

**Diocese of West Texas**

**CONSTITUTION  
AND  
CANONS**

**2006 Edition**



## **CERTIFICATE**

I certify that the following pages are the Constitution and Canons of the Diocese of West Texas as of the close of the 102nd Council of said Diocese, which met in San Antonio, February 23, 2006 through February 25, 2006.

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The Reverend Phillip M. Stevenson, Jr., Chair  
Committee on Constitution and Canons  
Diocese of West Texas



**CONSTITUTION AND CANONS  
OF THE  
DIOCESE OF WEST TEXAS**

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THE CONSTITUTION

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## **Terminology**

Section 1. "The Church" shall refer to the Protestant Episcopal Church in the United States of America.

Section 2. "The Diocese" shall refer to the Diocese of West Texas of the Protestant Episcopal Church in the United States of America.

Section 3. "The Council" shall refer to the Diocesan Council of the Diocese of West Texas.

Section 4. "The Bishop" shall refer to the regularly elected and consecrated Bishop who is in charge of the Diocese.

Section 5. "The senior Suffragan Bishop" shall refer to the Suffragan Bishop who holds seniority in point of currently continuous, active, episcopal status in the Diocese.

Section 6. "The Executive Board" shall refer to the Diocesan Executive Board.

Section 7. "General Constitution" and "General Canons" shall refer to the Constitution and Canons of the Church. "Constitution" and "Canons" shall refer to the Diocesan Constitution and Canons.

Section 8. "Congregation" shall refer to a parish or a mission in union with the Council.

Section 9. "The Episcopate Endowment Fund" shall refer to the diocesan corporation legally designated as the Episcopate Endowment Fund of the Diocese of West Texas of the Protestant Episcopal Church, U.S.A.

## **ARTICLE I**

### **The Diocese**

Section 1. The Diocese of West Texas recognizes, acknowledges and accedes to the authority of the Protestant Episcopal Church in the United States of America and agrees to abide by the same as set forth in the mandates and enactments of the General Convention of the Church, the Constitution and Canons of the Church, and the Book of Common Prayer.

Section 2. The territorial jurisdiction of the Diocese shall include the following counties of the State of Texas, to wit:

Aransas	Duval	Kerr	Real
Atascosa	Edwards	Kimble	Refugio
Bandera	Frio	Kinney	San Patricio
Bee	Gillespie	Kleberg	San Saba
Bexar	Goliad	Lavaca	Schleicher
Blanco	Gonzales	LaSalle	Starr
Brooks	Guadalupe	Live Oak	Sutton
Caldwell	Hays	Llano	Uvalde
Calhoun	Hidalgo	Mason	Val Verde
Cameron	Jackson	Maverick	Victoria
Comal	Jim Hogg	McCullough	Webb
Concho	Jim Wells	McMullen	Willacy
Crockett	Karnes	Medina	Wilson
DeWitt	Kendall	Menard	Zapata
Dimmit	Kenedy	Nueces	Zavala

## **ARTICLE II**

### **The Diocesan Council**

Section 1. Governmental authority of the Diocese shall be vested in the Council, except as otherwise provided by the General Convention of the Church, the Constitution and Canons of the Church, and the Book of Common Prayer.

Section 2. The membership of the Council shall consist of such clergy and such communicant lay members of the Diocese as may be designated by the Canons. Clerical members of each Council, annual and special, shall be certified by the Ecclesiastical Authority. Lay delegates shall be elected and certified in the manner provided by the Canons. Each congregation's certified list of lay delegates to the annual Council shall be its certified list of lay delegates to any special Council held during the ensuing conciliar year, subject to such certified substitutions as the Canons provide.

Section 3. The Council shall have the following powers:

- (a) To elect the Bishop of the Diocese; to elect a Bishop Coadjutor; and to elect one or more Suffragan Bishops. The procedure of any such election shall be determined by the Canons.
- (b) To elect all such officers, boards, committees and delegations of the Diocese as may be provided for in the Canons and in the manner prescribed therein.
- (c) To confirm appointments to committees when so provided by the Canons.

(d) To consider the budgets for each fiscal year presented by the Executive Board and to amend, change or alter the same or any part thereof. No diocesan budget shall be effective until it has been approved by the Council.

(e) To determine the apportionment of assessments for congregations of the Diocese with the power to adopt policies regarding same.

(f) To amend or add to the Constitution and Canons in the manner therein provided and to pass resolutions, make declarations of policy and enact such other legislation as may seem proper.

(g) To admit new missions to union with the Council and to determine the status of every congregation in union with the Council in accordance with the Canons.

(h) To create and to cause to be incorporated such institutions or bodies as it shall see fit, and to dissolve the same. Such corporations shall be responsible to the Council, except in such matters as may be specified by the Constitution and Canons. The Council shall require an annual certified audit of the financial transactions of every such corporation.

(i) To consider all matters properly coming before the Council.

Section 4. There shall be an annual meeting of the Council within the territorial jurisdiction of the Diocese at such place as may be designated by the previous annual Council and at such time as may be designated by the Ecclesiastical Authority. For good cause the Ecclesiastical Authority may change the place or time, or both, of such scheduled meeting by giving thirty days written notice of such change to all clergy and all congregations entitled to representation therein.

Section 5. The Ecclesiastical Authority shall have the power to call special meetings of the Council for any purpose, including that of electing a Bishop, a Bishop Coadjutor or a Suffragan Bishop. At least thirty days written notice of such special meeting shall be given to all clergy and to all congregations entitled to representation therein. All such notices to be given Parishes shall be directed to the Senior Warden and the Secretary of the vestry thereof and all such notices to be given Missions shall be directed to the Warden and the Secretary of the Bishop's Committee thereof. The business to be transacted shall be specified in the call, and no other business shall be transacted.

Section 6. The Bishop shall be the presiding officer of the Council ex-officio, and shall preside at all meetings thereof. In the absence of the Bishop, the presiding officer in the order named shall be the Bishop Coadjutor, if any, or the senior Suffragan Bishop in attendance. In the absence of a bishop, the President of the Standing Committee shall call the meeting to order, and after the membership has been accredited, one of the

clerical members of the Council shall then be chosen as the presiding officer. The presiding officer by personal option may express views on any subject that is before the house after it has been discussed and before a vote thereon.

Section 7. A quorum for the transaction of business shall consist of a majority of the clergy entitled to vote and a representation of lay delegates from a majority of the congregations. A quorum shall not be necessary to recess or adjourn the meetings of the Council.

Section 8. The Council shall deliberate as one body, and vote as such, except when a vote by orders is called for by one clergy and two lay delegates, representing three different congregations. A majority of votes cast shall determine a choice except as otherwise provided in the Constitution or Canons. When voting by orders, each clergy and each lay delegate shall be entitled to one vote and a concurrence of a majority of both orders on the same ballot shall be necessary for a decision.

Section 9. All elections of officers shall be by ballot but the ballot may be dispensed with by unanimous consent except in the matter of election of a Bishop, a Bishop Coadjutor or a Suffragan Bishop.

### **ARTICLE III**

#### **The Bishop**

Section 1. The Bishop of the Diocese shall be the administrative head and the Ecclesiastical Authority of the Diocese.

Section 2. In the event of the death of the Bishop, if there be no Bishop Coadjutor, the senior Suffragan Bishop or, in the absence of a Suffragan Bishop, the Standing Committee shall become the temporary Ecclesiastical Authority of the Diocese until such time as a new Bishop shall have been elected, and consecrated or otherwise duly authorized to fill such office. It shall be the duty of such temporary Ecclesiastical Authority, in such a case, to call a special council, to be held within three months after the death of the Bishop, for the purpose of electing a Bishop.

Section 3. Under conditions stated in the General Constitution and Canons, a Suffragan Bishop of the Diocese shall be eligible to appointment by the Presiding Bishop as the Ecclesiastical Authority of the Diocese during any disability of the Bishop.

Section 4. The Bishop shall be empowered to fill any vacancies in diocesan offices and committees, except as otherwise specifically provided by the Constitution or Canons.

Section 5. The Bishop is the Ordinary of all non-parochial organizations and institutions of the Church within the Diocese, and as such may attend and preside at any of their meetings and shall be the ultimate arbiter and judge of their proceedings.

Section 6. The Bishop or other Ecclesiastical Authority, as administrative head of the Diocese, shall on behalf of the Diocese have recourse to the civil courts for redress of loss or injury suffered by the Diocese.

Section 7. In all matters affecting the Diocese or any congregation, where no procedure is specifically provided by the Constitution and Canons of the Church or the Constitution and Canons of the Diocese, the Bishop shall have the power to act for and on behalf of the Diocese or such congregation.

## **ARTICLE IV**

### **The Executive Board**

Section 1. There shall be an Executive Board of the Diocese formed and constituted according to the Canons.

Section 2. The Bishop shall be the President of the Executive Board. Other bishops of the Diocese, if any, in the order of their ecclesiastical precedence in diocesan authority, shall be vice-presidents, and shall take precedence over elected vice-presidents, if any. The Executive Board shall elect its other officers.

Section 3. The Executive Board shall, during intervals between meetings of the Council, have full power and authority to act for the Council in all matters not expressly reserved by the Constitution and Canons exclusively to the Council; provided, however, that no action may be taken by the Executive Board in direct contravention of a previous action taken by the Council.

## **ARTICLE V**

### **The Standing Committee**

Section 1. The Annual Council shall elect a Standing Committee consisting of three priests and three lay communicants eligible for election to membership in the Council. One priest and one lay communicant shall be elected annually by the Council, and they shall serve for a term of three years. No member of the Standing Committee after serving a full term or part of a term thereon shall be eligible to serve again on the Standing Committee for a full year after such service. A vacancy may be filled for the unexpired term by a majority vote of the remaining members.

Section 2. The Standing Committee shall have all the authority conferred upon it by the General Constitution and Canons, and in addition thereto, shall have such authority and perform such duties as may be prescribed by the Canons of the Diocese.

## **ARTICLE VI**

### **Amendments**

A proposal for altering or amending this Constitution shall be presented in writing to the Committee on Constitution and Canons and to the Chancellor. It shall be presented in Council as part of the report of the Committee, with or without their endorsement. If it be approved by a majority of each of the two orders voting thereon separately, it shall lie over until the next Annual Council, upon further consideration, if it be again approved by a majority of each order voting separately, it shall become effective upon adjournment of the Council.

By unanimous consent, the second Council considering such amendment may approve without further delay such editorial emendations of the former draft as shall clarify or otherwise better the text without changing the obvious purport of the amendment; but no editorial changes shall be permitted after the second passage of the amendment.

**CANONS  
of the  
DIOCESE OF WEST TEXAS**

**CANON 1**

The Diocesan Council

Section 1. The voting membership of the Council, in both its annual and its special meetings, shall consist of the following clergy, and lay delegates:

(a) CLERGY. Every bishop, priest and deacon in good standing, active or retired, who is canonically and actually resident in the Diocese; and clergy who are canonically, but not actually resident in the Diocese, and who are engaged in work approved by the Bishop. Clergy who are actually, but not canonically, resident in the Diocese and who are engaged in work approved by the Bishop shall be entitled to a seat and a voice, but no vote, in the Council. Clergy who are actually, but not canonically, resident in the Diocese and who are appointed by the Bishop to serve as the acting Rector or Vicar for a specified time as the minister in charge of a specific congregation, and who are so serving at the time of Council, shall be entitled, at such Council, to seat and voice and vote. The Bishop, prior to the meeting of the Council, shall furnish to the Secretary of the Diocese an accurate, certified list of the names of clergy entitled to membership. No clergy shall be entitled to vote unless the parochial report required of him/her has been received by the Bishop.

(b) LAY. Delegates and alternates shall be men or women communicants of the congregation which they represent, in good standing, sixteen years of age or older. Each congregation, in union with the Council, shall be entitled to one delegate for every 50 persons, or portion thereof, reported for Average Sunday Attendance in the Annual Parochial Report, except that every parish and mission shall be entitled to at least two delegates and two alternates, and each parish shall be entitled to one additional delegate and alternate.

(c) Vacancies in delegations representing any congregation shall be filled by the vestry or bishop's committee thereof except that, in those instances when meetings of such bodies may not be held, the rector or the minister-in-charge may fill such vacancies.

(d) Each voting member shall be entitled to one vote in all matters coming before the Council, unless otherwise specified by the canons.

Any Lay minister canonically resident and in charge of a congregation shall be a member, with voice and vote.

Section 2. The general officers of the Diocese shall have a seat and a voice in the Council, but no vote unless they have been otherwise qualified as voting members.

Section 3. Seat and voice may be granted to any persons at a particular Council, on recommendation of the Committee on Credentials and Privileges. The privilege of the floor may be granted to any person by the presiding officer.

Section 4. In the event that any congregation shall have failed to pay in full its Apportionment for the previous year, unless exempted all or in part by the Council, and (or) the Church Pension Fund assessment, the right of all delegates of such congregations to vote during the current Conciliar year shall be suspended until the amount of such Apportionment and (or) Church Pension Fund assessments shall have been paid. Further, in the event that any congregation shall have failed to complete its annual audit as directed by the Canons of the Episcopal Church, or made arrangements for its completion acceptable to the Department of Finance, the right of the delegates of such congregations to vote during the current Conciliar year shall be suspended.

Section 5. Duly accredited alternate delegates shall be seated, but without voice or vote except when filling a shortage in the number of delegates with which their congregation is accredited.

Section 6. It shall be the duty of each voting member of the Council to execute a card of registration to be furnished by the Secretary as soon as practicable upon his/her arrival at the place of meeting of the Council. Each such registration shall be delivered to the Secretary or an assistant. Such registrations shall be used by the Secretary and the members of the Committee on Credentials and Privileges in determining whether or not a quorum is present at the Council.

Section 7. The Secretary of the Diocese, at least 60 days before the annual meeting, shall furnish the clergy or lay person canonically in charge of each congregation entitled to delegates certificate forms to be used by such congregation in certifying its delegates to the Council, reading as follows:

“This is to certify that at the annual meeting of \_\_\_\_\_ (Parish-Mission) or of the vestry or of the Bishop's Committee of \_\_\_\_\_ held on the \_\_\_\_ day of

\_\_\_\_\_, the following persons, all of whom are lay communicants of this congregation, were elected as its delegates and alternates to all Councils of the Diocese to be held in the Conciliar year \_\_\_\_\_.”

This certificate shall be completed in triplicate and signed by the clergy or lay person in charge of the congregation.

Not less than 15 days before Council, a copy thereof shall be sent to each of the following: the Secretary of the Diocese, the Bishop, and the rector of the parish in which the Council will meet.

Section 8. It is the duty of each voting member of the Council to attend every meeting thereof, and each parish and mission of the Diocese shall make some provision for the payment of the expenses of its clergy and lay delegates attending Council.

Section 9.

- (a) Prior to the convening of the Council, the presiding officer shall appoint and certify to the secretary the following committees: On Credentials and Privileges; On Dispatch of Business; and On Elections.
- (b) It shall be the duty of the Committee on Credentials and Privileges to check the registered delegates against the authorized list of delegates furnished to it by the Secretary and to determine in advance of the first business meeting of the Council the rights and privileges of all such delegates.

Except in a Council in which a Bishop is to be elected, a roll call of delegates may, at the discretion of the presiding officer, be omitted, but the Secretary shall certify the delegates accredited by the Committee on Credentials and Privileges.

- (c) It shall be the duty of the Committee on Dispatch of Business to consider ways and means of dispatching the business of the Council as rapidly as possible.
- (d) It shall be the duty of the Committee on Elections to expedite the procedure of Council elections wherever possible.

Section 10. Prior to the convening of the first business meeting of the Council, the presiding officer shall also appoint the following committees: On the Bishops' Addresses; On Resolutions of Greeting and Courtesy; and such others as may seem fitting.

The membership of all such committees shall be announced by the presiding officer at the first business meeting of the Council.

## Section 11.

(a) A Diocesan Nominating Committee and the Chair thereof shall be elected annually by the Diocesan Executive Board at its regular spring meeting, on nomination by the Bishop.

(b) The membership of the Nominating Committee shall consist of one representative of each convocation and two members of the previous year's Nominating Committee. In the odd numbered years Northern, Eastern and Valley Convocations shall be represented by Lay members, while the Central, Northeastern, Southern and Western Convocations shall be represented by clergy. In even numbered years the distribution of membership between clergy and laity as to convocations shall be the reverse.

(c) The Secretary of the Executive Board shall, immediately after the board's action, apprise the committee members of their election, giving the name and address of each committee member, and designating the elected chair. A copy of this Section 11 of Canon 1, in toto, shall be included in each such letter of notification, together with a list of the offices to be filled by election at the forthcoming Council, and an analysis of the work involved in each such office.

(d) It shall be the duty of the nominating committee chair before October 1 of the current year to write to the minister and vestry or Bishop's Committee of each congregation in the Diocese, apprising them of the offices to be filled by election at the Council, with an analysis of the work involved in each such office, and apprising them of their privilege to recommend, for consideration by the Diocesan Nominating Committee, the names of men and women communicants, eighteen years of age or over, within such convocation whom they consider qualified to serve in these offices.

(e) It shall be the duty of the nominating committee chair to determine the place and time for a meeting of the committee, to be held prior to November 15, and to notify the committee members thereof. At the meeting of the Nominating Committee, so assembled, the chair shall report all such proper nominee recommendations as he/she shall have received. The names of such recommended nominees shall be included among those under consideration by the committee, in selecting its slate of nominees to be submitted to the Council. The Committee shall be free to initiate the nomination of any person without prior recommendation. The Committee must nominate no less than three persons for any one position to be filled, except that the Committee shall nominate only one person for any one of the General Officers of the Diocese.

(f) The report of the Diocesan Nominating Committee shall include a brief identification of each person nominated and shall be submitted to the Bishop in time for inclusion in the packet of reports to the Council

printed prior to the convening of the Council.

(g) The report of the Nominating Committee shall not preclude nominations from the floor at the Council.

Section 12. There shall be a celebration of the Holy Communion at each Council at such time as designated by the Bishop in the official Council program.

Section 13. The order of business of the annual Council shall be stipulated in a printed program, prepared for Council distribution under the direction of the Bishop. It shall be subject to such minor emendations as the presiding officer, with the Council's approval, shall deem expedient. It shall include:

- (a) All pertinent matters indicated in Article 2, Section 3 of the Constitution.
- (b) Presentation by title, for Journal publication in full, of the annual reports of the bishops.
- (c) Presentation, for Journal publication, of the annual report of each officer, board of trustees or directors and other agents or agencies of the Diocese created by the Council. Such reports may be presented in abbreviated form.
- (d) The hearing of the reports, at the Bishop's discretion, of such special diocesan committees as shall have been appointed.
- (e) Action upon the reports of regularly appointed Council committees.

Section 14.

- (a) Elections shall be started during the first session of the Council and continued intermittently as fast as possible, until completed. If there be a nominating committee, the first election shall be preceded by circulation of the total list of nominations which such committee intends to present, after which nominations from the floor may be made.
- (b) No Canon to the Ordinary shall be eligible for election to the Standing Committee.
- (c) Elections shall be by a majority vote of the valid votes cast for each office. Each delegate shall have one vote on each ballot for each office or position to be filled.
- (d) When more than two persons are nominated for a single office, or when two or more persons are to be elected on the same ballot and there are more nominees than twice the number of offices or positions to be filled, and if upon the first ballot there is no majority of the votes cast for one or more of the offices to be filled, a second ballot shall be cast. The nominees, on such ballot, shall be the candidates receiving the highest number of votes cast on the preceding ballot, not to exceed

twice the number of the offices remaining to be filled; except in the case of a tie vote in the last place in which event the candidates receiving the tie vote shall also be candidates in the next succeeding ballot. Similarly, ballots shall be cast until all offices shall be filled.

(e) When elections are for different terms of office, the nominee first elected shall be the one elected for the longest term, or if two or more are elected on the same ballot, the candidate or candidates receiving the highest number of votes shall be the one or ones elected for the longest term.

#### Section 15.

(a) All resolutions presented to the Council for action shall before a vote thereon, be reduced to writing and a copy thereof presented to the Secretary of the Diocese no later than December 31<sup>st</sup>. Any resolution presented later may not be considered by Council unless approved at Council by a vote of two-thirds (2/3) majority of the authorized voting membership.

(b) Unless specifically exempt from this Canon by a two-thirds majority of the voting delegates present, any resolution dealing with serious moral issues that deeply concern national or international affairs must be submitted to the Secretary of the Diocese on or before December 31<sup>st</sup> prior to annual Council and must be printed and in the hands of the delegates to the annual council no less than one week prior to the convening of that Council.

It shall be the responsibility of the presiding officer of the Council to rule upon whether or not any given resolution falls within the scope of this Canon. However, be it further provided that should the presiding officer's ruling be challenged by any voting delegate, the issue of whether or not any given resolution falls within the scope of this Canon must then be placed before the Council for its vote and a two-thirds majority of the voting delegates present shall be required to overrule the chair.

Section 16. The terms of all offices provided for in the canons shall, unless otherwise specified by the canons, begin with the adjournment of the Council at which appointment or election thereto is made, and shall continue until the adjournment of the Council at which successors are, in each case, appointed or elected.

Section 17. The making of motions and the procedure for passing motions at the Annual Council meeting shall be in accordance with Sections VII, VIII, IX and X of the Rules of Order for the House of Deputies, found as a supplement to the Constitution and Canons for the

government of the

Protestant Episcopal Church in the United States of America, otherwise known as The Episcopal Church.

## CANON 2

### Officers of the Diocese

Section 1. General Officers of the Diocese. The General Officers of the Diocese shall be the Secretary of the Diocese, the Treasurer of the Diocese, and the Chancellor of the Diocese. They shall be elected annually by the Council.

(a) The duties of the Secretary shall be:

(1) To serve as the Bishop's deputy in the ingathering, prior to each annual Council, of the annual parochial report required of each congregation by the canons of the Church.

(2) At the opening of each Council to furnish to the Committee on Credentials and Privileges a portfolio of the elected delegates and alternates as certified by vestries and bishop's committees, noting the delegate quota to which each congregation is entitled, together with such other information as may have bearing on such credentials.

(3) To be the recording secretary of every meeting of the Council, attesting the minutes thereof and presenting the same to the Bishop for signature within 15 days thereafter.

(4) To give prompt notice of their election or appointment to all persons elected or appointed at the Council to any office, board, committee or other official post for the ensuing year; and, in the case of a new or special committee, to cite the action of the Council providing therefor; to give prompt certification to the Treasurer of the Diocese of all financial legislation of the Council.

(5) To compile, publish and distribute annually a journal of the Diocese, which shall include a record of the proceedings of all meetings of the as the Council may direct.

(6) To discharge the communications and other duties required of him/her by the Diocesan Council, the General Convention and the canons of the Diocese and of the Church.

(b) The duties of the Treasurer of the Diocese shall be:

(1) To keep complete and accurate account of all funds received and all funds disbursed in connection with all diocesan accounts and the Church Program accounts.

(2) To furnish reports of all such accounts to each meeting of the Council and of the Executive Board, and to the Secretary and the Chancellor upon request.

(3) To make such recommendation to the Council and to the Executive Board as to the handling of such accounts and the keeping of the records thereof as he/she may see fit.

(4) To perform such other duties as may be assigned him/her by the Bishop, the Council or the Executive Board.

(c) The duties of the Chancellor shall be:

(1) To serve as parliamentarian to the Council and to the Executive Board.

(2) On request of a bishop of the Diocese or of any officer thereof, to render opinions as to the legal construction of the Constitution and Canons of the Church and of the Diocese.

(3) To give to the bishops of the Diocese and the officers thereof, legal advice and counsel concerning the funds, properties and organizations of the Diocese, and on matters affecting the interest and welfare of the Diocese.

(4) To represent the Diocese in all litigation involving the interest, rights or property of the Diocese.

(5) On request, to give advice and assistance to the parish chancellors of the Diocese.

Section 2. Other Officers of the Diocese. There shall be Assistant Chancellors, a Registrar, an Archivist, and a Historiographer. These other officers shall be elected annually by the Council upon nomination by the Bishop.

(a) The Assistant Chancellors shall perform such duties of the office of Chancellor as may be assigned to each of them by the Ecclesiastical Authority or the Chancellor.

(b) The duties of the Registrar shall be:

(1) To maintain a Register of the clergy canonically connected with the Diocese, showing the dates of their ordination and reception, as well as all dismissals, depositions, or deaths of the clergy occurring in the Diocese.

(2) To maintain the record of Episcopal Acts within the Diocese and in relation to the Episcopate of the Church.

(3) To answer all requests for information and, when authorized by the Bishop, to issue a certified copy or statement of any matter of record in the Registrar's files and the Archives of the Diocese.

(c) The Archivist

(1) There shall be an Archivist for the Diocese of West Texas, who shall be elected annually by the Council on nomination of the Bishop.

(2) It shall be the duty of the Archivist, with the cooperation of the Bishops and Diocesan staff, to preserve, store and catalog publications, documents, correspondence and other items relating

to the history of the Diocese's mission and such items relating to the history of the Diocese's mission and ministry; appropriately label and keep a record of each item; make the collection of such items accessible and useful for research; encourage parishes and missions to appoint a Historiographer to preserve historical material; encourage the development of historical writings or other media concerning the mission and ministry of the Diocese and collect for the archives, at a minimum, the following: journals of annual and special councils, all minutes, official records, and reports of every Diocesan officer, agency, board, commission and committee operating under the authority of the Diocese or the Diocesan Council, materials such as written histories and other historically significant documents pertaining to parishes and missions of the Diocese, documents and records necessary to preserve the history of the Diocese and copies of "*The Church News*" or successor publication.

(3) The Archives. There shall be a Diocesan Archives. It shall be the duty of the annual council to provide in the archives a safe, protected, organized and accessible environment for the storage of items and records pertinent to the historical record of the mission and ministry of the Diocese of West Texas, its bishops, officers, agents and agencies.

(4) The Archivist will be a member of the Diocesan Historical Commission.

(5) The Archivist will report annually to the Council on his/her official acts and the condition of the Diocesan Archives with recommendations for improvement.

(6) Nothing herein shall be constructed to preclude the Archivist and the Historiographer from being the same person.

(d) The Historiographer

(1) There shall be a Historiographer of the Diocese of West Texas who shall be elected annually by the Council on nomination by the Bishop.

(2) It shall be the duty of the Historiographer, with the cooperation of the Bishops, Diocesan staff and the Archivist, to prepare and publish, from time to time, material concerning the history of the mission and ministry of the Diocese.

(3) The Historiographer will be the Chair of the Diocesan Historical Commission.

(4) The Historical Commission. There will be a Diocesan Historical Commission. It will be the duty of the Commission to support the Diocesan Archivist and Historiographer and assist the Historiographers of parishes and missions in their archival and historical responsibilities.

(5) Nothing herein shall be constructed to preclude the Historiographer and the Archivist from being the same person.

### **CANON 3**

#### **The Standing Committee**

Section 1. The Standing Committee shall annually elect its own president and other officers under the temporary chair of the previous year's chair, at or immediately following adjournment of the Council. It shall keep a record of its proceedings, and annually report its proceedings to the Council, except such as pertain to the exercise of its function as a council of advice to the Bishop.

Section 2. No member of the Standing Committee, during his/her term as a member thereof, shall be eligible to election to membership on the Executive Board.

### **CANON 4**

#### **The Diocesan Executive Board**

Section 1. The Diocesan Executive Board shall be constituted as follows:

- (a) The Bishops of the Diocese ex officio, with right of voice and vote.
- (b) In 2005, six priests and twelve lay communicants canonically resident in the Diocese, who shall be elected by the Council for terms of three years. Each annual Council, beginning in 2003, shall elect two priests and four lay communicants to serve for the full term of three years. Persons presently elected and serving will be entitled to serve their full terms. Therefore, in 2002, there shall be nine priests and fifteen lay communicants; in 2003, eight priests and fourteen lay communicants; in 2004, seven priests and thirteen lay communicants; in 2005, six priests and twelve lay communicants.
- (c) No member of the Board shall be eligible to re-election until one year after his/her previous term of office shall have expired.
- (d) The Executive Board shall have power to fill vacancies in its own membership occurring between meetings of the Council, subject to the limitation in (c).

Section 2. The Executive Board shall meet at the call of the Bishop at some time during the Easter Season and on or about the first day of October. Special meetings may be called by the Bishop, or in the Bishop's

absence by the Vice-President, should need arise. Eleven voting members of the Board in addition to the Bishop or Vice-President shall constitute a quorum at any meeting.

Section 3. The Executive Board shall, at its regular spring meeting, upon nomination by the Bishop, elect a Secretary. The term of such office shall be one year. The Secretary shall be eligible to re-election without interim, and need not necessarily be otherwise a member of the Board.

Section 4. The Executive Board shall be organized into operational departments hereinafter described. Each board member shall be assigned by the Bishop to one or more of the departments within thirty days of Diocesan Council. The Bishop, prior to the Annual Council, shall appoint from the entire communicant membership of the Diocese a chair for each of the several departments, whose terms of office shall be one year, beginning at the adjournment of the ensuing annual Council. Each such appointment shall be announced by the Bishop at such Council. Each such chair shall be eligible for reappointment to such office without interim. Each department shall organize itself into such divisions as it sees fit, subject to the approval of the Bishop.

#### Section 5.

(a) The Executive Board shall report to the annual Council a record of its official acts and a review of its work in each department during the preceding year.

(b) The Executive Board shall report to the annual Council for its approval, adoption and acceptance, a budget for the Diocesan Operating Program, the Diocesan Mission Program, and the General Church Program and shall recommend, on such a basis as shall by it be deemed fair and equitable, the amounts to be apportioned to the individual congregations to meet the financial requirements, such to be known as Diocesan Apportionment. The Apportionment so determined for the individual congregation shall be subject to approval and adjustment by the annual Council, preferably on recommendation by the Department of Finance.

(c) Unexpended allocations in the budget may be authorized by the Board for other uses in the same budget category.

#### Section 6.

(a) The Bishop may, at episcopal discretion, when provision is made in the diocesan budget, appoint Canons to serve on the diocesan staff.

(b) The duties of each Canon will be those assigned by the Bishop, and each Canon will be ex officio a member of the Executive Board with voice but no vote.

## CANON 5

### Executive Board Departments

#### Section 1. The Department of Finance

(a) It shall be the duty of the Department of Finance to oversee the financial affairs of the Diocese.

(b) The Department of Finance shall prepare and submit to the Diocesan Executive Board a proposed budget for the Diocesan Operating Program, the Diocesan Mission Program and General Church Program together with a schedule of apportionment to support such a budget.

(c) It shall also be the duty of the Department of Finance to cooperate in an advisory capacity upon the request of any clergy or congregation; and to employ a professional accountant to make an annual audit of the books, papers, records and accounts of the Treasurer of the Diocese, the Treasurer of the Episcopal Church Corporation, the Treasurer of the Episcopate Endowment Fund, and all other officers, committees, trustees and boards who may be required to present financial reports to the Council.

#### Section 2. The Department of Communication

It shall be the duty of the Department of Communication to inform the people of the Diocese and the public generally as to the Church's national and diocesan program, through *The Church News* and any other suitable media.

#### Section 3. The Department of Christian Education

It shall be the duty of the Department of Christian Education to foster and further the work of Christian Education in the Diocese at all age levels.

#### Section 4. The Commission on Christian Faith in Action

(a) It shall be the duty of the Commission on Christian Faith in Action (CFA) to disseminate information regarding the application of Christian principles to community work and life; to coordinate and disseminate knowledge of agencies and institutions qualified to serve the sick, aged and needy; to advise and assist in the work of city missionaries, if any; and to assist in the formulation of policies for social work agencies or institutions operated by the Diocese.

(b) The city missionaries and institutional chaplains, if any, shall be members of the Department.

(c) The Diocesan Chairman for World Relief shall be a member of the department. He/she shall be a member of the Hunger Committee with the designated title of Presiding Bishops Representative for World Relief.

## Section 5. The Department of Camps and Conferences

(a) The worship and ceremonies, physical development, educational programs and fellowship at the Camp sites shall foster and develop reverence and commitment to God's revelation through Jesus Christ, the Old and New Testaments and the Historic fellowship of the Church, and the assets and properties of the camps are pledged for these purposes.

(b) It shall be the duty of the Department of Camps and Conferences to foster and further the work of Christian education in the Diocese by fixing dates and arranging programs for retreats, camps and conferences for various age groups at the several camp and conference sites of the Diocese. The arranging of all such meetings and the management of the several camp and conference sites shall be under the supervision of this Department.

## Section 6. The Department of Stewardship

It shall be the duty of the Department of Stewardship to maintain a continuous program of education activity to confront the members of the diocese with the larger meaning of Christian stewardship, and to lead them to accept their responsibility as stewards of God' gifts; to confer with clergy, vestries, and bishop's committees on the development of a strong and continuous Christian stewardship emphasis in their congregation; to hold periodic conferences on stewardship, and to distribute literature setting forth God's claim on our time, talents and treasure; and to organize a speakers' bureau which will offer qualified persons, especially lay members, who will be ready to visit throughout the Diocese for a presentation of Christian stewardship as a way of life, and as a practical program in the Diocese.

## Section 7. The Department of Evangelism

It shall be the duty of the Department of Evangelism to foster and further Evangelism in the Diocese.

## Section 8. The Department of Congregational Development

It shall be the duty of the Department of Congregational Development to assist the bishop in the administration and supervision of the missionary work in the Diocese, and to further, wherever possible, the general missionary work of the Church.

## Section 9. The Department of World Mission

(a) Mission. It shall be the duty of the Department of World Mission to seek to find ways to implement the diocese's vision statement; to work to expand the Diocese's involvement in world

mission; to be Christ Jesus' witnesses to the ends of the earth; and, to actively recruit members of the diocese to participate in world mission in three ways: as mission team members, as financial supporters of mission, and as people dedicated to the undergirding of all mission activities with prayer.

- (a) Structure. The World Mission Department's structure is as follows:
1. There will be a Bishop's Deputy for World Mission, appointed by the Bishop, whose responsibility is to develop, coordinate and assist in the various mission activities of the diocese, to chair this Department, and to report all activities to the Bishop and to the Executive Board.
  2. There will be a World Mission Committee appointed by the Bishop, composed of persons who, at the time of their appointment, are each actively involved in some area of mission work. The Committee's duties include implementation of mission policy and missionary activities, and reporting, through the Bishop's Deputy, to the Bishop and the Executive Board.
  3. Each Rector and/or Vicar shall appoint a mission Representative, to work with the World Mission Department. These representatives, under the guidance of the Department, will be responsible for distributing information about world mission to their individual congregations.
- (b) Financial Needs. The World Mission Deputy will present annually a budget to the Finance Committee for the approval of the Executive Board and Annual Council.

## **CANON 6**

### Episcopal Church Corporation

Section 1. The Episcopal Church Corporation in West Texas, a corporation organized under the Laws of Texas and by virtue of a resolution of the Diocese, shall be governed by a Board of Trustees consisting of the Bishops, the Treasurer of the Diocese, the Chancellor of the Diocese, Assistant Chancellors, ex officio, and six other members consisting of three clergy and three lay communicants of the Diocese, elected by the annual Council. One clergy and one lay member shall be elected annually for a term of three years, and shall be eligible to re-election

without interim for one additional consecutive three year term. No person so elected to and serving two consecutive terms shall be eligible to re-election for a full year after such service. The Bishop shall be the president of the corporation. The Board itself shall elect its other officers, adopt its own bylaws and provide for a Finance Committee and other committees. Any vacancies on the Board shall be filled by a vote of the majority of the remaining members of the Board.

Section 2. Said corporation shall hold the title to the permanent funds and other property belonging to the Diocese, subject to the limitations hereinafter set forth. It shall have authority to receive bequests and donations. It shall have authority to sell, alienate or mortgage property to which it holds title, but in no event shall any such property be sold or encumbered if the vestry or bishop's committee of the congregation for which such property is held enters formal protest thereto, except by approval of the Council.

Section 3. Said Corporation may execute promissory notes or other obligations representing the permanent financing of any purchase of property or the cost of improvements thereon. Said corporation may execute contracts or other obligations incurring personal liability of the corporation for temporary financing of the construction of buildings or additions thereon where permanent financing of the cost of constructing such improvements is assured by previous commitment therefore in writing; provided, however, that nothing herein shall restrain the Trustees of said corporation from exercising their best judgment in the matter of preserving the assets of said corporation.

Section 4. Said corporation shall have the management, control and disposition of all property and funds now belonging to or hereafter acquired for the benefit of the diocesan permanent funds, unless such management, control or disposition is otherwise stipulated in the provision under which any part of such fund is or shall be made or granted.

Section 5. Said corporation shall enter into a written agreement with a bank or trust company as fiscal agent whereby the permanent diocesan funds, or any part thereof, shall be invested under the supervision and authority of the corporation; and for such purpose its funds and securities may, at the discretion of said corporation, be delivered into the custody of and be held by such fiscal agent; but in no event shall any such assets so handled be sold or transferred without the consent and approval of a majority of the Board of Trustees of said corporation and without the joinder in the transfer or conveyance thereby by said corporation, nor shall any part of such funds be invested or leased without the written consent of a

majority of the Finance Committee of said corporation. Neither the diocesan permanent funds nor any security in which the same or any part thereof may be invested shall ever be pledged as security for debt.

Section 6. All such agreements shall provide that the fiscal agent therein designated shall render a true and faithful accounting every six months to the corporation, listing specifically all assets in its custody and possession and reporting the earnings and income during the preceding six months and disclosing the status of each loan, investment, or other security in its custody as to whether the same is current or delinquent and the status of all real estate as to rentals collected, taxes paid and insurance in force. Such agreements shall likewise provide for the payment to the corporation of the net income and earnings of such assets at regular intervals. The corporation shall pay the fiscal agent such compensation for its services as is customary in such matters. No powers, other than ministerial powers, shall be delegated to the fiscal agent under any such agreement.

Section 7. All income and earnings of said funds shall be used for the support of the work of the Diocese, except that in all instances where special provisions govern the use of the earnings of any part of such funds, those provisions shall be in all things respected and faithfully carried out. In the event any asset belonging to such fund shall be disposed of at a net profit or gain above its original investment, such profit or gain shall be considered a capital gain and shall be added to the corpus of the fund and shall be so designated on the books of the corporation.

Section 8. Meetings of the Board of Trustees of such corporation shall be held on call by the Bishop or, in the Bishop's absence, by the Corporation's vice-president, or the Chancellor of the Diocese. The Bishop, in consultation with the Chancellor, may authorize a ballot by mail when in the Bishop's judgment, it is advisable. In each such event there must be five affirmative votes in favor of a proposal before it may be considered as having been passed by the Board of such corporation. All such actions shall be reported and recorded at the next meeting of the Trustees.

Section 9. Should the Diocese cease to exist as a diocese under the canons of the Episcopal Church, or be otherwise dissolved or discontinued existence, then, in such event, all of the properties of the Diocese (specifically including, but not limited to, those of Camp Capers and the Bishop Elliott Conference Center), real, personal, or mixed of whatsoever character and kind, and wheresoever situated, after the payment and satisfaction of all debts and obligations of the Diocese, shall be given, transferred, and conveyed to other charitable, educational, or religious organizations duly qualified as a charitable organization under section 501

(c) (3) Internal Revenue Code of 1954 as amended, as selected by the Board of Trustees of the Episcopal Church Corporation in West Texas, such Trustees being hereby authorized to execute all instruments necessary to accomplish these actions.

## **CANON 7**

### **Episcopate Endowment Fund**

Section 1. The Corporation known as the Trustees of the Episcopate Endowment Fund of the Diocese of West Texas of the Protestant Episcopal Church, U.S.A., organized and existing under and by virtue of the laws of the State of Texas, shall hold and administer the funds and other assets belonging to said corporation, and the revenue and income therefrom shall be used exclusively toward the payment of the salary of the Bishop.

Section 2. The management and operation of such corporation shall be vested in a board of trustees, consisting of five communicants of the Church in the Diocese, elected annually by the Episcopal Church Corporation. The Episcopal Church Corporation shall have supervision of the acts of the Trustees of the Episcopate Endowment Fund.

Section 3. The funds of the corporation shall be invested and handled under a written agreement with a bank or trust company as fiscal agent under the same provisions as the funds of the Episcopal Church Corporation are invested and handled.

## **CANON 8**

### **Nancy Brooke Sanford Fund**

Section 1. The Episcopal Church Corporation in West Texas shall hold and administer the funds belonging to the Nancy Brooke Sanford Fund and all income, and only income, therefrom shall be designated by the Trustees for the work of the Church according to its needs and their best judgment.

Section 2. The assets of the Nancy Brooke Sanford Fund may be invested and handled under a written agreement with a bank or trust company as fiscal agent under the same provisions as the fund of the Episcopal Church Corporation are invested and handled, or they may be invested in any other responsible manner to be determined by the majority of the Trustees of the

## CANON 9

### Sundry Boards, Committees and Representatives

Section 1. At each annual Council the following committee appointments shall be made for the ensuing year by the Ecclesiastical Authority:

- (a) A Committee on the Status of Parishes and Missions, whose duty it shall be to review the credentials, testimonials and other documents required by the General and Diocesan Constitution and Canons in the establishment of new parishes and missions, and in the maintenance of such status, to determine whether such requirements have been met.
- (b) A Committee on the Church Pension Fund, to which shall be referred matters concerning the Church Pension Fund.
- (c) A Committee on the Constitution and Canons, to which shall be referred all proposed alterations and amendments of the Constitution and Canons of the Diocese, and which shall report their recommendations thereon.
- (d) A Committee on the State of the Church, which shall study and report upon such matters as the Bishop may approve or direct.

Section 2. At each Annual Council the Bishop shall nominate and the Council confirm a Commission on Ministry.

- (a) It shall be the duty of the Commission on Ministry to advise and assist the Bishop in matters pertaining to the enlistment, selection, examination, education and pastoral care of postulants, candidates and deacons; in matters pertaining to continuing education, pastoral care, compensation and accountability, of presbyters; and in providing guidance and pastoral care for lay professional church workers; and in supporting the development, training, utilization, and affirmation of the ministry of the Laity in the world; all in accordance with the provisions of Title III, Canon 2, Sec. 2 of the Canons of the Episcopal Church.
- (b) The Commission on Ministry may adopt rules for its work, subject to the approval of the bishop, and in accordance with Title III, Canon 2, Section 3. of the National Canons.
- (c) The Bishop shall appoint a Chair of the Commission on Ministry and a Dean of Examining Chaplains from among the clerical members of the Commission and a secretary and as many other officers, committee chair and committees as the Bishop deems appropriate from within the total membership of the Commission.
- (d) The Commission on Ministry, or a designated Interviewing

Committee of the same, shall, under the guidance and oversight of the Bishop and in the Bishop's presence if so desired, interview all aspirants for Holy Orders to ascertain their personal readiness for such and shall without delay report in writing the findings of these interviews to the Bishop.

(e) The Bishop being desirous and present, and providing guidance and oversight, the Examining Chaplains, shall examine each candidate before his/her ordination to the diaconate to ascertain his/her personal readiness for such ordination; and shall report in writing and without delay the findings of such examination to the Bishop and to the Standing Committee of the Diocese.

(f) The Commission on Ministry may use such boards, commissions, committees and institutions of the Episcopal Church as it deems helpful in performing its several tasks, i.e., the Board for Theological Education of the General Convention, the Church's Seminaries, and others.

(g) The Commission on Ministry, or a designated Continuing Education Committee of the same, under the guidance and oversight of the Bishop, shall designate a minimum standard of continuing education for all active Members of the Clergy and lay professional church workers, and shall provide support and resources to assist with such continuing education, together with a means of reporting completion of.

Section 3. At each Annual Council, upon nomination of the Ordinary, shall be elected the following:

(a) Six representatives of the Texas Conference of Churches, no less than half of whom shall be lay persons.

(b) One member of the Board of Trustees of the Episcopal Theological Seminary of the Southwest, such members to be in the lay order if the Bishop elects to serve on the Seminary Board of Trustees, or in the opposite order from the designate of the Bishop if the Bishop elects not to serve on the Seminary Board of Trustees.

Section 4. The Council shall elect, at the appropriate times, the following:

(a) Deputies and alternate deputies to the General Convention of the Church shall be elected at the annual Council held in the year immediately preceding the meeting of the General Convention. Unless otherwise designated by the Canons of the Church, the deputies shall be eight in number; namely, four priests, canonically and actually resident in the Diocese, and four lay communicants of the Church in the Diocese. Alternates shall be the same in number and qualifications.

A deputy-elect who may be unable to attend the General Convention, shall immediately resign as such deputy to the Bishop, who shall fill

the vacancy by appointment of the alternate deputy of the same order who was highest in elective precedence. If none of the alternates so elected is able to serve, the Bishop may fill the vacancy. Should a vacancy occur during the session of the General Convention, the deputies present from the Diocese may fill the vacancy by electing one qualified to hold such office. In such a case notice of such substitution shall be given immediately to the Secretary of the House of Deputies.

(b) Delegates and alternate delegates to the Synod of the Province of the Southwest, clerical and lay, in the number required by the provincial canons, shall be elected by the annual Council immediately prior to the meeting of the Synod of the Province of the Southwest.

## **CANON 10**

### **Commission on Church Buildings**

Section 1. There shall be a diocesan Commission on Church buildings, consisting of two priests and at least five lay persons who shall be elected annually by the Council, upon nomination by the Bishop.

Section 2. No new building or structural alteration of an existing building shall be contracted for or commenced by any mission until the plans and specifications therefor shall have been submitted to and approved by the Commission. The Commission shall always make its decision known to the congregation within thirty days after plans and specifications have been submitted to it.

Section 3. It shall be the duty of the Commission, when requested by any congregation, to counsel and advise with such congregation concerning preliminary plans for new buildings, for changes in existing building, and for furnishings, appointments and musical instruments. Such counsel and advice shall be given within thirty days after receipt of the request by the Commission.

## **CANON 11**

### **Trustees of the University of the South**

Section 1. The University of the South, at Sewanee, Tennessee, a corporation, being owned jointly and equally by this and other dioceses of the Church, is hereby recognized as an educational institution that is jointly

supported by this Diocese.

Section 2. In conformity with the constitution of the University of the South, the Bishop, and the Bishop Coadjutor, if any, and the Suffragan Bishop(s) shall be members of the Board of Trustees, ex officio; and one clergy and two lay communicants of this Diocese shall be elected Trustees of the University of the South by the Council, for a term of three years or until their successors are elected, with the term of one elected trustee expiring each year. Trustees may be re-elected without interim, and any successors must be of the same order, clerical or lay.

Section 3. Vacancies shall be filled for the unexpired term of a trustee by election at the next convening annual council. If a vacancy occurs before the annual meeting of the Trustees, the Bishop shall appoint a temporary trustee to hold office until the next annual Council.

Section 4. It shall be the duty of the Trustees of the University to attend the meetings of the Board of Trustees, to promote Church support and student enrollment, and to report to the annual Council the condition and progress of said University.

## **CANON 12**

### **The Good Samaritan Center**

Section 1. The corporation known as the Good Samaritan Center of San Antonio, Texas, organized under the laws of the State of Texas as a non-profit undertaking to operate a settlement house sponsored by the Diocese, is hereby recognized as an institution of the Diocese.

Section 2. The affairs of the said corporation shall be conducted by a Board of Directors consisting of the Bishops, the Diocesan Chair of the Commission on Christian Faith in Action (CFA), and twenty-four (24) additional members elected by the annual Diocesan Council upon nomination by the Bishop and the Board and final recommendation by the Bishop. The term of office of the elected members shall be three years, one third of whom shall be elected each year. No elected Board member, after serving two consecutive terms, shall be eligible to serve again on the Board for a period of one year. Vacancies on the Board shall be filled by appointment by the Bishop temporarily until the next succeeding Annual Council.

Section 3. The Board shall have full authority to manage and operate said settlement house and the affairs of the corporation in accordance with

its charter and bylaws and subject to the canons of the Diocese.

Section 4. The officers of the corporation shall be chosen annually by the members of the Board.

Section 5. The Executive Director shall be the chief executive officer and shall serve on the board of the corporation and on all committees of the Center ex officio.

Section 6. There shall be an Executive Committee consisting each year of the current officers of the corporation and the chair of the Standing Committees named by the Board on nomination of the Chair of the Board of the Corporation. The Executive Committee shall have such powers as the Board of Directors may delegate to it.

Section 7. The Board shall meet at least six (6) times a year, and the Executive Committee shall meet on call. Both bodies shall be subject to call by the Chair of the Board of the Corporation.

Section 8. The Chair of the Board of the Corporation shall make a written report to the annual Council, showing the operations of the settlement house, both as to activities and as to finances, during the preceding calendar year.

## **CANON 13**

### **Morningside Manor, Inc.**

Section 1. A corporation known as Morningside Manor, Inc., incorporated under the laws of the State of Texas as a non-profit, benevolent and charitable institution, is hereby recognized as an institution of the Diocese of West Texas in conjunction with the Southwest Texas Conference of the Methodist Church and the First Presbyterian Church of San Antonio, Texas. It is for the purpose of providing residence and/or nursing care for elderly persons.

Section 2. The management of the affairs of the Manor shall be conducted by a board of not more than twenty-seven members. One ex officio director and six elected directors shall represent each of the sponsoring groups named in Section 1 of this canon and in addition, these twenty-one directors shall elect six more directors-at-large. All directors shall have an equal voice in the affairs of the corporation and the Board shall have power and authority to equip, manage and operate the residence

and nursing facilities on its own financial responsibility in accordance with its charter and bylaws, the laws of the State of Texas and the Canons of the Diocese.

Section 3. The members of the Board of Directors from the Diocese of West Texas shall be elected at the annual Council of the Diocese of West Texas, upon nomination by the Bishop. The term of office shall be three years and one-third of the elected members shall be elected each year. Such election shall be reported to the Board of Morningside Manor no later than May 31 of that year and office shall be assumed on June 1 by those elected.

Section 4. The Board of Directors shall file a copy of their annual report with the Secretary of the Diocese of West Texas. The books and records of the corporation shall be open for inspection and examination by the Executive Board of the Diocese of West Texas at all times. All funds received from the operation of Morningside Manor shall be used solely for the furtherance of the aims and purposes of the corporation.

## **CANON 14**

### **TMI – The Episcopal School of Texas**

Section 1. A corporation known as the Texas Military Institute of San Antonio, organized under the laws of the State of Texas as a non-profit, benevolent, charitable, educational and religious institution, is hereby recognized as an institution of the Diocese, for the purpose of developing Christian character and education.

Section 2. The management of the school and the responsibility for financial and physical development shall be directed by a Board of Governors consisting of up to 15 persons appointed for 3 year terms by the Bishop and confirmed by the Diocesan Council. Governors may serve successive terms. The Governors shall elect a president from the Board membership. The Bishop shall serve as an ex-officio member of the Board. The school shall be operated on its own financial responsibility in accordance with its Charter and By-Laws, the laws of the State of Texas and the Canons of the Diocese except that no real estate belonging to the said Corporation shall be alienated or encumbered without the approval of the Trustees of the Episcopal Church Corporation in West Texas.

#### **Section 3.**

(a) There shall be a Board of Trustees of not more than eighteen persons, and, in addition, not more than six chartered Trustees. The Bishop shall be an ex-officio member and Chair of that Board. The

majority of that Board shall be communicants of the Episcopal Church.

The Board shall be informed of the affairs of the school, its needs and the challenges, and wherever possible strive to enhance the quality of education, spiritual life, and the overall quality of life at T.M.I. The Board shall be responsible for communicating the needs of the school to the Diocese and to gather resources in support of the school at the direction of the Board of Governors.

(b) The members of the Board of Trustees shall be elected at the Annual Council of the Diocese of West Texas upon nomination by the Bishop, except two members of the Board shall be elected annually by the Council from those nominated by the Diocesan Nominating Committee and/or others nominated from the Council Floor. Nominees may be clergy or lay communicants of the Diocese. The term of office shall be three years, and one-third of the members shall be elected each year. Vacancies shall be filled for the remainder of the term by the Annual Council, but may be temporarily filled until that time by the Board itself.

(c) Charter Trustees shall be elected at the Council upon nomination by the Bishop and shall be chosen from the body of former Directors or Trustees. Charter Trustees shall serve for a term of one year and shall be eligible for re-election without interim.

Section 4. The Board of Governors shall file a written report at each Annual Council and that report shall include a statement of financial condition. Upon request of the Executive Board of the Diocese there shall be furnished additional reports and information. All books and reports shall be open for inspection and examination by the Diocesan Executive Board. All funds received from the operation of the school will be used solely for the furtherance of the aims and purposes of the corporation.

## **CANON 15**

### **Of Episcopal Schools**

Section 1. Any school providing education for young people at any and all levels from pre-school through high school, and located on the premises used for the benefit of or operated under the control, auspices, or approval of any parish, mission, organization, or institution of the Diocese, or any combination or group thereof (the "Church"), shall be defined as an Episcopal School within the Diocese of West Texas (the "Diocese"). No such school shall be established, maintained, or operated without the written

approval and consent of the Bishop of the Diocese of West Texas.

Section 2. There shall be a Commission for Episcopal Schools in the “Diocese” (the “Commission”), which shall consist of not less than seven (7) or more than fifteen (15) members appointed by the Bishop.

(a) It shall be the duty of the “Commission” to establish guidelines and standards for the establishment, recognition, and certification of any and all Episcopal Schools now, or in the future, operating within the “Diocese.”

(b) Schools recognized by the “Diocese” shall base their religious instruction on *An Outline of the Faith* as contained in The Book of Common Prayer of the Episcopal Church.

(c) With the consent of the Bishop, this “Commission” shall establish by-laws in order to carry out the intent of this canon.

(d) This “Commission” shall report annually in writing to the Bishop and to the Council of the “Diocese.”

(e) All Episcopal schools in this diocese shall be subject to periodic or special review by the Trustees of the Episcopal Church Corporation in West Texas, in coordination with the Commission for Episcopal Schools, to ensure that the schools remain in compliance with diocesan canons, policies, guidelines, and directives.

Section 3. Any educational facility that operates in conjunction with, upon the property of, or under the sponsorship of the Diocese of West Texas, or any parish, mission, or institution thereof, shall comply with all health, safety, fire, and sanitation standards at least equal to those required by state, municipal, and county health, fire, and sanitation codes.

Section 4. Episcopal Schools related to or sponsored by the “Church” (as defined in Section 1 of this canon) in the Episcopal Diocese of West Texas may, but are not required to, incorporate under the provisions of the Texas Non-Profit Corporation Act. When a school chooses to incorporate, The Articles of Incorporation and/or By-Laws shall clearly state that the ownership of the school is vested in the “Church.” Copies of all such Articles of Incorporation and/or By-Laws shall be kept on file with the permanent records of the “Diocese” and the “Commission.”

(a) Parishes and missions, which already have Episcopal Schools at the time of the passage of this canon, will insure that they are in compliance with these policies, guidelines, and directives. Articles of Incorporation and By-Laws, if any, will be reviewed by the Diocesan Chancellor.

(b) The relationship of the governing body of the school and the governing body of the “Church” shall be clearly stated in the Articles of Incorporation. For those schools that opt not to incorporate there shall

be a clearly worded statement of the relationship between the governing body of the school and the governing body of the “Church.” Such articles or statements and subsequent changes to them shall be approved by the Bishop’s office.

Section 5. Each Episcopal school shall have insurance sufficient to protect the property of the “Church” utilized by the school. The school will also have liability and other appropriate insurance related to the operation of the school that names as additional insured both the “Church” and the “Diocese.”

Section 6. When a parish or mission wishes to establish an Episcopal school, it shall apply in writing to the Bishop for consent to continue the application process. Upon receiving the consent of the Bishop, the school may then begin the application process through the “Commission”. Final approval of a new school will be granted by the Trustees of The Episcopal Church Corporation in West Texas. The Trustees of the Episcopal Church Corporation in West Texas shall have the responsibility of making a final determination as to the future establishment of Episcopal Schools in this diocese, consistent with the guidelines and standards established by the Commission for Episcopal Schools and approved by the Trustees within their canonical authority regarding the structure under which Episcopal schools in this diocese will operate and their relationship to the sponsoring parishes or missions. Application by a new school shall require all legal, foundational documents including proposed Articles of Incorporation and/or By-Laws, or other organizational statements, to be forwarded to the “Commission” and Trustees in sufficient form and detail to demonstrate that the “Church” and school will function in a manner consistent with Diocesan canons, policies, guidelines and directives.

## **CANON 16**

### **Convocations**

Section 1. The Diocese shall be divided into seven convocations, to wit:

(1) Northern Convocation: Bandera, Blanco, Concho, Crockett, Gillespie, Kerr, Kimble, Llano, Mason, McCulloch, Menard, San Saba, Schleicher, Sutton Counties, and that part of Kendall County lying North of the Guadalupe River.

(2) Northeastern Convocation: Caldwell, Comal, Gonzales, Guadalupe, Hays and Wilson Counties.

(3) Central Convocation: Atascosa, Bexar, and Medina Counties, and all that part of Kendall County lying South of the Guadalupe River.

(4) Eastern Convocation: Bee, Calhoun, DeWitt, Goliad, Jackson, Karnes, Lavaca, Refugio and Victoria Counties.

(5) Southern Convocation: Aransas, Brooks, Duval, Jim Hogg, Jim Wells, Kenedy, Kleberg, Live Oak, McMullen, Nueces and San Patricio Counties.

(6) Valley Convocation: Cameron, Hidalgo, Starr, Willacy and Zapata Counties.

(7) Western Convocation: Dimmit, Edwards, Frio, Kinney, LaSalle, Maverick, Real, Uvalde, Val Verde, Webb and Zavala Counties.

Section 2. Each convocation shall consist of the clergy and lay communicants within its limits.

Section 3. Each convocation shall have a dean, who shall be appointed annually by the Bishop. The deans are charged with making an annual report to the Bishop.

Section 4. The deans shall be responsible for the arrangement of all meetings of the convocations.

Section 5. The deans of convocations shall be subject to the Bishop's call for assistance to congregations which are without clergy in their respective convocations, and be responsible for such other duties as may be assigned to them by the Bishop.

## **CANON 17**

### **Missions**

Section 1. According to the Bishop's judgment, consent may be given for the arrangement of holding regular services by clergy or lay readers at any point in the Diocese, either on a temporary basis or working toward the eventual organization of a mission. The Bishop shall report to the annual Council the names of such places and of those in temporary charge of such work.

Section 2. Whenever confirmed members of this Church shall desire to establish a new diocesan mission and to be active communicant members thereof, it shall be lawful for them to assemble and elect an organization committee composed of at least three adult members of the group. The committee shall prepare a petition setting forth such desires of the group, together with the reasons which, in their judgment, make the existence of such a mission beneficial to the missionary and pastoral functions of the Church and feasible financially. The petition shall be signed by the committee and other members of the petitioning group and submitted to the Bishop, who shall notify the organization committee of the judgment and purpose in response thereto.

Section 3. The central properties of a new mission may not be located within two miles of the central properties of an existing congregation in union with the Council, except with the certified assent of the vestry or bishop's committee of such existing congregation.

Section 4. When the Bishop shall decide to organize a mission, a meeting shall be called of such adult confirmed members of the Church as are desirous of such action, and of active membership in such mission.

- (a) The Bishop shall preside in person or by proxy of another bishop of the Diocese. The Bishop shall advise the group of the requirements for the status of a mission, and be satisfied that they are able and desirous to meet the same.
- (b) If so satisfied, the Bishop shall make provisional appointment of a minister-in-charge and of a bishop's committee, in conformity with the provisions of these canons.
- (c) A name shall be chosen for the mission.
- (d) The following petition shall be signed by the adult members of the petitioning group of confirmed persons:

**" TO THE ANNUAL COUNCIL OF THE DIOCESE OF WEST TEXAS**

Whereas we, the undersigned, confirmed members of the Protestant Episcopal Church in the United States of America, are desirous that a mission, to be called \_\_\_\_\_ be established in \_\_\_\_\_ in the County of \_\_\_\_\_ in the State of Texas and in the Diocese of West Texas, and

Whereas the testimonials required by the Canons of the Diocese of West Texas have been submitted by your petitioners and approved by the Bishop, and

Whereas we desire and are prepared to assume the obligations and responsibilities required of a mission by the Canons of the Diocese:

Therefore we, the undersigned, do petition the Diocesan Council of the

Diocese of West Texas for admission into union with the Council of the Diocese of West Texas, in the status of a mission, and

We Do Hereby acknowledge and accede to the doctrine, discipline and worship of the Protestant Episcopal Church in the United States of America, and to the Constitution and Canons of the General Convention and of the Diocese of West Texas.

Witness our hands, this \_\_\_\_ day of \_\_\_\_ in the year of our Lord

\_\_\_\_\_  
Approved: \_\_\_\_\_ Signatures \_\_\_\_\_  
Bishop of the Diocese  
of West Texas \_\_\_\_\_"

Section 5. A congregation thus provisionally organized as a mission shall remain subject to the financial arrangements of the Bishop until such time as it shall be admitted into union with the Council or its organization be revoked by the Bishop.

With the consent of the Executive Board, unused allocations in the current Church Program budget of the Diocese may be diverted to assist congregations seeking mission status until the next meeting of the Council, but in no case shall the Council be obligated to maintain by budget provision such temporary grants by the Executive Board.

Section 6. At the regular meeting of the Council next following the organization of a mission, the Bishop shall report the action thus far taken towards the establishment of the mission together with a general statement of the financial abilities and needs of the mission should it be admitted into union with the Council. The Bishop shall then, if not previously, submit, whenever feasible at least 30 days prior to Council, to the Committee on the Status of Parishes and Missions the following:

- A copy of the petition as required by Canon 17, Sec. 4 (d);
- A copy of the mission congregation's budget for the year;
- A copy of the results of the Every Member Canvass, including number of pledges as well as total amount pledged;
- The number of families, communicants and baptized members;
- A summary of the present financial arrangements; and
- A copy of the deed to all real property vested in the Episcopal Church Corporation in West Texas, as is stated in Canon 17, Sec. 9.

The Committee shall examine all of these and report to the Council its recommendation that the petition for admission into union with the Council be approved or rejected.

The Secretary of the Council shall thereafter give formal notice to the

minister-in-charge and warden of the mission of the action of the Council.

#### Section 7.

(a) The Bishop shall appoint a minister-in-charge for every mission, who shall, subject to the Bishop's control, direct the devotional and pastoral life of the mission. If such minister-in-charge be other than a priest, he/she shall, in his/her direction of the mission, be under the guidance of a priest at the Bishop's appointment.

(b) The Bishop shall annually appoint, before the first day of January, for each mission in the Diocese a bishop's committee which shall represent the Bishop in the financial management of the mission during the following year. The Bishop shall designate one member of the committee as warden.

(c) The Bishop shall be free at any time to discontinue the appointment of a minister-in-charge, and of any or all members of a bishop's committee.

#### Section 8.

(a) The duties of the minister-in-charge and of the bishop's committee shall be similar to the duties of the rector and the vestry of a parish insofar as is possible under the limitations of the canons. These duties shall include the completion of an annual audit as directed by the Canons of the Episcopal Church.

(b) The minister-in-charge or, in his/her absence, the warden shall preside at the meetings of the bishop's committee. The committee shall elect a secretary from its own membership and a treasurer from the adult communicant membership of the mission provided that the Bishop gives approval if a person other than a committee member be chosen as treasurer and provided further that if a treasurer is not a committee member, shall have seat and voice but not a vote in the business of the committee.

(c) The treasurer of the mission, or the warden in case of the inability of the treasurer, shall make a monthly report to the Bishop of the condition of the finances of the mission, showing itemized receipts, disbursements, resources and liabilities.

Section 9. The title to real estate, given to or purchased by a mission, or any property acquired by a mission, shall be vested in the Episcopal Church Corporation in West Texas, but no purchase of a church site shall be made for a mission without the consent of the Bishop. The committee shall have no power to rent to others any of the buildings or other property of the mission without the consent of the Bishop.

Section 10. Whenever a mission desires to assume parish status, the

communicant members thereof, at a meeting called for that purpose by the minister-in-charge, and after at least five days' written notice of such meeting, shall pass upon the matter. If it is voted by a majority of the communicants, sixteen years of age or older, present at such meeting, that said mission desires to assume parish status, the following action shall be taken:

(a) A majority of the communicants of the congregation, sixteen years of age or older, shall sign the following statement:

"We, the undersigned, being communicants of \_\_\_\_\_, a mission situated in \_\_\_\_\_ in the County of \_\_\_\_\_, State of Texas, being desirous that the status of said mission be changed to that of a parish, do request that our desire be acted upon at the next annual Council of the Diocese of West Texas. Witness our hands, this \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord \_\_\_\_\_."

(b) The bishop's committee shall prepare evidence of the ways and means by which the parish shall be supported.

(c) The communicants at such meeting shall elect a provisional vestry for the parish, such election to be conducted according to the requirements of the canon providing for the election of a vestry.

Section 11. The bishop's committee of a mission desiring parish status shall report all proceedings, with copies of record of organization, to the annual Council at the next meeting thereof, furnishing evidence that the provisions of Section 10 have been complied with. Such record shall be referred at least 30 days prior to Council, to the Committee on Status of Parishes and Missions which committee shall report before the Council adjourns, with its recommendations, and the Council may by resolution provide for the advance of the congregation to parish status.

Section 12. If the application for parish status be approved during the meeting of the Council, immediately following such approval the new parish shall be entitled to the number of delegates designated by the canons. The provisional vestry shall take office on the adjournment of the Council approving. The Secretary of the Diocese shall notify the warden and the minister-in-charge of the action of the Council.

**CANON 18**

Parishes

Section 1. The requirements for the status of a parish in union with the Council are the following:

- (a) Evidence of ability to discharge its responsibilities with respect to the budgets of the Diocese for administrative expense, the Church Program, and other special purposes ordered by the Council.
- (b) Provision for a rector at least as to housing and two-thirds of the total of all salaries which its rector shall receive from all cures within the Diocese.
- (c) Assumption of all other operating expenses and obligations of the parish.

## Section 2.

- (a) A parish may, by action of the Council, receive aid from diocesan funds for a period of not more than two years. If by that time it cannot resume its obligations as a parish, its status shall become that of a mission until such time as the requirements for parish status may be met.
- (b) Should a parish fail to pay for two successive years, its Diocesan Apportionment to the Diocesan Operating Program, the Diocesan Mission Program and to the General Church Program, unless exempted all or in part by the Diocesan Council, it shall revert to the status of a mission and such status shall be confirmed by the Council. In the event a parish whose status has been thus changed should during any one year pay such Apportionments, the Council may, at its next annual meeting, restore it to parish status.
- (c) Should a parish fail to complete annual audits as directed by the Canons of the Episcopal Church for two successive years, it shall revert to the status of a mission and such status shall be confirmed by the Council. When a parish, whose status has been thus changed, has completed all audits as directed by the canons of the Episcopal Church, the Council may, at its next annual meeting, restore it to parish status.

Section 3. There shall be held in each parish an annual parish meeting. Such meeting shall be presided over by the rector or, in his/her absence, by the vestry officer of senior authority. The secretary of the vestry shall record the minutes of the meeting. The election of members of the vestry shall be held; reports of the rector, the parish treasurer and parish organizations shall be received; and such other business as may be properly brought before the meeting shall be transacted. The election of delegates and alternates to the Annual Council may also be held: in which event the Annual Parish Meeting must be held prior to January 16.

Section 4. Every person sixteen years of age or over who is of record in the parish register as a communicant, and who is a communicant in good standing as defined in the General Constitution and General Canons of the Church, shall be entitled to vote in all elections and on all questions coming

before the meeting.

Section 5. The constitutions and canons of the Diocese of West Texas, and of The Episcopal Church, are expressly made integral and paramount parts of the bylaws of each incorporated parish, now existing or hereafter created, in the Diocese, and such constitutions and canons have priority over provisions of any parish bylaws that conflict with, or are inconsistent with, such constitutions and canons.

Section 6. Every parish in this Diocese is an integral and subordinate unit of the Episcopal Church and of the Diocese of West Texas, and the consents of the Bishop and the Episcopal Church Corporation of the Diocese shall be required to any amendment of the articles of incorporation of a parish corporation, to any sale of all, or substantially all, assets of a parish corporation, and to any dissolution of a parish corporation.

## **CANON 19**

### **The Parish Vestry**

Section 1. Each parish shall elect a vestry consisting of not less than three and not more than 18 members, who shall be communicants entitled to vote at the parish meeting. Tenure shall be for a period of three years or until their successors are elected, and one-third of the members of the vestry shall be elected annually. Elections shall be by a majority vote of the valid votes cast for each office. Each communicant shall have one vote on each ballot for each office or position to be filled.

When more than two persons are nominated for a single office, or when two or more persons are to be elected on the same ballot and there are more nominees than twice the number of offices or positions to be filled, and if upon the first ballot there is no majority of the votes cast for one or more of the offices to be filled, a second ballot shall be cast. The nominees, on each ballot shall be candidates receiving the highest number of votes cast on the preceding ballot not to exceed twice the number of the offices remaining to be filled: Except in the case of a tie vote in the last place, in which event the candidates receiving the tie vote shall also be candidates in the next succeeding ballot. Similarly, ballots shall be cast until all offices shall be filled. Vacancies on a vestry occurring during the year may be filled by a majority of the members of the vestry present at a regular meeting.

Section 2. No member of the vestry after serving on a vestry for a full term or eighteen (18) months or more of an unexpired term shall be eligible to serve again on the same vestry for a full year after such service.

Section 3. From the members of the vestry so elected the rector shall annually appoint a senior warden and the vestry shall annually elect a junior warden and a secretary. If there be no rector, the vestry shall elect both wardens. The vestry shall annually elect from the communicant membership a treasurer of the parish, who may or may not be a member of the vestry. The vestry may also elect a parish chancellor from the communicant membership, who shall be the legal adviser of the parish. In the absence of the rector, the senior warden or, in his/her absence, the junior warden shall be in charge of the parish.

Section 4. It shall be the duty of the vestry to elect a rector; to cooperate with him/her for the spiritual welfare of his/her cure; to see that he/she is properly supported, and that his/her salary is paid with regularity and punctuality; to make provision for the payment of the Diocesan Apportionment and the Church Pension Fund Assessments; to make and execute all contracts for the erection, furnishings and preservation of the church edifice and other church properties; to comply with the Canons of the Church in regard to surety bonds and audits; to provide out of the funds of the parish a sufficient supply of vestments and books to be used in public worship, and also the elements for the celebration of the Holy Communion; to maintain order and decorum during the time of public worship; to make proper provision for sacred music, subject to the control of the rector; and generally as constituted agents of the parish to transact all temporal business. The above referenced audits, which are directed by the Canons of the Episcopal Church, if not completed by the congregation, may, at the direction of the Executive Board, be overseen by the Diocesan Finance Committee.

Section 5. It shall be the duty of every member of the vestry to attend regularly the meetings of the vestry.

In the event a member of the vestry shall fail for a period of six months to attend vestry meetings, the vestry shall give written notice to such member of the vestry that failure to attend the next regular meeting shall be evidence of inability or lack of desire to serve. In such case, if said member of the vestry does not attend the next meeting, the vestry shall declare the office vacant and notify said member of the vestry of their action.

Section 6. It shall be the duty of the wardens to keep watch over the church property and to see that sextons and other employees of the parish perform their duties. When the office of rector becomes vacant, it shall be their duty to give notice thereof immediately to the Bishop.

Section 7. It shall be the duty of the secretary of the vestry to take charge of the records of the vestry and to keep correct minutes of the proceedings of all vestry meetings, and to deliver the same to his/her successor. Immediately after the first meeting of the vestry following the annual election, the secretary shall certify to the Bishop the names and addresses of the officers of the parish and other members of the vestry.

Section 8. It shall be the duty of the treasurer of the parish to take charge of all funds collected for the purposes of the parish, and to disburse the same under the direction of the vestry, provided that the treasurer shall promptly pay over to the rector the communion alms as provided by the canons of the Church, and to the Bishop the open offering at the time of the Bishop's official visitation for confirmation. The treasurer shall keep full and accurate accounts, in a system of bookkeeping approved by the vestry, of all finances and financial transactions of the parish. The treasurer shall make an annual report thereof on and in accordance with the standard parochial report form authorized by the General Convention, and shall transmit the same to the rector or, if there be no rector, to the senior warden at least one week prior to the annual Council.

Section 9.

(a) Meetings of the vestry shall be held at least once every two months at such time, place and frequency as the vestry itself shall determine at its first meeting of each calendar year. A special meeting may be held at any time at the call of the rector, or of the vestry officer of senior authority if there be no rector, provided that due notice shall be given to each member. In case there has been no meeting of the vestry for a period of two months, then one of the wardens or any three members may call such a meeting, provided that the rector and all members of the vestry are duly notified.

(b) The rector or, in his/her absence, the vestry officer of senior authority shall preside at the meeting of the vestry.

(c) A quorum of the vestry shall consist of a majority of the lay members of the vestry.

## **CANON 20**

### **Congregational Records and Reports**

Section 1. It shall be the duty of every minister-in-charge of a congregation to maintain an accurate permanent record of the baptisms, confirmations, marriages, burials, baptized persons and communicant membership of the congregation, and to record all occasions of public

worship and official acts within the same.

## Section 2.

(a) It shall be the duty of every minister-in-charge of a congregation, with the cooperation of the treasurer, to submit to the Bishop a complete report form authorized by the General Convention, on or before the earlier occurring date of the following:

- (1) At least three days prior to the Annual Council; or
- (2) The first day of February.

(b) The following persons shall be classified as "Domicile Unknown" or "In Community but Inactive" and shall be included as communicant losses in the annual parochial report:

(1) any communicant who has permanently moved from the city or vicinity of the congregation to a distant point and, so far as is known to the minister-in-charge, is not a communicant of the congregation in good standing as defined in the General Constitution and General Canons of the Church;

(2) any communicant living in the community and, so far as is known to the minister-in-charge, is not a member of the congregation in good standing as defined in the General Constitution and General Canons of the Church;

(3) any communicant who for a period of one year cannot be found and, so far as is known to the minister-in-charge, is not a communicant of the congregation in good standing as defined in the General Constitution and General Canons of the Church;

(4) any communicant who has communicated to the minister-in-charge desire to be classified as inactive.

(c) It shall be the duty of every minister-in-charge of a congregation to maintain a record of inactive members.

Section 3. A communicant of this Church changing, by removal or otherwise, connection with a congregation shall secure a letter of transfer from the minister-in-charge of the congregation in which such communicant was last enrolled. The minister-in-charge of a congregation into which a communicant removes shall not record the name on the parish list until such letter of transfer shall be delivered or a satisfactory reason given why such a letter cannot be obtained.

Section 4. If there be no minister-in-charge, the Senior Warden of a parish (or in the absence of the Senior Warden, the Junior Warden) or the Bishop's Warden of a mission shall discharge the duties of the minister-in-charge stated in this canon.

## **CANON 21**

### **Alienation or Encumbrance of Real Estate**

No real property, consecrated or unconsecrated, of any congregation, institution or other diocesan body, shall be alienated or encumbered by the vestry, bishop's committee, trustees, board or other body authorized to hold, manage or administer the same without the consent of the Episcopal Church Corporation in West Texas; and no such property that is consecrated shall be alienated or encumbered unless the previous consent of the Bishop acting with the advice and consent of the Standing Committee of the Diocese, is also obtained.

## **CANON 22**

### **Election of a Bishop**

Section 1. The election of a Bishop, a Bishop Coadjutor, or a Suffragan Bishop shall be in the following manner:

- (a) The clergy and laity shall vote by ballot and separately, and, except as provided in Sections 2 and 3, concurrence, on the same ballot, of a majority, in each Order, of those entitled to vote and actually seated in the Council, shall be necessary to an election. Each congregation entitled to vote shall have the same number of votes it has in the annual Council.
- (b) The Secretary shall call the roll of the clergy entitled to vote, and as each clergy's name is called he/she shall deposit his/her ballot with the tellers appointed by the Bishop or other presiding officer.
- (c) The Secretary shall then call the names of the congregations entitled to vote, and as the name of each such congregation is called the delegate or delegates from such congregation shall deposit a vote or their votes with the tellers. When all have voted the tellers shall count and announce the vote, giving the vote of each Order separately.

Section 2. In the Council electing, should less than two-thirds of the clergy entitled to vote be present, then two-thirds of the votes of all the clergy present shall be necessary to determine a choice.

Section 3. In the Council electing, should less than two-thirds of the congregations entitled to representation and vote be represented, then two-thirds of the votes cast in the lay Order shall be necessary to determine a choice.

Section 4. In case of any failure to elect upon any ballot as herein provided the Council shall continue to ballot until an election occurs or the Council adjourns. Immediately after an election, the Council shall proceed to sign the Canonical Testimonial.

## CANON 23

### Discipline

#### Section 1: Incorporation by Reference of Canon 4, Title IV

Canon 4, entitled "Of Diocesan Courts and Courts of Review of the Trial of Priest or Deacon, Their Membership and Procedure" of Title IV Ecclesiastical Discipline, of the Canons of The Episcopal Church is incorporated by reference into the Canons of the Diocese of West Texas.

#### Section 2: Establishment of Diocesan Ecclesiastical Court

There is established an Ecclesiastical Trial Court consisting of three clergy and two lay communicants of the Diocese. The members thereof shall be elected by the Diocesan Council on nomination of the Bishop, or Ecclesiastical Authority, for a period of five years. Vacancies in the court will be filled by the Bishop, or by the Ecclesiastical Authority if there is no Bishop. The vacancies shall be filled with persons from the same order.

## CANON 24

### The Episcopal Theological Seminary of the Southwest

Section 1. Relationship. The corporation known as the Episcopal Theological Seminary of the Southwest ("ETSS"), organized and existing as a non-profit corporation under the laws of the State of Texas, is hereby recognized and designated as an institution of the Diocese of West Texas.

Section 2. Representation on the ETSS Board of Trustees. In conformity with the ETSS By-laws, as amended, the following persons shall be elected to the Board of Trustees of the Seminary in the following manner: five Bishops and six other members of the clerical order, one from each Diocese in Province VII exclusive of the Diocese of Texas, shall be nominated by the ETSS Committee on Trustees in consultation with the Provincial Bishops; one confirmed lay communicant from each Diocese in Province VII, exclusive of the Diocese of Texas, shall be nominated by the Committee on Trustees in consultation with the respective dioceses. Said nominees shall be elected by vote of the ETSS Board of Trustees. The Bishop of the Diocese of Texas, three other members of the clerical order, and six confirmed lay communicants from said diocese shall serve as members of the ETSS Board of Trustees. Seven at-large members shall serve as trustees, five of whom shall be nominated by the Committee on Trustees and elected by the Board, and two of whom shall be appointed by

the Chair of the Board. Two clergy representatives from the associated alumni shall serve as trustees. All of the foregoing trustees shall have seat, voice, and vote at all meetings of the Board. Four non-voting members shall serve as trustees, including two representatives from the ETSS faculty and two representatives from the student body.

Section 3. Term. Trustees shall be elected for a term of four years, with the possibility of being re-elected for one additional four year term. Where applicable, vacancies shall be filled for any unexpired term by appointment of the particular Diocesan Bishop in consultation with the ETSS Committee on Trustees and Chair of the Board.

Section 4. Duties of the Trustees. It shall be the duty of the Trustees of the Episcopal Theological Seminary of the Southwest to:

- (a) Share in the Vision Statement of the Seminary, and be willing to make service as a trustee a high priority by consistent attendance at board meetings, supporting the Seminary as an informed advocate and with personal financial resources as able, and by participating in all fundraising efforts when requested.
- (b) Recruit potential trustees who can serve the identified needs of the Seminary congruent with its Vision Statement.
- (c) Promote church support of and student enrollment in the Seminary.
- (d) Make annual reports to his/her diocesan council on the condition and progress of the seminary.

## CANON 25

### Amendment of these Canons

A proposal for altering or amending these canons shall be presented in writing to the Committee on Constitution and Canons and to the Chancellor no later than December 31st. It shall be presented in Council as a part of the report of the committee, with or without their endorsement. If it be approved by a majority of each of the two Orders voting thereon separately, it shall become effective upon adjournment of the Council.