

**GENERAL CONVENTION OF THE EPISCOPAL CHURCH 2018  
ARCHIVES' RESEARCH REPORT**

**RESOLUTION NO.:** 2018-D075  
**TITLE:** Amending Title IV to Prevent Retaliation  
**PROPOSER:** The Rev. Karen Montagno  
**TOPIC:** Canons

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**Directly Related:** (Attached)

2009-A185 Amend Title IV [Ecclesiastical Discipline]

**Indirectly Related:** (Available in the [Acts of Convention](#) database, searchable by resolution number)

None

*In preparing this report, the Archives researched the resolutions in the Acts of Convention database for the period 1976 through 2015, selecting “direct” resolutions that have a substantive bearing on the proposed legislation. The “direct” resolutions are attached and “indirect” resolutions are available in the Acts of Convention database. Committee members who require other research assistance should contact the Archives at 800-525-9329 before Convention or at Convention in the General Convention Secretariat.*

# D075 Amending Title IV to Prevent Retaliation

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<b>Proposer</b>	The Rev. Karen Montagno
<b>Endorsed by</b>	Getz, Ms. Pauline; James, The Rev. Dr. Molly
<b>Sponsored by</b>	
<b>Page numbers</b>	Blue Book: p. N/A; Constitution & Canons: p. 131
<b>HiA / Leg. Cttee</b>	/
<b>Current Status</b>	Pre-Filed Resolution
<b>Version</b>	Original (as filed)
<b>Review Status</b>	Not yet reviewed

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## RESOLUTION TEXT

1 *Resolved*, the House of \_\_\_\_\_ concurring,

2 That Canon IV.2 is hereby amended to add the following definition as follows:

Retaliation shall mean making or threatening reprisals to any person who, in good faith, brings a complaint or petition against a clergy person, either through the procedures of this Title or the procedures outlined in Title III. Such conduct shall be understood to have the purpose or effect of unreasonably interfering with the subject person's work or volunteer performance, creating an intimidating or hostile work or volunteer environment, or adversely affecting the person's life in any way.

And be it further

3 *Resolved*, That Canon IV. 4.1.(h) is hereby amended as follows:

(h) refrain from:

(1) Any act of Sexual Misconduct;

(2) holding or teaching, publicly or privately, and advisedly, any Doctrine contrary to that held by the Church;

(3) engaging in any secular employment, calling, or business without the consent of the Bishop of the Diocese in which the Member of the Clergy is canonically resident;

(4) being absent from the Diocese in which the Member of the Clergy is canonically resident, except as provided in Canon III.9.3(e) for more than two years without consent of the Bishop Diocesan;

(5) any criminal act that reflects adversely on the Member of the Clergy's honesty, trustworthiness or fitness of the ministry of the Church;

(6) conduct involving dishonesty, fraud, deceit or misrepresentation; or

(7) habitual neglect of the exercise of the ministerial office without cause; or habitual neglect of public worship, and of the Holy Communion, according to the order and use of the Church; and

(8) *retaliation*

(9) any Conduct Unbecoming a Member of the Clergy

**EXPLANATION**

Currently, there is no explicit canon protecting persons who report against retaliation for doing so which can have a chilling effect. The definition of retaliation is taken from the model policies of Church Pension Group.



**Resolution Number:** 2009-A185  
**Title:** Amend Title IV [Ecclesiastical Discipline]  
**Legislative Action Taken:** Concurred as Amended  
**Final Text:**

[*Resolved, That Canon IV.4.1 is amended to read as follows:*]

**CANON 4: Of Standards of Conduct**

**Sec. 1. In exercising his or her ministry, a Member of the Clergy shall:**

**(h) refrain from:**

- (1) any act of Sexual Misconduct;**
- (2) holding and teaching publicly or privately, and advisedly, any Doctrine contrary to that held by the Church;**
- 3) engaging in any secular employment, calling or business without the consent of the Bishop of the Diocese in which the Member of the Clergy is canonically resident;**
- (4) being absent from the Diocese in which the Member of the Clergy is canonically resident, *except as provided in Canon III.9.3(e)* for more than two years without the consent of the Bishop Diocesan;**
- (5) any criminal act that reflects adversely on the Member of the Clergy's honesty, trustworthiness or fitness as a minister of the Church;**
- (6) conduct involving dishonesty, fraud, deceit or misrepresentation; or**
- (7) habitual neglect of the exercise of the ministerial office without cause; or habitual neglect of public worship, and of the Holy Communion, according to the order and use of the Church; and**
- (8) any Conduct Unbecoming a Member of the Clergy.**

**Citation:** Canon IV.4 is excerpted from the Final Text of the revision to Title IV. See General Convention, *Journal of the General Convention of...The Episcopal Church, Anaheim, 2009* (New York: General Convention, 2009), pp. 227-266.