

**QUESTIONS FOR DELIBERATION
FOR
CONSTITUTION & CANONS REVISION 2019-2020**

Congregations, Laity & Clergy

- With respect to the traditional categories of parish, mission, and summer chapel, should the canons be more specific in defining these categories and describing procedures for transitioning from one category to another when appropriate? How do we define membership in each?
- How do we define non-traditional worshipping communities? Should they be canonically recognized?" How do we define membership in each? Who appoints/elects clergy or lay leadership? Revise Canon 15? (See Governance & Strategic Ministries for more questions.)
- Do we need to clarify the definition of a Priest-in-Charge and make sure it conforms with TEC Canon III.9.3.c and III.9.6? And do we need to define Bridge Priest and his/her responsibilities and authority?
- Do we need more clarity around priests who choose to leave the Episcopal Church? And around licensed clergy from around the Anglican Communion who become subject to discipline? What authority does the Massachusetts diocesan bishop have in those cases?
- Are retired clergy members of the congregations in which they worship? May they hold office?
- Should the Cathedral be specifically acknowledged in the canons and, if so, what should we say about it and its relationship to the Convention, the Bishop, and other congregations?
- Should we highlight TEC Canon III.4 concerning Licensed Lay Ministries by including it in the Canons?

Congregations at Risk

The Committee noted a three-way tension between honoring the autonomy of each parish and mission, setting a clear formula that gives the bishop authority to step in, and a cooperative arrangement between diocese and parish/mission with some requirements. This tension raised the following questions:

- Over the years, Diocesan Council and staff have developed policies and procedures for addressing vulnerable congregations and closing of parishes. To what extent should such policies and procedures should be canonically prescribed, or at least the authority to address these matters delegated, if at all?
- How do we define a Vulnerable Congregation or a Congregation at Risk? What should be the financial or administrative criteria for designating a parish/mission/congregation as vulnerable? Should there be an evaluation of effectiveness of ministry? By whom?
- Should the financial and administrative criteria be based on annual budget, or percentage of endowment spent, or the ability to support a full-time rector? A half-time rector? e.g. minimum ASA of 25 or fewer over a three-year period, assessment not paid for two years, failure to maintain buildings, spending more than 10 percent of endowment for three year period.
- Who shall have the authority to make the final determination about the viability of a parish – the Bishop and Standing Committee? Diocesan Council? Bishop and staff? The congregation itself? How do the Commonwealth laws apply, especially if the congregation is incorporated?

- If a congregation is designated as vulnerable, is it in need of aid? What would that aid look like-- financial, coaching, consulting, staff intervention? How should the canons encourage or require such parishes to work with diocesan staff or consultants to develop their life and ministry? How much authority should the diocese be given over its life and ministry?
- What authority should the diocese/bishop be given to close a parish that fails, after a stated period of time, to support its own life and ministry or if it does not cooperate? What should be the provisions for closing a parish?
- Should the canons provide for some congregations to continue permanently as supported congregations? If so, who should determine which congregations qualify and the amount of financial support? Who will evaluate the ministry?
- Should the canons provide a mechanism for congregations to merge or consolidate, clarifying procedures and/or conferring authority over such transitions? How do the Commonwealth laws apply, especially if the congregations are incorporated?

Human Resources, Real Property & Finance

- What should the diocesan office and congregations be required to provide in terms of health, dental, and life insurance for their clergy and lay employees?
- Should the expense of insurance premiums be borne by individual congregations or by the diocese with individual congregations paying based on their financial resources? Should clergy payroll be centralized in any manner?
- What provisions should be included in the canons about the Church Pension Fund and who should have diocesan responsibility for overseeing parish and diocesan compliance? Should the canons provide for assistance to congregations that have fallen in arrears in making health insurance, pension, and other benefit payments?
- What, if anything, should the canons provide about paying FICA taxes (Social Security) for clergy?
- Should the canons provide for promulgating and revising human resources standards?
- Should the canons require promulgating and revising safe church practices? And state clearly that all clergy are mandated reporters, no matter where they serve? By commonwealth law? Or diocesan policy?
- What non-discrimination provisions should be included in the canons?
- Regarding Canon 18 on encumbrance of property: Should the Standing Committee have the same authority over the acquisition of real property by congregations as it does over the sale, mortgage, and encumbrance of real property? What details/process should be included in the canons about the type of property that is barred from encumbrance under the Episcopal Church Canons and diocesan Canons?
- Should the Standing Committee's Real Estate Advisory Committee be authorized by the canons, and, if so, what should be its responsibilities?
- What should be the timing for parochial reports and which reports should form the basis for calculating assessments? Should we consider a three-year average?

- Who should propose diocesan assessment formula, and when?
- What is the Convention's authority over rates and individual parish assessments?
- What should be the process and timing for preparing and voting on the Diocesan Budget?
- Should we consider a three-year budget?
- Should there be a restriction on endowment draw for the diocesan budget (beyond the level that is set by the Trustees of Donations) and for congregations? Should there be provisions for overriding the Trustees of Donations recommended draw?
- What provisions should be included in the canons about standards for property and liability insurance coverage?
- Should congregations be required/encouraged to incorporate? By whose authority? And for what purpose? How do the Commonwealth laws apply?
- Do the standards for congregational audits and financial review need to be reviewed and clarified, by Canon?
- What is the diocese's financial role with regards to the archives? Especially regarding the disposal of unwanted material? Should there be more financial oversight? By whom?

Governance & Strategic Ministries

- As definitions of worshipping communities change, what does it mean to be in union with Diocesan Convention and therefore entitled to seat, voice and vote? And required to pay an assessment? How is membership in each defined?
- Regarding affiliated entities where the bishop often serves ex officio on the board diocese – such as, for example, our Episcopal schools (Epiphany and Esperanza), ECM, Bethany House of Prayer, and the Barbara C. Harris Camp: Should these affiliations be recognized canonically and what, if anything, should be said about their relationships to diocesan life?
- How does an entity become affiliated? Should affiliated entities be entitled to seat, voice, or vote at Diocesan Convention? And required to pay an assessment of sorts? How is membership in the entity defined?
- Should there be a Nominating Committee for diocesan wide offices elected at diocesan Convention?
- Should we review and clarify convention nomination and voting processes to bring them in line with actual practices? (Canon 2.3) And define more clearly “so-called proportional representation method of election.” (Article 12)
- Should we clarify the role, responsibilities of the officers of the Corporation and the officers of the Convention, especially the Treasurer? What about terms of office? And term limits?
- Is Diocesan Council too large a body? What is the ideal size? Should Article 7 of the Constitution be reviewed?
- Should the canons allow Diocesan Council to have officers other than the bishops?

- Should we review the structure of the Executive Committee of Diocesan Council and how members are nominated and elected?
- Regarding the powers of the Executive Committee of Diocesan Council, there is an apparent conflict between Article 1.5 of the Constitution and Canon 5.3. Shall we clarify?
- Canon 5.4 establishes a Diocesan Board of Missions under the auspices of Diocesan Council. Does this exist any longer? Should it?
- Article 9 of the Constitution currently allows only presbyters and laypeople to be elected to the Standing Committee. Should this be amended to allow for the election of deacons?
- Deanery structure needs review. What is the purpose of a Deanery? What is the ideal number of deaneries? Can it be fluid? Should membership include non-traditional worshiping communities and affiliated entities? How often should assemblies meet? How many representatives from each member entity to the assembly? What is role of regional canons in relation to deaneries? Do deaneries all have by-laws?
- The committee structure of the diocese articulated in Canon 3, Sec. 5 is in need of review. What committees are necessary, and which should be specifically identified in the canons to support Mission Strategy?
- Canon 16.3's reporting requirements for parochial and non-parochial clergy seem to some outdated and in need of revision. Should there be specified consequences for failing to submit reports?
- Should the canons specifically require written letters of agreement between bishops and the diocese, and procedures for regular mutual ministry review?
- Should the canons provide for, or state, a diocesan conflict of interest policy?
- How do we define a Strategic Ministry of the diocese? How does a ministry become one? Who decides? What criteria? What oversight? What financial and staff support?
- Are lines of authority clear for each Strategic Ministry? How is leadership chosen? And who has oversight and who evaluates effectiveness of each different ministry?
- Should (certain) non-parish Strategic Ministries have representation at Diocesan Convention? How elected? Seat, voice, vote? How is membership in the Ministry defined?
- How does a Strategic Ministry become independent, come to an end, or close? Who decides? What criteria? What support?
- Congregations sometimes create ministries that are given 501(c)(3) status as separate non-profit organizations – should the canons address this phenomenon and endeavor to create model articles of incorporation, by-laws, and/or otherwise exercise oversight or approval?