

UPDATED REPORT OF THE

**COMMITTEE ON CONSTITUTION AND CANONS
TO THE 227TH ANNUAL CONVENTION
OF THE DIOCESE OF VIRGINIA**

THIS REPORT IS UPDATED TO REFLECT A REVISED RECOMMENDATION ON C-3

C-1 An amendment to Article I of the Constitution as to the name of The Diocese on second reading.

The Committee recommends **adoption** of C-1 and requests that C-1 be placed on the Consent Agenda.

C-2 An amendment to Canon 13.2 to update references to sections of the Code of Virginia.

The Committee recommends **adoption** of C-2 and requests that C-2 be placed on the Consent Agenda.

C-3 A proposed new Canon to address open meetings.

The Committee proposes a substitute resolution in place of the proposed Canonical amendment, as follows:

C-3s

RESOLVED by the 227th Annual Convention of The Diocese of Virginia that:

1. The Convention endorses the presumption that meetings of vestries, vestry committees, congregations, regional councils, the Executive Board and the Convention should be accessible for their respective constituencies to observe, but not participate in without the consent of the body, their meetings, and, further resolved that
2. The meetings of Diocesan Convention shall be observable by the public and the press either in person at the Convention venue or by livestream, or both. The methods and details of such access are in at the discretion of the presiding officer, and further resolved that
3. Each of such bodies shall undertake to conduct its meetings in ways which minimize closed, or executive, sessions when their non-member constituencies are excluded from observing the meeting.

The Committee recommends **adoption** of C-3s and requests the C-3s be placed on the Consent Agenda.

If C-3s, the substitute resolution for C-3 is not adopted, the Committee recommends C-3 with amendments, as follows:

C-3a

Resolved, by the 227th Convention of the Diocese of Virginia, that the following Canon be added to the Canons of the Diocese, in order to confirm and clarify long standing practice and to assure accountability and transparency in making our decisions:

Open Meetings Canon

(a) Presumption of Open Meetings. Unless closed pursuant to subsection (b), the meetings of vestries, regional councils, the Executive Board, and Diocesan Convention, shall be observable to communicants of the member congregations. The meetings of Diocesan Convention shall ~~also be open to the public and the press~~ be observable by the public and the press either in person at the Convention venue or by livestream, or both. The methods and details of such access are in at the discretion of the presiding officer.

(b) Closed Meetings. A meeting of a vestry, regional council, or the Executive Board may only be closed by vote of the body for the following discussions:

1. Personnel matters;
2. Discussing legal matters with counsel;
3. Commercial negotiations;
4. Pastoral matters; or
5. Discussions of the status of congregations.

(c) Standing Committee and Commission on Ministry. In order to preserve confidentiality of personnel and finance matters, and in recognition of their advisory role to the Ecclesiastical Authority, attendance at the meetings of the Standing Committee and the Commission on Ministry and their subcommittees shall be limited to members of those bodies and to those other persons invited to attend.

If C-3s has not been adopted, the Committee recommends **rejection** of C-3a..

C-4 A proposed new Canon for remote participation in meetings by electronic means.

The Committee proposes amendments to C-4 as follows:

C-4a

Resolved, by the 227th Annual Convention of the Diocese of Virginia, for the avoidance of any doubt about the regularity of proceedings during the pandemic beginning in early 2020, and to provide guidance in the future, that the following new canonical provision is added:

Electronic Meetings Authorization.

~~Consistent with the provisions of Va. Code Section 13.1-844.2, concerning remote participation in annual and special meetings of Virginia Non-stock Corporations, this canon provides that~~ Meetings of congregations, vestries, vestry committees, regional councils, the Executive Board, the Standing Committee, and Convention, including elections to offices in these bodies and votes concerning the disposition or encumbrance of property, may be conducted by electronic means (including where appropriate, telephonic means), provided that the following standards are met:

- (a) adequate notice (as defined in these canons) is provided
- (b) the presence of a quorum is verified
- (c) each member entitled to vote can hear clearly and can be heard by the other attendees
- (d) reasonable means are provided for each member in attendance to review the written terms of matters on which the body is voting before voting occurs
- (e) in advance of voting, the names of members in attendance and eligible to vote is verified
- (f) the results of votes are promptly made available to voting members.

Adoption of this canon shall not be construed to invalidate prior actions of these constitutional and canonical bodies.

The Committee recommends **adoption** of C-4a.

C-5 A proposed new Canon to provide for posted contact information for elected Diocesan leaders.

The Committee recommends amendments to C-5 as follows:

C-5a

Resolved, by the 227th Annual Convention of the Diocese of Virginia, in order to help assure effective communication with our elected leaders, adopts the following Canon:

Each member of the Executive Board and the Standing Committee, and each General Convention and Provincial Synod Deputy and Alternate, shall provide the Secretary of the Diocese a current e-mail or surface mail address to receive communications ~~from the clergy and people of the Diocese~~, which addresses shall be promptly posted electronically and updated as needed by the Secretary of the Diocese. ~~Each Member, Deputy, or Alternate, as the case may be, shall make reasonable efforts to respond in a timely way to such communications.~~

The Committee recommends **rejection** of C-5a.

C-6 A resolution to amend the Rules of Order of Conventions (effective January 1, 2022).

The Committee recommends amendments to C-6 as follows:

C-6a

RESOLUTION to Amend Rules of Convention (Effective January 1, 2022)

Resolved by the 227th Annual Convention of the Diocese of Virginia that the Rules of Order for Conventions occurring after January 1, 2022 shall contain the following provisions, to be added at the appropriate places when rules for such conventions are posted:

1. **Open Meetings.** The meetings of Convention and the hearings by Committees of Convention shall be **observable by the public and the press, either in person at the Convention venue or by livestream,**

at the discretion of the presiding officer, ~~for members of the diocese, for the public, and for the press.~~

2. Committee on Constitution and Canons ~~and Amendments to Constitution and Canons~~. The Committee on Constitution and Canons shall conduct an open hearing not less than fourteen (14) days before the day votes are scheduled at Convention and shall make its report, including any text amending the Constitution or Canons, not less than seven (7) days before the day votes are scheduled at Convention. Notice of the open hearing shall be announced at least six weeks prior to the scheduled opening day of Convention.

Any delegate proposing a first-degree amendment to the Committee's proposed canonical or constitutional language changes must submit the proposed amendment in writing in a form suitable for electronic posting (as specified by the Secretary of the Diocese) no later than 48 hours before proposed votes on the Committee's recommended canonical or constitutional changes. The Secretary shall promptly post such amendments for downloading and review by delegates. If more than one first-degree amendment is received, the Presiding Officer shall give the earliest submitted amendment priority in the order by which Convention debates such amendments.

No amendment first proposed less than 48 hours before proposed votes shall be in order unless the subject matter of the amendment is germane to a timely filed first-degree amendment.

3. Committee on Resolutions ~~Committee and Amendment to Them~~. The Committee on Resolutions shall conduct an open hearing at or not less than fourteen (14) days prior to the day votes are scheduled at Convention and shall make its report not less than seven (7) days before the day votes are scheduled at Convention. Notice of the open hearing shall be announced at least six weeks prior to the scheduled opening day of Convention.

Any delegate proposing a first-degree amendment to the Committee's proposed resolution language must submit the proposed amendment in writing in a form suitable for electronic posting (as specified by the Secretary of the Diocese) no later than 48 hours before proposed votes on the Committee's recommended resolution. The Secretary shall promptly post such amendments for downloading and review by delegates. If more than one first-degree amendment is received, the Presiding Officer shall give the earliest submitted amendment priority in the order by which Convention debates such proposed amendments.

No amendment first proposed less than 48 hours before proposed votes shall be in order unless the subject matter of the amendment is germane to a timely filed first-degree amendment to a timely filed resolution.

4. **Committee on ~~Budget Committee and Budget Amendments~~.** The Committee on Budget shall conduct a hearing not less than fourteen days prior to the day votes are scheduled at Convention. Notice of the open hearing shall be announced at least six weeks days prior to the Convention. Committee revisions to the proposed budget shall be posted seven days before the day votes are scheduled at Convention.
5. **Diocesan Journal Posting Date.** The Journal of Convention shall be posted electronically by September 30 in the year following Convention, or 60 days after Diocesan receipt of the audits of Diocesan accounts, whichever date is earlier.
6. **Posting of Election Results.** When Convention holds a contested election for office, the numerical results of each ballot shall be announced and posted for Convention before voting begins on the next ballot and shall be part of the public record of Convention.

The Committee recommends **adoption** of C-6a and requests that C-6a be placed on the consent agenda.

C-7 An amendment to Canon 12.5 to refer to the Virginia Plan for Covenantal Giving.

Subject to approval of R-1, the Committee recommends **adoption** of C-7.

C-8 An amendment to Canon 27.14 on notice of methods and means for reporting clergy Title IV Offenses.

The Committee proposes a substitute resolution in place of the proposed Canonical amendment, as follows:

C-8s

Resolved, by the 227th Annual Convention of the Diocese of Virginia that methods and means for reporting information concerning Title IV Offenses be publicized, to include, but not be limited to, information on the Diocesan website and a not less than annual broad-based communication through the eCommuniqué and other appropriate publications or messaging.

The Committee recommends **adoption** of C-8s in place of the proposed Canonical amendment.

Respectfully submitted,
The Committee on Constitution and Canons
Mr. J. P. Causey Jr., Chair
The Rev. Carey Connors
Mr. W. Grey Ligon
Ms. Betsy Faga
The Rev. Charles Cowherd
Mr. Tom Baker
Mr. Robert Larson-Ensinger
The Rev. Kim Glenn