



EPISCOPAL
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INDIANAPOLIS

Constitution and Canon Changes to be Considered at Diocesan Convention

Updated 09/19/22

Report from the Constitution and Canons
Committee

Proposed Amendment to Canon 6, Sections 4
and 5

Proposed Amendment to Canon 10, Section 3

Proposed Amendment to Canon 28, Section 3

Report from the Constitution and Canons Committee:

The Constitution and Canons Committee received proposed amendments to Canon 6, Sections 4–5; Canon 10, Section 3; and Canon 28, Section 3. Copies of the proposed amendments are attached to this report. Consistent with Canon 2(e), the Committee has reviewed the proposed amendments and issues this report.

Proposed Amendment to Canon 6, Sections 4–5

The revised Indiana Code section in Section 5(b) is correct. The revised reference in Section 5(c) to Canon 13, Section 1 is correct. The Committee recommended revisions that were incorporated into the proposed amendment. The Committee has no further recommended revisions.

Proposed Amendment to Canon 10, Section 3

The Committee has no recommended revisions to the proposed amendment.

Proposed Amendment to Canon 28, Section 3

The Committee supports revising inoperative and outdated Canons. The Committee has no recommended revisions to the proposed amendment.

Recommendation

The Constitution and Canons Committee recommends the proposed amendments to Canon 6, Sections 4-5; Canon 10, Section 3; and Canon 28, Section 3 for the consideration of the Convention.

Proposed Amendment to Canon 6, Sections 4 and 5

- Section 4. If the Bishop determines that the purposes and activities of the organization are sufficiently related to those of the Diocese and that the organization should be considered for designation as a Cooperating Ministry, an Agreement for Designation as a Cooperating Ministry shall be executed by the organization and the Diocese, which, ~~among other items, shall contain the following provisions:~~ shall contain the provisions specified in Section 5 of this Canon.
- Section 5. Dayspring, Julian Center, Craine House, Cathedral Arts, and Damien Center are designated as the initial Cooperating Ministries of the Diocese. Their existing Agreements as Diocesan Institutions are converted to Agreements for Designation as a Cooperating Ministry subject to the renewal and other provisions of this Canon.
- (a) ~~The Agreement shall not become effective until it is approved by the action of upon approval of the Executive Council, or on a later date specified in the Agreement, and then ratified by a majority vote of the Convention of the Diocese and~~ The Agreement shall have an initial term commencing on the effective date and expiring on March 31st of the second calendar year following the effective date. At the Convention of the Diocese immediately prior to the expiration of the initial term, the designation as a Cooperating Ministry shall be subject to the ratification of the Convention by a majority vote. Information shall be presented to the Convention that demonstrates the organization's compliance with the requirements provided in section 5(b). If a majority of the Convention votes against ratification, the Agreement shall be ineligible for renewal, and the organization's Cooperating Ministry designation will lapse on the Agreement's expiration date, or sooner if by mutual agreement.
- (b) The organization shall be organized as a not-for-profit corporation under the ~~Indiana Not-For-Profit Nonprofit Corporation Act of 1991 (Indiana Code 23-17) 1971 (Indiana Code 23-7-1.1), or its predecessor statutes as may be permitted by Indiana law.~~ The Articles and Bylaws of the Corporation shall have such provisions relating to its purposes, activities, and governance as shall be agreed upon, but such provisions shall not vest control of the organization in the Diocese or any officer or committee or commission of the Diocese.
- a. If the organization intends to access any employee benefits or insurance offerings of Church Pension Group, the organization's governing documents shall document the organization's

affiliation with the Diocese of Indianapolis or one or more of its congregations in sufficient detail to satisfy the Church Pension Group's "Episcopal Organization Checklist" or any successor document the Church Pension Group may designate to test an organization's eligibility to be deemed an Episcopal Organization.

- (c) The organization shall be required to procure and keep in force adequate liability insurance and to conduct its financial affairs in accordance with the standards set out in Section 1 of Canon 42 ~~13~~. The insurance requirement may be ~~accomplished through~~ satisfied by insurance provided through the Diocese, but the Diocese is not obligated to offer or provide such insurance.

Proposed by Brendan O'Sullivan-Hale

Explanation: The proposed amendment makes changes to the process of designating an organization as a Cooperating Ministry. Under the language of the current canon, the only opportunity for an organization to be designated as a Cooperating Ministry is at the annual meeting of the Diocesan Convention. The inflexible timing has been a hindrance to organizations seeking Cooperating Ministry status in recent years, causing applications to be rushed and for applications to be made earlier in the organization's life than needed, in order to avoid missing the window.

The proposed change allows the Executive Council to provide Cooperating Ministry status provisionally, subject to ratification at the convention immediately prior to the initial agreement's expiration. This allows the Diocese to better meet the needs of organizations and their sponsoring congregations while not removing the convention's oversight authority.

The proposed change also does the following:

- Clarifies the language in Section 4 that specifies required elements of a Cooperating Ministry agreement.
- Updates the Indiana code citation in Section 5(b).
- Adds a new subsection under Section 5(b) that spells out the documentation required for an organization to access benefits through the Church Pension Group.
- Corrects the Canon citation in Section 5(c), and adds clarifying language about how the requirement that organizations maintain liability insurance may be satisfied.
- Adds an Oxford comma to the first sentence of the opening paragraph of Section 5.

Proposed Amendment to Canon 10, Section 3

Section 3. In each Neighborhood there shall be two conveners, one lay and one clergy, who shall be canonically resident in the Neighborhood and who shall be elected by the majority vote of the Neighborhood Council. Such election shall be held at the regular meeting of the Neighborhood Council at which the Neighborhood Members of the Executive Council from the particular Neighborhood are elected. An individual canonically resident in the Neighborhood may be appointed by the Bishop to fill any vacancy in the office of convener.

Proposed by Brendan O'Sullivan-Hale

Explanation: Canon 10 has no mechanism for filling a vacancy in the role of Neighborhood convener. This amendment remedies that omission.

For most other committees in the diocese, the committees themselves elect an individual to fill any vacancies. Since the Neighborhoods only meet twice per year, the term of the convener is only one year, and the scope of the convener's authority is narrow, a Bishop's appointment is preferable for its simplicity and efficiency.

Proposed Amendment to Canon 28, Section 3

Section 3.

- ~~(a) There shall be a board of Proctors of the Pro-Cathedral that shall be comprised of the following:
 - ~~(1) Bishop of the Diocese of Indianapolis, Chair~~
 - ~~(2) Dean and Rector of Christ Church~~
 - ~~(3) Four (4) representatives appointed annually by the Bishop at least two (2) of whom shall be members of the Executive Council~~
 - ~~(4) Four (4) representatives appointed annually by the Dean and Rector of the Cathedral at least two (2) of whom shall be members of the Vestry, all of whom shall be pledging communicants in good standing of Christ Church Parish.~~~~
- ~~(b) The board shall review and make recommendations affecting the relationship between the Diocese, its several churches, and the Pro-Cathedral for mission and ministry, and shall further a collaborative relationship.~~
- ~~(c) The board shall meet quarterly. The Bishop will chair all meetings. In the absence of the Bishop, meetings shall be chaired by the Dean/Rector of the Pro-Cathedral. The board may adopt rules and regulations for its own procedure.~~
- (e) The Dean/Rector shall prepare a report on the mission and ministry of the Pro-Cathedral for Convention annually.

Proposed by: The Very Rev. Gray Lesesne

Explanation: This section of the Canons has been inoperative for at least two decades. This revision eliminates the definition of a body that no longer serves a purpose, while retaining the requirement that the Pro-Cathedral report annually to Convention.

The term pro-cathedral refers to a church that, while serving as a cathedral, continues to be governed by a vestry and rector, the same as any other parish. Most cathedrals in The Episcopal Church are technically pro-cathedrals.

Eagle-eyed readers will note the omission of a sub-section (d) in this revision. There is no sub-section (d) in the current text of the Canon. It is unclear whether that is a typographical error or a renumbering failure in a prior revision.