

Resolution 205.1

On Amending the Constitution to Clarify the Qualifications for Standing Committee

The 205th Annual Convention enacts:

Article VIII, Section 1 of the Constitution of the Diocese of North Carolina is amended as follows:

“Section 1. The Standing Committee or Council of Advice to the Bishop, shall consist of five clergy of the Diocese and four members of the laity who are enrolled confirmed adult communicants in good standing. The term of office shall be for three years, with three members being elected at each annual Convention. Any member of the Committee whose immediately prior service has been for less than three continuous years shall be eligible for re-election to a full three year term; otherwise, no elected member shall be eligible to serve again until two years have elapsed following the expiration of their term of office.”

Submitted by the Commission on Constitution and Canons

Comment: This Constitutional amendment is submitted for second reading. It was passed on first reading at the 204th Annual Convention.

Resolution 205.2

On Amending the Constitution for Continuation in Office by the Treasurer

The 205th Annual Convention enacts:

Article VII, Section 4, of the Constitution of the Diocese of North Carolina is amended as follows:

“Section 4. Upon nomination by the Ecclesiastical Authority, the Convention shall annually elect a Treasurer of the Diocese, who shall have such power and perform such duties as may be prescribed by canon or required by the Ecclesiastical Authority. The Treasurer shall hold office until the next annual Convention, or until a successor is elected and qualified. Should a vacancy occur in the office of Treasurer, by death or otherwise, the unexpired term shall be filled by appointment by the Ecclesiastical Authority.”

Submitted by the Commission on Constitution and Canons

Comment: The Constitution currently provides that the Secretary of the Diocese holds office until a successor is elected, and that an interim vacancy is filled by the Ecclesiastical Authority, but does not make similar provisions for the Treasurer. This amendment to the Constitution conforms the two roles' terms and appointment processes.

Resolution 205.3
On Continuation in Office

The 205th Annual Convention enacts:

The Canons of the Diocese of North Carolina are amended by adding a new Canon as follows:

“Canon 4.1
Continuation in Office

In the absence of any contrary provision, all officers of the Diocese whose positions are filled by action of the Convention, whether by election or confirmation of appointments made by the Ecclesiastical Authority, shall hold their positions until their successors are chosen and qualified, so long as they continue to be eligible to hold the position in question.”

Submitted by the Commission on Constitution and Canons

Comment: With the exception of the Secretary and Treasurer of the Diocese, neither the Constitution nor the Canons now explicitly provide that diocesan officers continue in office until their successors are chosen. The proposed canon would make such a provision for those positions that require action by the Convention, so long as the officer in question continues to be eligible for the position. For example, a lay member of the Standing Committee who took Holy Orders would not be covered by the new provision. The proposed canon does not address positions created by canon or by action of the Bishop, leaving the issue of continuation in such offices to the provisions of the canon or Episcopal action that created the position.

Resolution 205.4

On the Conduct of Meetings and Voting by Remote Technology

The 205th Annual Convention enacts:

Canon 33 is amended as follows:

“Canon 33 Conduct of Meetings and Voting by Remote Technology

Section 1. *Parishes, missions, and their vestries; Convocations; the Standing Committee; the Diocesan Council on behalf of itself, its Departments, and the Council Committee on the State of the Church; the Trustees of the Diocese; Commissions and Chartered Committees of the Diocese; the Disciplinary Board, the Fair Share Appeals Board, the Mission Endowment Board, and the Murdoch Memorial Society; and all other commissions and committees of the Diocese (collectively, “Diocesan Entities”)* ~~Parish and mission vestries, the Diocesan Council, the Standing Committee, the Trustees of the Diocese, and all other commissions and committees of the Diocese~~ are authorized to adopt by-laws providing for the conduct of meetings by teleconference, videoconference, or any other technology that allows all persons participating to hear each other at the same time and to participate in discussion. For purposes of determining a quorum, *conducting a parliamentary process*, and ~~for~~ voting, members participating in a meeting by means of remote technology are deemed present in person at the meeting.

Section 2. *Diocesan Entities* ~~Parish and mission vestries, the Diocesan Council, the Standing Committee, the Trustees of the Diocese, and all other commissions and committees of the Diocese~~ are authorized to adopt by-laws providing that actions required or permitted to be taken by the body may be taken without a meeting if (i) all members of the body consent to the action in writing or by authenticated electronic transmission, and (ii) such written or authenticated electronic transmissions are filed with the minutes of the proceedings.

Section 3. By-laws adopted pursuant to this Canon must be consistent with the Constitution and Canons of the Diocese of North Carolina and of the General Convention of The Episcopal Church and shall be submitted to the Ecclesiastical Authority for approval.

~~**Section 4.** This Canon does not apply to meetings of an Annual or Special Convention of the Diocese, nor to the Annual Meeting of a parish or mission.”~~

Submitted by the Commission on Constitution and Canons

Comment: This amendment seeks to make clear that all collective bodies of the Diocese and her various mission outposts and ministries may take advantage of Canon 33, Section 1 to adopt bylaws allowing for business to be conducted through live electronic means.

Resolution 205.5

On Conduct of Annual or Special Conventions by Remote Technology

The 205th Annual Convention enacts:

The Canons of the Diocese of North Carolina are amended by adding a new Canon as follows:

“Canon 1.1

Conduct of Annual or Special Conventions by Remote Technology

The Convention may adopt Rules of Order providing for the conduct of business by teleconference, videoconference, or any other technology that allows all persons participating to hear each other at the same time and to participate in discussion and voting. Members participating in a meeting by means of remote technology are deemed present in person at the meeting.”

Submitted by the Commission on Constitution and Canons

Comment: This resolution would create a new canon giving specific authorization to the Diocese to hold a Convention using remote technology.

Resolution 205.6
On Voting in Vestry Elections at Mission Annual Meetings

The 205th Annual Convention enacts:

Canon 20, Section 3(a) is amended by rewriting subsection (5) and adding subsections (6) and (7) as follows:

“(5) *Voting*. Motions, resolutions, elections and all other matters presented to a mission meeting for vote shall be decided by a majority of the qualified members present and voting; provided however the voting in vestry elections shall include any votes cast pursuant to a mission bylaw adopted pursuant to the following subsection (6).

(6) *Other Voting Methods*. Notwithstanding any other provisions of this Canon 20, a mission may provide in its bylaws, subject to approval by the Ecclesiastical Authority acting with the advice and consent of the Standing Committee, provisions for conducting vestry elections by paper absentee ballots, electronic survey technology, or other reliable and secure means that allow participation in the election by qualified voters who are not physically present at the annual meeting; provided that proxy voting shall not be permitted. Missions may define circumstances in which absentee ballots are made available.

(7) *Initial Adoption*. Until the earlier to occur of December 31, 2022 and the elimination of restrictions on the permissible size of any parish meeting, a bylaw provision described in Section 3(a)(6) of this Canon as well as any bylaw to implement the provisions of Canon 33, Section 1 may, by action of the vestry, be submitted by mail ballot to qualified members of the mission pursuant to guidelines promulgated by the Diocesan Chancellor and adopted by the affirmative vote of a majority of the mail ballots completed by persons qualified to vote and returned to the mission by the deadline stated therein. Any such bylaws approved by the mail ballot shall be submitted to the Ecclesiastical Authority for approval as provided in Section 3(a)(4) of this Canon.”

Submitted by the Commission on Constitution and Canons

Comment re new subsections (5), (6) and (7):

(5). Subsection (5) of Canon 20.3(a) is rewritten to allow for any votes received pursuant to a bylaw adopted pursuant to the new subsection (6). These two changes would apply to “traditional” in-person mission meetings.

(6). Canon 22.2(g)(4) currently allows parishes to adopt bylaws providing for the use of absentee ballots and other “remote voting” techniques at vestry elections at parish annual meetings. There is no similar authority in Canon 20 for missions to adopt such a bylaw. The new subsection (6)

incorporates the operative language of Canon 22.2(g)(4) into the appropriate section of Canon 20. This new subsection is permissive. It does not require the mission to use absentee ballots or any other alternative voting methods.

(7) Since new Subsection 6 deals with bylaws concerning election of members of the vestry, Canon 20.3(a)(4) requires that any such bylaw be adopted “by any mission meeting.” However, currently mission meetings are in-person events as the current Section 4 of Canon 33 states that virtual annual meetings of parishes and missions are not permitted. A separate resolution being presented to this Convention is proposing the elimination of that Section 4 and allowing conduct of annual and other meetings of missions to be conducted by remote technology. Passage of that resolution would give missions permission to adopt a bylaw authorizing conducting meetings by remote technology but would not require them to choose that method of meeting. However, if missions wanted to adopt a bylaw authorized by either subsection (6) above or permitted by the new Canon 33, a traditional in-person mission meeting would have to be held. Since that’s not likely to be possible for several months, subsection (7) gives the mission an alternate method for adopting bylaws concerning mission meetings without having a traditional in-person meeting. That opportunity, though, will be short-lived.

Resolution 205.7
On Voting in Vestry Elections at Parish Annual Meetings

The 205th Annual Convention enacts:

Canon 22, Section 1 is amended by rewriting subsection (e) and adding subsection (f) as follows:

“(e) *Voting.* Motions, resolutions, elections, and all other matters presented to a parish meeting for vote shall be decided by a majority of the qualified members present and voting; provided however the voting in vestry elections shall include any votes cast pursuant to a parish bylaw adopted pursuant to Canon 22, Section 2(g)(4).

(f) *Initial Adoption.* Until the earlier to occur of December 31, 2022 and the eliminations of restrictions on the permissible size of any parish meeting a bylaw provision described in Section 2(g)(4) of this Canon as well as by bylaw to implement the provisions of Canon 33, Section 1 may, by action of the vestry be submitted by mail ballot to qualified members of the parish pursuant to guidelines promulgated by the Diocesan Chancellor and adopted by the affirmative vote of a majority of the mail ballots completed by persons qualified to vote and returned to the parish by the deadline stated therein. Any such bylaws approved by the mail ballot shall be submitted to the Ecclesiastical Authority for approval as provided in Section 1(d) of this Canon.”

Submitted by the Commission on Constitution and Canons

Comment: Canon 22, Section 1(e) currently allows only those votes of qualified members who are present and voting at the Annual meeting to be counted in vestry elections. However, Canon 22.2(g)(4) allows parishes to adopt a bylaw permitting absentee ballots and other forms of “remote voting” which allows qualified members who are not actually present at the Annual Meeting to vote in the vestry election. The proposed change to Canon 22.1(e) reconciles the current version of that subparagraph with Canon 22.2(g)(4) are actually counted.

Resolution 205.8

On Adopting Supplemental Rules of Order for Use of Teleconferencing at a Convention

The 205th Annual Convention adopts the following Supplemental Rules of Order:

“Supplemental Rules of Order for Use of Teleconferencing at a Convention

- T1. Purpose. The purpose of these Supplemental Rules of Order for Use of Teleconferencing at a Convention (“T-Rules”) is to facilitate calling and conducting a Convention of the Diocese of North Carolina when the Ecclesiastical Authority determines that it is impractical or impossible to hold an in-person meeting of the Convention because of governmental constraints or other compelling reasons.
- T2. How Called. 120 days prior to an Annual Convention or at the time when a Special Convention is called, the Ecclesiastical Authority may, at its discretion, determine that the Convention will take place entirely by teleconference (a “Teleconferenced Convention”) or will have some members present in person and other members participating by teleconference (a “Hybrid Convention”). The Secretary shall inform members accordingly.
- T3. Scope. These T-Rules apply to both Teleconferenced and Hybrid Conventions, except as identified herein. However, nothing in these T-Rules applies to an episcopal election, which the Constitution and Canons of the Diocese reserve for a Convention at which members are present in person.
- T4. Selection of Services. The Secretary of the Convention shall engage one or more companies to provide two-way video and audio connectivity and online systems that support parliamentary procedure, voting, and casting of ballots at a Teleconferenced or Hybrid Convention (collectively, the “Services”). To the extent practicable, the Secretary shall employ Services whose user interfaces are available in both English and Spanish.
- T5. Members to Furnish Email Addresses. No less than 60 days before a Teleconferenced or Hybrid Convention, every member of the clergy order shall notify the Ecclesiastical Authority of his or her email address. No later than such date, every church and campus worshipping community shall have submitted its Certificate of Election, updated as necessary by Certificates of Change in Lay Delegation, to the Secretary. Such certificate shall specify the email address of every lay delegate.
- T6. Choice of Attendance. In the case of a Hybrid Convention, a member shall specify whether he or she intends to attend in person or by teleconference when registering for the Convention, but no less than 30 days before the Convention. Any member failing to provide timely notice of attendance by teleconference shall be deemed to intend to attend in person. A member may subsequently change his or her participation from by teleconference to in-person by notifying the Secretary but not from in-person to by teleconference.

- T7. Issuance of Access Instructions. No less than 14 days before a Teleconferenced or Hybrid Convention, the Secretary shall provide individualized access instructions for the Services by email to each member (in the case of a Hybrid Convention, to members that will attend by teleconference). The access instructions shall include URLs, user-ids, and passwords as needed to authenticate the member for participation in the Convention and, if the member has right to vote, to vote and to cast ballots.
- T8. Security. A member shall not publicize or divulge to any person his or her individualized access instructions. A member shall use only the individualized access instructions provided him or her.
- T9. Availability. The Secretary shall make Services available for members to sign in no less than 30 minutes before the start of each session of Convention. At the discretion of the Secretary, the Services may be left active during recesses or may be taken down, to be restarted at a time to be announced by the Secretary.
- T10. Signing in and out. Members shall identify themselves by signing into the Services using their respective individualized access instructions. During a session of Convention, a member shall remain connected to the Services unless he or she must absent himself or herself from participation, in which case the member shall sign out while absent and sign in upon return. A member shall sign into the Services from only one access device (computer, tablet, smartphone, etc.) at any given time, but a member may change his or her access device by signing out and then signing in from another access device.
- T11. Presence. Members who connected to the teleconferencing services at least once during a Convention are deemed to be present with respect to the Constitution and Canons of the Diocese and shall be marked as present in the Journal.
- T12. Quorum. When determining and reporting the presence of a quorum to the President, the Committee on Credentials shall include members who have signed into the Services.
- T13. Parliamentary Processes, Voting, and Casting of Ballots. No less than 7 days prior to Convention, the Secretary shall inform members (in the case of a Hybrid Convention, members participating by teleconference) by email of the procedures for use of the Services in parliamentary processes, voting, and casting of ballots. The President may rule out of order the actions of a member that do not comply with the procedures.
- T14. Video. When actively engaging in parliamentary process, a member shall enable his or her video uplink. At other times, the member may, at his or her discretion, disable the video uplink.
- T15. Technical Requirements and Malfunctions. Each member is solely responsible for his or her access device (computer, tablet, smartphone, etc.) and Internet connectivity. No action of Convention shall be delayed, objected to, or invalidated on grounds that the loss or poor quality of a member's individual

Internet connection or the failure of his or her access device prevented participation in the Convention.

- T16. Muting. Each member shall keep the microphone of his or her access device muted unless recognized by the President to speak.
- T17. Forced Disconnections. The Secretary may cause the muting or disconnection of a member's connection to the Services if undue interference with the Convention is attributable to such member. The Secretary's decision to do so, which is subject to an undebatable appeal that can be made by any member, shall be announced to Convention and recorded in the Journal.
- T18. Hybrid Conventions. So far as is practicable in a Hybrid Convention: (a) the President shall give equitable attention to members attending in-person and members attending by teleconference; (b) members actively engaging in parliamentary process by teleconference shall be seen and heard in the Convention meeting hall; and (c) non-parliamentary proceedings of the Convention will be made available to members participating by teleconference.
- T19. Proceedings in Spanish. The Secretary shall (a) arrange for translation into Spanish of the proceedings of a Teleconferenced Convention and (b) provide the same degree of Spanish translation for members attending a Hybrid Convention by teleconference as is provided members attending in-person.
- T20. Moderators. In order to facilitate the conduct of Teleconferenced or Hybrid Convention, the President of the Convention may appoint one or more Moderators to assist the President and the Secretary.
- T21. Broadcast. At the discretion of the Ecclesiastical Authority, any Convention may be broadcast in whole or in part by one-way audio and/or video to the public at large. Mere broadcasting of a Convention does not constitute a Teleconferenced or Hybrid Convention. Nothing in these T-Rules shall apply to manner in which a Convention is broadcast.
- T22. Precedence. In case of conflict between the Rules of Convention and these T-Rules at a Teleconferenced or Hybrid Convention, these T-Rules shall prevail."

Submitted by the Commission on Constitution and Canons

Comment: If we were to ever hold a teleconferenced Convention, we would need adopted rules of order before such Convention were to be held. These proposed rules would allow us to begin Convention in a way that is congruent with our proposed new bylaws.