STANDING COMMISSION ON THE STRUCTURE OF THE CHURCH

MEMBERSHIP

Ms. Barbara G. Mann, Chair

The Rt. Rev. James Elliot Curry, Vice-Chair The Rev. Morgan Stephens Allen, Secretary

The Rev. Worgan Stephens Allen, Serrer

The Rev. Thomas James Brown

Ms. Judith G. Conley

The Rt. Rev. Clifton Daniel, III

Jo Ann B. Jones, Esq.

The Rev. Stuart Brooks Keith, Resigned

Mrs. Jennifer Mary Railing

The Rt. Rev. Victor A. Scantlebury

Ms. D. Rebecca Snow Ms. Mary Ann Weiss

The Rev. Johnnie Ross, Special Rep, PHOD

The Rev. Gay C. Jennings, Executive Council Liaison

The Rev. Dr. Gregory Straub, PB Liaison

South Carolina, IV, 2009 Connecticut, I, 2009

Western Louisiana, VII 2012

Vermont, I, 2012 Arizona, VIII, 2012 East Carolina, IV, 2012 Pennsylvania, III, 2009 Colorado, VI, 2009

Central Pennsylvania, III, 2012

Chicago, V, 2012 Alaska, VIII, 2012 Lexington, IV, 2009 Lexington, IV

Ohio, V Easton, III

COMMISSION REPRESENTATIVES AT GENERAL CONVENTION: The Rt. Rev. James Elliot Curry for the House of Bishops and Ms. D. Rebecca Snow for the House of Deputies are authorized to receive non-substantive amendments to this report.

MEETINGS OF THE COMMISSION

During the triennium, the Standing Commission on the Structure of the Church met four times face to face and had five conference call meetings. In addition, a subcommittee of the Commission met two more times at The Episcopal Church Center in New York City.

As with past Structure Commissions, our work was guided by the belief that the structure of the church should promote and serve the mission of the church: "To restore all people to unity with God and each other in Christ." We also believe the church must be structured in a way that facilitates the flow of ideas and energy and that promotes accountability, flexibility and good stewardship. Future directions set at the last General Convention in Resolution A112, Resolution A110, other Resolutions from the 75th convention assigned by the Secretary of General Convention and the Commission's mandate found in Canon I.1(n)(10) determined the agenda for our work this triennium.

MANDATE FOR STANDING COMMISSION ON THE STRUCTURE OF THE CHURCH

It shall be the duty of the Commission to study and make recommendations concerning the structure of the General Convention and of the church. It shall, from time to time, review the operation of the several Committees and Commissions to determine the necessity for their continuance and the effectiveness of their functions and to bring about a coordination of their efforts. Whenever a proposal is made for the creation of a new Commission, it shall, wherever feasible, be referred to the Standing Commission on the Structure of the Church for its consideration and advice.

SUMMARY OF WORK

1. Over several triennia, the Standing Commission on the Structure of the Church and the General Convention have worked together to regularize the Committees, Commissions, Agencies and Boards (CCAB) of the church. A primary effort of the Commission this triennium focused on where the work of "Committees of Executive Council" fits into the structure of the church. After much study and deliberation, the Commission proposes to continue three Committees; to make one a canonical entity; to discontinue three others, assigning their work elsewhere; and to form Standing Commissions from two others.

- 2. With the assistance of all Standing Commissions, this Commission reviewed Standing Commission mandates, keeping in mind the overall canonical charge that Standing Commissions "...study and draft policy proposals on major subjects considered to be of continuing concern to the mission of the Church" (Canon I.1.2 (a)). The Commission proposes that all suggestions of Standing Commissions administering programs be eliminated from mandates; confusion between mandates from overlapping areas of concern be addressed; and more consistent language be introduced to mandates while keeping in mind the traditional spirit of these well-established bodies. In additional proposed amendments the Commission clarifies generally accepted Standing Commission policies.
- 3. The Commission reviewed how we elect the Presiding Bishop and proposes that the process remain much the same. Included in this report is an extensive accounting of how the Commission came to that conclusion. In addition, a proposed canonical amendment clarifies the scope of the work of the Joint Nominating Committee for the Election of the Presiding Bishop.
- 4. The Commission discussed the name of the church and, after consultations and deliberation, recommends no change.
- 5. This report addresses Resolutions from the 2006 General Convention concerning the administration of the Provincial Leadership Conference and how Title IV applies to the specific situation of churches within our Province but outside the United States.
- 6. The Commission proposes the establishment of two new Task Forces and the discontinuation of another. The first Task Force, charged for two triennia, would study the broad implications of how foreign congregations established by, or related to, The Episcopal Church fit within the mission strategy of our province and of the whole Anglican Communion. The second Task Force, made up of bishops, other clergy and lay persons, would consider requests from any of the Instruments of Communion and make proposals to the next General Convention regarding the same. At the request of the 2006 General Convention, the Commission studied the advisability of continuing past the current triennium the Task Force on Institutional Wellness and Prevention of Sexual Misconduct and does not so recommend.
- 7. The Commission responds to a budgetary procedure question coming to the Commission's attention over the triennium.
- 8. Directions for the Future include matters recognized by this Commission as important to explore during the next triennium.

COMMITTEES OF EXECUTIVE COUNCIL

During the last triennium, the Standing Commission on the Structure of the Church defined the terms used to describe the church's Committees, Commissions, Agencies and Boards and included "Defined Terms Relating to Commissions, Committees, Agencies and Boards" in the Appendix of its Report to the 75th General Convention. (An update of that work will be presented to Executive Council soon after the 76th General Convention, and our hope is that it will serve as a reference tool as future work is given shape and place by the General Convention and Executive Council.)

In the process of defining terms, we found that the Committees of Executive Council had few guidelines, little oversight and no provisions for their discontinuation upon completion of their work. The description of Committees of the Executive Council in the Defined Terms document is an "averaging" of observations. The General Convention of 2006 asked this Commission to review and make recommendations concerning these specific Committees. In addition, A110 established an on-going process for the Executive Council, itself, to review these Committees. The A110 Task Force of Executive Council and a subcommittee of this Commission consulted during the triennium on this task.

In response to its charge, the Commission studied the available archived materials relating to creation of all the Committees of Executive Council, reviewed the results of a questionnaire sent to all the Committees, talked to numerous interested parties, both on and off the Committees, and reviewed the draft recommendations of the Executive Council A110 Task Force.

The Commission concludes that three extant Committees—the Executive Council Investment Committee, the

Executive Council Corporate Social Responsibility Committee (formerly Social Responsibility in Investments) and the Executive Council Economic Justice Loan Committee—relate directly to the governance work and fiduciary responsibilities of Executive Council. They function effectively, and we propose they continue as Committees of Executive Council. We also recommend that the Audit Committee, a Committee found in the By-laws of Executive Council, be moved to the Canons. A canonical amendment will clarify the distinction between the internal Standing Committees of Executive Council and the supportive, external Committees of Executive Council that the Commission recommends continuing.

A number of Committees created by the General Convention or the Executive Council over the years were formed to address—or give visibility and weight to—particular topics of concern to the church at a particular time, including the Executive Council Committee on the Status of Women, the Executive Council Jubilee Advisory Committee and the Executive Council Committee on HIV/AIDS. Their work is generally independent of the regular work of the Executive Council. The objectives of some of these Committees replicate or relate more closely to the mandates of existing Standing Commissions or other bodies of the church. Some serve in an advisory/programming capacity working closely with mission desks. Clearly these Executive Council Committees have accomplished important work. As part of this review, the Commission assessed where in the church's structure this work would most effectively be continued for the good of the whole. The Commission believes it is time for the policy work to be intentionally taken up by existing Standing Commissions, whose mandates already cover the same subject areas. Those serving in an advisory capacity should be established under appropriate administrative policies developed by the Church Center.

The Commission believes that two current Executive Council Committees—Science, Technology and Faith and Anti-Racism—deal with major subjects that are, and will be for the foreseeable future, "...of continuing concern to the mission of the Church." Canon I.1.2(a). They should, therefore, be discontinued as Committees of Executive Council and established as Standing Commissions with at least their current funding maintained.

The only Committee of Executive Council for which our Commission is not making a recommendation at this time is the Executive Council Committee on Indigenous Ministries. This Committee is currently reevaluating its mandate and work, a process we believe they should complete before any recommendations are considered.

THE FOLLOWING RESOLUTIONS WOULD IMPLEMENT THE COMMISSION'S RECOMMENDATIONS PERTAINING TO THE COMMITTEES OF EXECUTIVE COUNCIL

RESOLUTION A115 AMEND CANON I.4.3(G): COMMITTEES OF EXECUTIVE COUNCIL

1 Resolved, the House of _____ concurring, That Canon I.4.3(g) is hereby amended to read as follows:

Sec. 3(g) The Executive Council shall establish by its By-laws such *Standing* Committees of the Executive Council, *consisting of its own members*, as shall be deemed appropriate and necessary by the Executive Council for the discharge of its duties, the members of which are to be nominated jointly by the Chair and Vice-

Chair and appointed by the Council. The Council may also establish by its By-laws such other Committees, which may include or consist of non-members, to be nominated jointly by the Chair and Vice-Chair and appointed by the Council, as may

include or consist of non-members, to be nominated jointly by the Chair and Vice-Chair and appointed by the Council, as may be necessary to fulfill its fiduciary responsibility to The Episcopal Church.

EXPLANATION

2

3

4

Addition of these phrases eliminates an ambiguity regarding which "Committees of Executive Council" are to be established by the By-laws of Council. The practice has been for the Executive Council to divide itself into Standing Committees responsible for particular areas of ministry or administration. The By-laws have also created other Committees that have included non-members of Executive Council. These Committees address issues central to the responsibilities of Executive Council, but the canonical authority for their creation has not been clear.

RESOLUTION A116 AMEND CANON I.4.3: ESTABLISH AUDIT COMMITTEE

1 Resolved, the House of _____ concurring, That Canon I.4.3 is hereby amended by adding a new subsection (g),

with succeeding subsections to be relettered, to read as follows:

Sec. 3(g) Upon joint nomination of the Chair and Vice Chair, the Executive Council shall appoint a Joint Audit Committee of the Council and the Domestic and Foreign Missionary Society. The Committee shall be composed of 6 members, one of whom shall be a member of the Executive Council's Committee on Administration & Finance, one from the membership of the Joint Standing Committee on Program, Budget and Finance, and the remaining four shall be members of the Church-at-large, having experience in general business practices. The members shall be elected triennially and may serve two terms, after which a full triennium must elapse before being eligible for re-election. The Chair and Vice-Chair of Council shall designate the Chair of the Committee from among its members. The Audit Committee shall regularly review the financial statements relating to all funds under the management or control of the Council and the Society and shall report thereon at least annually to the Council and the Society.

Upon recommendation of the Audit Committee, the Executive Council shall employ on behalf of the Council and the Society an independent Certified Public Accountant firm to audit annually all accounts under the management or control of the Council and Society. After receipt of the annual audit, the Audit Committee shall recommend to the Council and Society what action to take as to any matters identified in the annual audit and accompanying management letter. The operations of the Audit Committee shall be set out in an Audit Committee Charter. The Audit Committee shall review, at least annually, the Committee's Charter and recommend any changes to the Executive Council for approval; and be it further

20 Resolved, That all of the current members of the Audit Committee have their respective terms extended until 21 December 31, 2009; and be it further

Resolved, That the Joint Rules of Order are hereby amended by deleting Rule 11:

Two members of the Joint Standing Committee shall be appointed by the Chair of the Joint Standing Committee on Program, Budget and Finance to the Audit Committee of the Executive Council. The Audit Committee is required to report to the General Convention or the Executive Council when the General Convention is not in session, through the Joint Standing Committee on Program, Budget and Finance (PB&F) at each PB&F Executive Committee meeting and each PB&F Committee meeting of the whole. PB&F shall present the reports of its actions on audit to the General Convention at each regular meeting thereof:

EXPLANATION

The Audit Committee is currently created through the By-laws of Executive Council and by reference in Joint Rule 11. An Audit Committee is of critical importance to the prudent exercise of the church's fiduciary responsibility and should, therefore, be established in Canon, although details of its operation may be set out elsewhere.

RESOLUTION A117 DISCONTINUE THREE COMMITTEES

- 1 Resolved, the House of _____ concurring, That the 76th General Convention discontinue the Executive Council
- 2 Committee on the Status of Women, the Executive Council Jubilee Advisory Committee and the Executive
- 3 Council Committee on HIV/AIDS.

EXPLANATION

The Committee on the Status of Women has served as an advisory group for the Women's Desk at the Church Center and has also studied various policy issues such as trafficking of women and children. The advisory functions should be provided, as needed, by a group established under administrative policy, while the policy issues would usually come within the mandate of the Standing Commission on National Concerns. If that Commission's title and mandate are changed as recommended elsewhere in this report, the policy issues related to women in the world will even more clearly fit within it.

The Jubilee Advisory Committee's functions should be provided, as needed, by an advisory group established under administrative policy.

The policy work of the Committee on HIV/AIDS should be undertaken by the Standing Commission on Health, now that it has been reestablished and funded. The program work related to HIV/AIDS education and services will continue to be done by the National Episcopal AIDS Coalition (NEAC), which would work closely with the Standing Commission on Health regarding policy initiatives.

RESOLUTION A118 AMEND CANON I.1.2(N): ESTABLISH TWO STANDING COMMISSIONS

Resolved, the House of _____ concurring, That Canon I.1.2(n) is hereby amended by adding a new subsection (15), to read as follows:

(15) A Standing Commission on Science, Technology and Faith. It shall be the duty of the Commission to identify, explore and recommend policies to General Convention regarding emerging issues in science and technology and their implications for Christian faith, life, and practice. And be it further

5 6

3

4

Resolved, That the Standing Commission on Science, Technology and Faith shall have a budget of \$60,000 for the triennium, 2009-2012; and be it further

9

Resolved, That the Executive Council Committee on Science, Technology and Faith be discontinued, effective with the appointment of the new Standing Commission; and be it further

12

14

15

13 Resolved, That Canon I.1.2(n) is further amended by adding a new subsection (16), to read as follows:

(16) A Standing Commission on the Eradication of Racism. It shall be the duty of the Commission to study and develop policies and strategies to dismantle and eradicate racism in The Episcopal Church and society and make recommendations to General Convention pertaining thereto. And be it further

16 17

18 Resolved, That the Standing Commission shall have a budget of \$60,000 for the triennium, 2009-2012; and be it 19 further

20

21 Resolved, That the Executive Council Committee on Anti-Racism be discontinued, effective with the appointment 22 of the new Standing Commission.

EXPLANATION

Science and technology have an increasingly pervasive influence on culture and daily life. The church needs a body to keep abreast of such developments and to evaluate them in the context of the received wisdom of Scripture and tradition, to provide education and guidance for the responses of individuals, congregations and dioceses. As with all Commissions' work, their findings would be "tested" by General Convention becoming the policy of the church.

The joint meeting of all CCABs, the Presiding Bishop, and the President of the House of Deputies, held in Chicago in November 2006, focused on anti-racism training, and every CCAB was urged to address the effects of racism within their work throughout the triennium. The Standing Commission on the Structure of the Church surveyed all Standing Commissions, asking the following question: "Recognizing that the way the church is organized can create barriers to full inclusion of all God's children, the Standing Commission on Structure is interested in suggestions you might have about structural barriers you have identified. How does the existence of your commission and its mandate empower or impede the church's efforts to dismantle racism? Is your Commission's place along the "Anti-racism Transformation Continuum for Congregations and Religious Organizations" a function of anything in its structure that could be codified or corrected through a canonical change?"

The responses demonstrated the difficulty structures of the church have recognizing and dealing with the influence of white privilege on the way the church functions. The General Convention has repeatedly committed the church to the dismantling and eradication of the sin of racism to effect the liberation and healing of all God's children. A Standing Commission on the Eradication of Racism would provide a continuing focus on strategies and policies to accomplish this key mission of the church.

STANDING COMMISSIONS

In response to Resolution A112, passed at the 75th General Convention, all Standing Commissions reevaluated their mandates during the triennium and forwarded their findings to the Standing Commission on the Structure of the Church. All mandates were reviewed and the Commission recommends changes in eleven to eliminate non-policy functions, to provide consistency of language and to avoid redundancy among Commissions. Some proposed changes are from the Commissions themselves and others are the work of our Commission alone.

RESOLUTION A119 AMEND CANON I.1.2(N) STANDING COMMISSION MANDATES

1 Resolved, the House of _____ concurring, That Canon I.1.2(n) be amended to read as follows:
2 (n) There shall be the following Standing Commissions:
3

3

(2) A Standing Commission for Small Congregations. on Congregational Vitality. It shall be the duty of the Commission to concern itself with plans for new directions for Small Congregations. It shall be the duty of the Commission to identify and recommend to General Convention policies, priorities, and opportunities to affirm and strengthen the health and development of all congregations, especially small congregations.

•••

(4) A Standing Commission on Domestic Mission and Evangelism the Mission and Evangelism of The Episcopal Church. It shall be the duty of the Commission to identify, study and consider major general policies, priorities and concerns as to the domestic mission of this Church. This shall include a review of the shaping of new patterns and directions for evangelism particularly in rural and metropolitan areas. The Commission shall develop and recommend to the General Convention comprehensive and coordinated policies and strategies to restore all people to unity with God and each other in Christ. policies, priorities and concerns as to the effectiveness of The Episcopal Church in advancing God's mission to restore all people to unity with God and each other in Christ, including patterns and directions for evangelism, Church planting, leadership development, and ministries that engage the diversity of the Church's membership and the communities it serves, and to make recommendations to General Convention.

 (5) A Standing Commission on Ecumenical and Interreligious Relations. It shall be the duty of the Commission to recommend to the General Convention a comprehensive and coordinated policy and strategy on relations between this Church and other Churches, and this Church and other religions, and to make recommendations to General Convention concerning interChurch cooperation and unity, and interreligious dialogue and action. , and to carry out such instructions on ecumenical and interreligious matters as may be given it from time to time by the General Convention. It shall also nominate for appointment by thePresiding Bishop, with the advice and consent of the Executive Council, persons to serve on the governing bodies of ecumenical and interreligious organizations to which this Church belongs by action of the General Convention, who shall report to the Presiding Bishop, Executive Council and the Standing Commission on Ecumenical and Interreligious Relations.

...

(7) A Standing Commission on Ministry Development. It shall be the duty of the Commission to:

training for ministry, leadership development, and deployment.

- (i) to-recommend policies and strategies to the General Convention for the development, affirmation and exercise of the ministry of all the affirmation, development and exercise of ministry by all the baptized persons (lay persons, bishops, priests and deacons);
- (ii) to encourage and facilitate networks of individuals, institutions and agencies, engaged in education, training, deployment and formation for ministry by all four orders; recommend strategies to General Convention for the development and support of networks of individuals, diocesan Committees and commissions, agencies and institutions engaged in recruitment, gifts discernment, education and
- (iii) to study the needs and trends of theological education for all four orders with this Church baptized persons, including issues of recruitment, training, deployment, evaluation and continuing education; to make recommendation to the several seminaries, the Executive Council and the General Convention; and to aid the General Board of Examining Chaplains in the exercise of its

function—seminary education and life-long learning, and recommend strategies to General Convention to strengthen theological education for all baptized persons.

(iv) to discharge such other duties as shall be assigned by the General Convention.

- (8) A Standing Commission on National Concerns Social Justice and Public Policy. It shall be the duty of the Commission to identify, study and consider general policies, priorities and concerns about the theological, ethical and pastoral issues and strategies as to the ministries of this Church serving Christ, to strive for justice and peace among all peoples through the proclamation of the Gospel and to develop and recommend to the General Convention comprehensive and coordinated policies and strategies applicable to the same. theologically interpret social justice issues facing the United States and their impact on other nations, and to develop and recommend policies and strategies to the General Convention.
 - (9) A Standing Commission on Stewardship and Development. It shall be the duty of the Commission hold up before the Church the responsibility of faithful stewardship of time, talent and treasure in grateful thanksgiving for God's gifts. It shall recommend strategies for stewardship education throughout the Church with special sensitivity to the cultural and linguistic diversity of our Church. It shall recommend programs for long range planning and development, ensuring that other Church bodies, including the Executive Council, are part of the process. It shall assure that there is an official, periodic gathering, interpretation, evaluation and reporting of stewardship from throughout the Church. It shall help coordinate all Church wide fund raising activities. to recommend policies that foster within The Episcopal Church a broad understanding of Christian stewardship, both individual and corporate. The Commission shall recommend strategies to General Convention for stewardship, including education, development, and planned giving, with special sensitivity to the cultural and linguistic diversity of the Church.
- (10) A Standing Commission on the Structure of the Church. It shall be the duty of the Commission to study and make recommendations concerning the structure of the General Convention and of the *Episcopal* Church. It shall, from time to time, review the operation of the several Committees, and Commissions, and Boards to determine the necessity for their continuance and the effectiveness of their functions and to bring about a coordination of their efforts. Whenever a proposal is made for the creation of a new Committee, or Commission, Board or Agency, it shall, wherever feasible, be referred to the Standing Commission on the Structure of the Church for its consideration and advice.
- (11) A Standing Commission on World Mission, whose members shall include persons broadly representative of jurisdictions outside the United States of America, as well as persons having direct engagement with and experience in world mission. It shall be the duty of the Commission, as to all mission outside the United States, to review and evaluate existing policies, priorities and strategies, and to promote partnership for global mission among the various groups within the Church, to plan and propose policy on overseas mission, and to make recommendations pertaining to the Executive Council and the General Convention. to review and evaluate policies, priorities, and strategies for global mission, and to make recommendations regarding global mission to General Convention.
- (12) A Standing Commission on Episcopal Church Communication and Information Technology. It shall be the duty of the Commission to identify, study and consider communication strategies, policies, priorities, and technologies, to strengthen the Church's communication of the Gospel and the mission of the Church to the world at large, and to improve communication among members of the Church, Parishes, Missions, Congregations, Dioceses, and the various bodies of the General Convention. The Commission shall report on its work and recommendations to the General Convention: recommend to General Convention communication strategies, policies, priorities, and technologies to strengthen the Church's communication of the Gospel and the mission of the Church to the world at large and to improve information management and exchange within The Episcopal Church.

. . .

- (13) A Standing Commission on Health. It shall be the duty of the Commission to:
 - (i) Articulate and communicate positions adopted by the Episcopal Church on health care policy to Episcopalians, the public, and public policy makers;

93 (ii) Advocate, in cooperation with the Office of Government Relations, for a health care system 94 in which all may be guaranteed decent and appropriate primary health care during their lives and 95 as they approach death; 96 (iii) Bring together those within the Episcopal Church who develop, provide and/or teach health 97 care and health policy to continue to develop a Christian approach to pressing issues that affect 98 the health care system of this nation; 99 (iv) Understand and keep abreast of the rapidly changing health care market and developments 100 in biomedical research that affect health policy; 101 (v) Collect and develop resources and teaching materials related to access to health care for the 102 use of dioceses, congregations, and individuals; 103 (vi) Advocate health ministry in and through local Episcopal congregations; and 104 (vii) Discharge such other duties as shall be assigned by the General Convention. identify and study 105 national and international healthcare issues, practices, and policies and the Church's healthcare ministries, and to 106 make recommendations to General Convention. 107 (14) A Standing Commission on Lifelong Christian Education and Formation and Education consisting of 108 twelve members (3 Bishops, 3 Presbyters and/or Deacons, and 6 Lay Persons). It shall be the duty of the 109 Commission to develop and recommend to the General Convention comprehensive and coordinated 110 policies for children, youth, adults, and seniors for lifelong Christian formation.

EXPLANATION

11

12

13

14

15

16

17

Most of the revisions proposed are intended to make the mandates consistent with the general statement about the nature and role of Standing Commissions set out in Canon I.1.2(a): "(T)o study and draft policy proposals on major subjects considered to be on continuing concern to the mission of the Church," and by implication to not "do" programming. Directing or supervising staff and participation in advocacy, program development or implementation of programs are beyond the intended scope of Standing Commissions, so language suggesting those responsibilities is being deleted (See (n)(13), (12), (11), (9), (7), (2).). In addition, mandates have been streamlined for clarity and to minimize overlapping responsibilities among Standing Commissions (See (n)(4), (8), (12), (13).). Appointment of representatives of the church is appropriately the responsibility of our elected leaders, not a Standing Commission. (See (n)(5).) Changes in title and mandate reflect the international character of The Episcopal Church (See (n) (4), (8), (10), (11).) Because this subsection specifies the membership of all Standing Commissions, redundant language is removed. (See (n)(14) above.)

THE FOLLOWING RESOLUTION IS INTENDED TO CLARIFY CURRENT STANDING COMMISSION PRACTICE

RESOLUTION A120 AMEND CANON I.1.2: STANDING COMMISSION PRACTICES

Resolved, the House of _____ concurring, That Canon I.1.2(a) is hereby amended to read as follows: 2 Sec. 2(a) The General Convention by Canon may establish Standing Commissions, to study and draft policy 3 proposals on major subjects considered to be of continuing concern to the mission of the Church. 4 The Canon shall specify the duties of each such Commission. Standing Commissions shall be composed of 5 three (3) Bishops, three (3) Priests and/or Deacons of this Church and six (6) Lay Persons, who shall be 6 confirmed adult communicants of this Church in good standing. 7 Priests, Deacons and Lay Persons are not required to be members of the House of Deputies. No person serving 8 as an elected member of the Executive Council may during the same triennium be appointed or continue to serve as a member of a 9 Standing Commission; and be it further 10

Resolved, That Canon I.1.2(d) is hereby amended to read as follows:

Sec. 2(d) The Presiding Bishop and the President of the House of Deputies shall jointly appoint members of the Executive Council as liaison persons to provide for communication between the Executive Council and each Commission. Notice of such appointments shall be given to the Secretaries of both Houses. Such appointed liaison persons shall not be members of the Commission and shall have voice but not vote. The reasonable expenses thereof shall be provided for by the Executive Council. Each such Commission shall have a member of the Presiding Bishop's staff appointed by the Presiding Bishop to assist in its work. Each such Commission shall have the power, subject to the Commission's budget, to constitute Committees, from among members or non members of the Commission, and, subject to the Commission's budget, engage the services of consultants and coordinators necessary to the carrying on of its work.

EXPLANATION

18

19

20

The Commission believes that The Episcopal Church benefits from having as many of its members involved in its work between General Conventions as possible. The Executive Council is guaranteed a connection to each Standing Commission through its appointed liaisons under Canon I.1.2(d), so it is unnecessary for Council members to serve on Commissions as well.

The amendment to Canon I.1.2(d) will clarify that the use of subcommittees, and inclusion of non-members is subject to the Commission's budget just as the services of consultants and coordinators is.

THE PRESIDING BISHOP ELECTION PROCESS

The 75th General Convention charged the Standing Commission on the Structure of the Church to: "review, study, and recommend to a future meeting of the General Convention Resolutions concerning changes to the process by which the Presiding Bishop would be nominated and elected by both Houses of General Convention." (A112).

This Commission began its review with a general supposition that the nominating and electing process required change. However, over the three years that the Commission studied this issue, the Commission found that significant amendments to the nominating and electing process have taken place only after there have been substantial changes in the role of the Presiding Bishop. We believe such substantial changes have not occurred over the last thirty years.

The Commission first studied the primatial selection processes of other provinces of the Anglican Communion. In most provinces, primates are either appointed or nominated and elected solely by the bishops. The Commission studied two exceptions: the Anglican Church of Canada and the Anglican Church in Aotearoa, New Zealand and Polynesia. The Canadian model consists of nomination by bishops and election by the clergy and laity meeting in General Synod. The New Zealand model involves a tripartite primacy elected by the three ethnic groups represented in their province. The Commission on the Structure of the Church does not recommend either of these models. The Anglican Church of Canada's method eliminates lay persons, priests and deacons from the initial discernment process because only bishops can nominate. The Church of New Zealand's model arises from their particular history and context and is not transferable to The Episcopal Church.

At the end of this review the Commission shifted its supposition from "the process needs to be changed" to a decision that the current process should not be changed unless some significant development in the role of the Presiding Bishop warrants change.

The Commission examined the evolution of the role of Presiding Bishop to determine the extent to which that role has changed over the years, especially since the last modification of the election process in 1976. The first Presiding Bishops were the senior bishops in the House of Bishops, a rule that governed for most of the next 130 years.¹ In 1901, a Constitutional revision changed the title of the Presiding Bishop from Presiding Bishop of the House of Bishops to Presiding Bishop of the Church.² By 1919, when the General Convention adopted a Constitutional amendment that provided for the election of the Presiding Bishop by the House of Bishops, with confirmation by the House of Deputies, the church recognized the role of the Presiding Bishop had developed from merely presiding at meetings of the House of Bishops into being a national leader responsible not only for guiding a program of mission in the world, but also for administering the Church Center and its staff.³

¹White and Dykman, eds, Annotated Constitution and Canons (N.Y.: Seabury 1981), v.I, p. 23.

² White & Dykman, v. 1, p. 199.

³ Foster, Roland. The Role of the Presiding Bishop (Cincinnati: Forward Movement Publications 1982), pp.57-61, 64.

This Commission recognizes that although the nature of the Presiding Bishop's role has not changed dramatically in the last century, the scope has grown as The Episcopal Church's domestic mission and ministry expanded, and its engagement in international mission and ministry evolved. It may well be time for a thorough study of what that role is, or needs to be, in the 21st century.

The Commission also studied the changing discernment process leading to the election of the Presiding Bishop. As early as 1895, deputies asserted that they should join in the election of a Presiding Bishop, who "is not simply the Presiding Bishop of the House of Bishops but...is the Presiding Bishop of this whole Church." In 1928, a canonical amendment created a nominating Committee comprising sixteen members, one bishop from each province and one lay or clerical deputy from each province. In 1925, 1955, 1967 and 1973 Resolutions were proposed to give the House of Deputies a more direct role in the election. After the proposed changes to the election process were referred to the Standing Commission on the Structure of the Church by the General Convention of 1973, that Commission's report recognized both the logic behind permitting both houses to participate in the election and the conflicting logic of permitting the House of Bishops to elect its own presiding officer. It did not recommend joint election and the Resolutions did not pass.

The discernment process leading to the election of the Presiding Bishop has changed dramatically in the last century from one based on longevity (the senior bishop) to one that appropriately reflects The Episcopal Church's theology of discernment.

The present nomination process, a 1976 expansion of the 1928 Canon, now includes a bishop, a lay person and a clerical representative from each province on the nomination Committee (Canon I.2.1(e)). As expressed in the ordinal, The Episcopal Church believes that discernment belongs to the whole Church.⁸ The foundational and essential work of discernment, particularly with regard to an ordained ministry, is shared among bishops, lay persons, and other clergy (Vestry, Commission on Ministry, Standing Committee).⁹ The role of the church in affirming the call of a person to a particular ministry is thus well-reflected in the composition of the Joint Nominating Committee for the Election of the Presiding Bishop.

The final steps in that discernment process are of course the election and confirmation themselves. The process currently set out in the Canons is consistent with our polity. The Episcopal Church trusts that the marvelous and mysterious power of the Holy Spirit works through institutions like the General Convention. The decisions of the General Convention are made by independent actions in each house, one initiating and the other concurring. We elect our common officers, such as the Secretary and Treasurer of the General Convention, in this way, with the House of Deputies initiating the election and the House of Bishops having the opportunity to concur or not. Given the Presiding Bishop's special responsibilities to the House of Bishops, including the role of first among equals, it is appropriate for the election to begin in that house, with concurrence or confirmation belonging to the House of Deputies. The bishops therefore properly take the next to last step in the discernment process with the

⁴Foster, p. 48 (quote from speech of Dr. Mann at 1895 General Convention).

⁵White and Dykman, v.I, p. 200.

⁶ White & Dykman, v. 1, p. 26, n, 33, p. 204

⁷ White & Dykman, v. 1. p. 204-05.

⁸ The Book of Common Prayer, pp. 513,517,526,538; Canons III.6 and III.8.

⁹Canon III.3.

power of corrective action being left to the deputies as they confirm or do not confirm the election of the Presiding Bishop.

Although the Commission is not proposing an amendment to Article I of the Constitution, it does proposes one canonical amendment to clarify the Joint Nominating Committee's mandate.

RESOLUTION A121 AMEND CANON I.2.1: JOINT COMMITTEE MANDATE

Resolved, the House of _____ concurring, That Canon I.2.1 be amended by adding a new subsection (e), with succeeding subsections to be re-lettered as necessary, to read as follows:

Sec. 1(e) The Joint Nominating Committee shall develop and manage a process for providing nominees to the General Convention at which a Presiding Bishop is to be elected. The process shall include 1) providing the names of not fewer than three members of the House of Bishops for consideration by the House of Bishops and the House of Deputies in the choice of a Presiding Bishop; 2) providing a timely process for any bishop or deputy to express the intent to nominate any other member of the House of Bishops from the floor at the time the Joint Nominating Committee presents its nominees to the joint session the two Houses, and for the Bishop so nominated to be included in the information distributed about the nominees; 3) providing pastoral care for each bishop being considered for nomination, the bishop's family, and his or her diocese; and 4) providing transition assistance to the Presiding Bishop and the Presiding Bishop-elect.

EXPLANATION

3

4

5

6

7

8

9

10

3

4

5

6

7

8

9

The continued use of a Joint Nominating Committee for the Election of the Presiding Bishop ensures full participation of all orders of the General Convention in the discernment and election processes. In reviewing and studying the way the Joint Nominating Committee has worked, the Commission heard from some members of recent Joint Nominating Committees who felt there was a lack of clarity about the scope of the Joint Nominating Committee's work in Canon 1.2.1(e) compared to the pastoral realities surrounding the nomination process. In order to provide greater clarity to future nominating Committees, the Standing Commission on Structure recommends this more specific mandate.

NAME OF THE CHURCH

In A-112, the 75th General Convention directed the Commission to review, study and recommend to the 76th General Convention Resolutions concerning any proposed changes to the Preamble of the Constitution with reference to the "official" name of this church, with particular consideration of being inclusive of our overseas dioceses and parishes. The preamble of the Constitution starts by stating "The Protestant Episcopal Church in the United States of America, otherwise known as The Episcopal Church (which name is hereby recognized as also designating the Church)." In recent years the shortened name, "The Episcopal Church," has grown in popular usage and already recognizes that "The Episcopal Church" is not limited to dioceses "in the United States of America." The Commission has concluded that the name "The Episcopal Church" is commonly recognized within The Episcopal Church and accepted in the wider Anglican Communion. A process to change the legal name of this church is, therefore, not recommended.

PROVINCIAL LEADERSHIP CONFERENCE

RESOLUTION A122 AMEND CANON I.9: PROVINCIAL LEADERSHIP CONFERENCE

1 Resolved, The House of _____ concurring, That the 76th General Convention amend Canon I.9 by adding a new section 11 as follows:

Sec. 11 Coordination of the ministry of all of the Provinces shall be provided by the Provincial Leadership Conference, consisting of the President, Vice President, and Coordinator of each of the various Provinces. The Conference shall meet at least annually at a time and place established by the Conference. Subject to the authority of the Constitution and Canons of this Church, the Conference shall determine the scope and manner of fulfilling its responsibilities, shall elect officers, and shall adopt bylaws consistent with the Constitution and Canons. The Conference shall have responsibility for the allocation of, and accountability for, the funds directly provided by the General Convention to support the work of the Provinces. The Conference shall report on its work to the Executive Council annually and to the General Convention, triennially

EXPLANATION

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

Resolution B004 was referred to the Commission by the 75th General Convention. This Resolution proposes an addition to the Canon dealing with provinces that would specify the makeup, purpose and scope of the Provincial Leadership Conference. This amendment gives canonical status to the procedures already in place for collective allocation of funds given by the General Convention to the Provinces and provides for accountability for the use of these funds.

DISCIPLINE PROCESS FOR CONGREGATIONS IN FOREIGN LANDS RESOLUTION A123 AMEND CANON I.15.10: DISCIPLINE PROCESS CLARIFICATION

Resolved, the House of _____ concurring, That Canon I.15.10 is hereby amended to read as follows:

Sec. 10 In case a Member of the Clergy officiating in charge of a Congregation in a foreign land shall be accused of any offense under the Canons of this Church, it shall be the duty of the Bishop in charge of such the Congregations in that land, or if there be none, the Presiding Bishop, to fulfill the role of the Bishop under Title IV. The Bishop so acting shall summon the Council of Advice, or the Standing Committee of the Bishop's diocese, as the case may be, and cause an inquiry to be instituted as to the truth of such accusation; and should there be reasonable grounds for believing the same to be true, the said Bishop and the Council of Advice shall appoint a Commission, consisting of three Clergy and two Lay Persons, whose duty it shall be to meet in the place where the accused resides, and to obtain all the evidence in the case from the parties interested; which shall perform the functions of a Diocesan Review Committee as provided in Title IV. they The Bishop, Council of Advice or Standing Committee, and Ecclesiastical Trial Court shall give to the accused all rights under the Canons of this Church which can be exercised in a foreign land. The judgment of the said Commission, solemnly made, shall then be sent to the Bishop in charge, and to the Presiding Bishop, and, if approved by them, shall be carried into effect; Provided, that no such Commission shall recommend any other discipline than admonition or removal of the Member of the Clergy from charge of said Congregation. Should the result of the inquiry of the aforesaid Commission reveal evidence tending, in their judgment, to show that said Member of the Clergy deserves a more severe discipline, all the documents in the case shall be placed in the hands of the Presiding Bishop, who may proceed against the Member of the Clergy, as far as possible, according to the Canons of the General Convention.

The judgment of the Ecclesiastical Trial Court may be appealed by the Respondent to the Court of Review of the Province of which the Bishop in Charge is a member of the Provincial House of Bishops, or in the case of the Presiding Bishop, the Province most convenient to the Respondent.

EXPLANATION

Resolution B020 was referred to the Commission. It concerned inconsistencies between the existing canonical provisions for clergy discipline in "foreign lands" and the revisions to the discipline process represented in the current Title IV. The amendments proposed in this Resolution will bring the discipline section of Canon I.15 into harmony with the existing Title IV, without creating further problems if Title IV is revised again at the 76th General Convention. Not making these corrections to Canon I.15.10 at this time will leave the Convocation of Churches in Europe and other congregations in foreign lands without an acceptable method of clergy discipline.

TASK FORCES

Task Forces are given a specific charge for a specific time period. The Commission proposes authorization of two Task Forces and recommends another not be continued.

RESOLUTION A124 FOREIGN LANDS TASK FORCE

1 Resolved, the House of _____ concurring, That the 76th General Convention establish, pursuant to Joint Rule IX, 2 a Task Force on Congregations in Foreign Lands to consider and make recommendations to the 77th General 3 Convention on The Episcopal Church's theology of mission, ecclesiology and the need for a coordinated 4 Anglican approach to missionary work in areas outside existing Provinces of the Anglican Communion; and to 5 propose to the 78th General Convention, the constitutional, canonical or structural changes that may be necessary 6 to respond to these recommendations; and be it further

7

- 8 Resolved, That the Task Force shall consist of 12 members (4 bishops, 4 clergy and 4 lay persons) including, as far 9 as practical, persons with expertise in missiology, ecclesiology, Constitution and Canons, structure, the Anglican O Computation and persons representing areas guerrently governed by Canon I 15; and ho it further
- 10 Communion and persons representing areas currently covered by Canon I.15; and be it further

11

- 12 Resolved, That the Task Force may, subject to its budget, request the assistance of members of the Presiding
- 13 Bishop's staff and other experts as consultants, and should include in its deliberations consultations with
- 14 representatives of other Provinces of the Anglican Communion who have undertaken or may be planning
- 15 missionary work in the same areas as The Episcopal Church; and be it further

16

17 Resolved, that the Task Force shall have a budget of \$100,000 for the next triennium.

EXPLANATION

Resolution C-047 was also referred to the Commission. The Resolution, proposed by the Convocation of Churches in Europe, offered a complete revision of Canon I.15 to bring it into the 21st century, but it primarily addressed needs experienced by the churches in Europe. Since The Episcopal Church includes other congregations in foreign lands where no diocese exists, the Commission concluded that a broader study of the issues related to such congregations is necessary before this Canon is revised. Given the growth and changes in the Anglican Communion as a whole, a study of how foreign congregations established by or related to The Episcopal Church fit into a cohesive mission strategy for this province of the Anglican Communion and into the mission strategy of other members of the Communion or the Communion as a whole, is timely. The Commission, therefore, recommends a Task Force be assigned the responsibility to study the many factors in and implications of this Canon. The duration of the Task Force will be two triennia, since the mandate is broad and complex and requires consultation with other members of the Anglican Communion, a process that can be time consuming.

RESOLUTION A125 ANGLICAN COMMUNION TASK FORCE

- 1 Resolved, the House of _____ concurring, That the 76th General Convention establish, pursuant to Joint Rule IX, a
- 2 Task Force on Anglican Communion Relations to consider and make recommendations to the 77th General
- 3 Convention on requests from any of the Instruments of Communion which require a response from The
- 4 Episcopal Church; and be it further

5

- 6 Resolved, That the Task Force shall consist of the Presiding Bishop, the President of the House of Deputies and 7 twelve other members (4 bishops, 4 clergy and 4 lay persons), which shall include persons with expertise in the
- 8 Constitution and Canons of The Episcopal Church and the ministries and structures of the Anglican
- 9 Communion; and be it further

10

- 11 Resolved, That the Task Force may, subject to its budget, request the assistance of members of the Presiding
- 12 Bishop's staff and other experts as consultants; and be it further

13

14 Resolved, That the Task Force shall have a budget of \$100,000 for the next triennium.

EXPLANATION

During the last two triennia (2003-2009), The Episcopal Church has been asked to respond to requests from various Instruments of Communion. The General Convention alone has the authority and responsibility to make such responses. More requests such as these, which may include a draft of an Anglican Communion Covenant, may be forthcoming. The Task Force on Anglican Relations would be responsible to research and study such requests and make recommendations to the 77th General Convention.

The Institutional Wellness and Prevention of Sexual Misconduct Task Force was created by General Convention Resolution 2003-A023. The Task Force met and worked during the 2003-2006 triennium, continuing in part the work of the Committee on Sexual Exploitation. General Convention Resolution 2006-A158 recommended that the Task Force continue for the 2006-2009 triennium; however, the Resolution was not funded in the Budget passed at the 2006 General Convention, and therefore, the Task Force has not functioned during the 2006-2009

triennium. That Resolution also asked the Commission on Structure to look at the advisability of continuing the Task Force beyond the current triennium. After discussions with a number of parties involved in this work, the Commission on Structure concluded that the Presiding Bishop's Office of Pastoral Development and the Church Pension Group are currently doing this work and are prepared to continue to do so. Accordingly, appointment of a Task Force through General Convention is not recommended.

BUDGETING PROCESS

The Commission suggests the following update of the budgeting process for the Convention's consideration.

RESOLUTION A126 AMEND CANON I.4.6(A) AND (B) AND JOINT RULE OF ORDER 10(D): BUDGETING PROCESS

Resolved, the House of _____ concurring, That Canon I.4.6 (a) and (b) are hereby amended to read as follows:

Sec.6(a) The Executive Council shall submit to the General Convention at each regular session thereof the budget for The Episcopal Church for the ensuing budgetary period, which budgetary period shall be equal to the interval between regular meetings of January 1 of the year following the General Convention and December 31 of the year in which the succeeding the General Convention occurs.

(b) The budget proposed for adoption by General Convention shall include a Canonical and corporate portion which shall provide for the contingent expenses of the General Convention, including those necessary to enable all canonically established entities to fulfill their mandates, the stipend of the Presiding Bishop together with the necessary expenses of that office, the necessary expenses of the President of the House of Deputies, including the staff and Advisory Council required to assist in the performance of the duties and matters related to the President's office, the applicable Church Pension Fund assessments, and also the corporate requirements for the administrative support of the Domestic & Foreign Missionary Society offices.

And be it further

Resolved, That Joint Rule of Order 10(d) is hereby amended to read as follows

10(d) Not later than the third day prior to the adjournment of each regular meeting of the General Convention, the Joint Standing Committee shall report to a Joint Session, pursuant to Canon, a proposed unified Budget for The Episcopal Church for the ensuing budgetary Convention period, based on open hearings held during the General Convention, and consisting of funding for the program of The Episcopal Church and the funding necessary to enable all canonically established entities to fulfill their mandates. The budget shall be subject to the approval of the said Budgets subject also to increase, reduction, or elimination of items, by either House, and subject to adoption based on open hearings held during the General Convention and by subsequent concurrent action by the House of Deputies and the House of Bishops.

EXPLANATION

The amendment in subsection (a) is necessary to describe correctly the budgetary period now being used by The Episcopal Church. The amendment to subsection (b) is intended to reinforce the importance and priority of the canonical budget which supports the structures General Convention deems appropriate. Last triennium, the budget for the Executive Council was cut to a degree that required the Council to reduce the length of each of its meetings, thereby making it difficult for the Council to do its work. In each of the last two triennia, a Standing Commission created by canonical amendments adopted by the General Convention was not funded in the budget process. Similarly, for many years, the General Board of Examining Chaplains has been under funded, requiring it to exceed its budget if it is to complete its canonical mandate to "conduct, administer and evaluate [the General Ordination Examination]." (Canon III.15.2(a).) Neither those persons preparing the budget for consideration by the Executive Council, nor the Council nor the Joint Standing Committee for Program, Budget and Finance should have the power to override canonical mandates established by the General Convention by eliminating or reducing funding for such entities to an unrealistic level. These amendments reinforce the priority and protection the canonical portion of the budget is given in Canon I.4.6(d) in case actual income is below the amount required to support the budget adopted by General Convention. The amendments to Joint Rule 10(d) better explain the adoption process at General Convention.

FUTURE DIRECTIONS

A referendum on the following resolves would give guidance to the work of this Commission and others during the next triennium.

RESOLUTION A127 DIRECTIONS FOR THE FUTURE

Resolved, the House of _____ concurring, That the 76th General Convention charge the Standing Commission on the Structure of the Church to consider the relationship of Agencies to the structure of The Episcopal Church and make recommendations to the 77th General Convention concerning the same; and be it further

4

Resolved, That the 76th General Convention charge the Standing Commission on the Structure of the Church to consider the role and term of the Presiding Bishop and report its considerations to a future meeting of the General Convention concerning the same; and be it further

8

9 Resolved, That the 76th General Convention charge the Standing Commission on the Structure of the Church to 10 examine the role of Chancellors in the structure of The Episcopal Church and make recommendations to the 77th 11 General Convention concerning the same; and be it further

12

Resolved, That the 76th General Convention charge the Standing Commission on the Structure of the Church to examine the role of Parliamentarians in the structure of The Episcopal Church and make recommendations to the 77th General Convention; and be it further

16

17 Resolved, That the 76th General Convention charge the Standing Commission on the Eradication of Racism or the Standing Commission on the Structure of the Church to examine the cultural homogeneity of the Canons, and the propriety of the Canons being applied within the diversity of the Church, and make recommendations to a future meeting of the General Convention concerning the same; and be it further

21

Resolved, That the 76th General Convention charge the Standing Commission on the Structure of the Church to examine the budgeting process of the Church and make recommendations to the 77th General Convention regarding the same; and be it further

25

Resolved, That the 76th General Convention charge the Standing Commission on the Structure of the Church to examine the Provincial Leadership Conference and the Church's provincial structure, and make recommendations to a future meeting of the General Convention concerning the same.

BUDGET APPROPRIATION

The Commission was given a budget of \$46,000 this past triennium. The Commission spent \$15,728 in 2007 and \$30,663 in 2008 on meetings and other expenses.

The Standing Commission on the Structure of the Church will meet approximately four times in the next triennium for a total of about twelve days. In addition, the Commission anticipates needing the services of three consultants for two meetings each. The Commission therefore requests a budget of \$84,000 for the 2010-2012 triennium.