Home is in the full control of the Board of Trustees of the Amarillo Children's Home subject to the public trust. In the unlikely event, and only if the organization can no longer fulfill its basic mission of caring for children, the assets of the organization shall revert to the corporation of which Palo Duro Presbytery is currently the trustee.

The Role and Mission of Amarillo Children's Home

Amarillo Children's Home offers admittance and provides residential facilities for dependent, neglected, abused, and orphaned children from age five into young adulthood. The aim of ACH is to provide for the basic needs of children and to help each child feel secure and know himself or herself to be a person of value in a healthy, home-like atmosphere. While there are explicit entrance requirements, ACH is operated as a non-sectarian facility, providing services as a licensed child-care facility under the Texas Department of Human Services.

The Presbytery meets regularly and reviews its mission work, and typically adopts its budget annually. The Presbytery has declared:

“Palo Duro Presbytery is the body of Christ, a broken but redeemed community of faith in the Reformed tradition, called by God to live and serve in covenant relationship with God, God's people and God's creation. In response to God's call, guided by the Holy Spirit, prayer and Bible study, the faith communities of Palo Duro Presbytery proclaim the Gospel of grace and love in word and deed. Micah 6:8 “He has told you, O mortal, what is good; and what does the Lord require of you, but to do justice, and to love kindness, and to walk humbly with your God?” and Mark 12:28-31 “One of the scribes came near and heard them disputing with one another, and seeing that he answered them well, he asked him, ‘Which commandment is the first of all?’ Jesus answered, ‘The first is, ‘Hear, O Israel: the Lord our God, the Lord is one; you shall love the Lord your God with all your heart, and with all your soul, and with all your mind, and with all your strength.’ The second is this, ‘You shall love your neighbor as yourself.’ There is no other commandment greater than these.” Connected by grace and love, we who are Palo Duro Presbytery seek to nurture and support our communities of faith as we discern God's call to mutual care and opportunities for growth and service.”

Palo Duro Presbytery's mission embraces the specific institutional mission of Amarillo Children's Home.

II. Responsibilities

A. The Parties and Their Relationships to Each Other

On the grounds of history and common mission, ACH and the Presbytery establish this covenant relationship as the basis for fulfilling a common ministry to children in the name of Christ and his Church and continuing to trust in each other in improvement of this work. In establishing this covenant, ACH acts through its Board of Trustees, and the Presbytery acts through its commissioners. These commissioners constitute the membership of the nonprofit corporation known as the Amarillo Children's Home in Amarillo. Presbytery's delegated committee for management of Presbytery work is the Council of Ministries through whom ACH or its Trustees may communicate conveniently with Presbytery.

Both parties agree that the life of each will be enriched and made more dynamic by recognizing that each party has its distinctive role, which can be strengthened through contacts with each other in appropriate ways. The Board of Trustees of ACH and Presbytery recognize the need for mutual counsel, support, and encouragement. While each group has its unique role, both affirm that they share common ground.

B. The Common Ground: The Affirmation

This Covenant affirms that:

1. The two parties acknowledge that faith in Christ provides the context for each to move into the future with new hope rooted in Christ.
2. Amarillo Children's Home is non-sectarian in service, yet Presbyterian in heritage. Not devoted to one sect in service – yet Presbyterian – Reformed in Heritage.

C. Corporate Integrity of Each Party

Both ACH and the Presbytery are chartered under the laws of the State of Texas. The bylaws of ACH provide that the corporation has members, and one class of members are the current elected commissioners of the Presbytery. One stated meeting each year shall serve as the annual meeting of the members of the Corporation. The members of the Corporation may hear reports, ask for information, and elect members of the Board of Trustees. Trustees need not be members of the Corporation or of the Presbytery, but at least one member of Board of Trustees shall be an active member of the Presbytery. The Presbytery shall appoint a liaison through the Council of Ministries to communicate concerns between the Council of Ministries and the Board of Trustees of the Amarillo Children's Home when necessary. This liaison may also serve as member of the Board of Trustees.

It is our understanding that if ACH should be dissolved for any reason, it would devolve on the members of the Corporation (the Presbytery) to determine what disposition would be made of the residual assets of ACH, mindful that the original donation was for the care of “orphan and needy children.”

The Board of Trustees of ACH agrees to place in the office of Palo Duro Presbytery a copy of its charter and articles of incorporation. Minutes of Amarillo Children's Home's Board of Trustees meetings will be made available to the Presbytery office upon request.

D. Operational Relationships

Two sorts of linkage embody the Covenant. In order to fulfill its obligation as the trustee of the common law trust, the Presbytery shall, at a Stated Meeting of the year, docket a corporate meeting of ACH for the purpose of hearing a report of conditions at ACH including assurances of compliance with regulatory authorities. ACH will have appropriate personnel to present this report since this is an opportunity for ACH to "tell its story" to the Presbytery in ways which will foster the "sense of belonging" envisaged by this covenant. (For other linkage see III A). There will also be a time set aside for questions and answers between ACH and the Commissioners at such meetings of the Presbytery.

E. Review and Renewal Cycle

There shall be a review of the Covenant every four years to consider modification of the Covenant made appropriate by changes in circumstances in the intervening years. The Board of Trustees and the Council of Ministries will each name two people to participate in the review, together with a chairperson selected by ACH and Presbytery. The Executive Director of ACH and the Executive Presbyter may be ex-officio members of the Review Team. ACH will provide to the Review Team appropriate Trustees' Minutes and copies of any audits of financial records performed in the interim.

The Covenant Review Team shall evaluate the health of the covenant relationship, address emerging issues related to the Covenant Relationship, and propose to both ACH and the Presbytery amendments to the covenant appropriate to these ends. Other non-covenant issues should be addressed in a timely fashion through the Liaison (See II C) and the Council of Ministries of Palo Duro Presbytery.

III. Mutual Understanding and Resourcing

Both Amarillo Children's Home and the Presbytery shall show mutual concern and support for each other. ACH shall be a resource for the Presbytery regarding residential care for at risk children, interpreting as requested the challenges of ministry in this specialized area of social witness and ministry. ACH may also be a means for educating the Presbytery to the changing dynamics and practices in the field of residential childcare, maintaining a witness to the need for sensitivity in serving this special population.

The Presbytery will be a resource to ACH by providing specific channels of communication and counsel on specific matters as ACH may request, providing ACH with regular mailings of publications regarding the life and work of the Presbytery, including current editions of the "Presbytery Directory."

APPENDIX K: A Covenant Between Amarillo Children's Home and Palo Duro Presbytery

It is understood that ACH will continue to seek funds from Presbyterians and others who wish to support this ministry.

The Presbytery and ACH express concern regarding the policy and practices of ACH regarding the Christian nurture of its residents. It is the Presbytery's view that children admitted to ACH should experience the Christian faith and attend a church as a cottage family unit. It is the desire of ACH and the Presbytery that the children from at least one cottage attend a PCUSA church or partner with a church in other projects consistent with the purpose of the trust. It is the hope of ACH and the Presbytery that other churches in Amarillo become involved in the life of ACH and the children. ACH will notify the Presbytery if there are any changes in the relationship between an individual cottage and the local Presbyterian church.

IV. Formal Approval

This document establishes and contains all the terms of the Covenant Relationship between the Palo Duro Presbytery and The Presbyterian Home for Children in Amarillo. By formal action, the Board of Trustees, acting for Amarillo Children's Home, and the Presbytery, on recommendation of the Council of Ministries, may adopt this Covenant and pledge themselves to carry out its provisions.

The formal ratification of the Covenant shall be done at a meeting of the Corporation following approval by the above bodies. A brief ceremony of Covenant Making may be conducted to celebrate this new relationship between these two groups.

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