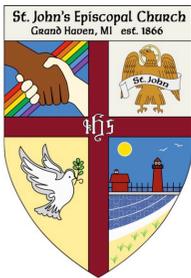


# St. John's Episcopal Church

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## *Parish Bylaws*

*as amended through January 31, 2019  
together with the pertinent excerpts from  
the Constitution and Canons of the Episcopal  
Church and the Canons of the Episcopal Diocese  
of Western Michigan*

As most recently amended at the 153<sup>rd</sup> Annual Meeting of the Parish. The Rev. Dr. Jared C. Cramer (Rector), Ms. Cathryn Marshall (Sr. Warden), and Mr. Mark Kelley (Jr. Warden)

*The Third Sunday after the Epiphany*  
*January 27, 2019*

## TABLE OF CONTENTS

The Parish Bylaws of St. John’s Episcopal Church.....	5
1.0 Preamble.....	5
1.1 Parish of the Episcopal Church.....	5
1.2 Mission and Ministry.....	6
1.3 Adoption of Bylaws.....	6
2.0 Authority Acknowledged.....	6
2.1 Accession clause.....	6
3.0 Voting Membership.....	7
3.1 Members and Communicants.....	7
3.2 Eligibility to Vote.....	9
3.3 Communicant List; Determination of Status.....	9
4.0 Meetings of the Congregation.....	10
4.1 Annual Meeting Date, Location, and Notice.....	10
4.2 Annual Meeting Business.....	10
4.3 Special Meeting Date, Location, Notice, and Business..	11
4.4 Quorum.....	11
4.5 Officers.....	11
4.6 Voice and Vote.....	12
4.7 Eligibility to Serve.....	12
4.8 Vestry Election.....	14
4.9 Rules of Procedure.....	15
5.0 Members and Meetings of the Vestry.....	15
5.1 Membership; Term of Office.....	15
5.2 Annual Organizational Meeting.....	15
5.3 Regular and Special Meetings.....	16
5.4 Reserved.....	17
5.5 Quorum; Voting.....	17
5.6 Presiding Officer.....	17
5.7 Officers of the Vestry and Corporation.....	17
5.8 Minutes.....	19
5.9 Executive Session.....	19
5.10 Remote Participation.....	19
6.0 Authority and Duties of the Rector.....	20
6.1 Authority and Responsibilities.....	20
6.2 Supervision of Clergy and Staff.....	24

7.0 Authority and Duties of the Wardens .....	28
7.1 Division of Duties.....	28
7.2 Support for the Rector. ....	29
7.3 Familiarity with Church and Secular Law. ....	29
7.4 In the Absence of a Rector. ....	29
8.0 Duties of Vestry Members .....	34
8.1 Attendance at Vestry Meetings.....	34
8.2 Conformity with Church and Secular Law.....	34
8.3 Expectations of Vestry Members. ....	35
9.0 Authority and Duties of the Vestry.....	35
9.1 Canonical and Fiduciary Responsibility. ....	35
9.2 Corporate Status.....	50
9.3 Property Insurance; Pension Plans; Health Insurance....	50
9.4 Employer of Staff.....	50
9.5 Other Contracts.....	51
9.6 Other Fiduciary Concerns.....	52
9.7 Commissions, Committees, Task Forces, and other Ministry Initiatives .....	53
9.8 Funds and Audits. ....	54
9.9 Gifts and Memorials.....	57
9.10 Discretionary Fund.....	58
9.11 Statement of Policy.....	58
10.0 Amendments .....	58
10.1 Updating of Canonical Information.....	58
10.2 Amendment of Bylaws.....	59
APPENDIX A: Conflict of Interest Policy .....	60
APPENDIX B: Pertinent Excerpts from the Constitution and Canons of The Episcopal Church, 2018.....	63
APPENDIX C: Pertinent Excerpts from the Constitution and Canons of The Diocese of Western Michigan, 2018.....	92
APPENDIX D: Episcopal Diocese of Western Michigan Policy for the Annual Audit of Parishes .....	108

# The Parish Bylaws of St. John's Episcopal Church Grand Haven, Michigan

## Notes

The Bylaws were originally approved at a meeting held January 10, 1939, for the purpose of adopting Articles of Incorporation of St. John's Episcopal Church. These were amended at subsequent Parish meetings. The current bylaws below represent the ones adopted at the 145<sup>th</sup> Annual Parish Meeting on January 23<sup>rd</sup>, 2011, as amended at subsequent Annual Meetings through the 153<sup>rd</sup> Annual Parish Meeting on January 27, 2019. They have also been updated to reflect changes in the Canons of the Episcopal Church (TEC) and the Episcopal Diocese of Western Michigan (EDWM), as amended through January 27, 2019.

The term *Rector* as used in these Bylaws refers to the Member of the Clergy in Charge of the congregation, called or interim, regardless of title. The term *Parish* refers to St. John's Episcopal Church in Grand Haven, MI. The term *Diocese* refers to the Episcopal Diocese of Western Michigan. The term *National Church* refers to The Episcopal Church.

Any notes, section numbers, headings, and footnotes are for convenience and are not part of the text of the Bylaws. In particular, those quotations from National Church or Diocesan Canons are provided for the convenience of the reader. In the case of any discrepancy, the actual National Church or Diocesan Canons take precedence.

## 1.0 Preamble

### 1.1 *Parish of the Episcopal Church.*

St. John's Episcopal Church, Grand Haven, Michigan is a parish of the Protestant Episcopal Church in the United States of America, otherwise known as The Episcopal Church, in union with the Episcopal Diocese of Western Michigan. As such, it accedes to the

## **2.0 Authority Acknowledged**

### *1.2 Mission and Ministry. – 2.1 Accession clause.*

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Constitution and Canons of the Episcopal Church and to the Constitution and Canons of the Diocese of Western Michigan, and promises conformity and obedience to the Doctrine, Discipline and Worship of the Episcopal Church.

#### *1.2 Mission and Ministry.*

St. John's shall be responsible for the following, in a manner reflecting local circumstances and the spiritual gifts of its members:

- (a) offering public worship, providing administration of the Sacraments, and preaching the Gospel on a regular basis;
- (b) practicing the mission and ministry of Jesus Christ, both within the congregation and in the local community; and
- (c) acknowledging the oversight, visitation, ministry and counsel of the Bishop for the Episcopal Diocese of Western Michigan.

#### *1.3 Adoption of Bylaws.*

St. John's Episcopal Church adopts these Bylaws to govern its corporate and temporal affairs as a not-for-profit and religious corporation organized under the laws of the State of Michigan, and to conform the conduct of its affairs to the Constitution and Canons of the General Convention of The Episcopal Church and the Constitution and Canons of the Episcopal Diocese of Western Michigan. If any portion of these Bylaws shall be found inconsistent with the canons of this Church and Diocese, that portion of the Parish Bylaws shall be null and void. This Parish shall conduct its affairs in conformity with applicable federal, state, and local law.

## **2.0 Authority Acknowledged**

### *2.1 Accession clause.*

St. John's Episcopal Church accedes to the doctrine, discipline, and worship of The Episcopal Church, and acknowledges the authority of same.

3.0 Voting Membership

3.1 Members and Communicants.

Members of this parish shall be determined by canon of the National Church, TEC Canon I.17.1-3:

Canon 17: Of Regulations Respecting the Laity

Baptized members.

Sec. 1

(a) All persons who have received the Sacrament of Holy Baptism with water in the Name of the Father, and of the Son, and of the Holy Spirit, whether in this Church or in another Christian Church, and whose Baptisms have been duly recorded in this Church, are members thereof.

Adult members.

(b) Members sixteen years of age and over are to be considered adult members.

Members confirmed or received.

(c) It is expected that all adult members of this Church, after appropriate instruction, will have made a mature public affirmation of their faith and commitment to the responsibilities of their Baptism and will have been confirmed or received by the laying on of hands by a Bishop of this Church or by a Bishop of a Church in full communion with this Church. Those who have previously made a mature public commitment in another Church may be received by the laying on of hands by a Bishop of this Church, rather than confirmed.

Adult baptism.

(d) Any person who is baptized in this Church as an adult and receives the laying on of hands by the Bishop at Baptism is to be considered, for the purpose of this and all other Canons, as both baptized and confirmed; also,

Any person who is baptized in this Church as an adult and at some time after the

### 3.0 Voting Membership

#### 3.1 Members and Communicants. – 3.1 Members and Communicants.

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Baptism receives the laying on of hands by the Bishop in Reaffirmation of Baptismal Vows is to be considered, for the purpose of this and all other Canons, as both baptized and confirmed; also,

Any baptized person who received the laying on of hands at Confirmation (by any Bishop in historic succession) and is received into the Episcopal Church by a Bishop of this Church is to be considered, for the purpose of this and all other Canons, as both baptized and confirmed; and also,

Any baptized person who received the laying on of hands by a Bishop of this Church at Confirmation or Reception is to be considered, for the purpose of this and all other Canons, as both baptized and confirmed.

#### Sec. 2

Communi-  
cants.

(a) All members of this Church who have received Holy Communion in this Church at least three times during the preceding year are to be considered communicants of this Church.

Adult com-  
municants.

(b) For the purposes of statistical consistency throughout the Church, communicants sixteen years of age and over are to be considered adult communicants.

Communi-  
cants in  
good stand-  
ing.

**Sec. 3.** All communicants of this Church who for the previous year have been faithful in corporate worship, unless for good cause prevented, and have been faithful in working, praying, and giving for the spread of the Kingdom of God, are to be considered communicants in good standing.

3.2 Eligibility to Vote

The qualifications of voters shall be determined by canon of the Diocese, EDWM Canon II.22.05:

**Section 22.05. QUALIFICATIONS OF VOTERS**

At all Parish meetings, whether annual or special, the right to vote shall be limited to baptized persons:

- (a) not less than 16 years of age,
- (b) whose baptisms have been duly recorded in said Parish,
- (c) who for a period of not less than six months preceding have been regular worshiper in the Parish; and,
- (d) who for not less than six months preceding have been bona fide regular contributors to its support, according to the method used in the Parish. Physical disability or absence from the Parish during the preceding six months shall not disqualify an otherwise qualified voter.

Before any vote has been taken, the presiding officer shall state to the persons present the foregoing qualifications of voters. The Rector and the wardens shall be judges of the qualifications of voters. If a warden is absent, the presiding officer may appoint a member of the Vestry to act in place of the warden. The judges of an election shall not permit an unqualified person to vote. Proxy ballots shall not be accepted.

3.3 Communicant List; Determination of Status.

Prior to each Annual or Special Meeting of the Parish, the Clerk of the Vestry shall prepare a current list of those qualified to vote according to the above Parish Bylaws. Two weeks before each Annual or Special Meeting, this list shall be made available for review by members of the parish in a manner so determined by the Rector and Wardens jointly. If the status of a member is in question, it shall be the responsibility of the Rector and Wardens jointly to determine that person's eligibility to vote and/or hold office, and their decision shall be final for the purposes of that meeting and any adjournment thereof. Any question regarding a member's eligibility to vote shall be raised before the Meeting begins or, if not raised, then shall be understood as waived.

## 4.0 Meetings of the Congregation

4.1 *Annual Meeting Date, Location, and Notice.* – 4.2 *Annual Meeting Business.*

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## 4.0 Meetings of the Congregation

4.1 *Annual Meeting Date, Location, and Notice.*

The Parish shall hold its Annual Meeting on the third, fourth, or last Sunday of January, or on a January weekday following the third Sunday of the month, at a time and place affording convenient access to all members of the Parish. The date, time, and place of the Annual Meeting shall be determined by the Vestry. Notice of the Annual Meeting shall be given according to the Canons of the Diocese, EDWM Canon II.22.03:

### **Section 22.03. NOTICE OF ANNUAL MEETING**

Notice of the date, hour and place of holding each annual meeting shall be given at a regular service on each of the two Sundays next preceding such meeting, by the Rector, or in the Rector's absence by a warden; or notice may be given with like effect by such publishing, posting, mailing or electronic means as the Vestry may direct.

In addition, in this Parish notice shall be given at all services by publishing, posting, mailing, and/or electronically disseminating said notice. Those standing for election to the Vestry shall be announced alongside Notice of the Annual Meeting. Nominations from the floor will not be accepted.

4.2 *Annual Meeting Business.*

The Annual Meeting shall accomplish the tasks set forth in the Canons of the Diocese, EDWM Canon II.22.02:

### **Section 22.02. ANNUAL PARISH MEETING**

A Parish meeting shall be held annually in each congregation within the month of January. Such annual meeting shall:

- (a) Elect qualified adult communicants in good standing to the Vestry;
- (b) Consider and act upon recommendations of the Vestry concerning secular business of the Parish;
- (c) Receive reports of the Rector, secretary, treasurer, and other officers of the Parish and of its organizations; and,
- (d) Consider and act upon proposed amendments, if any, to the articles of incorporation or by-laws of the Parish.

## 4.0 Meetings of the Congregation

### 4.3 Special Meeting Date, Location, Notice, and Business. – 4.5 Officers.

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In addition, in this Parish the Annual Meeting shall receive and discuss financial statements for the prior year; receive and discuss the annual budget of the Parish as adopted by the Vestry; and conduct such other business as properly may come before the Meeting.

#### 4.3 Special Meeting Date, Location, Notice, and Business.

A Special Meeting of the Parish may be called according to Canon of the Diocese, EDWM Canon II.22.04:

##### **Section 22.04. SPECIAL PARISH MEETING**

Special meetings of a congregation may be called by:

- (a) The Rector; or,
- (b) Written consent of two-thirds of the Vestry; or,
- (c) Written consents of a majority of the Vestry if the Rector approves; or,
- (d) Consent of a majority of the Vestry if there be no Rector.
- (e) Notice of a special meeting shall state the purpose or purposes thereof and may be given in the same manner as notice of an annual Parish meeting.

A Special Meeting shall be held at a time and place affording convenient access to all members of the Parish. The Vestry shall determine the date, time, and location of the Meeting, and shall give notice in the same manner as for an Annual Meeting. The business to be transacted at a Special Meeting shall be limited to those matters set forth in the notice.

#### 4.4 Quorum.

The presence of ten percent (10%) of the communicants entitled to vote shall constitute a quorum for the transaction of business at Annual or Special Meetings.

#### 4.5 Officers.

The Rector shall serve as presiding officer at Annual or Special Meetings. If there be no Rector, or if for good cause the Rector is prevented from discharging this duty, the Warden having seniority

## 4.0 Meetings of the Congregation

### 4.6 Voice and Vote. – 4.7 Eligibility to Serve.

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of title shall preside. The presiding officer shall discharge the duties described in the Canons of the Diocese, EDWM Canon II.22.06:

#### **Section 22.06. ORDER OF BUSINESS**

Unless otherwise provided by by-law or resolution, the presiding officer shall control the order of business. The presiding officer may appoint tellers and other assistants. The secretary shall preserve a list of the names of all persons who voted for Vestry members. The list shall be signed by the judges of election.

### 4.6 Voice and Vote.

The rights of speaking and voting shall be reserved to those whose names have appeared on the communicant list (see Parish Bylaw 3.3). If a nonmember desires to speak, they may be allowed by an affirmative vote of a majority of those eligible to vote and present at the meeting, by invitation of the Rector, or by invitation of a majority of the Vestry.

### 4.7 Eligibility to Serve.

Determination of eligibility to serve on the vestry is determined by Canon of the Diocese, EDWM Canon II.23.01–23.02:

#### **Section 23.01. ORGANIZATION OF VESTRY**

The Vestry of a Parish shall consist of not less than six nor more than fifteen lay members. Within these limits the number may be fixed by by-law. Members of the Vestry shall be adult communicants in good standing as defined by Title I, Canon 17, Sections 2 and 3 of the General Convention, and shall be qualified voters of the congregation (*see SJE Bylaw 3.1*). Vestry members may not be a Spouse, Parent, Sibling, or Child of or reside in the same household as the Rector or any other Vestry member.

The by-laws of a Parish shall provide for multi-year Vestry terms, arranged so that an equal number of members are elected each year. An election of Vestry members shall be preceded by nomination. No voter shall vote for more candidates than the total number of Vestry members to be elected. A majority of all votes cast shall be necessary to elect.

Immediately following the annual meeting (unless otherwise provided by by-law) the newly constituted Vestry shall meet and elect for a term of one year:

- (a) a senior warden,
- (b) a junior warden,
- (c) a secretary,
- (d) a treasurer, and
- (e) the authorized number of lay delegates to represent the Parish at the Convention, as determined according to Title I, Canon 3, Section 3.04 (*see below*), together with the same number of alternates.

The secretary and the treasurer shall be *ex-officio* the secretary and treasurer, respectively, of the Parish, unless otherwise provided by by-law.

**Section 23.02. QUALIFICATIONS**

The wardens shall be Vestry members. The secretary and treasurer shall be qualified voters of the congregation who may or may not be members of the Vestry. The delegates and alternates shall be qualified voters of the congregation.

*NOTE: EDWM Canon I.3.04 is, as follows*

**Section 3.04. SELECTION OF DELEGATES**

Each parish or new congregation shall be entitled to representation by lay delegation at Diocesan Convention. Representation at Diocesan Convention by lay delegates shall be based upon the average Sunday attendance as reported in the annual parochial report filed in the current year. The number of delegates shall be determined by the following:

Average Sunday Attendance	Authorized # of Delegates
1-100	2 Delegates
101-150	3 Delegates
151+	4 Delegates

Lay delegates and alternates shall be chosen at a preceding annual meeting of the Parish or Mission in accordance with the Parish or new congregation By-Laws, unless there be a vacancy, in which case it shall be filled as prescribed by such By-Laws. At least one lay

## 4.0 Meetings of the Congregation

### 4.8 Vestry Election. – 4.8 Vestry Election.

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member of a Parish's delegation shall where possible be a member of the Vestry.

Youth Delegates at any Convention shall be selected as follows:

- (a) Two youth delegate and one alternate from each of the three Mission Regions shall be selected by each Region, at its first meeting following the preceding Diocesan Convention. The Region shall have the authority to fill any vacancies that occur in these two positions.
- (b) Four at-large Youth Delegates and four at-large alternates shall be appointed by the Bishop Diocesan with advice from relevant Diocesan committees. The Bishop Diocesan shall have the authority to fill any vacancies that may occur in these positions.

In this Parish, neither an employee of the parish nor a relative by blood or marriage (within one or two degrees of consanguinity, i.e., parents, children, siblings, grandparents, grandchildren) of an employee of the Parish may serve as a member of the Vestry. Furthermore, in this Parish, relatives by blood or marriage (within one or two degrees of consanguinity, i.e., parents, children, siblings, grandparents, grandchildren) may not serve together on a Vestry. A member who has completed a full three (3) year term on the Vestry may not stand for election again until the Annual Meeting next following that Annual Meeting at which his or her term of office ends. A member of the Vestry who has been elected by the Vestry to serve out the remainder of a resigned, removed, or deceased member's term shall be qualified to stand for election to a full three (3) year term. In order to stand for election, a candidate must consent to serve if elected, and his or her name must be placed in nomination by an adult communicant other than the candidate.

#### 4.8 Vestry Election.

An election to the Vestry shall be according to the above Parish By-laws. All elections shall be by ballot, unless the slate of candidates consists of a single person to be elected by acclamation. The Tellers shall count the ballots and report the results to the Chair for announcement to the Annual Meeting.

#### 4.9 Rules of Procedure.

In all matters of parliamentary procedure not governed by Canon or these Bylaws, the latest edition of *Robert's Rules of Order Newly Revised* shall govern.

### 5.0 Members and Meetings of the Vestry

#### 5.1 Membership; Term of Office.

The Vestry shall consist of twelve (12) adult communicants-in-good-standing of St. John's Episcopal Church, four (4) of whom shall be elected at each Annual Meeting. Each Vestry member shall serve a term of three (3) years and until his or her successor is elected and qualified. At the discretion of the Vestry, other persons may be elected by the Vestry to serve as *ex officio* members for terms of one (1) year, with the right of speaking but not the right of voting.

During the Annual Meeting of the Parish, there may also be one (1) youth member elected to Vestry. Candidates for youth Vestry member must be at least 16 years but no older than 19 years of age at the time of taking office. Only students in 6th-12th grades will nominate and vote for a youth Vestry candidate. Qualified youth Vestry candidates must be communicants-in-good-standing at St. John's Episcopal Church. An elected youth Vestry member shall serve a one (1) year term, with voice and vote on matters before the Vestry. A youth Vestry member is eligible to serve up to 3-one year terms. (*Adopted January 26, 2014*)

#### 5.2 Annual Organizational Meeting.

Immediately after the adjournment of the Annual Meeting, or as soon thereafter as possible, the newly constituted Vestry shall convene an Organizational Meeting according to the above Parish By-laws.

In addition, in this Parish the Organizational Meeting shall establish the normal date, time, and place of its meetings; and transact other business required to prepare the Vestry for its work. A

## 5.0 Members and Meetings of the Vestry

### 5.3 Regular and Special Meetings. – 5.3 Regular and Special Meetings.

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majority of those present and voting shall be required for election. If there are two or more candidates for any office, the election shall be by ballot. The Senior Warden and Junior Warden shall be chosen from among those members of the Vestry. The Treasurer and Clerk (Secretary) of the Vestry may be either elected or *ex officio* members of the Vestry.

#### 5.3 Regular and Special Meetings.

The Vestry shall meet according to Canon of the Diocese, EDWM Canon II.23.03,

#### **Section 23.03. VESTRY MEETINGS**

Unless otherwise provided by by-law, the Vestry shall meet as often as once in each month in ten months of the calendar year at such day, place and hour as shall be fixed by resolution or by-law. Notice of a stated meeting, although desirable, shall not be legally necessary. The Rector, when present, shall preside at all Vestry meetings but shall have no vote except in the case of a tie. In the Rector's absence from the meeting, one of the wardens, if present, shall preside. In the case of a vacant cure, the Senior Warden, if present, shall preside, and if the Senior Warden not be present, the Junior Warden shall preside.

A special meeting of the Vestry may be called by the Rector at any time, upon notice given in any practical manner to each Vestry member. The purpose of the special meeting shall be stated as a part of the notice. In a vacancy of the Rectorate, a special meeting may be called by either warden at any time upon notice given in any practical manner to each other Vestry member.

No notice of any meeting at which the Rector and all members of the Vestry are present shall be necessary. Any or all members may waive notice in writing either before or after the meeting has been held. All waivers of notice shall be kept on file by the secretary.

A majority of the members of the Vestry, not counting the Rector, when duly assembled, shall constitute a quorum. Less than a quorum may transact business if there be no objections, but any business so transacted is subject to ratification at the next regular meeting of the Vestry.

5.0 Members and Meetings of the Vestry  
– 5.7 Officers of the Vestry and Corporation.

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In this Parish, although not required by Canon, as a courtesy notice of a Regular Meeting shall be given to all members at least seven (7) days prior to such meeting by publishing, posting, mailing, and/or electronically disseminating the information, and the date, time, and location of the Regular Meeting shall be made known to the Parish in any convenient manner.

5.4 *Reserved*

5.5 *Quorum; Voting.*

A quorum, and business transacted at meetings which lack a quorum, shall be determined by Canon of the Diocese, see EDWM Canon II.23.03 (*as cited in SJE Bylaw 5.3*). Absentee and proxy voting shall not be permitted.

5.6 *Presiding Officer.*

The Presiding Officer shall be determined by Canon of the Diocese, see EDWM Canon II.23.03 (*as cited in SJE Bylaw 5.3*).

5.7 *Officers of the Vestry and Corporation.*

Officers of the Vestry shall be the Rector, Senior Warden, Junior Warden, Clerk (Secretary), and Treasurer. Officers of the Corporation shall be the Senior Warden, who serves as President; Clerk (Secretary); and Treasurer. The Junior Warden and remaining Vestry members shall constitute the Corporation's board of directors. The duties of the Officers of the Vestry shall be according to Canon of the Diocese, EDWM Canon II.23.05.

**Section 23.05. DUTIES OF OFFICERS OF VESTRY**

- (a) **WARDENS.** In case the congregation be without a Rector, the wardens shall preside at meetings of the congregation and of the Vestry, shall provide public worship as circumstances shall permit, and shall perform the duties required by Title I, Canon 6 and Title III, Canon 9 of the Canons of the General Convention. (*See Appendix B*)
- (b) **SECRETARY.** The secretary shall keep correct minutes of all meetings of the Vestry and of the congregation and shall sign the same and deliver the same to his or her successor. The records of the congregation and the Vestry at all times

## 5.0 Members and Meetings of the Vestry

### 5.7 Officers of the Vestry and Corporation. – 5.7 Officers of the Vestry and Corporation.

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shall be safely and permanently kept open to inspection by the Bishop, the Rector, and all qualified voters of the congregation. The secretary shall be the custodian of the bond of the treasurer. The secretary shall assure that proper timely notice is given of all meetings of the Vestry and of the congregation.

- (c) TREASURER. The treasurer shall follow the *Episcopal Church Manual of Business Methods in Church Affairs*. The treasurer shall report to the Vestry at each stated meeting thereof, and whenever requested, all receipts and disbursements and the condition of the all Parish cash and investment balances. The treasurer shall make a like report to the annual Parish meeting. The treasurer shall give bond for the faithful performance of his or her duties. The treasurer's records shall be and open to inspection by the Bishop and shall be kept at the Parish office and promptly delivered to the treasurer's successor in office.

In this Parish, the Treasurer shall be assisted by an Assistant Treasurer. The position shall require a three-year commitment, as follows:

- Year One – Serve as a regular member of the Finance Commission
- Year Two – Serve as Assistant Treasurer, being mentored by the Treasurer, assisting the Treasurer with her or his duties as needed, and continuing service on the Finance Commission
- Year Three – Serve as Treasurer, mentoring the Assistant Treasurer, writing monthly reports on the finances of the parish for the Vestry and Parish Newsletter, making decisions on authorizing expenditures according to §9.6 of these bylaws, and leading the Finance Commission.

Each year, a candidate for this position shall be submitted by the membership of the Finance Commission to the Vestry no later than the Vestry's regular December meeting. (*Adopted January 19, 2015; amended January 29, 2017*).

Further, in this Parish, only the following officers shall be authorized to sign checks: the Senior Warden, Junior Warden, Treasurer, and Assistant Treasurer.

*5.8 Minutes.*

In addition to the Duties outlined in the Canons of the Diocese, the Clerk (Secretary) of the Vestry shall ensure that the minutes record the names of members in attendance, members absent with excuse, members absent without excuse, and visitors; and shall faithfully record action taken on any motion or resolution.

*5.9 Executive Session.*

With the Rector's consent and upon a majority vote of the members present and voting at any duly constituted Regular or Special Meeting, the Vestry may meet in executive session, that is, with only the Rector and the members of the Vestry present, to discuss personnel matters or other business of a sensitive nature. The minutes shall note that the Vestry met in executive session, and shall record action taken on any motion or resolution. However, the minutes shall not record any employee information which normally would be kept confidential.

*5.10 Remote Participation.*

A member of the Vestry who for good cause is prevented from attending a Vestry meeting in person may participate in said meeting from a remote location by telephone, computer, or other electronic device, provided that the remotely participating member can hear, and be heard by, all other members of the Vestry. A member participating from a remote location shall be recorded as present for the purpose of establishing a quorum, and shall be entitled to vote.

## 6.0 Authority and Duties of the Rector

### 6.1 Authority and Responsibilities. – 6.1 Authority and Responsibilities.

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## 6.0 Authority and Duties of the Rector

### 6.1 Authority and Responsibilities.

The Rector shall serve according to the Canons of the National Church and those of the Diocese. Subject to Canon, the Rubrics of the Book of Common Prayer, and the godly authority of the Bishop, the Rector shall also have such authority outlined in the Canons of the National Church and the Canons of the Diocese, including, but not limited to those described in TEC Canon II.5:

	<b>CANON 5: Of the Music of the Church</b>
Clergy responsible for music.	It shall be the duty of every Member of the Clergy to see that music is used as an offering for the glory of God and as a help to the people in their worship in accordance with the Book of Common Prayer and as authorized by the rubrics or by the General Convention of this Church. To this end the Member of the Clergy shall have final authority in the administration of matters pertaining to music. In fulfilling this responsibility the Member of the Clergy shall seek assistance from persons skilled in music. Together they shall see that music is appropriate to the context in which it is used.

And including but not limited to those described in TEC Canon III.9.6,

	<b>Sec. 6. Rectors and Priests-in-Charge and Their Duties</b>
	(a)
Authority and responsibility.	(1) The Rector or Priest-in-Charge shall have full authority and responsibility for the conduct of the worship and the spiritual jurisdiction of the Parish, subject to the Rubrics of the Book of Common Prayer, the Constitution and Canons of this Church, and the pastoral direction of the Bishop.
Control of buildings.	(2) For the purposes of the office and for the full and free discharge of all functions and duties pertaining thereto, the Rector or Priest-in-Charge shall at all

## 6.0 Authority and Duties of the Rector

### 6.1 Authority and Responsibilities. – 6.1 Authority and Responsibilities.

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	times be entitled to the use and control of the Church and Parish buildings together with all appurtenances and furniture, and to access to all records and registers maintained by or on behalf of the congregation.
Instruction in faith and ministry.	(b) (1) It shall be the duty of the Rector or Priest-in-Charge to ensure all persons in their charge receive Instruction in the Holy Scriptures; in the subjects contained in An Outline of the Faith, commonly called the Catechism; in the doctrine, discipline, and worship of this Church; and in the exercise of their ministry as baptized persons.
Christian stewardship	(2) It shall be the duty of Rectors or Priests-in-Charge to ensure that all persons in their charge are instructed concerning Christian stewardship, including: (i) reverence for the creation and the right use of God's gifts; (ii) generous and consistent offering of time, talent, and treasure for the mission and ministry of the Church at home and abroad; (iii) the biblical standard of the tithe for financial stewardship; and (iv) the responsibility of all persons to make a will as prescribed in the Book of Common Prayer.
Preparing persons for Baptism.	(3) It shall be the duty of Rectors or Priests-in-Charge to ensure that persons be prepared for Baptism. Before baptizing infants or children, Rectors or Priests-in-Charge shall ensure that sponsors be prepared by instructing both the parents and the Godparents concerning the significance of Holy

## 6.0 Authority and Duties of the Rector

### 6.1 Authority and Responsibilities. – 6.1 Authority and Responsibilities.

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Confirmation, Reception, and Reaffirmation.

Baptism, the responsibilities of parents and Godparents for the Christian training of the baptized child, and how these obligations may properly be discharged.

(4) It shall be the duty of Rectors or Priests-in-Charge to encourage and ensure the preparation of persons for Confirmation, Reception, and the Reaffirmation of Baptismal Vows, and to be ready to present them to the Bishop with a list of their names.

Duty to announce and inform the Bishop.

(5) On notice being received of the Bishop's intention to visit any congregation, the Rector or Priest-in-Charge shall announce the fact to the congregation. At every visitation it shall be the duty of the Rector or Priest-in-Charge and the Wardens, Vestry or other officers, to exhibit to the Bishop the Parish Register and to give information as to the state of the congregation, spiritual and temporal, in such categories as the Bishop shall have previously requested in writing.

Alms and offerings.

(6) The Alms and Contributions, not otherwise specifically designated, at the Administration of the Holy Communion on one Sunday in each calendar month, and other offerings for the poor, shall be deposited with the Rector or Priest-in-Charge or with such Church officer as the Rector or Priest-in-Charge shall appoint to be applied to such pious and charitable uses as the Rector or Priest-in-Charge shall determine. When a Parish is without a Rector or Priest-in-Charge, the Vestry shall designate a member of the Parish to fulfill this function.

## 6.0 Authority and Duties of the Rector

### 6.1 Authority and Responsibilities. – 6.1 Authority and Responsibilities.

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Duty to read Pastoral Letters and Position Papers.

- (7) Whenever the House of Bishops shall publish a Pastoral Letter, it shall be the duty of the Rector or Priest-in-Charge to read it to the congregation on some occasion of public worship on a Lord's Day, or to cause copies of the same to be distributed to the members of the congregation, not later than thirty days after receipt.
- (8) Whenever the House of Bishops shall adopt a Position Paper, and require communication of the content of the Paper to the membership of the Church, the Rector or Priest-in-Charge shall so communicate the Paper in the manner set forth in the preceding section of this Canon.

Parish Register.

(c)

- (1) It shall be the duty of the Rector or Priest-in-Charge to record in the Parish Register all Baptisms, Confirmations (including the canonical equivalents in Canon I.17.1(d), *as cited in SJE Bylaw 3.1*), Marriages and Burials
- (2) The registry of each Baptism shall be signed by the officiating Member of the Clergy.

Records to be entered in the Register.

- (3) The Rector or Priest-in-Charge shall record in the Parish Register all persons who have received Holy Baptism, all communicants, all persons who have received Confirmation (including the canonical equivalents in Canon I.17.1(d), *as cited in SJE Bylaw 3.1 above*), all persons who have died, and all persons who have been received or removed by letter of transfer. The Rector or Priest-in-Charge shall also designate in the Parish Register the names of (1) those persons

## 6.0 Authority and Duties of the Rector

### 6.2 Supervision of Clergy and Staff. – 6.2 Supervision of Clergy and Staff.

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whose domicile is unknown, (2) those persons whose domicile is known but are inactive, and (3) those families and persons who are active within the congregation. The Parish Register shall remain with the congregation at all times.

And including but not limited to those described in EDWM Canon II.24.01:

#### Section 24.01. DUTIES

It shall be the duty of all Rectors, vicars, and other clergy of the Diocese to record in the appropriate register all the official acts listed in Title I, Canon 6, of the Canons of the General Convention (*see Appendix B*). In the case of a vacant cure, the senior warden shall perform this duty, and if the senior warden should not be available, the junior warden shall perform this duty.

And including but not limited to those described in EDWM Canon II.24.02:

#### Section 24.02. REPORTS

A report of every congregation and of every bishop, presbyter, and deacon not officially attached to a congregation shall be prepared annually as required by and in the manner set forth by Title I, Canon 6, of the Canons of the General Convention (*see Appendix B*).

In this Parish the Rector shall also have general responsibility for administering the ministry and budget of the Parish.

### 6.2 Supervision of Clergy and Staff.

Assisting Clergy shall serve according to Canon of the National Church, TEC Canon III.9.3.(d):

#### (d) Assistants.

Rector to select assistants.

Priest serving as an assistant in a Parish, by whatever title designated, shall be selected by the Rector, and when required by the Canons of the Diocese, subject to the approval of the Vestry, and shall serve under the authority and

## 6.0 Authority and Duties of the Rector

### 6.2 Supervision of Clergy and Staff. – 6.2 Supervision of Clergy and Staff.

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In case of vacancy.	direction of the Rector. Before the selection of an assistant the name of the Priest proposed for selection shall be made known to the Bishop and a time, not exceeding sixty days, given for the Bishop to communicate with the Rector and Vestry on the proposed selection. Upon resignation by the Rector, death of the Rector, or in the event of the dissolution of a pastoral relationship between the Rector and the Vestry, an assistant may continue in the service of the Parish if requested to do so by the Vestry under such conditions as the Bishop and Vestry shall determine. An assistant may continue to serve at the request of a new Rector. Assistants may have a letter of agreement with the Rector and the Vestry setting forth mutual responsibilities and containing a clearly articulated dissolution clause, subject to the Bishop's approval.
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All other Clergy shall serve according to Canon of the National Church, TEC Canon III.9.7 (a)-(d):

License to officiate in a Diocese.	Sec. 7. Licenses (a) No Priest shall preach, minister the Sacraments, or hold any public service, within the limits of any Diocese other than the Diocese in which the Priest is canonically resident for more than two months without a license from the Ecclesiastical Authority of the Diocese in which the Priest desires to so officiate. No Priest shall be denied such a license on account of the Priest's race, color, ethnic origin, sex, national origin, marital status, sexual orientation, disabilities, or age, except as otherwise provided in these Canons. Upon expiration or withdrawal of a license, a priest shall cease immediately to officiate.
Consent of Rector.	(b) No Priest shall preach, read prayers in public worship, or perform any similar function, in a congregation without the consent of the Rector

## 6.0 Authority and Duties of the Rector

### 6.2 Supervision of Clergy and Staff. – 6.2 Supervision of Clergy and Staff.

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Exceptions.	or Priest-in-Charge of that congregation, except as follows:
	<ol style="list-style-type: none"><li data-bbox="420 236 950 406">(1) In the absence or impairment of the Rector or Priest-in-Charge, and if provision has not been made for the stated services of the congregation or other community of faith, a Warden may give such consent.</li><li data-bbox="420 414 950 1112">(2) If there be two or more congregations or Churches in one Cure, as provided by Canon I.13.3(b) (<i>see Appendix B</i>), consent may be given by the majority of the Priests-in-Charge of such congregations, or by the Bishop; <i>provided</i> that nothing in this Section shall prevent any Member of the Clergy of this Church from officiating, with the consent of the Rector or Priest-in-Charge, in the Church or place of public worship used by the congregation of the consenting Rector or Priest-in-Charge, or in private for members of the congregation; or in the absence of the Rector or Priest-in-Charge, with the consent of the Wardens or Trustees of the congregation; <i>provided further</i>, that the license of the Ecclesiastical Authority provided in Canon III.9.7(a) (<i>see above, within this citation</i>), if required, be obtained.</li><li data-bbox="420 1121 950 1395">(3) This Canon shall not apply to any Church, Chapel, or Oratory, which is part of the premises of an incorporated institution created by legislative authority; <i>provided</i> that such place of worship is designated and set apart for the convenience and use of such institution, and not as a place for public or parochial worship.</li></ol>
Evidence required to officiate.	<ol style="list-style-type: none"><li data-bbox="379 1404 950 1571">(c) No Rector or Priest-in-Charge of any congregation of this Church, or if there be none, no Wardens, Members of the Vestry, or Trustees of any congregation, shall permit any person to officiate in the congregation without</li></ol>

## 6.0 Authority and Duties of the Rector

### 6.2 Supervision of Clergy and Staff. – 6.2 Supervision of Clergy and Staff.

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Proviso.

sufficient evidence that such person is duly licensed and ordained and in good standing in this Church; *provided*, nothing in these Canons shall prevent:

Bishop may authorize officiants.

- (1) The General Convention, by Canon or otherwise, from authorizing persons to officiate in congregations in accordance with such terms as it deems appropriate; or
- (2) The Bishop of any Diocese from giving permission
  - (i) To a Member of the Clergy of this Church, to invite Clergy of another Church to assist in the Book of Common Prayer Offices of Holy Matrimony or of the Burial of the Dead, or to; read Morning or Evening Prayer, in the manner specified in Canon III.9.5; or
  - (ii) To Clergy of any other Church to preach the Gospel, or in ecumenical settings to assist in the administration of the sacraments; or
  - (iii) To godly persons who are not Clergy of this Church to address the Church on special occasions.
  - (iv) To the Member of the Clergy or Priest-in-Charge of a congregation or if there be none, to the Wardens, to invite Clergy ordained in another Church in communion with this Church to officiate on an occasional basis, *provided* that such clergy are instructed to teach and act in a manner consistent with the Doctrine, Discipline, and Worship of this Church.

## 7.0 Authority and Duties of the Wardens

### 7.1 *Division of Duties.* – 7.1 *Division of Duties.*

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Neglect of services or refusal to officiate.

- (d) If any Member of the Clergy or Priest-in-Charge, as a result of impairment or any other cause, shall neglect to perform regular services in the congregation, and refuse, without good cause, to consent to any other duly qualified Member of the Clergy to perform such services, the Wardens, Vestry, or Trustees of the congregation shall, upon providing evidence to the Ecclesiastical Authority of the Diocese of such neglect or refusal and with the written consent of the Ecclesiastical Authority, have the authority to permit any duly qualified Member of the Clergy to officiate.

In this Parish, all staff members, including but not limited to, assisting clergy, supply clergy, and lay staff members are “at will” employees of St. John’s Episcopal Church and shall serve at the pleasure of, and shall be supervised in the performance of their duties by, the Rector. The Rector shall have the sole right to discharge any staff member. The Vestry shall make no contract or agreement that limits the right of the Rector to supervise and discharge staff members. The right of the Rector to supervise and to discharge any staff member may not be modified by any oral or written representation made by anyone.

## 7.0 Authority and Duties of the Wardens

### 7.1 *Division of Duties.*

The Wardens shall exercise those duties set forth in Canon, making among themselves such reasonable division of the duties of warden as their gifts and interests may suggest, provided that the canonical duties of the Wardens are fulfilled, including, but not limited to, those described in EDWM Canon II.24.01-02:

#### **Section 24.01. DUTIES**

It shall be the duty of all Rectors, vicars, and other clergy of the Diocese to record in the appropriate register all the official acts listed in Title I, Canon 6 (*see Appendix B*), of the Canons of the General Convention. In the case of a vacant cure, the senior

## 7.0 Authority and Duties of the Wardens

### 7.2 Support for the Rector. – 7.4 In the Absence of a Rector.

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warden shall perform this duty, and if the senior warden should not be available, the junior warden shall perform this duty.

#### Section 24.02. REPORTS

A report of every congregation and of every bishop, presbyter, and deacon not officially attached to a congregation shall be prepared annually as required by and in the manner set forth by Title I, Canon 6, of the Canons of the General Convention.

#### 7.2 Support for the Rector.

The Wardens shall support the Rector and his or her ministry by holding the Rector in prayer, offering candid and charitable counsel with respect to the ministry and affairs of the Parish, helping the Rector identify areas of concern, notifying the Rector of persons or situations requiring pastoral response, and helping build support within the Parish for the mission and ministry of St. John's Episcopal Church, and for the work of the Rector, Vestry, and Commissions.

#### 7.3 Familiarity with Church and Secular Law.

The Wardens shall make themselves familiar with the Canons of the General Convention and the Canons and Policies of the Episcopal Diocese of Western Michigan, and shall assist the Vestry in conducting its affairs in conformity with these laws and policies. In the conduct of the temporal affairs of the Parish, the Wardens shall take care that St. John's Episcopal Church faithfully observe all applicable federal, state, and local laws, ordinances, and regulations. The Wardens may seek the assistance of other Vestry members, or other members of the Parish, in fulfilling this responsibility.

#### 7.4 In the Absence of a Rector.

Should there be no Rector, the Wardens shall assume the responsibilities outlined in the Canons of the National Church, including, but not limited to, those outlined in TEC Canon I.17.4:

##### Sec. 4

Removing to another (a) A member of this Church removing from the congregation in which that person's membership is recorded shall procure a certificate of

## 7.0 Authority and Duties of the Wardens

### 7.4 *In the Absence of a Rector.* – 7.4 *In the Absence of a Rector.*

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congregation.

membership indicating that that person is recorded as a member (or adult member) of this Church and whether or not such a member:

- (1) is a communicant;
- (2) is recorded as being in good standing;
- (3) has been confirmed or received by a Bishop of this Church or a Bishop in communion with this Church.

Upon acknowledgment that a member who has received such a certificate has been enrolled in another congregation of this or another Church, the Member of the Clergy in charge or Warden issuing the certificate shall remove the name of the person from the parish register.

Recorded in Register

- (b) The Member of the Clergy in charge or Warden of the congregation to which such certificate is surrendered shall record in the parish register the information contained on the presented certificate of membership, and then notify the Member of the Clergy in charge or Warden of the congregation which issued the certificate that the person has been duly recorded as a member of the new congregation. Whereupon the person's removal shall be noted in the parish register of the congregation which issued the certificate.
- (c) If a member of this Church, not having such a certificate, desires to become a member of a congregation in the place to which he or she has removed, that person shall be directed by the Member of the Clergy in charge of the said congregation to procure a certificate from the former congregation, although on failure to produce such a certificate through no fault of the person applying, appropriate entry may be made in the parish register upon the evidence of membership status sufficient in the judgment of the Member of the Clergy in charge or Warden.
- (d) Any communicant of any Church in communion with this Church shall be entitled to the

benefit of this section so far as the same can be made applicable.

And including, but not limited to those outlined in TEC Canon III.9.3.a-c:

	<b>Sec. 3. The Appointment of Priests</b>
	(a) All half time or greater permanent stipendiary positions that are recognized by the Church Pension Fund must be publicly posted, including but not limited to the posting of said positions through the Office of Transition Ministries (OTM) portal for a minimum of two weeks, except as otherwise specified by Canons.
	(b) Rectors.
Parishes without a Rector.	(1) When a Parish is without a Rector, the Wardens or other officers shall promptly notify the Ecclesiastical Authority in writing. If the Parish shall for thirty days fail to provide services of public worship, the Ecclesiastical Authority shall make provision for such worship.
Election of a Rector.	(2) No Parish may elect a Rector until the names of the proposed nominees have been forwarded to the Ecclesiastical Authority and a time, not exceeding sixty days, given to the Ecclesiastical Authority to communicate with the Vestry, nor until any such communication has been considered by the Vestry at a meeting duly called and held for that purpose.
Written notice to Ecclesiastical Authority.	(3) Written notice of the election of a Rector, signed by the Wardens, shall be forwarded to the Ecclesiastical Authority. If the Ecclesiastical Authority is satisfied that the person so elected is a duly qualified Priest and that such Priest has accepted the office to which

## 7.0 Authority and Duties of the Wardens

### 7.4 *In the Absence of a Rector.* – 7.4 *In the Absence of a Rector.*

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	elected, the notice shall be sent to the Secretary of the Convention, who shall record it. Race, color, ethnic origin, sex, national origin, marital status, sexual orientation, disabilities or age, except as otherwise specified by these Canons, shall not be a factor in the determination of the Ecclesiastical Authority as to whether such person is a duly qualified Priest. The recorded notice shall be sufficient evidence of the relationship between the Priest and the Parish.
Agreement.	(4) Rectors may have a letter of agreement with the Parish setting forth mutual responsibilities, subject to the Bishop's approval.
Priests-in-Charge.	(c) Priests-in-Charge. After consultation with the Vestry, the Bishop may appoint a Priest to serve as Priest-in-Charge of any congregation in which there is no Rector. In such congregations, the Priest-in-Charge shall exercise the duties of Rector outlined in Canon III.9.6 subject to the authority of the Bishop.

And including, but not limited to those outlined in TEC Canon III.9.6 (*see Appendix B*).

They shall also assume the responsibilities outlined in the Canons of the Diocese, including, but not limited to, those outlined in EDWM Canon II.22.03:

#### **Section 22.03. NOTICE OF ANNUAL MEETING**

Notice of the date, hour and place of holding each annual meeting shall be given at a regular service on each of the two Sundays next preceding such meeting, by the Rector, or in the Rector's absence by a warden; or notice may be given with like effect by such publishing, posting, mailing or electronic means as the Vestry may direct.

## 7.0 Authority and Duties of the Wardens

### 7.4 In the Absence of a Rector. – 7.4 In the Absence of a Rector.

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And including, but not limited to those outlined in EDWM Canon II.23.03:

#### **Section 23.03. VESTRY MEETINGS**

Unless otherwise provided by by-law, the Vestry shall meet as often as once in each month in ten months of the calendar year at such day, place and hour as shall be fixed by resolution or by-law. Notice of a stated meeting, although desirable, shall not be legally necessary. The Rector, when present, shall preside at all Vestry meetings but shall have no vote except in the case of a tie. In the Rector's absence from the meeting, one of the wardens, if present, shall preside. In the case of a vacant cure, the Senior Warden, if present, shall preside, and if the Senior Warden not be present, the Junior Warden shall preside.

A special meeting of the Vestry may be called by the Rector at any time, upon notice given in any practical manner to each Vestry member. The purpose of the special meeting shall be stated as a part of the notice. In a vacancy of the Rectorate, a special meeting may be called by either warden at any time upon notice given in any practical manner to each other Vestry member.

No notice of any meeting at which the Rector and all members of the Vestry are present shall be necessary. Any or all members may waive notice in writing either before or after the meeting has been held. All waivers of notice shall be kept on file by the secretary.

A majority of the members of the Vestry, not counting the Rector, when duly assembled, shall constitute a quorum. Less than a quorum may transact business if there be no objections, but any business so transacted is subject to ratification at the next regular meeting of the Vestry.

And including, but not limited to those outlined in EDWM Canon II.23.05.a

#### **Section 23.05. DUTIES OF OFFICERS OF VESTRY**

- (a) **WARDENS.** In case the congregation be without a Rector, the wardens shall preside at meetings of the congregation and of the Vestry, shall provide public worship as circumstances shall permit, and shall perform the duties

## 8.0 Duties of Vestry Members

8.1 Attendance at Vestry Meetings. – 8.2 Conformity with Church and Secular Law.

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required by Title I, Canon 6 and Title III, Canon 9 of the Canons of the General Convention (see Appendix B).

In addition, in this Parish, the Wardens shall exercise particular care to the extent necessary and appropriate, and acting under the guidance of the Bishop and his or her staff, to arrange for supply clergy and pastoral care; to supervise the staff; represent the Parish in the wider community; and otherwise ensure that the mission and ministry of St. John's Episcopal Church continues without interruption. (Amended January 22, 2012)

## 8.0 Duties of Vestry Members

8.1 Attendance at Vestry Meetings.

Vestry members shall attend all Regular and Special Meetings of the Vestry. Members who choose to waive notice of meetings shall submit such waiver in writing to the Clerk (Secretary). If for good cause a member of the Vestry is unable to attend a meeting, he or she promptly shall notify the Rector, Senior Warden, or Clerk (Secretary) of his or her intended absence. The Vestry, through a majority vote, shall have authority to remove a member whose continued service is inimical to the Parish's interest or whose participation in the Vestry and in the life of the Parish is so diminished as to have created a vacancy by default. If a member is absent, with or without excuse, from three consecutive meetings of the Vestry, the Vestry at its discretion may declare the member's position vacant and elect another communicant-in-good-standing to serve out the remainder of the resigned member's term.

8.2 Conformity with Church and Secular Law.

Members of the Vestry shall conduct the temporal affairs of the Parish in conformity with the Canons of the General Convention, the Canons and Policies of the Episcopal Diocese of Western Michigan, these Bylaws, and applicable federal, state, and local law. To this end, Vestry members shall make themselves familiar with the authority and responsibilities of the Vestry as set forth in the Canons

## 9.0 Authority and Duties of the Vestry

### 8.3 Expectations of Vestry Members. – 9.1 Canonical and Fiduciary Responsibility.

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of the General Convention and the Canons of the Episcopal Diocese of Western Michigan, and with applicable secular law.

#### 8.3 Expectations of Vestry Members.

Mindful that they are spiritual as well as temporal leaders of the congregation, members of the Vestry shall be faithful in prayer, scripture study, and attendance at worship. Vestry members shall support the mission and ministry of the Parish by making an annual commitment (or pledge) of time, talent, and treasure, and by encouraging other members of the Parish to do likewise. Vestry members shall serve on at least one of the standing commissions, committees, or organizations of the Parish, and shall serve as liaison between that group and the Vestry, unless the Vestry shall remove a particular member from this responsibility. Vestry members shall be generous in offering both support, assistance, and counsel to the Rector in his or her ministry.

## 9.0 Authority and Duties of the Vestry

### 9.1 Canonical and Fiduciary Responsibility.

In an Episcopal parish the fiduciary (or trust) responsibility resides with the Vestry. Thus, the Vestry is responsible to the congregation, Diocese, and Church for faithful, prudent, and lawful care and use of all assets of the Parish. Thus, the vestry shall familiarize themselves with the responsibilities outlined in the Canons of the National Church, including, but not limited to, those outlined in TEC Canon I.6.1:

	<b>CANON 6: Of the Mode of Securing an Accurate View of the State of This Church</b>
Annual parish reports to Bishop.	Sec. 1. A report of every Parish and other Congregation of this Church shall be prepared annually for the year ending December 31 preceding, in the form authorized by the Executive Council and approved by the Committee on the State of the Church, and shall be filed not later than March 1 with the Bishop

## 9.0 Authority and Duties of the Vestry

### 9.1 Canonical and Fiduciary Responsibility. – 9.1 Canonical and Fiduciary Responsibility.

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of the Diocese, or, where there is no Bishop, with the ecclesiastical authority of the Diocese. The Bishop or the ecclesiastical authority, as the case may be, shall keep a copy and submit the report to the Executive Council not later than May 1. In every Parish and other Congregation the preparation and filing of this report shall be the joint duty of the Rector or Member of the Clergy in charge thereof and the lay leadership; and before the filing thereof the report shall be approved by the Vestry or bishop's committee or mission council. This report shall include the following information:

- (1) the number of baptisms, confirmations, marriages, and burials during the year; the total number of baptized members, the total number of communicants in good standing, and the total number of communicants in good standing under 16 years of age.
- (2) a summary of all the receipts and expenditures, from whatever source derived and for whatever purpose used.
- (3) such other relevant information as is needed to secure an accurate view of the state of this Church, as required by the approved form.

And including, but not limited to, those described in TEC Canon I.7.3-5:

Encumbrance of property requires consent.

Sec. 3. No Vestry, Trustee, or other Body, authorized by Civil or Canon law to hold, manage, or administer real property for any Parish, Mission, Congregation, or Institution, shall encumber or alienate the same or any part thereof without the written consent of the Bishop and Standing Committee of the Diocese of which the Parish, Mission, Congregation, or Institution is a part, except under such regulations as may be prescribed by Canon of the Diocese.

## 9.0 Authority and Duties of the Vestry

### 9.1 Canonical and Fiduciary Responsibility. – 9.1 Canonical and Fiduciary Responsibility.

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Property held in trust.	<p>Sec. 4. All real and personal property held by or for the benefit of any Parish, Mission or Congregation is held in trust for this Church and the Diocese thereof in which such Parish, Mission or Congregation is located. The existence of this trust, however, shall in no way limit the power and authority of the Parish, Mission or Congregation otherwise existing over such property so long as the particular Parish, Mission or Congregation remains a part of, and subject to, this Church and its Constitution and Canons.</p> <p>Sec. 5. The several Dioceses may, at their election, further confirm the trust declared under the foregoing Section 4 by appropriate action, but no such action shall be necessary for the existence and validity of the trust.</p>
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And including, but not limited to, those described in TEC Canon I.14:

Regulations left to State or Diocesan law.	<p>CANON 14: Of Parish Vestries</p> <p>Sec. 1. In every Parish of this Church the number, mode of selection, and term of office of Wardens and Members of the Vestry, with the qualifications of voters, shall be such as the State or Diocesan law may permit or require, and the Wardens and Members of the Vestry selected under such law shall hold office until their successors are selected and have qualified.</p>
As agents and legal representatives.	<p>Sec. 2. Except as provided by the law of the State or of the Diocese, the Vestry shall be agents and legal representatives of the Parish in all matters concerning its corporate property and the relations of the Parish to its Clergy.</p>
Rector to preside.	<p>Sec. 3. Unless it conflicts with the law as aforesaid, the Rector, or such other member of the Vestry</p>

## 9.0 Authority and Duties of the Vestry

### 9.1 Canonical and Fiduciary Responsibility. – 9.1 Canonical and Fiduciary Responsibility.

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designated by the Rector, shall preside in all the meetings of the Vestry.

And including, but not limited to, those described in TEC Canon I.17.5:

Rights of Laity.	Sec. 5. No one shall be denied rights, status or access to an equal place in the life, worship, and governance of this Church because of race, color, ethnic origin, national origin, marital status, sex, sexual orientation, gender identity and expression, disabilities or age, except as otherwise specified by Canons.
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And including, but not limited to, those described in TEC Canon II.6:

Evidence of affiliation.	<p>CANON 6: Of Dedicated and Consecrated Churches</p> <p>Sec. 1. No Church or Chapel shall be consecrated until the Bishop shall have been sufficiently satisfied that the building and the ground on which it is erected are secured for ownership and use by a Parish, Mission, Congregation, or Institution affiliated with this Church and subject to its Constitution and Canons.</p>
Consent to encumber or alienate consecrated property.	<p>Sec. 2. It shall not be lawful for any Vestry, Trustees, or other body authorized by laws of any State or Territory to hold property for any Diocese, Parish or Congregation, to encumber or alienate any dedicated and consecrated Church or Chapel, or any Church or Chapel which has been used solely for Divine Service, belonging to the Parish or Congregation which they represent, without the previous consent of the Bishop, acting with the advice and consent of the Standing Committee of the Diocese.</p>

## 9.0 Authority and Duties of the Vestry

### 9.1 Canonical and Fiduciary Responsibility. – 9.1 Canonical and Fiduciary Responsibility.

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Consent to deconsecrate Churches.	Sec. 3. No dedicated and consecrated Church or Chapel shall be removed, taken down, or otherwise disposed of for any worldly or common use, without the previous consent of the Standing Committee of the Diocese.
All Churches to be held in trust.	Sec. 4. Any dedicated and consecrated Church or Chapel shall be subject to the trust declared with respect to real and personal property held by any Parish, Mission, or Congregation as set forth in Canon I.7.4 (see <i>Appendix</i> ).

And including, but not limited to, those described in TEC Canon III.9.3.(a)-(b) (see *SJE Bylaw 7.4*).

And including, but not limited to, those described in TEC Canon III.9.6.(b).5, (see *SJE Bylaw 6.1*).

And including, but not limited to, those described in TEC Canon III.9.14-15:

Petitions to reconcile.	<p>Sec. 14. Reconciliation of Disagreements Affecting the Pastoral Relation</p> <p>When the pastoral relationship in a parish between a Rector and the Vestry or Congregation is imperiled by disagreement or dissension, and the issues are deemed serious by a majority vote of the Vestry or the Rector, either party may petition the Ecclesiastical Authority, in writing, to intervene and assist the parties in their efforts to resolve the disagreement. The written petition shall include sufficient information to inform the Ecclesiastical Authority and the parties involved of the nature, causes, and specifics of the disagreements or dissension imperiling the pastoral relationship. The Ecclesiastical Authority shall initiate such proceedings as are deemed appropriate under the circumstances for that purpose by the Ecclesiastical Authority, which may include the appointment of a consultant or licensed</p>
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## 9.0 Authority and Duties of the Vestry

### 9.1 Canonical and Fiduciary Responsibility. – 9.1 Canonical and Fiduciary Responsibility.

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mediator. The parties to the disagreement, following the recommendations of the Ecclesiastical Authority, shall labor in good faith that the parties may be reconciled. Whenever the Standing Committee is the Ecclesiastical Authority, it shall request the Bishop of a neighboring Diocese to perform the duties of the Ecclesiastical Authority under this Canon.

#### Sec. 15. Dissolution of the Pastoral Relation

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|-------------------------------------|--|
| Resignation or removal of a Rector. | (a) Except upon mandatory resignation by reason of age, a Rector may not resign as Rector of a parish without the consent of its Vestry, nor may any Rector canonically or lawfully elected and in charge of a Parish be removed there from by the Vestry against the Rector's will, except as hereinafter provided.   |
| Notice to Ecclesiastical Authority. | (b) If for any urgent reason a Rector or majority of Vestry based on a vote in a duly-called meeting, desires a dissolution of the pastoral relation, and the parties cannot agree, either party may give notice in writing to the Ecclesiastical Authority of the Diocese with a copy available to the Rector or Vestry. Such notice shall include sufficient information to inform the Ecclesiastical Authority and all parties involved of the nature, causes, and specifics requiring the dissolution of the pastoral relationship. If the parties have participated in mediation or consultation processes under III.9.14, a separate report from the mediator or consultant will be submitted to the Ecclesiastical Authority with copies available to the Rector and Vestry. Whenever the Standing Committee is the Ecclesiastical Authority of the Diocese, it shall request the Bishop of another Diocese to perform the duties of the Bishop under this Canon. |
| Bishop to mediate.                  | (c) Within sixty days of receipt of the written notice, the Bishop Diocesan or the Bishop exercising   |

## 9.0 Authority and Duties of the Vestry

### 9.1 Canonical and Fiduciary Responsibility. – 9.1 Canonical and Fiduciary Responsibility.

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	<p>authority under this canon may initiate further mediation and reconciliation processes between Rector and Vestry in every way which the Bishop deems proper. The Bishop may appoint a committee of at least one Presbyter and one Lay Person, none of whom may be members of or related to the Parish involved, to interview the Rector and Vestry and report to the Bishop on the cooperation and responsiveness of the parties involved in the processes required by the Bishop. A copy of this report shall be available to the Vestry and Rector.</p>
Procedures for settling differences.	<p>(d) If the differences between the parties are not resolved after completion of mediation or other reconciliation efforts or actions prescribed by the Bishop, the Bishop shall proceed as follows:</p> <ol style="list-style-type: none"><li>(1) The Bishop shall give written notice to the Rector and Vestry that a godly judgment will be rendered in the matter after consultation with the Standing Committee and that either party has the right within ten days to request in writing an opportunity to confer with the Standing Committee before it consults with the Bishop. The Bishop's written notification shall inform the Standing Committee and the parties involved of the nature, causes, and specifics of the unresolved disagreements or dissension imperiling the pastoral relationship.</li><li>(2) If a timely request is made, the President of the Standing Committee shall set a date for the conference, which shall be held within thirty day.</li><li>(3) At the conference, each party shall be entitled to attend, be represented, and present its position fully.</li><li>(4) Within thirty days after the conference or after the Bishop's notice if no conference is requested, the Bishop shall confer with and</li></ol>

## 9.0 Authority and Duties of the Vestry

### 9.1 Canonical and Fiduciary Responsibility. – 9.1 Canonical and Fiduciary Responsibility.

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- receive the recommendation of the Standing Committee; thereafter the Bishop, as final arbiter and judge, shall render a written godly judgment.
- (5) Upon the request of either party, the Bishop shall explain the reasons for the judgment. If the explanation is in writing, copies shall be delivered to both parties. Either party may request the explanation be in writing.
- (6) If the pastoral relation is to be continued, the Bishop shall require the parties to agree on definitions of responsibility and accountability for the Rector and the Vestry.
- (7) If the relation is to be dissolved:
- (i) The Bishop shall direct the Secretary of the Convention to record the dissolution.
  - (ii) The judgment shall include such terms and conditions including financial settlements as shall seem to the Bishop just and compassionate.
- (8) In either event, the Bishop shall offer appropriate supportive services to the Priest and the Parish.
- Noncompliance with judgment. (e) In the event of the failure or refusal of either party to comply with the terms of the judgment, the Bishop may impose such penalties as may be set forth in the Constitution and Canons of the Diocese; and in default of any provisions for such penalties therein, the Bishop may act as follows:
- (1) In the case of a Rector, suspend the Rector from the exercise of the priestly office until the Priest shall comply with the judgment.
  - (2) In the case of a Vestry, invoke any available sanctions including recommending to the Convention of the Diocese that

## 9.0 Authority and Duties of the Vestry

### 9.1 Canonical and Fiduciary Responsibility. – 9.1 Canonical and Fiduciary Responsibility.

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	the Parish be placed under the supervision of the Bishop as a Mission until it has complied with the judgment.
	(f) For cause, the Bishop may extend the time periods specified in this Canon, <i>provided</i> that all be done to expedite these proceedings. All parties shall be notified in writing of the length of any extension.
Nondiscoverable and inadmissible statements.	(g) Statements made during the course of proceedings under this Canon are not discoverable nor admissible in any proceedings under Title IV ( <i>see TEC canons online at website below</i> ) <i>provided</i> that this does not require the exclusion of evidence in any proceeding under the Canons which is otherwise discoverable and admissible.
Diocesan Canons apply.	(h) Sections 12 or 13 of this Canon shall not apply in any Diocese whose Canons are otherwise consistent with Canon III.9 ( <i>as cited below in Appendix B</i> ).

*\*NOTE: Due to length, the full Title IV canons are not included in Appendix B but are available online at*

*<https://extranet.generalconvention.org/staff/files/download/23914>*

And including, but not limited to, those described in TEC Canon III.5:

	Canon 5: Of General Provisions Respecting Ordination
	<b>Sec. 1</b>
Episcopal authority.	(a) The canonical authority assigned to the Bishop Diocesan by this Title may be exercised by a Bishop Coadjutor, when so empowered under Canon III.11.9(a), and at the request of the Bishop Diocesan, by a Bishop Suffragan, or by any other Bishop of a Church in full communion with this Church who was ordained in the historic succession, at the request of the ordinand's Bishop.

## 9.0 Authority and Duties of the Vestry

### 9.1 Canonical and Fiduciary Responsibility. – 9.1 Canonical and Fiduciary Responsibility.

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- (b) The Council of Advice of the Convocation of Episcopal Churches in Europe, and the board appointed by a Bishop having jurisdiction in an Area Mission in accordance with the provisions of Canon I.11.2(c), shall, for the purpose of this and other Canons of Title III have the same powers as the Standing Committee of a Diocese.
- (c) In case of a vacancy in the episcopate in a Diocese, as defined in Canon III.12.4(d), the Ecclesiastical Authority may authorize and request the President of the House of Bishops of the Province to take order for an ordination.

Sec. 2. No Nominee, Postulant, or Candidate for ordination shall sign any of the certificates required by this Title.

- (a) Testimonials required of the Standing Committee by this Title must be signed by a majority of the whole Committee, at a meeting duly convened, except that testimonials may be executed in counterparts, any of which may be delivered by facsimile or other electronic transmission, each of which shall be deemed an original.
- (b) Whenever the letter of support of a Vestry is required, the letter must be signed and dated by at least two-thirds of all of the members of the Vestry, at a meeting duly convened, and by the Rector or Priest-in-Charge of the Parish, and attested by the Clerk of the Vestry. Should there be no Rector or Priest-in-Charge, the letter shall be signed by a Priest of the Diocese acquainted with the nominee and the Parish, the reason for the substitution being stated in the attesting clause.
- (c) If the congregation or other discernment community of which the nominee is a member is

## 9.0 Authority and Duties of the Vestry

### 9.1 Canonical and Fiduciary Responsibility. – 9.1 Canonical and Fiduciary Responsibility.

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not a Parish, the letter of support required by Canon III.6 or Canon III.8 shall be signed and dated by the Member of the Clergy and the council of the congregation or other community of faith, and shall be attested by the secretary of the meeting at which the letter was approved. Should there be no Member of the Clergy, the letter shall be signed and dated by a Priest of the Diocese acquainted with the nominee and the congregation or other community of faith, the reason for the substitution being stated in the attesting clause.

- (d) If the applicant is a member of a Religious Order or Christian Community recognized by Canon III.14, the letters of support referred to in Canon III.5 or Canon III.6 and any other requirements imposed on a congregation or Member of the Clergy may be given by the Superior or person in charge, and Chapter, or other comparable body of the Order or Community.

Sec. 3. An application for any dispensation permitted by this Title from any of the requirements for ordination must first be made to the Bishop, and if approved, referred to the Standing Committee for its advice and consent.

And including, but not limited to, those described in TEC Canon III.9.1:

Continuing  
Education

Canon 9: Of the Life and Work of Priests

Sec. 1. The Bishop and Commission shall require and provide for the continuing education of Priests and keep a record of such education.

## 9.0 Authority and Duties of the Vestry

### 9.1 Canonical and Fiduciary Responsibility. – 9.1 Canonical and Fiduciary Responsibility.

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Furthermore, the Vestry shall also familiarize themselves with the duties of the Vestry outlined in the Canons of the Diocese, including, but not limited to, those described in EDWM Canon II.23.04:

#### **Section 23.04 DUTIES OF VESTRY**

The Vestry shall have the duty to:

- (a) Be helpful to the Rector;
- (b) Prepare, approve and present a balanced budget to the Annual Meeting of the Parish;
- (c) Employ and fix the compensation of all employees of the Parish provided that no person shall be employed or retained except by and with the approval of the Rector;
- (d) Provide maintenance for the Rector and such compensation as shall be agreed upon for employees of the Parish;
- (e) Elect and call a Rector in conformance with Title III, Canon 9, Section 3(a) of the Canons of the General Convention (*see Appendix B*), and under procedures adopted by the Bishop Diocesan, in consultation with the Standing Committee;
- (f) Have charge, care and management of all property and temporal affairs of the Parish;
- (g) Supervise collection, control, and disbursement of all monies held by or for the benefit of the Parish;
- (h) Keep all buildings, structures, and tangible property of the Parish adequately insured against loss;
- (i) Assure that all treasurers and custodians of funds (other than banking institutions) obtained, contributed, held, or accumulated for the benefit of the Parish, or of any of its activities, shall be adequately bonded;
- (j) Assure that all treasurers and custodians of funds maintain records sufficient to enable proper accounting and audits;
- (k) Deposit all trust funds, permanent funds and all securities, which come under their control, using the Parish name and tax identification number, with a national bank, a state bank, the Diocesan Council pursuant to Title I, Canon 2, Section 2.05 (*see Appendix B*), or some other custodian approved by the Finance Committee of the Diocese, under a suitable deposit arrangement requiring not less than two signatures upon all checks and orders for withdrawals;

## 9.0 Authority and Duties of the Vestry

### 9.1 Canonical and Fiduciary Responsibility. – 9.1 Canonical and Fiduciary Responsibility.

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- (l) Manage trust funds and income therefrom strictly in accordance with the lawful express requirements of the instruments creating the trust;
- (m) Sell and convey unneeded personal property of the Parish when deemed for the best interest of the Parish to do so;
- (n) Pursuant to a vote of the congregation, at a meeting duly called, sell and convey real estate of the Parish, when deemed for the best interest of the Parish to do so, but only pursuant to written consent of the Bishop and Standing Committee first obtained. Acting within the limitations upon debt contained in Title II, Canon 27 (*see Appendix C*), and in compliance with the requirements of that Canon, to do any of the following acts, namely to:
  - (1) Cause necessary repairs to be made upon the Parish property;
  - (2) purchase necessary furnishings and equipment;
  - (3) mortgage real estate when deemed for the best interest of the Parish to do so, but only pursuant to written consent of the Bishop and the Standing Committee first obtained; and
  - (4) acquire appropriate real estate; and, on real estate held in fee simple by the Parish pursuant to consent of the congregation given at a Parish meeting duly called and held, take down and remove or alter existing buildings, and erect, construct, or reconstruct, a church building, chapel, Rectory, and/or Parish house. This subsection shall not be held to apply to alterations which do not involve major structural changes to the buildings in question.

The foregoing duties of the Vestry shall always be subject to the authority of the Rector to direct the spiritual activities of the congregation subject to the Bishop or other person acting as the Ecclesiastical Authority and to Canon Law and the Rector's right to possession, use and control of the property of the Parish as provided by the canons of the General Convention of The Episcopal Church.

## 9.0 Authority and Duties of the Vestry

### 9.1 Canonical and Fiduciary Responsibility. – 9.1 Canonical and Fiduciary Responsibility.

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And including, but not limited to, those described in EDWM Canon II.27.01-03:

#### **Section 27.01. LIMITATIONS ON DEBT**

No indebtedness shall be incurred by any congregation without the approval of both the Bishop and the Standing Committee, except:

- (a) Indebtedness for permanent improvements, replacement or additions to real estate or equipment, where the amount of such indebtedness, plus indebtedness of every kind already existing, shall not exceed 150% of the average annual receipts of such congregation during the three years then last preceding;
- (b) Indebtedness for current expenses where the amount of such indebtedness, plus all indebtedness heretofore incurred for current expenses and still existing, shall not exceed 20% of the total current receipts of such congregation during the preceding fiscal year; and the payment of all such indebtedness shall be provided for in the budget of the next ensuing fiscal year with reasonable expectation of its payment out of the receipts of the next two years; or,
- (c) Indebtedness incurred to finance existing loans, provided the total amount thereof be not increased.

In computing receipts under subsections (a) and (b) hereof, income from endowments, devises and bequests available for general purposes may be included; but principal and income not available for payment of debts, and receipts earmarked for non-parochial purposes shall be excluded.

#### **Section 27.02. PLAN OF PAYMENT REQUIRED**

Where approval of proposed indebtedness is required, the application therefore shall be accompanied by a plan of payment, and such approval shall not be granted in any event unless such a plan is deemed feasible by the Bishop and the Standing Committee.

#### **Section 27.03. EXISTING INDEBTEDNESS**

This Canon shall not apply to the refinancing of existing indebtedness, provided the total existing indebtedness is not increased.

## 9.0 Authority and Duties of the Vestry

### 9.1 Canonical and Fiduciary Responsibility. – 9.1 Canonical and Fiduciary Responsibility.

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And including, but not limited to, those described in EDWM Canon II.28.02:

#### **Section 28.02. INSURANCE**

- (a) All buildings and tangible personal property, owned or held in trust by the Diocese or by any congregation, shall be insured under the Diocesan Insurance program; including but not limited to hazards to be insured against, amount and sufficiency of such insurance for each congregation, and insurance carrier or carriers, shall be as prescribed by the Diocesan Council. Each congregation insured under this program shall pay to the Treasurer its fair share of the cost of the total Insurance program, which fair share shall be determined by the Diocesan Council.
- (b) Each congregation shall provide health insurance through the denominational health plan for all eligible clergy and eligible lay employees.

And including, but not limited to, those described in EDWM Canon II.29:

### **CANON 29 MINIMUM COMPENSATION STANDARDS FOR CLERGY**

#### **Section 29.01. ESTABLISHMENT OF STANDARDS**

There is hereby established a minimum standard of compensation for all members of the clergy exercising a full-time, parochial, stipendiary ministry in the Diocese of Western Michigan. Compensation is defined as stipend, housing/housing allowance, and utilities.

The establishment of a minimum compensation standard is not meant to prevent a congregation from providing additional forms of compensation.

#### **Section 29.02. ADOPTION, SCALE**

The Diocesan Council shall adopt an annual Clergy compensation minimum for the next ensuing fiscal year. For those who have been ordained more than one year, the minimum standard shall be increased by an amount, to be determined by the Diocesan Council,

## 9.0 Authority and Duties of the Vestry

### 9.2 Corporate Status. – 9.4 Employer of Staff.

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for each year of ordained ministry beyond the first year to a limit of ten years.

#### **Section 29.03. FAILURE TO COMPENSATE**

In any case where compensation provided is below the minimum standard the position will be regarded as less than a full-time position. The Bishop, or the Bishop's representative, shall assist in negotiating a mutually agreeable solution.

#### **Section 29.04. OTHER BENEFITS**

Consideration for adequate reimbursement shall also be given by vestries in the areas of:

- (a) Reimbursement of automobile expenses;
- (b) Continuing education; and
- (c) Other professional expenses.

### 9.2 Corporate Status.

St. John's Episcopal Church shall be a not-for-profit and religious corporation organized under the laws of the State of Michigan. The Vestry shall take care that the corporate status of the Parish be maintained by timely submission of annual reports and other information required by the State of Michigan.

### 9.3 Property Insurance; Pension Plans; Health Insurance.

In addition to the Canonical requirements for insurance of Parish property, buildings, and contents noted above, in this Parish the Vestry shall also be alert for, and take action to correct, any condition which may constitute a hazard to persons using the facilities of St. John's Episcopal Church. The Vestry shall see that contributions to pension plans and premiums for health insurance plans for the Rector and other members of the staff are promptly and fully paid.

### 9.4 Employer of Staff.

According to Canon of the National Church (see above TEC Canon I.14.2 as cited in SJE Bylaw 9.1) the Vestry is the employer of all members of the staff of St. John's Episcopal Church.

In this Parish, the Vestry shall not solicit or accept designated gifts in support of the compensation of lay employees, unless such gifts are to be placed in the permanent endowment of the Parish, with the proceeds then used to support compensation as the Vestry may direct. Any Letter of Agreement the Vestry may make with any lay or clergy staff shall in no way change the “at will” nature of their employment, as specified in Parish Bylaw 6.2 above. No Letter of Agreement may limit the supervisory authority of the Rector. Letters of Agreement may be reviewed by a qualified attorney, and shall be approved by a majority vote of the Vestry and signed by two officers of the corporation. Both the Rector and Vestry shall observe all applicable federal, state, and local laws governing employment.

In this Parish, the Vestry shall ensure that all employees are compensated with at least a living wage, sufficient to meet basic needs – food, clothing, transportation costs, shelter and health care – regardless of what the current minimum wage may be. At St. John’s Episcopal Church, the living wage shall be determined by considering what seems fair and just to the Vestry, using the Massachusetts Institute of Technology “Living Wage Calculator” for our area and considering what may be considered competitive wages given similar positions. (*Adopted January 26, 2014; amended January 19, 2015, and January 24, 2016.*)

*9.5 Other Contracts.*

The Vestry has final authority over the financial life of the congregation, subject to canonical and secular law. Therefore, except as provided in these Bylaws or as specifically authorized by the Vestry, no officer or employee of the Parish or any other person shall have the power or authority to bind the Parish by any contract or transaction or to render it legally or financially liable for any purpose or in any amount. All contracts shall be signed by a Warden, the Treasurer, or the Clerk (Secretary). An officer who has not yet reached the age of eighteen (18) years shall not have authority to sign contracts.

## 9.0 Authority and Duties of the Vestry

### 9.6 Other Fiduciary Concerns. – 9.6 Other Fiduciary Concerns.

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#### 9.6 Other Fiduciary Concerns.

Staff and chairs of commissions, committees or other organizations of the Parish may authorize expenditures of up to two hundred and fifty dollars (\$250.00), provided such expenditures conform to the appropriate line item in the annual Parish budget or the appropriate designated fund. Expenditures within the budget or within a designated fund which are above two hundred and fifty dollars (\$250.00), but less than one thousand dollars (\$1,000.00) shall require the prior approval of a Warden, the Treasurer, or the Assistant Treasurer. Expenditures within the budget or a designated fund which are in the amount of one thousand dollars (\$1,000.00) or more shall require the prior affirmative vote of a majority of the members of the Vestry present and voting at any duly constituted meeting, and the Vestry may require that bids be solicited. Any expenditure that is a regular expected recurring expense and is within the budget is exempt from the above Parish Bylaws for approval. *(Amended January 27, 2019)*

Non-budgeted expenditures of up to two hundred and fifty dollars (\$250.00) may be authorized by the Rector, the Wardens, the Treasurer, or the Assistant Treasurer. Non-budgeted expenditures of more than two hundred and fifty dollars (\$250.00) shall require the prior affirmative vote of a majority of the members of the Vestry present and voting at any duly constituted meeting, and the Vestry may require that bids be solicited. All non-budgeted expenditures shall be reported to the Treasurer who shall inform the Vestry which shall decide whether the item should be a part of future budgets. *(Amended January 27, 2019)*

Those who count money in this parish, or otherwise have access to sensitive financial information, shall be Communicants in Good Standing who are also active pledging members of the Parish. *(Amended January 29, 2017)*

However, nothing in this section shall inhibit the Rector, Wardens, or other officers from taking steps in an emergency situation to

## 9.0 Authority and Duties of the Vestry

### 9.7 Commissions, Committees, Task Forces, and other Ministry Initiatives – 9.7 Commissions, Committees, Task Forces, and other Ministry Initiatives

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protect the safety and security of the physical plant, members of the congregation, or the public.

#### *9.7 Commissions, Committees, Task Forces, and other Ministry Initiatives*

The goal of the structure of the parish is to enable the discernment and flourishing of new and existing ministries. All ministries of the parish are overseen by the Rector and the Vestry, with the Rector having primary authority over the spiritual life of the parish and the Vestry having primary authority over the temporal life.

Any new standing commissions, committees, task forces, or official parish ministry initiatives shall be approved jointly by the Rector and Vestry, who shall determine primary oversight of the ministry and appoint a vestry liaison at the ministry's creation. When a ministry is approved, the minutes of the Vestry shall indicate anticipated volunteer involvement, financial needs, fundraising possibilities, any known anticipated end date, the manner of leadership selection, and any other important aspects of their work.

The chairs or ministry leaders of all parish ministries shall be invited to join with the Vestry in constituting the Parish Council which shall meet throughout the year, as determined jointly by the Rector and Sr. Warden, for the purpose of reflecting on and assisting with the health and vitality of all parish ministries.

The Annual Mutual Ministry Review between the Vestry and the Rector shall include attention to the various ministries of the parish and whether any changes in structure or leadership are needed for their mutual flourishing.

Since the Parish Columbarium involves significant legal and property realities, a Columbarium Committee shall be created. It shall be a body comprised of three members to assist the Vestry in the oversight of the Columbarium and its associated policies. Terms shall be three years on a rotating basis. Its members shall be communicants in good standing of the parish, nominated by the existing

## 9.0 Authority and Duties of the Vestry

### 9.8 Funds and Audits. – 9.8 Funds and Audits.

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Committee and elected by the Vestry. The Vestry shall give preference in membership to nominees with the following qualifications: at least one Committee member also be on the Vestry and at least one Committee member also hold a niche in the Columbarium. Additionally, the Junior Warden and the Parish Administrator shall serve *ex officio*, with voice but not vote, on the Committee.

#### 9.8 Funds and Audits.

All bank accounts owned by the Parish and its commissions, committees, or organizations shall be under the control of the Vestry. The Vestry shall ensure that all accounts are handled and audited according to Canons of the National Church, TEC Canon I.7.1:

Standards observed.	Sec. 1. In every Province, Diocese, Parish, Mission and Institution connected with this Church, the following standard business methods shall be observed:
Provinces to be audited.	(a) All accounts of Provinces shall be audited annually by an independent certified public accountant, or independent licensed accountant, or such audit committee as shall be authorized by the Provincial Council. The Audit Report shall be filed with the Provincial Council not later than September 1 of each year, covering the preceding calendar year.
Deposit of funds.	(b) Funds held in trust, endowment and other permanent funds, and securities represented by physical evidence of ownership or indebtedness, shall be deposited with a National or State Bank, or a Diocesan Corporation, or with some other agency approved in writing by the Finance Committee or the Department of Finance of the Diocese, under a deed of trust, agency or other depository agreement providing for at least two signatures on any order of withdrawal of such funds or securities. But this paragraph shall not apply to funds and securities refused by the depositories named as being too small for acceptance. Such small funds and securities shall be under the care of the persons
Proviso.	

	<p>or corporations properly responsible for them. This paragraph shall not be deemed to prohibit investments in securities issued in book entry form or other manner that dispenses with the delivery of a certificate evidencing the ownership of the securities or the indebtedness of the issuer.</p>
Record of trust funds.	<p>(c) Records shall be made and kept of all trust and permanent funds showing at least the following:</p> <ul style="list-style-type: none"><li>(1) Source and date.</li><li>(2) Terms governing the use of principal and income.</li><li>(3) To whom and how often reports of condition are to be made.</li><li>(4) How the funds are invested.</li></ul>
Treasurers to be bonded.	<p>(d) Treasurers and custodians, other than banking institutions, shall be adequately bonded; except treasurers of funds that do not exceed five hundred dollars at any one time during the fiscal year.</p>
Books of account.	<p>(e) Books of account shall be so kept as to provide the basis for satisfactory accounting.</p>
Annual audit.	<p>(f) All accounts of the Diocese shall be audited annually by an independent Certified Public Accountant. All accounts of Parishes, Missions or other institutions shall be audited annually by an independent Certified Public Accountant, or independent Licensed Public Accountant, or such audit committee as shall be authorized by the Finance Committee, Department of Finance, or other appropriate diocesan authority.</p> <p>(g) All reports of such audits, including any memorandum issued by the auditors or audit committee regarding internal controls or other accounting matters, together with a summary of action taken or proposed to be taken to correct deficiencies or implement recommendations contained in any such memorandum, shall be filed with the Bishop or Ecclesiastical Authority</p>

## 9.0 Authority and Duties of the Vestry

### 9.8 Funds and Audits. – 9.8 Funds and Audits.

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	not later than 30 days following the date of such report, and in no event, not later than September 1 of each year, covering the financial reports of the previous calendar year.
Insurance.	(h) All buildings and their contents shall be kept adequately insured.
Report to General Convention	(i) The Finance Committee or Department of Finance of the Diocese may require copies of any or all accounts described in this Section to be filed with it and shall report annually to the Convention of the Diocese upon its administration of this Canon.
Fiscal year.	(j) The fiscal year shall begin January 1.

The vestry shall also ensure that all accounts are audited according to the Canons of the Dioceses, EDWM Canon II.28.01:

#### **Section 28.01. AUDITS**

As soon as may be after the close of each fiscal year, the accounts of all officers handling funds, whether of the Diocese or its auxiliaries, or of congregations and their auxiliaries, shall be audited in accordance with *The Episcopal Church Manual of Business Methods in Church Affairs* and *The Episcopal Diocese of Western Michigan Policy, "Annual Audit of Congregations"*.\* Copies of audit reports shall be submitted to the Diocesan Treasurer for review by September 1 following the close of the fiscal year.

- (a) Congregations who fail to complete and submit the audit proscribed for them, by Diocesan Policy, by September 1, will be seated at diocesan convention without voice.
- (b) Any congregation who fails for two consecutive years to complete and submit the audit proscribed for them, by Diocesan Policy, by September 1, will be seated at diocesan convention without voice or vote.
- (c) Any congregation who fails for three consecutive years to complete and submit the audit proscribed for them, by Diocesan Policy, by September 1, shall specifically request of Convention, by motion, permission for seat, voice and or vote. Without the granting of such a motion the congregation shall not have seat, voice or vote at Convention.

\*NOTE: *The Diocesan Audit Policy, as of January 27, 2019, is included with these bylaws as Appendix D.*

Furthermore, in this Parish the Treasurer shall be a signer on all Parish accounts, and, at his or her request, shall be entitled to all information on the financial activities of Parish groups. The Treasurer shall provide the Vestry a full monthly report of the financial condition of the Parish, and shall prepare year-end reports and statements for review by the Annual Meeting.

### *9.9 Gifts and Memorials.*

No object intended as a permanent addition to the property of the Parish, or to be used for public worship, shall be accepted as a gift or memorial without the approval of the Rector and Vestry, subject to such conditions as they may prescribe. All objects so accepted may be altered, removed, or disposed of when deemed necessary or appropriate by the Vestry. The names of the donors of, and of the persons memorialized by, such gifts and memorials, together with any terms and conditions of the gift and the date(s) of acceptance, shall be preserved in the permanent records of the Parish.

From time to time the Parish may desire to recognize a person or family that has provided distinguished service to St. John's Episcopal Church by naming a room or other place on the parish campus after that person or family. The process to consider such recognition is as follows:

1. A member of the parish shall submit a written room (or other place) name request to the Vestry, including the following information: location, proposed name for the room or place, justification for naming the room or place (explaining how the requested naming is in line with the mission and vision of the parish), why the naming is an appropriate memorial, and estimated cost for signage or other expenses related to the name change.
2. The Vestry will consider written requests to name a room or other space at a regularly scheduled Vestry meeting. If the Vestry determines the request has merit, the Rector and Wardens shall provide notice of the request to the parish and seek community input. Responses must be in writing and signed by the person providing input.

## **10.0 Amendments**

### *9.10 Discretionary Fund. – 10.1 Updating of Canonical Information*

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3. Comments shall be presented to Vestry for review at the next regularly scheduled Vestry meeting. The Vestry shall consider the input and then determine if the requested naming is in line with the mission and vision of the parish and is an appropriate memorial. For a room or other place on the parish campus to be named after a person or family at least nine Vestry members must vote to approve the request.  
*(Adopted January 28, 2018)*

#### *9.10 Discretionary Fund.*

The Discretionary Fund shall be a parish-owned fund or bank account, with disbursements made at the discretion of the Rector. The Discretionary Fund shall be audited annually with other Parish accounts, provided that the audit be conducted in such a way as to maintain confidentiality with respect to those who have benefited from disbursements. At his or her discretion the Rector may administer the Discretionary Fund with the assistance of a lay Almoner.

#### *9.11 Statement of Policy*

This Parish has a Conflict of Interest policy, present as an appendix to these bylaws. It is the policy of this Parish that Vestry, clergy, staff, and chairs of commissions of St. John's Episcopal Church shall be aware of and adhere to this policy.

## **10.0 Amendments**

### *10.1 Updating of Canonical Information*

At the publication of a revised set of Canons of the National Church or of Canons of the Diocese, it shall be the duty of the Clerk (Secretary), with any assistance the Clerk may request, to compare the quotations from the canons within these bylaws against the most recently approved National Church or Diocesan Canons. If a discrepancy is found to exist, the Clerk (Secretary) shall note the discrepancy and submit the amendment of the quotation to the Vestry, who may approve such amendment or may suggest a further revision of the bylaws if they believe the amendment warrants such.

## 10.0 Amendments

### *10.2 Amendment of Bylaws – 10.2 Amendment of Bylaws*

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#### *10.2 Amendment of Bylaws*

These Bylaws, and the Articles of Incorporation, may be amended at any Annual or Special Meeting of the Parish at which a quorum is found to exist, upon the majority vote of those Communicants present and voting. Proposed amendments shall be given to the Parish for review at the same time as the Notice of the meeting, as determined by Canon or Bylaw. An amendment shall take effect at the adjournment of the Meeting at which the amendment is approved.

## APPENDIX A: Conflict of Interest Policy

This Conflict of Interest Policy governs the activities of the vestry, clergy, staff, and chairs of commissions (hereafter referred to as the “Leaders”) of St. John’s Episcopal Church in Grand Haven, MI (hereafter referred to as the “Parish”). Questions about the policy should be directed to the Rector or Wardens of the Parish. It is the duty of all Leaders to be aware of this policy, and to identify conflicts of interest and situations that may result in the appearance of a conflict and to disclose those situations, conflicts, or potential conflicts to the Vestry of the Parish, as described below.

This policy provides guidelines for identifying conflicts, disclosing conflicts, and procedures to be followed to assist the Parish in managing conflicts of interest and situations that may result in the appearance of a conflict.

**1. What is a conflict of interest?** A conflict of interest arises when a Leader has a personal interest that conflicts with the interests of the Parish. It also arises in situations where a Leader has divided loyalties (also known as a “duality of interest”). The former can result in situations that result in inappropriate financial gain to persons in authority at the Parish which can lead to financial penalties and violations of IRS regulations. Similarly, situations or transactions arising out of a conflict of interest can result in either inappropriate financial gain or the appearance of a lack of integrity in the Parish's decision-making process. Both results are damaging to the Parish and are to be avoided.

- *Example #1:* A person in a position of authority over the Parish may benefit financially from a transaction between the Parish and the Leader, or others closely associated with the Leader may be affected financially. Family members, or their businesses, or other persons or the businesses of

persons with whom the Leader is closely associated, could benefit from similar transactions.

- *Example #2:* A conflict of interest could be a direct or indirect financial interest such as those described above, or a personal interest such as the situation where a Leader of the Parish is also a Leader of another nonprofit or for-profit entity in the community with which the Parish collaborates or conducts business.

**2. Who might be affected by this policy?** Typically persons who are affected by a conflict of interest policy are an organization's board members, officers, and senior staff. In our Parish, those would include the Leaders as identified above. In some cases a major donor could also be in a conflict situation. The Parish takes a broad view of conflicts and Leaders are urged to think of how a situation/transaction would appear to outside parties when identifying conflicts or possible conflicts of interest.

**3. Disclosure of Conflicts.** All those in positions of leadership or decision making at any level of the Parish shall disclose conflicts as they arise. They shall also disclose possible conflicts in those situations that are evolving that may result in a conflict of interest and in situations that might result in the appearance of a conflict of interest. Advance disclosure must occur so that a determination may be made as to the appropriate plan of action to manage the conflict. Disclosures are to be made in writing to Vestry of the Parish.

**4. Procedures to manage conflicts.** For each interest disclosed, the Vestry will determine whether the Parish should:

- a. Proceed as planned, ensuring that those involved in the possible conflict have recused themselves from decisions related to the possible conflict, or,
- b. Cancel the proposed action and thus avoid the conflict, or,
- c. Disclose the situation more broadly and invite discussion/resolution by the Diocese or others the Vestry may choose, as appropriate, as to what action to take.

In most cases the broadest disclosure possible is advisable so that decision-makers can make informed decisions that are in the best interests of the organization.

- When the conflict involves a decision-maker, the person with the conflict (“interested party”):
  - (i) must fully disclose the conflict to all other decision-makers;
  - (ii) may not be involved in the decision of what action to take (e.g., may not participate in a vote) but may serve as a resource to provide other decision-makers with needed information.
- The person with the conflict may be asked to recuse him/herself from sensitive discussions so as not to unduly influence the discussion of the conflict.
- Decisions involving a conflict will be made only by disinterested persons.
- The fact that a conflict was managed and the outcome decided will be documented in the minutes of Vestry meetings.
- The Rector and Wardens will monitor proposed or ongoing transactions of the organization (e.g., contracts with vendors and collaborations with third parties) for conflicts of interest and disclose them to the Vestry, as appropriate, whether discovered before or after the transaction has occurred.

## APPENDIX B: Pertinent Excerpts from the Constitution and Canons of The Episcopal Church, 2018

*The following are pertinent excerpts from the 2018 Constitution and Canons of The Episcopal Church. These excerpts are reproduced here for ease of familiarity and access. The choice of reproducing these excerpts in no way limits the authority of the Constitution and Canons of The Episcopal Church nor the responsibility of leaders in the Parish to be aware of them. The Clerk (Secretary) of the Vestry shall review these excerpts following each General Convention to ensure their accuracy. The Constitution and Canons may be found in their entirety online at: <https://extranet.generalconvention.org/staff/files/download/23914>*

### **Title I    Organization and Administration**

#### **I. CANON 6: Of the Mode of Securing an Accurate View of the State of This Church**

Annual parish reports to Bishop.

**Sec. 1.** A report of every Parish and other Congregation of this Church shall be prepared annually for the year ending December 31 preceding, in the form authorized by the Executive Council and approved by the Committee on the State of the Church, and shall be filed not later than March 1 with the Bishop of the Diocese, or, where there is no Bishop, with the ecclesiastical authority of the Diocese. The Bishop or the ecclesiastical authority, as the case may be, shall keep a copy and submit the report to the Executive Council not later than May 1. In every Parish and other Congregation the preparation and filing of this report shall be the joint duty of the Rector or Member of the Clergy in charge thereof and the lay leadership; and before the filing thereof the report shall be approved by the Vestry or bishop's committee or mission council. This report shall include the following information:

- (1) the number of baptisms, confirmations, marriages, and burials during the year; the total number of baptized members, the total number of communicants in good standing,

and the total number of communicants in good standing under 16 years of age.

(2) a summary of all the receipts and expenditures, from whatever source derived and for whatever purpose used.

(3) such other relevant information as is needed to secure an accurate view of the state of this Church, as required by the approved form.

Non-parochial reports.

**Sec. 2.** Every Bishop, Presbyter, or Deacon whose report is not included in a parochial report shall also report on the exercise of such office, and if there has been none, the causes or reasons which have prevented the same.

**Sec. 3.** These reports, or such parts of them as the Bishop may deem proper, shall be entered in the Journal of the convention.

[See full Canons for section on Annual Diocesan Reports, Journals of the Convention, and the Report of the House of Deputies.]

**I. CANON 7: Of Business Methods in Church Affairs**

Standards observed.

**Sec. 1.** In every Province, Diocese, Parish, Mission and Institution connected with this Church, the following standard business methods shall be observed:

Provinces to be audited.

(a) All accounts of Provinces shall be audited annually by an independent certified public accountant, or independent licensed accountant, or such audit committee as shall be authorized by the Provincial Council. The Audit Report shall be filed with the Provincial Council not later than September 1 of each year, covering the preceding calendar year.

Deposit of funds.

(b) Funds held in trust, endowment and other permanent funds, and securities represented by physical evidence of ownership or indebtedness, shall be deposited with a National or State Bank, or a Diocesan Corporation, or with some other agency

- approved in writing by the Finance Committee or the Department of Finance of the Diocese, under a deed of trust, agency or other depository agreement providing for at least two signatures on any order of withdrawal of such funds or securities. But this paragraph shall not apply to funds and securities refused by the depositories named as being too small for acceptance. Such small funds and securities shall be under the care of the persons or corporations properly responsible for them. This paragraph shall not be deemed to prohibit investments in securities issued in book entry form or other manner that dispenses with the delivery of a certificate evidencing the ownership of the securities or the indebtedness of the issuer.
- Proviso.
- Record of trust funds. (c) Records shall be made and kept of all trust and permanent funds showing at least the following:
- (1) Source and date.
  - (2) Terms governing the use of principal and income.
  - (3) To whom and how often reports of condition are to be made.
  - (4) How the funds are invested.
- Treasurers to be bonded. (d) Treasurers and custodians, other than banking institutions, shall be adequately bonded; except treasurers of funds that do not exceed five hundred dollars at any one time during the fiscal year.
- Books of account. (e) Books of account shall be so kept as to provide the basis for satisfactory accounting.
- Annual audit. (f) All accounts of the Diocese shall be audited annually by an independent Certified Public Accountant. All accounts of Parishes, Missions or other institutions shall be audited annually by an independent Certified Public Accountant, or independent Licensed Public Accountant, or such audit committee as shall be authorized by the Finance Committee, Department of Finance, or other appropriate diocesan authority.

- (g) All reports of such audits, including any memorandum issued by the auditors or audit committee regarding internal controls or other accounting matters, together with a summary of action taken or proposed to be taken to correct deficiencies or implement recommendations contained in any such memorandum, shall be filed with the Bishop or Ecclesiastical Authority not later than 30 days following the date of such report, and in no event, not later than September 1 of each year, covering the financial reports of the previous calendar year.
- Insurance. (h) All buildings and their contents shall be kept adequately insured.
- Report to General Convention. (i) The Finance Committee or Department of Finance of the Diocese may require copies of any or all accounts described in this Section to be filed with it and shall report annually to the Convention of the Diocese upon its administration of this Canon.
- Fiscal year. (j) The fiscal year shall begin January 1.
- Dioceses to enforce by Canon. **Sec. 2.** The several Dioceses shall give effect to the foregoing standard business methods by the enactment of Canons appropriate thereto, which Canons shall invariably provide for a Finance Committee, a Department of Finance of the Diocese, or other appropriate diocesan body with such authority.
- Encumbrance of property requires consent. **Sec. 3.** No Vestry, Trustee, or other Body, authorized by Civil or Canon law to hold, manage, or administer real property for any Parish, Mission, Congregation, or Institution, shall encumber or alienate the same or any part thereof without the written consent of the Bishop and Standing Committee of the Diocese of which the Parish, Mission, Congregation, or Institution is a part, except under such regulations as may be prescribed by Canon of the Diocese..
- Property held in trust. **Sec. 4.** All real and personal property held by or for the benefit of any Parish, Mission or Congregation is held in trust for this Church and the Diocese thereof

in which such Parish, Mission or Congregation is located. The existence of this trust, however, shall in no way limit the power and authority of the Parish, Mission or Congregation otherwise existing over such property so long as the particular Parish, Mission or Congregation remains a part of, and subject to, this Church and its Constitution and Canons.

**Sec. 5.** The several Dioceses may, at their election, further confirm the trust declared under the foregoing Section 4 by appropriate action, but no such action shall be necessary for the existence and validity of the trust.

**I. Canon 13: Of Parishes and Congregations**

Jurisdiction of Congregation and Clergy.

**Sec. 1.** Every Congregation of this Church shall belong to the Church in the Diocese in which its place of worship is situated; a Member of the Clergy serving a Cure having Congregations in more than one jurisdiction shall have such rights, including vote, in the Convention of the jurisdiction in which the Member of the Clergy has canonical residence as may be provided in the Canons of that diocese and may be granted seat and voice in the jurisdiction(s) in which the Member of the Clergy does not have canonical residence.

Canonical residence.

**Sec. 2**

Parish boundaries.

(e) The ascertainment and defining of the boundaries of existing Parishes or Parochial Cures, as well as the establishment of a new Parish or Congregation, and the formation of a new Parish within the limits of any other Parish, is left to the action of the several Diocesan Conventions.

Formation of new Parish within limits of existing Parish.

(f) Until a Canon or other regulation of a Diocesan Convention shall have been adopted, the formation of new Parishes, or the establishment of new Parishes or Congregations within the limits of existing Parishes, shall be vested in the Bishop of the Diocese, acting by and with the advice and consent of the Standing Committee thereof, and, in

case of there being no Bishop, of the Ecclesiastical Authority.

**Sec. 3**

Boundaries of Parish when not defined by law.

- (a) Where Parish boundaries are not defined by law, or settled by action of the Convention of the Diocese under Section 2 of this Canon, or are not otherwise settled, they shall be defined by the civil divisions of the State as follows:
- (b) Parochial boundaries shall be the limits as fixed by law, of a village, town, township, incorporated borough, city, or of some division of any such civil district, which may be recognized by the Bishop, acting with the advice and consent of the Standing Committee, as constituting the boundaries of a Parish.

Parochial Cure

- (c) If there be but one Church or Congregation within the limits of such village, town, township, borough, city, or such division of a civil district, as herein provided, the same shall be deemed the Parochial Cure of the Member of the Clergy having charge thereof. If there be two or more Churches or Congregations therein, it shall be deemed the Cure of the Members of the Clergy thereof.

Not to affect legal rights.

- (d) This Canon shall not affect the legal rights of property of any Parish or Congregation.

**I. CANON 14: Of Parish Vestries**

Regulations left to State or Diocesan law.

**Sec. 1.** In every Parish of this Church the number, mode of selection, and term of office of Wardens and Members of the Vestry, with the qualifications of voters, shall be such as the State or Diocesan law may permit or require, and the Wardens and Members of the Vestry selected under such law shall hold office until their successors are selected and have qualified.

As agents and legal representatives.

**Sec. 2.** Except as provided by the law of the State or of the Diocese, the Vestry shall be agents and legal

representatives of the Parish in all matters concerning its corporate property and the relations of the Parish to its Clergy.

Rector to pre-  
side.      **Sec. 3.** Unless it conflicts with the law as aforesaid, the Rector, or such other member of the Vestry designated by the Rector, shall preside in all the meetings of the Vestry.

**I. Canon 17: Of Regulations Respecting the Laity**

**Sec. 1**

Baptized  
members.      (a) All persons who have received the Sacrament of Holy Baptism with water in the Name of the Father, and of the Son, and of the Holy Spirit, whether in this Church or in another Christian Church, and whose Baptisms have been duly recorded in this Church, are members thereof.

Adult mem-  
bers.      (b) Members sixteen years of age and over are to be considered adult members.

Members  
confirmed or  
received.      (c) It is expected that all adult members of this Church, after appropriate instruction, will have made a mature public affirmation of their faith and commitment to the responsibilities of their Baptism and will have been confirmed or received by the laying on of hands by a Bishop of this Church or by a Bishop of a Church in full communion with this Church. Those who have previously made a mature public commitment in another Church may be received by the laying on of hands by a Bishop of this Church, rather than confirmed.

Adult bap-  
tism.      (d) Any person who is baptized in this Church as an adult and receives the laying on of hands by the Bishop at Baptism is to be considered, for the purpose of this and all other Canons, as both baptized and confirmed; also,

Any person who is baptized in this Church as an adult and at some time after the Baptism receives the laying on of hands by the Bishop in Reaffirmation of Baptismal Vows is to be considered, for the

purpose of this and all other Canons, as both baptized and confirmed; also,

Any baptized person who received the laying on of hands at Confirmation (by any Bishop in historic succession) and is received into the Episcopal Church by a Bishop of this Church is to be considered, for the purpose of this and all other Canons, as both baptized and confirmed; and also,

Any baptized person who received the laying on of hands by a Bishop of this Church at Confirmation or Reception is to be considered, for the purpose of this and all other Canons, as both baptized and confirmed.

**Sec. 2**

Communi-  
cants.

- (a) All members of this Church who have received Holy Communion in this Church at least three times during the preceding year are to be considered communicants of this Church.
- (b) For the purposes of statistical consistency throughout the Church, communicants sixteen years of age and over are to be considered adult communicants.

Adult com-  
municants.

**Sec. 3.** All communicants of this Church who for the previous year have been faithful in corporate worship, unless for good cause prevented, and have been faithful in working, praying, and giving for the spread of the Kingdom of God, are to be considered communicants in good standing.

**Sec. 4**

Communi-  
cants in good  
standing.

- (a) A member of this Church removing from the congregation in which that person's membership is recorded shall procure a certificate of membership indicating that that person is recorded as a member (or adult member) of this Church and whether or not such a member:
  - (1) is a communicant;
  - (2) is recorded as being in good standing;
  - (3) has been confirmed or received by a Bishop of

this Church or a Bishop in communion with this Church.

Removing to another congregation.

Upon acknowledgment that a member who has received such a certificate has been enrolled in another congregation of this or another Church, the Member of the Clergy in charge or Warden issuing the certificate shall remove the name of the person from the parish register.

- (b) The Member of the Clergy in charge or Warden of the congregation to which such certificate is surrendered shall record in the parish register the information contained on the presented certificate of membership, and then notify the Member of the Clergy in charge or Warden of the congregation which issued the certificate that the person has been duly recorded as a member of the new congregation. Whereupon the person's removal shall be noted in the parish register of the congregation which issued the certificate.
- (c) If a member of this Church, not having such a certificate, desires to become a member of a congregation in the place to which he or she has removed, that person shall be directed by the Member of the Clergy in charge of the said congregation to procure a certificate from the former congregation, although on failure to produce such a certificate through no fault of the person applying, appropriate entry may be made in the parish register upon the evidence of membership status sufficient in the judgment of the Member of the Clergy in charge or Warden.
- (d) Any communicant of any Church in communion with this Church shall be entitled to the benefit of this section so far as the same can be made applicable.

Rights of Laity.

**Sec. 5.** No one shall be denied rights, status or access to an equal place in the life, worship, and governance

of this Church because of race, color, ethnic origin, national origin, marital status, sex, sexual orientation, gender identity and expression, disabilities or age, except as otherwise specified by Canons.

## Title II Worship

### II. CANON 5: Of the Music of the Church

Clergy responsible for music.

It shall be the duty of every Member of the Clergy to see that music is used as an offering for the glory of God and as a help to the people in their worship in accordance with the Book of Common Prayer and as authorized by the rubrics or by the General Convention of this Church. To this end the Member of the Clergy shall have final authority in the administration of matters pertaining to music. In fulfilling this responsibility the Member of the Clergy shall seek assistance from persons skilled in music. Together they shall see that music is appropriate to the context in which it is used.

### II. CANON 6: Of Dedicated and Consecrated Churches

Evidence of affiliation.

**Sec. 1.** No Church or Chapel shall be consecrated until the Bishop shall have been sufficiently satisfied that the building and the ground on which it is erected are secured for ownership and use by a Parish, Mission, Congregation, or Institution affiliated with this Church and subject to its Constitution and Canons.

Consent required to encumber or alienate consecrated property.

**Sec. 2.** It shall not be lawful for any Vestry, Trustees, or other body authorized by laws of any State or Territory to hold property for any Diocese, Parish or Congregation, to encumber or alienate any dedicated and consecrated Church or Chapel, or any Church or Chapel which has been used solely for Divine Service, belonging to the Parish or Congregation which they represent, without the previous consent of the

	Bishop, acting with the advice and consent of the Standing Committee of the Diocese.
Consent to de-consecrate Churches.	<b>Sec. 3.</b> No dedicated and consecrated Church or Chapel shall be removed, taken down, or otherwise disposed of for any worldly or common use, without the previous consent of the Standing Committee of the Diocese.
All Churches to be held in trust.	<b>Sec. 4.</b> Any dedicated and consecrated Church or Chapel shall be subject to the trust declared with respect to real and personal property held by any Parish, Mission, or Congregation as set forth in Canon I.7.4.

### Title III Ministry

#### III. CANON 1: Of the Ministry of All Baptized Persons

Responsibility of Diocese.	<b>Sec. 1.</b> Each Diocese shall make provision for the affirmation and development of the ministry of all baptized persons, including: <ul style="list-style-type: none"><li>(a) Assistance in understanding that all baptized persons are called to minister in Christ's name, to identify their gifts with the help of the Church and to serve Christ's mission at all times and in all places.</li><li>(b) Assistance in understanding that all baptized persons are called to sustain their ministries through commitment to life-long Christian formation.</li></ul>
Access to discernment process.	<b>Sec. 2.</b> No person shall be denied access to the discernment process for any ministry, lay or ordained, in this Church because of race, color, ethnic origin, national origin, sex, marital status, sexual orientation, gender identity and expression, disabilities or age, except as otherwise provided by these Canons. No right to licensing, ordination, or election is hereby established.
Equal applicability.	<b>Sec. 3.</b> The provisions of these Canons for the admission of Candidates for the Ordination to the three Orders: Bishops, Priests and Deacons shall be equally applicable to men and women.

### III. CANON 4: Of Licensed Ministries

#### Sec. 1

Selection  
and li-  
cense.

- (a) A confirmed communicant in good standing or, in extraordinary circumstances, subject to guidelines established by the Bishop, a communicant in good standing, may be licensed by the Ecclesiastical Authority to serve as Pastoral Leader, Worship Leader, Preacher, Eucharistic Minister, Eucharistic Visitor, Evangelist, or Catechist. Requirements and guidelines for the selection, training, continuing education, and deployment of such persons, and the duration of licenses shall be established by the Bishop in consultation with the Commission on Ministry.
- (b) [See full canons for the section on: Member of the Armed Forces]

#### Sec. 2

Terms.

- (a) The Member of the Clergy or other leader exercising oversight of the congregation or other community of faith may request the Ecclesiastical Authority with jurisdiction to license persons within that congregation or other community of faith to exercise such ministries. The license shall be issued for a period of time to be determined under Canon III.4.1(a) and may be renewed. The license may be revoked by the Ecclesiastical Authority upon request of or upon notice to the Member of the Clergy or other leader exercising oversight of the congregation or other community of faith.

Renewal.

- (b) In renewing the license, the Ecclesiastical Authority shall consider the performance of the ministry by the person licensed, continuing education in the licensed area, and the endorsement of the Member of the Clergy or other leader exercising oversight of the congregation or other community of faith in which the person is serving.

- (c) A person licensed in any Diocese under the provisions of this Canon may serve in another congregation or other community of faith in the same or another Diocese only at the invitation of the Member of the Clergy or other leader exercising oversight, and with the consent of the Ecclesiastical Authority in whose jurisdiction the service will occur.

Pastoral  
Leader.

**Sec. 3.** A Pastoral Leader is a lay person authorized to exercise pastoral or administrative responsibility in a congregation under special circumstances, as defined by the Bishop.

Worship  
Leader.

**Sec. 4.** A Worship Leader is a lay person who regularly leads public worship under the direction of the Member of the Clergy or other leader exercising oversight of the congregation or other community of faith.

Preacher.

**Sec. 5.** A Preacher is a lay person authorized to preach. Persons so authorized shall only preach in congregations under the direction of the Member of the Clergy or other leader exercising oversight of the congregation or other community of faith.

Eucharistic  
Minister.

**Sec. 6.** A Eucharistic Minister is a lay person authorized to administer the Consecrated Elements at a Celebration of Holy Eucharist. A Eucharistic Minister should normally act under the direction of a Deacon, if any, or otherwise, the Member of the Clergy or other leader exercising oversight of the congregation or other community of faith.

Eucharistic  
Visitor.

**Sec. 7.** A Eucharistic Visitor is a lay person authorized to take the Consecrated Elements in a timely manner following a Celebration of Holy Eucharist to members of the congregation who, by reason of illness or infirmity, were unable to be present at the Celebration. A Eucharistic Visitor should normally act under the direction of a Deacon, if any, or otherwise, the Member of the Clergy or other leader exercising oversight of the congregation or other community of faith.

Catechist.

Evangelist. **Sec. 8.** A Catechist is a lay person authorized to prepare persons for Baptism, Confirmation, Reception, and the Reaffirmation of Baptismal Vows, and shall function under the direction of the Member of the Clergy or other leader exercising oversight of the congregation or other community of faith.

Continuing education. **Sec. 9.** An Evangelist is a lay person who presents the good news of Jesus Christ in such a way that people are led to receive Christ as Savior and follow Christ as Lord in the fellowship of the Church. An Evangelist assists with the community's ministry of evangelism in partnership with the Presbyter or other leader exercising oversight of the congregation, or as directed by the Bishop.

**III. CANON 9: Of the Life and Work of Priests**

Mentors. **Sec. 1.** The Bishop and Commission shall require and provide for the continuing education of Priests and keep a record of such education.

**Sec. 2.** Mentoring for Newly Ordained Priests  
Each newly ordained Priest, whether employed or not, shall be assigned a mentor Priest by the Bishop in consultation with the Commission on Ministry. The mentor and new Priest shall meet regularly for at least a year to provide guidance, information, and a sustained dialogue about priestly ministry.

**Sec. 3.** The Appointment of Priests  
(a) All half time or greater permanent stipendiary positions that are recognized by the Church Pension Fund must be publicly posted, including but not limited to the posting of said positions through the Office of Transition Ministries (OTM) portal for a minimum of two weeks, except as otherwise specified by Canons

Parishes without a Rector. (b) Rectors.  
(1) When a Parish is without a Rector, the Wardens or other officers shall promptly notify the Ecclesiastical Authority in writing. If the Parish shall

Election of a Rector.

for thirty days fail to provide services of public worship, the Ecclesiastical Authority shall make provision for such worship.

Written notice to Ecclesiastical Authority.

(2) No Parish may elect a Rector until the names of the proposed nominees have been forwarded to the Ecclesiastical Authority and a time, not exceeding sixty days, given to the Ecclesiastical Authority to communicate with the Vestry, nor until any such communication has been considered by the Vestry at a meeting duly called and held for that purpose.

(3) Written notice of the election of a Rector, signed by the Wardens, shall be forwarded to the Ecclesiastical Authority. If the Ecclesiastical Authority is satisfied that the person so elected is a duly qualified Priest and that such Priest has accepted the office to which elected, the notice shall be sent to the Secretary of the Convention, who shall record it. Race, color, ethnic origin, sex, national origin, marital status, sexual orientation, disabilities or age, except as otherwise specified by these Canons, shall not be a factor in the determination of the Ecclesiastical Authority as to whether such person is a duly qualified Priest. The recorded notice shall be sufficient evidence of the relationship between the Priest and the Parish.

Agreement.

(4) Rectors may have a letter of agreement with the Parish setting forth mutual responsibilities, subject to the Bishop's approval.

Priests-in-Charge.

(c) Priests-in-Charge.

After consultation with the Vestry, the Bishop may appoint a Priest to serve as Priest-in-Charge of any congregation in which there is no Rector. In such congregations, the Priest-in-Charge shall exercise the duties of Rector outlined in Canon III.9.6 subject to the authority of the Bishop.

Rector to select assistants.

(d) Assistants.

In case of  
new Rec-  
tor.

A Priest serving as an assistant in a Parish, by whatever title designated, shall be selected by the Rector, and when required by the Canons of the Diocese, subject to the approval of the Vestry, and shall serve under the authority and direction of the Rector. Before the selection of an assistant the name of the Priest proposed for selection shall be made known to the Bishop and a time, not exceeding sixty days, given for the Bishop to communicate with the Rector and Vestry on the proposed selection. Upon resignation by the Rector, death of the Rector, or in the event of the dissolution of a pastoral relationship between the Rector and the Vestry, an assistant may continue in the service of the Parish if requested to do so by the Vestry under such conditions as the Bishop and Vestry shall determine. An assistant may continue to serve at the request of a new Rector. Assistants may have a letter of agreement with the Rector and the Vestry setting forth mutual responsibilities and containing a clearly articulated dissolution clause, subject to the Bishop's approval.

Testimo-  
nial for  
transfer.

[See full canons for section on Chaplains and Employment of Priests in Other Settings]

**Sec. 4. Letters Dimissory**

(a) A Priest desiring to become canonically resident within a Diocese shall present to the Ecclesiastical Authority a testimonial from the Ecclesiastical Authority of the Diocese of current canonical residence, which testimonial shall be given by the Ecclesiastical Authority to the applicant, and a duplicate thereof may be sent to the Ecclesiastical Authority of the Diocese to which transfer is proposed. The testimonial shall be accompanied by a statement of the record of payments to The Church Pension Fund by or on behalf of the Priest concerned and may include a portfolio of training, continuing education and exercise

of ministries. The testimonial shall be in the following form:

**I hereby certify that A.B., who has signified to me the desire to be transferred to the Ecclesiastical Authority of \_\_\_\_\_, is a Priest of \_\_\_\_\_ in good standing, and has not, so far as I know or believe, been justly liable to evil report, for error in religion or for viciousness of life, for the last three years.**

Acceptance  
of Letters  
Dimissory.

(Date) \_\_\_\_\_

(Signed) \_\_\_\_\_

Voided letters and nonacceptance.

- (b) Such a testimonial shall be called Letters Dimissory. If the Ecclesiastical Authority accepts the Letters Dimissory, the canonical residence of the Priest transferred shall date from such acceptance, and prompt notice of acceptance shall be given to the applicant and to the Ecclesiastical Authority issuing the Letters Dimissory.
- (c) Letters Dimissory not presented within six months of their date of receipt by the applicant shall become void.
- (d) If a Priest has been called to a Cure in a congregation in another Diocese, the Priest shall present Letters Dimissory. The Ecclesiastical Authority of the Diocese shall accept Letters Dimissory within three months of their receipt unless the Bishop or Standing Committee has received credible information concerning the character or behavior of the Priest concerned which would form grounds for canonical inquiry and proceedings under Title IV. In such a case, the Ecclesiastical Authority shall notify the Ecclesiastical Authority of the Diocese in which the Priest is canonically resident and need not accept the Letters Dimissory unless and until the Priest shall be exculpated. The Ecclesiastical Authority shall not refuse to accept Letters Dimissory based on the

Certificate of transfer. applicant's race, color, ethnic origin, sex, national origin, marital status, sexual orientation, disabilities, or age.

- (e) A Priest shall not be in charge of any congregation in the Diocese to which the person moves until obtaining from the Ecclesiastical Authority of that Diocese a certificate in the following form:

In case of previous refusal.

**I hereby certify that A.B. has been canonically transferred to my jurisdiction and is a Priest in good standing.**

(Date) \_\_\_\_\_

(Signed) \_\_\_\_\_

Transfer of canonical residency.

- (f) No person who has been refused ordination or reception as a Candidate in any Diocese, and is thereafter ordained in another Diocese, shall be transferred to the Diocese in which such refusal has occurred without the consent of its Ecclesiastical Authority.

**Sec. 5. Transfer to Churches in Full Communion with This Church**

- (a) A Priest desiring to become canonically resident within a Diocese or equivalent jurisdiction of a Church in full communion with The Episcopal Church (as identified in Canon I.20) shall request a testimonial from the Ecclesiastical Authority of the Diocese of current canonical residence, which testimonial shall be given by the Ecclesiastical Authority to the applicant, and a duplicate thereof may be sent to the Ecclesiastical Authority of the Diocese or equivalent jurisdiction to which transfer is proposed. The testimonial may include a portfolio of training, continuing education, and exercise of ministries. The testimonial shall be in the following form or in the form specified by the receiving Diocese or equivalent jurisdiction:

**I hereby certify that A.B., who has signified to me the desire to be transferred to the Ecclesiastical**

Authority of \_\_\_\_\_, is a Priest of the Diocese of \_\_\_\_\_ of The Episcopal Church in good standing, and has not, so far as I know or believe, been justly liable to evil report, for error in religion or for viciousness of life, for the last three years.

(Date) \_\_\_\_\_

(Signed) \_\_\_\_\_

- (b) If the Ecclesiastical Authority of the Diocese or equivalent jurisdiction of the Church in full communion with The Episcopal Church accepts the testimonial, the canonical residence of the Priest transferred shall date from such acceptance, and notice of acceptance shall be promptly forwarded by the Priest to the Ecclesiastical Authority in the sending Diocese. Such notification from the receiving Ecclesiastical Authority may be in the following form:

Limitations

**I hereby certify that A.B. has been canonically transferred to my jurisdiction and is a Priest in good standing.**

(Date) \_\_\_\_\_

(Signed) \_\_\_\_\_

- (c) Upon receipt of said acceptance, the Ecclesiastical Authority of the sending Diocese shall notify the Church Pension Fund and the Recorder of Ordinations of the priest's departure from The Episcopal Church.
- (d) This provision shall not be used for Priests who seek to enter churches not in full communion with The Episcopal Church or for those who seek transfer to another Province of the Anglican Communion while remaining geographically within the boundaries of The Episcopal Church. In such cases the provisions of Canon III.8.6 shall be followed.

Authority and responsibility.

**Sec. 6. Rectors and Priests-in-Charge and Their Duties**

- |                                    |  |
|------------------------------------|--|
| Control of buildings.              | (a) (1) The Rector or Priest-in-Charge shall have full authority and responsibility for the conduct of the worship and the spiritual jurisdiction of the Parish, subject to the Rubrics of the Book of Common Prayer, the Constitution and Canons of this Church, and the pastoral direction of the Bishop.  |
| Instruction in faith and ministry. | (2) For the purposes of the office and for the full and free discharge of all functions and duties pertaining thereto, the Rector or Priest-in-Charge shall at all times be entitled to the use and control of the Church and Parish buildings together with all appurtenances and furniture, and to access to all records and registers maintained by or on behalf of the congregation.   |
| Christian stewardship.             | (b) (1) It shall be the duty of the Rector or Priest-in-Charge to ensure all persons in their charge receive Instruction in the Holy Scriptures; in the subjects contained in An Outline of the Faith, commonly called the Catechism; in the doctrine, discipline, and worship of this Church; and in the exercise of their ministry as baptized persons.  |
| Preparing persons for Baptism.     | (2) It shall be the duty of Rectors or Priests-in-Charge to ensure that all persons in their charge are instructed concerning Christian stewardship, including: <ul style="list-style-type: none"><li>i. reverence for the creation and the right use of God's gifts;</li><li>ii. generous and consistent offering of time, talent, and treasure for the mission and ministry of the Church at home and abroad;</li><li>iii. the biblical standard of the tithe for financial stewardship; and</li></ul> |

- iv. the responsibility of all persons to make a will as prescribed in the Book of Common Prayer.
- (3) It shall be the duty of Rectors or Priests-in-Charge to ensure that persons be prepared for Baptism. Before baptizing infants or children, Rectors or Priests-in-Charge shall ensure that sponsors be prepared by instructing both the parents and the Godparents concerning the significance of Holy Baptism, the responsibilities of parents and Godparents for the Christian training of the baptized child, and how these obligations may properly be discharged.
- (4) It shall be the duty of Rectors or Priests-in-Charge to encourage and ensure the preparation of persons for Confirmation, Reception, and the Reaffirmation of Baptismal Vows, and to be ready to present them to the Bishop with a list of their names.
- (5) On notice being received of the Bishop's intention to visit any congregation, the Rector or Priest-in-Charge shall announce the fact to the congregation. At every visitation it shall be the duty of the Rector or Priest-in-Charge and the Wardens, Vestry or other officers, to exhibit to the Bishop the Parish Register and to give information as to the state of the congregation, spiritual and temporal, in such categories as the Bishop shall have previously requested in writing.
- (6) The Alms and Contributions, not otherwise specifically designated, at the Administration of the Holy Communion on one Sunday in each calendar month, and other offerings for the poor, shall be deposited with the Rector or Priest-in-Charge or with such Church officer as the Rector or Priest-in-Charge shall appoint to be applied to such pious and charitable uses
- Confirmation, Reception, and Reaffirmation.
- Duty to announce and inform the Bishop.
- Alms and offerings.
- Duty to read Pastoral Letters

and Position Papers.

as the Rector or Priest-in-Charge shall determine. When a Parish is without a Rector or Priest-in-Charge, the Vestry shall designate a member of the Parish to fulfill this function.

- (7) Whenever the House of Bishops shall publish a Pastoral Letter, it shall be the duty of the Rector or Priest-in-Charge to read it to the congregation on some occasion of public worship on a Lord's Day, or to cause copies of the same to be distributed to the members of the congregation, not later than thirty days after receipt.
- (8) Whenever the House of Bishops shall adopt a Position Paper, and require communication of the content of the Paper to the membership of the Church, the Rector or Priest-in-Charge shall so communicate the Paper in the manner set forth in the preceding section of this Canon.

The Parish Register.  
Records to be entered in the Register.

- (c) (1) It shall be the duty of the Rector or Priest-in-Charge to record in the Parish Register all Baptisms, Confirmations (including the canonical equivalents in Canon I.17.1(d)), Marriages and Burials.
- (2) The registry of each Baptism shall be signed by the officiating Member of the Clergy.
- (3) The Rector or Priest-in-Charge shall record in the Parish Register all persons who have received Holy Baptism, all communicants, all persons who have received Confirmation (including the canonical equivalents in Canon I.17.1(d), all persons who have died, and all persons who have been received or removed by letter of transfer. The Rector or Priest-in-Charge shall also designate in the Parish Register the names of (1) those persons whose domicile is unknown, (2) those persons whose domicile is known but are inactive, and (3) those families and persons who are

active within the congregation. The Parish Register shall remain with the congregation at all times.

**I hereby certify that A.B., who has signified to me the desire to be permitted to officiate temporarily in churches not under the jurisdiction of The Episcopal Church, yet in full communion with this Church, is a Priest of \_\_\_\_\_ in good standing, and as such is entitled to the rights and privileges of that Order.**

License to officiate in a Diocese.

**(Date)** \_\_\_\_\_

**(Signed)** \_\_\_\_\_

**Sec. 7. Licenses**

Consent of Rector.

Exceptions.

(a) No Priest shall preach, minister the Sacraments, or hold any public service, within the limits of any Diocese other than the Diocese in which the Priest is canonically resident for more than two months without a license from the Ecclesiastical Authority of the Diocese in which the Priest desires to so officiate. No Priest shall be denied such a license on account of the Priest's race, color, ethnic origin, sex, national origin, marital status, sexual orientation, disabilities, or age, except as otherwise provided in these Canons. Upon expiration or withdrawal of a license, a priest shall cease immediately to officiate.

(b) No Priest shall preach, read prayers in public worship, or perform any similar function, in a congregation without the consent of the Rector or Priest-in-Charge of that congregation, except as follows:

(1) In the absence or impairment of the Rector or Priest-in-Charge, and if provision has not been made for the stated services of the congregation or other community of faith, a Warden may give such consent.

(2) If there be two or more congregations or Churches in one Cure, as provided by Canon I.13.3(b), consent may be given by the majority

of the Priests-in-Charge of such congregations, or by the Bishop; *provided* that nothing in this Section shall prevent any Member of the Clergy of this Church from officiating, with the consent of the Rector or Priest-in-Charge, in the Church or place of public worship used by the congregation of the consenting Rector or Priest-in-Charge, or in private for members of the congregation; or in the absence of the Rector or Priest-in-Charge, with the consent of the Wardens or Trustees of the congregation; provided further, that the license of the Ecclesiastical Authority provided in Canon III.9.7(a), if required, be obtained.

Evidence  
required to  
officiate.

- (3) This Canon shall not apply to any Church, Chapel, or Oratory, which is part of the premises of an incorporated institution created by legislative authority; provided that such place of worship is designated and set apart for the convenience and use of such institution, and not as a place for public or parochial worship.

Proviso.

- (c) No Rector or Priest-in-Charge of any congregation of this Church, or if there be none, no Wardens, Members of the Vestry, or Trustees of any congregation, shall permit any person to officiate in the congregation without sufficient evidence that such person is duly licensed and ordained and in good standing in this Church; *provided*, nothing in these Canons shall prevent:

Bishop  
may au-  
thorize offi-  
cians.

- (1) The General Convention, by Canon or otherwise, from authorizing persons to officiate in congregations in accordance with such terms as it deems appropriate; or
- (2) The Bishop of any Diocese from giving permission
  - (i) To a Member of the Clergy of this Church, to invite Clergy of another Church to assist in the Book of Common Prayer Offices of Holy Matrimony

or of the Burial of the Dead, or to; read Morning or Evening Prayer, in the manner specified in Canon III.9.5; or

- (ii) To Clergy of any other Church to preach the Gospel, or in ecumenical settings to assist in the administration of the sacraments; or
- (iii) To godly persons who are not Clergy of this Church to address the Church on special occasions.
- (iv) To the Member of the Clergy or Priest-in-Charge of a congregation or if there be none, to the Wardens, to invite Clergy ordained in another Church in communion with this Church to officiate on an occasional basis, *provided* that such clergy are instructed to teach and act in a manner consistent with the Doctrine, Discipline, and Worship of this Church.

Neglect of services or refusal to officiate.

- (d) If any Member of the Clergy or Priest-in-Charge, as a result of impairment or any other cause, shall neglect to perform regular services in the congregation, and refuse, without good cause, to consent to any other duly qualified Member of the Clergy to perform such services, the Wardens, Vestry, or Trustees of the congregation shall, upon providing evidence to the Ecclesiastical Authority of the Diocese of such neglect or refusal and with the written consent of the Ecclesiastical Authority, have the authority to permit any duly qualified Member of the Clergy to officiate.

Petitions to reconcile.

[See full canons for section on Officiating outside the Church's jurisdiction, Resignation, Renunciation of Ordained Ministry, Request for release, cases of disciplinary proceedings, and declaration of removal.]

**Sec. 14.** Reconciliation of Disagreements Affecting the Pastoral Relation

When the pastoral relationship in a parish between a Rector and the Vestry or Congregation is imperiled by disagreement or dissension, and the issues are deemed serious by a majority vote of the Vestry or the Rector, either party may petition the Ecclesiastical Authority, in writing, to intervene and assist the parties in their efforts to resolve the disagreement. The written petition shall include sufficient information to inform the Ecclesiastical Authority and the parties involved of the nature, causes, and specifics of the disagreements or dissension imperiling the pastoral relationship. The Ecclesiastical Authority shall initiate such proceedings as are deemed appropriate under the circumstances for that purpose by the Ecclesiastical Authority, which may include the appointment of a consultant or licensed mediator. The parties to the disagreement, following the recommendations of the Ecclesiastical Authority, shall labor in good faith that the parties may be reconciled. Whenever the Standing Committee is the Ecclesiastical Authority, it shall request the Bishop of a neighboring Diocese to perform the duties of the Ecclesiastical Authority under this Canon.

Resignation or removal of a Rector.

**Sec. 13.** Dissolution of the Pastoral Relation

(a) Except upon mandatory resignation by reason of age, a Rector may not resign as Rector of a parish without the consent of its Vestry, nor may any Rector canonically or lawfully elected and in charge of a Parish be removed there from by the Vestry against the Rector's will, except as hereinafter provided.

Notice to Ecclesiastical Authority.

(b) If for any urgent reason a Rector or majority of Vestry based on a vote in a duly-called meeting, desires a dissolution of the pastoral relation, and the parties cannot agree, either party may give notice in writing to the Ecclesiastical Authority of the Diocese with a copy available to the Rector or Vestry. Such notice shall include sufficient information to inform the Ecclesiastical Authority and all parties involved of the nature, causes, and specifics requiring the dissolution of the pastoral relationship. If the parties have participated in mediation or consultation processes

- Bishop to mediate.
- under III.9.14, a separate report from the mediator or consultant will be submitted to the Ecclesiastical Authority with copies available to the Rector and Vestry. Whenever the Standing Committee is the Ecclesiastical Authority of the Diocese, it shall request the Bishop of another Diocese to perform the duties of the Bishop under this Canon.
- Procedures for settling differences.
- (c) Within sixty days of receipt of the written notice, the Bishop Diocesan or the Bishop exercising authority under this canon may initiate further mediation and reconciliation processes between Rector and Vestry in every way which the Bishop deems proper. The Bishop may appoint a committee of at least one Presbyter and one Lay Person, none of whom may be members of or related to the Parish involved, to interview the Rector and Vestry and report to the Bishop on the cooperation and responsiveness of the parties involved in the processes required by the Bishop. A copy of this report shall be available to the Vestry and Rector.
- (d) If the differences between the parties are not resolved after completion of mediation or other reconciliation efforts or actions prescribed by the Bishop, the Bishop shall proceed as follows:
- (1) The Bishop shall give written notice to the Rector and Vestry that a godly judgment will be rendered in the matter after consultation with the Standing Committee and that either party has the right within ten days to request in writing an opportunity to confer with the Standing Committee before it consults with the Bishop. The Bishop's written notification shall inform the Standing Committee and the parties involved of the nature, causes, and specifics of the unresolved disagreements or dissension imperiling the pastoral relationship.
- (2) If a timely request is made, the President of the Standing Committee shall set a date for the conference, which shall be held within thirty days.

Noncompliance with judgment..

- (3) At the conference, each party shall be entitled to attend, be represented, and present its position fully.
  - (4) Within thirty days after the conference or after the Bishop's notice if no conference is requested, the Bishop shall confer with and receive the recommendation of the Standing Committee; thereafter the Bishop, as final arbiter and judge, shall render a written godly judgment.
  - (5) Upon the request of either party, the Bishop shall explain the reasons for the judgment. If the explanation is in writing, copies shall be delivered to both parties. Either party may request the explanation be in writing.
  - (6) If the pastoral relation is to be continued, the Bishop shall require the parties to agree on definitions of responsibility and accountability for the Rector and the Vestry.
  - (7) If the relation is to be dissolved:
    - (i) The Bishop shall direct the Secretary of the Convention to record the dissolution.
    - (ii) The judgment shall include such terms and conditions including financial settlements as shall seem to the Bishop just and compassionate.
  - (8) In either event, the Bishop shall offer appropriate supportive services to the Priest and the Parish.
- (e) In the event of the failure or refusal of either party to comply with the terms of the judgment, the Bishop may impose such penalties as may be set forth in the Constitution and Canons of the Diocese; and in default of any provisions for such penalties therein, the Bishop may act as follows:

- Nondiscoverable and inadmissible statements.
- Diocesan Canons apply
- (1) In the case of a Rector, suspend the Rector from the exercise of the priestly office until the Priest shall comply with the judgment.
  - (2) In the case of a Vestry, invoke any available sanctions including recommending to the Convention of the Diocese that the Parish be placed under the supervision of the Bishop as a Mission until it has complied with the judgment.
- (f) For cause, the Bishop may extend the time periods specified in this Canon, *provided* that all be done to expedite these proceedings. All parties shall be notified in writing of the length of any extension.
- (g) Statements made during the course of proceedings under this Canon are not discoverable nor admissible in any proceedings under Title IV *provided* that this does not require the exclusion of evidence in any proceeding under the Canons which is otherwise discoverable and admissible.
- (1) (h) Sections 12 or 13 of this Canon shall not apply in any Diocese whose Canons are otherwise consistent with Canon III.9.

## Title IV Ecclesiastical Discipline

Note: There is a reference to TEC Canon IV at SJE Bylaw 9.1. Because of the length of TEC Canon IV, it is not included in this appendix. It may be found online at:

<https://extranet.generalconvention.org/staff/files/download/23914>

**APPENDIX C:**  
**Pertinent Excerpts from the Constitution and Canons  
of The Diocese of Western Michigan, 2018**

*The following are pertinent excerpts from the 2018 Constitution and Canons of The Diocese of Western Michigan. These excerpts are reproduced here for ease of familiarity and access. The choice of reproducing these excerpts in no way limits the authority of the Constitution and Canons of The Diocese of Western Michigan nor the responsibility of leaders in the Parish to be aware of them. The Clerk (Secretary) of the Vestry shall review these excerpts following each Annual Convention to ensure their accuracy.*

**TITLE II  
PARISHES**

**CANON 22  
PARISH MEETINGS**

**Section 22.01. BY-LAWS**

All by-laws adopted by any congregation shall be consistent with the Constitution and Canons of the General Convention and the Constitution and Canons of this Diocese.

**Section 22.02. ANNUAL PARISH MEETING**

A Parish meeting shall be held annually in each congregation within the month of January. Such annual meeting shall:

- (a) Elect qualified adult communicants in good standing to the Vestry;
- (b) Consider and act upon recommendations of the Vestry concerning secular business of the Parish;
- (c) Receive reports of the Rector, secretary, treasurer, and other officers of the Parish and of its organizations; and,
- (d) Consider and act upon proposed amendments, if any, to the articles of incorporation or by-laws of the Parish.

**Section 22.03. NOTICE OF ANNUAL MEETING**

Notice of the date, hour and place of holding each annual meeting shall be given at a regular service on each of the two Sundays next preceding such meeting, by the Rector, or in the Rector's absence by a warden; or

notice may be given with like effect by such publishing, posting, mailing or electronic means as the Vestry may direct.

**Section 22.04. SPECIAL PARISH MEETING**

Special meetings of a congregation may be called by:

- (a) The Rector; or,
- (b) Written consent of two-thirds of the Vestry; or,
- (c) Written consents of a majority of the Vestry if the Rector approves; or,
- (d) Consent of a majority of the Vestry if there be no Rector.
- (e) Notice of a special meeting shall state the purpose or purposes thereof and may be given in the same manner as notice of an annual Parish meeting.

**Section 22.05. QUALIFICATIONS OF VOTERS**

At all Parish meetings, whether annual or special, the right to vote shall be limited to baptized persons:

- (a) not less than 16 years of age,
- (b) whose baptisms have been duly recorded in said Parish,
- (c) who for a period of not less than six months preceding have been regular worshiper in the Parish; and,
- (d) who for not less than six months preceding have been bona fide regular contributors to its support, according to the method used in the Parish. Physical disability or absence from the Parish during the preceding six months shall not disqualify an otherwise qualified voter.

Before any vote has been taken, the presiding officer shall state to the persons present the foregoing qualifications of voters. The Rector and the wardens shall be judges of the qualifications of voters. If a warden is absent, the presiding officer may appoint a member of the Vestry to act in place of the warden. The judges of an election shall not permit an unqualified person to vote. Proxy ballots shall not be accepted.

**Section 22.06. ORDER OF BUSINESS**

Unless otherwise provided by by-law or resolution, the presiding officer shall control the order of business. The presiding officer may appoint tellers and other assistants. The secretary shall preserve a list of the names of all persons who voted for Vestry members. The list shall be signed by the judges of election.

**CANON 23**  
**THE VESTRY: ITS OFFICERS, MEETINGS, AND DUTIES**

**Section 23.01. ORGANIZATION OF VESTRY**

The Vestry of a Parish shall consist of not less than six nor more than fifteen lay members. Within these limits the number may be fixed by by-law. Members of the Vestry shall be adult communicants in good standing as defined by Title I, Canon 17, Sections 2 and 3 of the General Convention, and shall be qualified voters of the congregation. Vestry members may not be a Spouse, Parent, Sibling, or Child of or reside in the same household as the Rector or any other Vestry member.

The by-laws of a Parish shall provide for multi-year Vestry terms, arranged so that an equal number of members are elected each year. An election of Vestry members shall be preceded by nomination. No voter shall vote for more candidates than the total number of Vestry members to be elected. A majority of all votes cast shall be necessary to elect. Immediately following the annual meeting (unless otherwise provided by by-law) the newly constituted Vestry shall meet and elect for a term of one year:

- (a) a senior warden,
- (b) a junior warden,
- (c) a secretary,
- (d) a treasurer, and
- (e) the authorized number of lay delegates to represent the Parish at the Convention, as determined according to Title I, Canon 3, Section 3.04, together with the same number of alternates.

The secretary and the treasurer shall be ex-officio the secretary and treasurer, respectively, of the Parish, unless otherwise provided by by-law.

**Section 23.02. QUALIFICATIONS**

The wardens shall be Vestry members. The secretary and treasurer shall be qualified voters of the congregation who may or may not be members of the Vestry. The delegates and alternates shall be qualified voters of the congregation.

**Section 23.03. VESTRY MEETINGS**

Unless otherwise provided by by-law, the Vestry shall meet as often as once in each month in ten months of the calendar year at such day, place and hour as shall be fixed by resolution or by-law. Notice of a

stated meeting, although desirable, shall not be legally necessary. The Rector, when present, shall preside at all Vestry meetings but shall have no vote except in the case of a tie. In the Rector's absence from the meeting, one of the wardens, if present, shall preside. In the case of a vacant cure, the Senior Warden, if present, shall preside, and if the Senior Warden not be present, the Junior Warden shall preside.

A special meeting of the Vestry may be called by the Rector at any time, upon notice given in any practical manner to each Vestry member. The purpose of the special meeting shall be stated as a part of the notice. In a vacancy of the Rectorate, a special meeting may be called by either warden at any time upon notice given in any practical manner to each other Vestry member.

No notice of any meeting at which the Rector and all members of the Vestry are present shall be necessary. Any or all members may waive notice in writing either before or after the meeting has been held. All waivers of notice shall be kept on file by the secretary.

A majority of the members of the Vestry, not counting the Rector, when duly assembled, shall constitute a quorum. Less than a quorum may transact business if there be no objections, but any business so transacted is subject to ratification at the next regular meeting of the Vestry.

#### **Section 23.04 DUTIES OF VESTRY**

The Vestry shall have the duty to:

- (a) Be helpful to the Rector;
- (b) Prepare, approve and present a balanced budget to the Annual Meeting of the Parish;
- (c) Employ and fix the compensation of all employees of the Parish provided that no person shall be employed or retained except by and with the approval of the Rector;
- (d) Provide maintenance for the Rector and such compensation as shall be agreed upon for employees of the Parish;
- (e) Elect and call a Rector in conformance with Title III, Canon 9, Section 3(a) of the Canons of the General Convention, and under procedures adopted by the Bishop Diocesan, in consultation with the Standing Committee;
- (f) Have charge, care and management of all property and temporal affairs of the Parish;

- (g) Supervise collection, control, and disbursement of all monies held by or for the benefit of the Parish;
- (h) Keep all buildings, structures, and tangible property of the Parish adequately insured against loss;
- (i) Assure that all treasurers and custodians of funds (other than banking institutions) obtained, contributed, held, or accumulated for the benefit of the Parish, or of any of its activities, shall be adequately bonded;
- (j) Assure that all treasurers and custodians of funds maintain records sufficient to enable proper accounting and audits;
- (k) Deposit all trust funds, permanent funds and all securities, which come under their control, using the Parish name and tax identification number, with a national bank, a state bank, the Diocesan Council pursuant to Title I, Canon 2, Section 2.05, or some other custodian approved by the Finance Committee of the Diocese, under a suitable deposit arrangement requiring not less than two signatures upon all checks and orders for withdrawals;
- (l) Manage trust funds and income therefrom strictly in accordance with the lawful express requirements of the instruments creating the trust;
- (m) Sell and convey unneeded personal property of the Parish when deemed for the best interest of the Parish to do so;
- (n) Pursuant to a vote of the congregation, at a meeting duly called, sell and convey real estate of the Parish, when deemed for the best interest of the Parish to do so, but only pursuant to written consent of the Bishop and Standing Committee first obtained. Acting within the limitations upon debt contained in Title II, Canon 27, and in compliance with the requirements of that Canon, to do any of the following acts, namely to:
  - (1) Cause necessary repairs to be made upon the Parish property;
  - (2) purchase necessary furnishings and equipment;
  - (3) mortgage real estate when deemed for the best interest of the Parish to do so, but only pursuant to written consent of the Bishop and the Standing Committee first obtained; and
  - (4) acquire appropriate real estate; and, on real estate held in fee simple by the Parish pursuant to consent of the congregation given at a Parish meeting duly called and held,

take down and remove or alter existing buildings, and erect, construct, or reconstruct, a church building, chapel, Rectory, and/or Parish house. This subsection shall not be held to apply to alterations which do not involve major structural changes to the buildings in question.

The foregoing duties of the Vestry shall always be subject to the authority of the Rector to direct the spiritual activities of the congregation subject to the Bishop or other person acting as the Ecclesiastical Authority and to Canon Law and the Rector's right to possession, use and control of the property of the Parish as provided by the canons of the General Convention of The Episcopal Church.

**Section 23.05. DUTIES OF OFFICERS OF VESTRY**

- (a) **WARDENS.** In case the congregation be without a Rector, the wardens shall preside at meetings of the congregation and of the Vestry, shall provide public worship as circumstances shall permit, and shall perform the duties required by Title I, Canon 6 and Title III, Canon 9 of the Canons of the General Convention.
- (b) **SECRETARY.** The secretary shall keep correct minutes of all meetings of the Vestry and of the congregation and shall sign the same and deliver the same to his or her successor. The records of the congregation and the Vestry at all times shall be safely and permanently kept open to inspection by the Bishop, the Rector, and all qualified voters of the congregation. The secretary shall be the custodian of the bond of the treasurer. The secretary shall assure that proper timely notice is given of all meetings of the Vestry and of the congregation.
- (c) **TREASURER.** The treasurer shall follow the Episcopal Church Manual of Business Methods in Church Affairs. The treasurer shall report to the Vestry at each stated meeting thereof, and whenever requested, all receipts and disbursements and the condition of the all Parish cash and investment balances. The treasurer shall make a like report to the annual Parish meeting. The treasurer shall give bond for the faithful performance of his or her duties. The treasurer's records shall be and open to inspection by the Bishop and shall be kept at the Parish office and promptly delivered to the treasurer's successor in office.

**CANON 24**  
**REGISTERS AND PAROCHIAL REPORTS**

**Section 24.01. DUTIES**

It shall be the duty of all Rectors, vicars, and other clergy of the Diocese to record in the appropriate register all the official acts listed in Title I, Canon 6, of the Canons of the General Convention. In the case of a vacant cure, the senior warden shall perform this duty, and if the senior warden should not be available, the junior warden shall perform this duty.

**Section 24.02. REPORTS**

A report of every congregation and of every bishop, presbyter, and deacon not officially attached to a congregation shall be prepared annually as required by and in the manner set forth by Title I, Canon 6, of the Canons of the General Convention.

**CANON 27**  
**CONGREGATIONAL INDEBTEDNESS**

**Section 27.01. LIMITATIONS ON DEBT**

No indebtedness shall be incurred by any congregation without the approval of both the Bishop and the Standing Committee, except:

- (a) Indebtedness for permanent improvements, replacement or additions to real estate or equipment, where the amount of such indebtedness, plus indebtedness of every kind already existing, shall not exceed 150% of the average annual receipts of such congregation during the three years then last preceding;
- (b) Indebtedness for current expenses where the amount of such indebtedness, plus all indebtedness heretofore incurred for current expenses and still existing, shall not exceed 20% of the total current receipts of such congregation during the preceding fiscal year; and the payment of all such indebtedness shall be provided for in the budget of the next ensuing fiscal year with reasonable expectation of its payment out of the receipts of the next two years; or,
- (c) Indebtedness incurred to finance existing loans, provided the total amount thereof be not increased.

In computing receipts under subsections (a) and (b) hereof, income from endowments, devises and bequests available for general purposes may be

included; but principal and income not available for payment of debts, and receipts earmarked for non-parochial purposes shall be excluded.

**Section 27.02. PLAN OF PAYMENT REQUIRED**

Where approval of proposed indebtedness is required, the application therefore shall be accompanied by a plan of payment, and such approval shall not be granted in any event unless such a plan is deemed feasible by the Bishop and the Standing Committee.

**Section 27.03. EXISTING INDEBTEDNESS**

This Canon shall not apply to the refinancing of existing indebtedness, provided the total existing indebtedness is not increased.

**CANON 28  
AUDITS AND INSURANCE**

**Section 28.01. AUDITS**

As soon as may be after the close of each fiscal year, the accounts of all officers handling funds, whether of the Diocese or its auxiliaries, or of congregations and their auxiliaries, shall be audited in accordance with *The Episcopal Church Manual of Business Methods in Church Affairs* and *The Episcopal Diocese of Western Michigan Policy, "Annual Audit of Congregations"*. Copies of audit reports shall be submitted to the Diocesan Treasurer for review by September 1 following the close of the fiscal year.

- (a) Congregations who fail to complete and submit the audit proscribed for them, by Diocesan Policy, by September 1, will be seated at diocesan convention without voice.
- (b) Any congregation who fails for two consecutive years to complete and submit the audit proscribed for them, by Diocesan Policy, by September 1, will be seated at diocesan convention without voice or vote.
- (c) Any congregation who fails for three consecutive years to complete and submit the audit proscribed for them, by Diocesan Policy, by September 1, shall specifically request of Convention, by motion, permission for seat, voice and or vote. Without the granting of such a motion the congregation shall not have seat, voice or vote at Convention.

**Section 28.02. INSURANCE**

- (a) All buildings and tangible personal property, owned or held in trust by the Diocese or by any congregation, shall be insured under the Diocesan Insurance program; including but not limited to hazards to be insured against, amount and sufficiency of such insurance for each congregation, and insurance carrier or carriers, shall be as prescribed by the Diocesan Council. Each congregation insured under this program shall pay to the Treasurer its fair share of the cost of the total Insurance program, which fair share shall be determined by the Diocesan Council.
- (b) Each congregation shall provide health insurance through the denominational health plan for all eligible clergy and eligible lay employees.

**CANON 29**

**MINIMUM COMPENSATION STANDARDS FOR CLERGY**

**Section 29.01. ESTABLISHMENT OF STANDARDS**

There is hereby established a minimum standard of compensation for all members of the clergy exercising a full-time, parochial, stipendiary ministry in the Diocese of Western Michigan. Compensation is defined as stipend, housing/housing allowance, and utilities.

The establishment of a minimum compensation standard is not meant to prevent a congregation from providing additional forms of compensation.

**Section 29.02. ADOPTION, SCALE**

The Diocesan Council shall adopt an annual Clergy compensation minimum for the next ensuing fiscal year. For those who have been ordained more than one year, the minimum standard shall be increased by an amount, to be determined by the Diocesan Council, for each year of ordained ministry beyond the first year to a limit of ten years.

**Section 29.03. FAILURE TO COMPENSATE**

In any case where compensation provided is below the minimum standard the position will be regarded as less than a full-time position. The Bishop, or the Bishop's representative, shall assist in negotiating a mutually agreeable solution.

**Section 29.04. OTHER BENEFITS**

Consideration for adequate reimbursement shall also be given by vestries in the areas of:

- (a) Reimbursement of automobile expenses;
- (b) Continuing education; and
- (c) Other professional expenses.

**CANON 30  
PASTORAL RELATIONSHIPS**

**Section 30.01.**

Except upon mandatory resignation by reason of age, a Rector may not resign as Rector of a Parish without the consent of its Vestry, nor may any Rector canonically or lawfully elected and in charge of a Parish be removed therefrom by the Vestry against the Rector's will, except as hereinafter provided.

**Section 30.02.**

If for any urgent reason a Rector or Vestry desires a dissolution of the pastoral relation, and the parties cannot agree, either party may give notice in writing to the Ecclesiastical Authority of the Diocese. Whenever the Standing Committee is the Ecclesiastical Authority of the Diocese, it shall request the Bishop of another Diocese to perform the duties of the Bishop under this Canon.

**Section 30.03.**

The provisions of Title III, Canon 9, Section 12 of the Canons of the General Convention apply to pastoral relations in this Diocese. The Bishop and the Standing Committee will have the option of prescribing a course of action for the health of the Parish, pursuant to Title II, Canon 31.

**CANON 31  
RESTORING CONGREGATIONAL HEALTH**

**Section 31.01. PURPOSE**

This Canon is intended to address the exceptional case of a Parish whose continued viability as a self-sustaining entity appears to be in jeopardy, such that a degree of Episcopal intervention or oversight is needed as a means of restoring the health of the congregation. It is not intended to

derogate from the traditional right and responsibility of Parishes in the Episcopal Church to govern themselves. In those cases where an inquiry is initiated, and where a plan to restore congregational health is implemented is declared, it shall be the duty and obligation of all parties to strive to accomplish the speedy end or substantial amelioration of the conditions that led to the inquiry or to the implementation of a plan to restore congregational health, and to restore the congregation to spiritual and temporal health.

**Section 31.02. INITIATION OF INQUIRY**

An inquiry by the Ecclesiastical Authority leading to the implementation of a plan to restore congregational health under this Canon may be initiated only in one of the following ways:

The Bishop, believing that one or more of the conditions in Section 4 may exist, may initiate such inquiry;

The Standing Committee by vote of two-thirds of its members, believing that one or more of the conditions in Section 4 may exist, may petition the Bishop to initiate such inquiry; or if the Standing Committee is the Ecclesiastical Authority, it may initiate such inquiry by unanimous vote;

The Rector, both Wardens, or a majority of the Vestry of such Parish, believing that one or more of the conditions in Section 31.04 may exist, may petition the Ecclesiastical Authority to initiate such inquiry.

**Section 31.03. INQUIRY BY ECCLESIASTICAL AUTHORITY**

Upon proper initiation as provided in Section 31.02, the Ecclesiastical Authority, either itself or through persons it may designate, shall conduct such inquiry into the condition of the Parish as it deems appropriate. Such inquiry shall include conversations with persons in the Parish, and may also include written or oral questions to the Parish or members thereof and examination of any books and records of the Parish. The Parish must cooperate in the inquiry by answering such questions fully, accurately, and promptly, and by making available the books and records of the Parish upon reasonable notice. If, after such inquiry, the Bishop finds that one or more of the conditions in Section 31.04 exist in the Parish, the Bishop may, with the concurrence of two-thirds of the Standing Committee, implement a plan to restore congregational health. If the

Standing Committee is the Ecclesiastical Authority, it may make such implementation following inquiry, by unanimous vote.

**Section 31.04. CONDITIONS IN THE PARISH**

No plan for restoring congregational health may be made except upon a finding, following inquiry, that one or more of the following conditions exist in the Parish:

- (a) The failure of the Parish, for two years or more, to consist of at least twenty-five adult Communicants of the Church or, for two years or more, to be financially self-supporting.
- (b) The failure for at least two years to elect a Vestry or a Rector (where the Parish is without a Rector).
- (c) The failure to pay the minimum clergy compensation as required by Canon; or the failure to make timely payment of premium under the clergy pension system as required by Canon, or of premium for any other obligatory insurance for clergy.
- (d) The refusal or willful failure to arrange for representation of the Parish at an annual Convention of the Diocese.
- (e) The failure or neglect to make canonically-required reports, including the annual parochial report to the Bishop, the annual pledge to the Diocese, and Parish audit report; or to pay duly-assessed Diocesan apportionments or assessments. Voluntary giving shall not be considered a Diocesan apportionment or assessment.
- (f) Persistent and significant instability or decline in the financial or temporal condition of the Parish, as evidenced by, for example, substantial invasion of the principal portion of endowment or trust funds, to such a degree that, in the judgment of the Bishop and two-thirds of the Standing Committee, the long-term viability of the Parish as a self-supporting entity is in jeopardy.
- (g) Persistent failure or neglect to conform to the business methods in church affairs required by the Constitution and Canons of the General Convention of The Episcopal Church or of the Diocese, including those requirements relating to the bonding of treasurers or other custodians of funds, proper record keeping, proper maintenance of books of account, annual audit, and the maintenance of adequate insurance.
- (h) Persistent failure to provide for and fund health insurance through the denomination health plan for all eligible clergy and lay employees.

- (i) Persistent failure to keep all buildings, structures, tangible property of the Parish adequately insured against loss under the Diocesan insurance program or to pay any premiums coming due.
- (j) The purchase, use, or conveyance of property of the Parish, or the incurring of debt, other than in conformity with the Constitution and Canons of the General Convention of The Episcopal Church and of the Diocese, except where such non-conformity was inadvertent and resulted in no substantial prejudice to the property or temporal interests of the Parish.
- (k) The failure to cooperate in an inquiry under this Canon, or in connection with any other canonical inquiry by the Ecclesiastical Authority or its designee, including the failure or refusal to provide full and accurate information on the state of the Parish and its affairs.
- (l) The failure to implement good faith any plan or arrangement agreed to by the Parish under this Canon.
- (m) Apart from the foregoing, any deliberate and manifest breach of obligation of the Parish, set out in the Constitution and Canons of the General Convention of The Episcopal Church or of the Diocese, but only if the following additional conditions are met:
  - (1) the Bishop shall have transmitted to the Parish a written warning summarizing the conduct or failure to act by the Parish which constitutes the deliberate and manifest breach under this section, indicating the reasons why such conduct or failure to act constitutes such breach, and explicitly directing the Parish to cease and desist from the conduct which constitutes the breach, or to act affirmatively as the canonical obligation requires; and
  - (2) within 30 days following transmittal of the warning and direction, the Parish shall have failed or refused to conform to the directive so provided, or shall have failed or refused to provide to the Bishop a written plan and agreement satisfactory to the Bishop to bring its conduct into prompt conformity with its canonical obligation.

**Section 31.05. PERMITTED ACTIONS**

If a plan for restoring congregational health is implemented in accordance with this Canon, the Bishop, with the concurrence of two-thirds of the Standing Committee, may require the application of one or more of the actions below, anything in the articles of incorporation or by-laws of

such congregation to the contrary notwithstanding. The actions shall be considered independent actions with no requirement of exhaustion of certain actions before the application of others. If the Standing Committee is the Ecclesiastical Authority, it may require one or more of the following actions by unanimous vote.

- (a) A plan for the Parish to cure the conditions which led to the implementation of the plan for restoring congregational health, agreed to by the Parish within 90 days, and implemented thereafter in accordance with its terms.
- (b) Appointment by the Ecclesiastical Authority of five or more adult communicants temporarily to govern the affairs of the Parish as Warden and Vestry, notwithstanding any other canonical or other provision for such governance, until the Ecclesiastical Authority declares the end or sufficient amelioration of such conditions, or applies further measures under the Canons.
- (c) Designation of the Rector or the Parish Clergy-in-charge, until the Ecclesiastical Authority declares the end or sufficient amelioration of such conditions, or applies further measures under the Canons.
- (d) Conveyance of title of all real property of the Parish to the Diocese, which shall preserve and control such property in trust until the Ecclesiastical Authority declares the end or sufficient amelioration of such conditions, or applies further measures under the Canons.
- (e) Such other measures as the Ecclesiastical Authority shall determine with the advice and consent of two-thirds of the Standing Committee (or as determined by the Standing Committee acting unanimously, if it be the Ecclesiastical Authority), until the Ecclesiastical Authority declares the end or sufficient amelioration of such conditions, or applies further measures under the Canons.

### TITLE III ORGANIZING FOR MINISTRY

#### **Section 40.01. AUTHORITY**

The Diocesan Council, which is representative of the Mission Regions of the Diocese of Western Michigan, shall create such commissions, committees, and departments as shall be deemed

appropriate to the mission and ministry of the Diocese. Each shall have a stated Mission, membership, and program and, when necessary, budget, which collectively shall be deemed the Administrative Plan for that year.

**Section 40.02. ACCOUNTABILITY**

Except for staff groups accountable directly to the Bishop, all such commissions, committees and departments shall be directly accountable to the Diocesan Council. The Diocesan Council shall provide supervision, interpretation, clarification, and direction to such groups as the Diocesan Council may deem necessary.

**Section 40.03. COMMISSION REPORTS**

Each commission shall report annually and in writing to the Diocesan Council and at other times the Council deems reports necessary. Copies of these reports shall also be sent to the Bishop as Presiding Officer. The Bishop and the Council shall submit in writing an annual report of their work to the annual Convention, including the annual report of the Treasurer.

**Section 40.04. REPORT TO CONVENTION**

The Diocesan Council shall report each year to the annual Convention on the Administrative Plan, providing the names, mission, membership, and budget for each commission, committee, and department which it has created to meet the mission and ministry needs of the Diocese.

**Section 40.05. STAFF GROUPS**

Staff groups are advisory committees appointed by the Bishop to assist diocesan staff persons who work directly under the supervision of the Bishop.

**TITLE IV  
ECCLESIASTICAL DISCIPLINE**

**CANON 60  
POLICIES OF THE DIOCESE**

**Section 60.01. POLICIES OF THE DIOCESE AND DISCIPLINE**

The Convention of the Diocese may adopt policies that require periodic training or certification. The failure to abide by these policies and attend any required training or certification process shall subject a person or congregation to the sanctions and discipline as provided in these Canons and in the Constitution and Canons of the General Convention of The Episcopal Church.

## APPENDIX D: Episcopal Diocese of Western Michigan Policy for the Annual Audit of Parishes

An Audit must be performed annually and filed with the Bishop or Ecclesiastical Authority not later than 30 days following the date of such report, and in no event, later than September 1 of each year. Audits or Committee Audits must be performed in compliance with: Chapter VI *Audit Guidelines for Congregations of The Manual of Business Methods in Church Affairs and The Episcopal Diocese of Western Michigan Guidance for Parish Audit Committees* on all assets\* under the control of the Vestry, not including church building or equipment.

This policy sets forth the requirements for parishes, missions and other institutions within the Diocese. Parishes will be placed into one of five categories using the criteria listed in Table 1.

\*Asset - An asset for this policy is defined as funds held in investments, endowments, reserve accounts, designated accounts, savings accounts, clergy discretionary funds, checking accounts, restricted (temporary or permanent) funds etc. It does not include buildings and grounds or equipment.

\* Outside Committee Review - Requires a committee composed of persons from another parish in the Diocese.

### Notes:

Annual audits are required for all parishes, missions and other institutions by the Diocese of Western Michigan (Canon 28 section 28.01). These audits are also required by the Canons of the Episcopal Church [Title I Canon 7 Section 1].

The Episcopal Church Canons permit an audit by committee where authorized by an appropriate diocesan authority and this policy outlines the requirements for Audits or Committee Audits of parishes, missions, and other institutions within the Diocese of Western Mission.

Members of the Audit Committee will be appointed by the Vestry and will serve three year terms. In the first year of implementing this policy the members will be elected to a one or two or three year term. In each

following year one member will be replaced. Members are limited to one three-year term and then must wait one year to be re-nominated and elected.

**Compliance**

Parishes will be placed in one of these categories based on data provided in their Parochial Report. Parishes unable to complete their audit by September 1 will be seated at diocesan convention in accordance with section 29.01 Audits of Title II of the Canons of the Diocese of Western Michigan.

**Table 1**

Annual Income Range		Assets	Audit Type	Frequency
Greater than 500,000	<u>OR</u>	Greater than \$1,500,000	CPA	Annual & prior to calling new rector
Greater than \$270,000 & Less than \$500,000	<u>OR</u>	Greater than \$1,000,000 & Less than \$1,500,000	Committee Review	Annual
			Outside Committee Review OR CPA	Biannually
			CPA	Every 4 years & prior to calling a new rector
Greater than \$150,000 & Less than \$270,000	<u>OR</u>	Greater than \$650,000 & Less than \$1,000,000	Committee Review	Annual
			Outside Committee Review	Every 5 years
			CPA ( <i>May be waived by The Bishop or</i>	Every 10 years

			<i>Ecclesiastical Authority)</i>	
			CPA	Prior to calling a new rector
<b>Greater than \$100,000 &amp; Less than \$150,000</b>	<b>OR</b>	<b>Greater than \$350,000 &amp; Less than \$650,000</b>	Committee Review	Annually
			Outside Committee Review	Every 5 years
			CPA ( <i>May be waived by The Bishop or Ecclesiastical Authority</i> )	Prior to calling a new rector
<b>Less than \$100,000</b>	<b>OR</b>	<b>Less than \$350,000</b>	Committee Review	Annually
			Outside Committee Review	Every 7 years
			CPA ( <i>May be waived by The Bishop or Ecclesiastical Authority</i> )	Prior to calling a new rector

### Guidance for Parish Audit Committees

#### Overview

Annual audits are required for all parishes, missions and other institutions by the Diocese of Western Michigan (Canon 28 section 28.01). These audits are required by the Canons of the Episcopal Church [Title I Canon 7 Section 1]. This set of diocesan guidelines is written in accordance with the *Manual of Business Methods in Church Affairs* as authorized by the General Convention of the Episcopal Church.

*Audit Supervision Committee.* Financial and Operational Audit Supervision Committee of the Diocese will monitor the process of submission and provide guidance to congregations when needed and will stand ready to assist in assuring that the audit is conducted properly.

*Approved Auditors:* Congregations have several choices for conducting an audit. They may engage an independent certified or licensed public accountant, or they may appoint a committee typically of at least three persons from within the congregation (one person is acceptable under special circumstances), or arrange to have their audit performed by an audit committee from another congregation.

1. Audit committee members should be independent of the decision making and financial record keeping functions of the congregation. The members of the audit committee should include at least one financial expert.
2. An audit committee may consist of one or more individuals. A typical audit committee has three members. The actual number of members should be determined by the size and scope of the audit.
3. A review or a compliance by a CPA is *not* an acceptable substitute for an Audit.

*Timing of the Audit:* The Canons call for a church fiscal year to end on December 31. The Vestry and Audit (Review) Committee must allow sufficient time for completion, review, and vestry acceptance of the audit report for transmittal to the diocese prior to September 1 following the year being audited.

*Scope of the Committee Examination:* The scope of the audit shall include:

1. Sufficient tests of transactions to assure compliance with these guidelines and adequate control of the assets of each congregation.
2. Verification (or preparation) of financial statements in the form approved for the Episcopal Church.
3. A review of management control practices.

*Objectives of the Audit:* The major objectives of an audit of the financial statements is for a Congregation to ascertain the following:

1. That the financial statements for the year were prepared from the financial records and present fairly the financial position and changes in net assets and cash flows of the congregation.
2. That the various transactions during the year are proper and are documented appropriately (i.e., authorized, appropriate church purposes, complete and accurate);

3. That the various transactions during the year are recorded in the proper amounts and in the proper accounts and that there were no “off the books” accounts or activity;
  - Transactions must be documented appropriately
    - Authorized, appropriate purpose and complete
4. That the assets, liabilities, income and expenses, which should be in the financial records, are so shown in the proper amounts and in the proper accounts;
5. That, to the extent feasible, adequate internal control procedures were and continue to be in effect;
6. That the financial statements for the year were prepared from the financial records and present fairly the financial position and changes in net assets and cash flows of the congregation.

*Accounts to be Audited:* **All accounts must be audited.** This requirement covers not only the operating accounts of the congregation but also all of its restricted, endowment, property, and cemetery funds and the accounts, if any, of all parish organizations. No church money, including the parish discretionary fund, if there is one, is exempt from the requirements.

*Contents of the Audit Report:* The Audit Committee is responsible for submitting an audit report to the Vestry of the church.

1. The Audit Report shall consist of:
  - a. The Audit Committee Certificate;
    - i. Or report from an independent CPA
  - b. The Statement of Financial Position; (Balance Sheet)
  - c. The Statement of Activities; (Income Statement)
  - d. The Statement of Cash Flows (if used)
  - e. Footnotes to the Financial Statements (if applicable)
  - f. Completed Internal Control Evaluation Checklist and Financial test checklist
  - g. The Audit Committee Findings on Policies and Procedures; and
  - h. A corrected parochial report as a result of audit adjustments, if applicable.

*Filing of the Audit:*

1. Upon completion, the Audit Committee shall present the audit report to the Treasurer, Rector, Wardens and a complete copy

of the entire report to the *Financial and Operational Audit Supervision Committee*. Any findings and recommendations should be presented in the Audit Committee Findings on Policies and Procedures, not in the Audit Committee Certificate.

2. These items will be discussed with the Treasurer or other responsible persons and a plan for resolution presented to the Vestry.
3. A copy of the audit report should be filed with the Bishop or Ecclesiastical Authority not later than 30 days following its completion and never later than September 1 of each year, covering the financial reports of the previous calendar year.
4. The minutes of the Vestry will officially record the receipt, acceptance, and subsequent filing of the audit report with the Ecclesiastical Authority.
5. If at any time during the Audit the records suggest that something is seriously wrong, the matter should be immediately brought to the attention of the Rector, Vestry, and the Bishop or Ecclesiastical Authority