



# DIOCESE OF SOUTH CAROLINA

## CONSTITUTION



Article I -	Of Diocesan Convention Meetings	A-1
Article II -	Of Diocesan Convention Members	A-1
Article III -	Of a Quorum	A-2
Article IV -	Of the President	A-2
Article V -	Of the Other Officers of the Diocese	A-3
Article VI -	Of Deliberating and Voting in Convention	A-3
Article VII -	Of Admitting Parishes and Missions Into the Convention	A-4
Article VIII -	Of the Standing Committee	A-5
Article IX -	Of the Trial of a Clergyman	A-6
Article X -	Of Altering the Constitution	A-6
Standing Resolutions		A-6

### **ARTICLE I**

#### **Of Diocesan Convention Meetings**

*Section 1.* A Diocesan Convention shall be held annually, at such time and place as shall have been determined upon by the preceding Convention; or, on failure of the Convention so to determine, at such time and place as the Ecclesiastical Authority shall appoint.

*Section 2.* The Ecclesiastical Authority of the Diocese shall have power to call a special meeting of the Convention by giving at least thirty (30) days' notice to every clergyman entitled to a seat in the Convention, and to every Parish and Mission in the Diocese in union with the Convention, and such meeting shall be held when and where the Authority so calling it shall determine and at such meeting no other business shall be transacted than that specified in the notice so calling said meeting: PROVIDED, That whenever a special meeting of Convention is called for the purpose, in whole or in part, of electing a Bishop, Bishop Coadjutor, or Suffragan Bishop, Lay Deputies from the several Parishes and organized Missions in union with Convention shall be elected after the call has been issued for such special meeting.

*Section 3.* If, in the judgment of the Ecclesiastical Authority, there exists sufficient cause to require a change of time or place for the meeting of a Convention either annual or special, the said Authority may designate another time or place of holding such meeting, to be held within 30 days after the time originally designated and after notice to every clergyman and Parish and Mission in the Diocese.

### **ARTICLE II**

#### **Of Diocesan Convention Members**

*Section 1.* The Convention shall be composed of clergymen and laypersons, as hereinafter provided.

*Section 2.* The following shall be entitled to all of the privileges as members of the Convention: The Bishop of this Diocese; the Retired Bishops of the Diocese; the Bishop Coadjutor of the Diocese, when there is one; Suffragan Bishops of this Diocese, if there be any; every clergyman who is actually and canonically resident within the Diocese and discharging the duties of his station as Rector, Minister, or Assistant Minister of an organized Parish or organized Mission; and every clergyman, who, after a continued membership of at least twenty years in the Convention is incapacitated by the infirmities of health or age from further active duties of the ministry, and is canonically and actually resident in the Diocese. The



following shall also be entitled to all the privileges as members of the Convention: every clergyman canonically resident in the Diocese who is employed either by the Diocese or actively engaged in the work of the Church in the Diocese or at its affiliated institutions, PROVIDED, that no vote shall be received from any clergyman who has failed to deliver the Parochial Report required by Section 4 of Canon XXV by February first (1) preceding the Convention, unless he be accorded such privilege by a majority vote of the Convention. Deacons otherwise qualified for membership in the Convention shall be entitled to seat and voice but not vote. Clergy Canonically Resident, but not otherwise qualified for membership in the Convention, shall be entitled to seat and voice, but no vote.

*Section 3.* Each Parish and each Mission in union with the Convention shall be entitled to lay representation in the Convention: a Parish by not more than four laypersons and a Mission by not more than two laypersons. The election of said Lay Deputies shall take place in each Parish and each Mission, which has been admitted to union with the Convention, by voice vote unless the presiding officer in his sole discretion determines that the result is unclear then it shall be by ballot of those in attendance from among the confirmed Communicants, at a meeting of the members thereof, on the Second Monday in January of each year, or some other day thereafter to be appointed, upon not less than one week's notice given by the Rector, or the Vestry, if there be no Rector. An equal number of Lay Deputies may be elected to serve as alternates or substitutes for such Lay Deputies, elected as above, who may not, from any cause, attend the Convention when it assembles, or who may not remain in such attendance; PROVIDED, that no votes shall be received from any Parish or Mission which has failed to comply with the requirements of the Canon as to Parochial Reports by February first (1) preceding the Convention, unless they be accorded such privilege by a majority vote of the Convention.

*Section 4.* The terms of office of Deputies so elected shall continue until their successors are elected, and shall before they are permitted to take their seats, produce written testimonials of their election.

*Section 5.* No deputy shall represent more than one Parish or Mission or have more than one vote; and, if a Lay Deputy, he/she shall not represent any Parish or Mission unless he/she is a communicant of such Parish or Mission and is not enrolled as a communicant of any other Parish or Mission.

*Section 6.* When the Convention shall have been called to order, the list of the Clergy prepared by the Bishop or Ecclesiastical Authority, shall be laid before the Convention and the names of the Clerical members shall be called therefrom. Immediately thereafter the Secretary shall proceed to call the names of the Lay Deputies; after which, if a quorum be found present, the President shall declare the Convention duly organized. PROVIDED, however, that if the Clerical and Lay Deputies have been registered on the opening day of the Convention and such registration is then in the hands of the Secretary, said roll calls may be dispensed with. PROVIDED, FURTHER, that if a question be made, the right of any clergyman or Lay Deputy shall be determined according to the provisions of the Constitution itself.

### **ARTICLE III Of a Quorum**

A majority of the Clerical Order, together with Lay Representatives from a majority of the Missions and Parishes in union with the Convention shall constitute a quorum for the transaction of business generally, but any number of either Order that shall assemble may recess or adjourn from day to day until a quorum is formed.

### **ARTICLE IV Of the President**

The Bishop of the Diocese shall be ex officio President of the Convention, and in his absence the Bishop Coadjutor, if there be one. But in case neither of them be present, the Suffragan Bishop, if there be one, then the President of the Standing Committee shall be the President of the Convention; and if they be not present, a presiding officer shall be elected from among the attending presbyters.



## **ARTICLE V**

### **Of the Other Officers of the Diocese**

*Section 1.* The other officers of the Diocese shall be a Chancellor,, a Secretary of the Diocese, a Treasurer, and a Historiographer who may also be the Secretary of the Diocese, all of whom shall be confirmed Communicants, and a member of a Parish or Mission in union with the Convention.

*Section 2.* The Chancellor shall be nominated by the Bishop and shall be elected by a majority vote of the Convention. Any Assistant Chancellor shall be nominated by the Chancellor and approved by the Bishop. The term of office of any Assistant Chancellor shall run concurrently with the term of the office of the Chancellor, who shall serve for three (3) years or until his or her successor is elected. The duties of the Chancellor and of any Assistant Chancellor shall be to act as legal advisors to the Ecclesiastical Authority and other Diocesan offices and organizations, in matters affecting the interest of the Diocese. The Chancellor (but not any Assistant Chancellor) shall be an EX OFFICIO member of the Convention without the right to vote, unless a deputy from a Parish or Mission in union with the Convention.

*Section 3.* The Treasurer shall be elected at each Annual Convention by ballot (unless the ballot be unanimously dispensed with), and shall continue in office until his successor is elected. His duties shall be as prescribed by the Constitution, Canons, Resolutions, and Rules of Order of the Convention. He shall be EX- OFFICIO a member of the Convention without the right to vote, unless he be a delegate from a Parish or Mission in union with the Convention.

*Section 4.* The Secretary shall be appointed by the Bishop, and shall continue in office at the pleasure of the Bishop. In case there be no Bishop, or Bishop Coadjutor, or Suffragan Bishop canonically authorized to act, then the Standing Committee shall appoint the Secretary to serve at its pleasure or until there be a Bishop, or Bishop Coadjutor, or Suffragan Bishop canonically authorized to act. He shall act as Secretary of the Convention, and his duties shall be prescribed by the Constitution, Canons, Resolutions, and Rules of Order of the Convention.

*Section 5.* The Historiographer shall be appointed by the Bishop, to serve for three years, and until a successor is appointed. If a Historiographer is not so appointed, the Secretary shall perform the duties of the Historiographer which shall be prescribed by Canon.

## **ARTICLE VI**

### **Of Deliberating and Voting in Convention**

*Section 1.* On all questions coming before the Convention, unless otherwise provided by the Constitution, the members shall deliberate and vote as one body, unless a separate vote by Orders be demanded as below provided. Immediately prior to the putting of the question to be voted upon, the President shall inquire whether there be objection to voting as one body; whereupon, upon demand by any two clergymen or by any two Deputies from separate churches, a separate vote of each Order shall be had; in such case the clergy shall vote individually and the Lay Deputies by churches (a majority from each Parish having one vote and each mission having one-half vote). A majority vote of both Orders shall, in each case, be necessary to a decision.

*Section 2.* In the election of a Bishop, Bishop Coadjutor or Suffragan Bishop, the vote shall be by ballot, and by Orders, a concurrent majority of the two Orders being necessary to a choice; PROVIDED, that two-thirds of all the clergy entitled to vote and two-thirds of all the churches entitled to representation, be present; otherwise, two-thirds of the vote of each Order present shall be necessary to determine a choice.



## **ARTICLE VII**

### **Of Admitting Parishes and Missions Into the Convention**

#### *Section 1.*

##### **A. PARISH**

Parishes which have been organized as provided by Canon for not less than one year may apply for and be admitted into union with the Convention by vote of the Convention provided that the requirements hereinafter set forth have been met:

- (1) Application for admission is made in writing (and in duplicate) by the Wardens and Vestry to the Secretary of the Convention and such application is received by the Secretary at least 30 days prior to the convening of the Convention at its annual meeting].
- (2) Said application may state such facts as the applicant deems pertinent, but it must state:
  - a. the facts of applicant's organization in accordance with the Canons of the Diocese and its continued existence thereunder for at least one year,
  - b. the number of its adult members and the number of its communicants,
  - c. the names of its Wardens, Vestrymen, Secretary, Treasurer and proposed Lay Deputies,
  - d. evidence that it is self-supporting and the prospects of remaining so, which evidence of self-support shall include its ability to pay the full salary of its minister at or greater than the minimum salary scale approved by the Department of Mission with the approval of the Bishop, the amount contributed to the Diocese for the preceding year and that the Ecclesiastical Authority approves the admission of the applicant into union with the Convention,
  - e. its willingness to conform to the Constitution and Canons of the Convention of this Diocese, which are, or thereafter may be, enacted by the authority of the Diocese.
- (3) Said application must be accompanied by two certified copies of its corporation charter and two certified copies of its by-laws.
- (4) In case the applicant be within the limits of one or more existing Parishes or Missions, the application shall also state the reason for its organization, the distance of its place of worship from the other, or from each of the others, together with whatever additional facts may throw light upon the situation.

##### **B. MISSIONS**

Missions which have been organized as provided by the Canons of the Diocese for not less than one year may apply for and be admitted into union with the Convention, by vote of the Convention, provided that the requirements hereinafter set forth have been met:

- (1) Application for admission is made in writing (and in duplicate) by a majority of the members of the Mission seeking admission, to the Secretary of the Convention and such application is received by the Secretary of the Convention at least 30 days prior to the convening of the Convention at its annual meeting.
- (2) Said application may state such facts as the applicant deems pertinent, but it must state:



- a. the facts of applicant's organization in accordance with the Canons of the Diocese and its continued existence thereunder for at least one year,
  - b. that its organization has not been dissolved by the Ecclesiastical Authority,
  - c. the number of its adult members and the number of its communicants,
  - d. the names of its Wardens, Mission Council members, Secretary, Treasurer and proposed Lay Deputies ,
  - e. the extent of its ability to support its work, its willingness to conform to the Constitution and Canons of the Convention of this Diocese, which are then, or thereafter may be, enacted by the authority of the Diocese.
- (3) Said application must be accompanied by two certified copies of its corporate charter, and, if it has any by-laws then two certified copies thereof and evidence that the Ecclesiastical Authority approves the admission of the applicant into union with the Convention,.

In case the applicant be within the limits of one or more existing Parishes or Missions, the application shall also state the reason for its organization, the distance of its place of worship from the other, or from each of the others, together with whatever additional facts may throw light upon the situation.[]

*Section 2.* At the annual Convention next succeeding the receipt of application for admission to union with the Convention, the Secretary shall communicate the same to the Convention, the Secretary shall communicate the same to the Convention on the first day of its session; and after reference to both the Committee on Admission of New Parishes and the Committee on Constitution and Canons of the Diocese, the application shall be acted upon by the Convention.

*Section 3.* A Parish or Mission shall be accorded full privileges of membership in the Convention when it is admitted into union with the Convention, including the right of a voice and vote in the proceedings.

## **ARTICLE VIII**

### **Of the Standing Committee**

*Section 1.* There shall be a Standing Committee consisting of six Presbyters of the Diocese and six laypersons who are confirmed communicants in good standing of Missions or Parishes in union with the Convention. The Chancellor may be an elected member of the Standing Committee. If the Chancellor is not an elected member of the Standing Committee he shall be an ex officio member of the Standing Committee with voice and no vote. The members of the Standing Committee shall be elected by ballot as follows: Upon the effective date of this article, or as soon thereafter as practicable at the Convention of the Diocese, two Presbyters and two laypersons shall be elected for a term of three (3) years; two Presbyters and two laypersons for a term of two (2) years; and two Presbyters and two laypersons for a term of one (1) year; thereafter, at each succeeding annual Convention two Presbyters and two laypersons shall be elected for a term of three (3) years. No Presbyter or layperson whose term has expired shall be eligible for re-election until the passage of one Convention year from the date of said expiration. If there be no Bishop or Bishop Coadjutor, or Suffragan Bishop, canonically authorized to act, the Standing Committee shall be the Ecclesiastical Authority of the Diocese. In all decisions as the Ecclesiastical Authority, the Standing Committee shall vote by Orders; and a majority vote of the members present from each Order shall be necessary for a decision.

*Section 2.* At their first meeting after the election they shall choose one of the Presbyters of their body to be their President and another member of their body to be their Secretary, whose duty it shall be to keep regular minutes of all the proceedings and business of the committee; to preserve them carefully recorded in a book prepared for that purpose alone; to preserve the originals of all letters and papers addressed to the



Standing Committee; to attest their public acts; to perform such other duties as they may require and faithfully to deliver into the hands of his successors all books and papers relative to the concerns of the Standing Committee which may have been entrusted to him.

*Section 3.* They shall present to each Annual Convention an abstract of the minutes of their proceedings since the former Convention.

*Section 4.* Vacancies in the Standing Committee caused by death, resignation or otherwise, shall be filled by the suffrage of the remaining members, a majority vote of each Order being necessary to a choice.

*Section 5.* The Standing Committee may adopt standing resolutions, which when adopted shall continue in force until repealed by majority vote of the total membership of the Standing Committee adopting same or by a majority vote of the total membership of a subsequent Standing Committee. The present standing resolutions of the Standing Committee are printed in the Journal by request.

## **ARTICLE IX Of the Trial of a Clergyman**

A clergyman shall be subject to a trial for offences enumerated in the Canons of this Diocese, and if found guilty shall be sentenced in accordance therewith. The trial shall be conducted according to the Canons of this Diocese.

## **ARTICLE X Of Altering the Constitution**

No alteration or amendment of, or addition to this Constitution shall be made unless the same be proposed in writing and in duplicate on the first day of a Convention and after reference to the Committee on Constitution and Canons, is adopted by a majority vote of the Convention at which it is proposed, and further adopted by a two-thirds vote of both Orders present at the next Convention.

# **STANDING RESOLUTIONS**

1. **RESOLVED**, That when any clergyman of the Diocese shall depart this life, his record shall be inscribed on a memorial page of the Journal. (Passed 1872).

2. **RESOLVED**, That in a vote by Orders, the Secretary shall call the names of the clerical deputies and then call the roll of the Parishes and Missions in union with the Convention, and, if desired by any Deputy record the clergymen and laymen voting affirmatively and negatively. (Passed 1877, revised 1914, and 1961).

3. **RESOLVED**, That the Secretary is instructed to print separately in the Journal so much of the reports of each Parish and Mission as shows the name of the officers and also remarks, if any. It will be sufficient to print the statistics of the churches together in tables. (Passed 1918).

4. **RESOLVED**, That one copy of the Journal of the Convention of the Diocese be mailed to each and every Deputy separately by the Secretary as soon as such Journal may be printed and ready for distribution. (Passed 1913).



5. **RESOLVED**, That notices of the Convention sent out by the Secretary shall include a request that proposed Amendments to the Constitution and Canons be sent at least thirty (30) days before the Convention to the Secretary of the Convention for reference to the Committee on Constitution and Canons. (Passed 1961. Amended 1970 and 1971).

6. **RESOLVED**, That the Diocesan Council through the Secretary of Convention shall send to every congregation at least twenty (20) days prior to Convention information concerning major matters to be brought before the Convention by the Council, including any action by Council on these matters. Each Parish or Mission is urged to make such information known to the congregation.

7. **RESOLVED**, That the Ecclesiastical Authority of the Diocese shall appoint, at least sixty (60) days before the convening of each Annual Convention, a nominating committee composed of one Presbyter and one layperson from each Deanery, designating a convener; and such committee shall nominate two persons for each vacancy to be filled at the next Annual Convention of the Diocese; PROVIDED, that before any person is nominated by such committee, it shall secure the consent of such person to serve if elected. (Passed 1970, Amended 1972 and 1989).

8. **RESOLVED**, That all Parishes, Missions, and organizations in the Diocese that are not incorporated are urgently requested to incorporate under the laws of South Carolina; and if a Parish or Mission, then it is requested to include the provision in its charter that the corporation is formed for the purpose of operating a Parish or Mission, organized pursuant and subject to the Canons of the Diocese of South Carolina as now in force or as thereafter may be amended, and in the event said charter does not otherwise contain a provision for the orderly distribution of assets upon dissolution in a manner consistent with the intents and purposes of the diocese, said charter shall contain the further provision that upon being dissolved pursuant to the Canons of the Diocese of South Carolina, automatically the offices of the Vestry, Wardens, and other officers of the corporation shall become vacant, and the Standing Committee the Diocese of South Carolina shall become the managing body of the corporation, with full power and authority, without restriction, to liquidate the property of the corporation, to sell or mortgage its property or any part thereof, to convey any or all of its property to the Trustees of the Diocese of South Carolina, and upon complete liquidation to surrender the charter of the corporation; and that each Parish and Mission in the Diocese that is now incorporated is urgently requested to amend its charter to include the aforesaid provision in its charter. (Passed 1970, Amended 2012).

9. **RESOLVED**, That all Parishes, Missions, and organizations in the Diocese which hold any property with reverter clauses to the grantor, grantors, or other persons in the title are urgently requested to make every effort to remove, or have removed therefrom, all possibility of a reverter; and that all Parishes, Missions, and organizations in the Diocese are further urged to avoid, if possible, the taking of any title to property with reverter clauses therein. (Passed 1970).

10. **RESOLVED**, That the Convention elect to the Board of Trustees of The Porter-Gaud Academy one clergyman and one layperson each to serve for a term of four (4) years and thereafter upon the expiration of said terms or in the event a vacancy occurs during a term of office of one of the individuals so elected, the Convention will elect a person to fill the un-expired term of such person provided, however, that in the event it becomes necessary to fill the un-expired term of a clergyman, the successor to him shall be a clergyman, and if said vacancy occurs during the term of the layperson so elected, a layperson shall be elected to fill the un-expired portion of said term. And be it further

11. **RESOLVED**, That the Diocese of South Carolina, in recognition of the historic close affiliation between it and The Porter-Gaud Academy continue in such relationship and continue to develop mutually beneficial programs with a view toward serving the mutual purposes of both institutions.

12. **RESOLVED**, That the Thanksgiving Day Offering received by the Parishes in the Diocese of South Carolina be designated for the work of the Episcopal Church Home for Children in York.

13. **RESOLVED**, That this Diocese renew its endorsement of the tithe of 10 percent of personal income as the minimum standard of Christian giving; that the Convention challenge the people of each Parish and



Mission to adopt a plan of proportionate giving as a way to grow toward the goal of the tithe; that the Convention challenge each Parish and Mission to give serious consideration to proportionate giving from their gross receipts and to the goal of 50 percent of their income being spent in ministry and mission beyond the Parish; that the Convention challenge each individual and church of this Diocese to adopt a personal plan for moving toward these goals; and that the Journal of this Convention and the Jubilate Deo publish annually the stewardship statistics of all Parishes and Missions in such a way that our individual and corporate growth in giving can be shared and celebrated.

14. **RESOLVED**, That this Convention commend the clergy and laity of the Diocese of South Carolina to support and actively respond to the admonition found in the rubric on page 445 of The Book of Common Prayer, which reads as follows:

The Minister of the Congregation is directed to instruct the people, from time to time, about the duty of Christian parents to make prudent provision for the well-being of their families, and of all persons to make wills, while they are in health, arranging for the disposal of their temporal goods, not neglecting, if they are able, to leave bequests for religious and charitable uses.

15. **RESOLVED**, Whereas the members of the Standing Committee also serve as the Board of Directors of The Protestant Episcopal Church in the Diocese of South Carolina, a South Carolina non-profit religious corporation, that no member of the Standing Committee may be removed, replaced, or a vacancy filled except by compliance with the South Carolina Nonprofit Corporation Act, the Bylaws of The Protestant Episcopal Church in the Diocese of South Carolina and the Constitution of the Diocese. (Passed 2012).

**BE IT FURTHER, RESOLVED**, That this Convention challenge each Minister in charge of a congregation to abide by the rubric of The Book of Common Prayer, and annually to instruct the people under his or her charge, regarding the maintaining of valid wills for the State of South Carolina and the making of bequests in their wills for the benefit of the mission of the Diocese of South Carolina, including parishes and mission congregations, the Diocese, and other institutions or organizations supported by the Diocese of South Carolina.

16. **Therefore be it resolved** that the following Standing Resolution of the Convention be adopted;

God wonderfully creates each person as male or female. These two distinct, complementary genders reflect the image and nature of God. (Gen 1:26-27.) Rejection of one's biological sex opposes God's purpose in creation (Mark 10:6).

The term "**marriage**" has only one meaning: the uniting of one man and one woman in a single, exclusive union, as delineated in Scripture. (Gen 2:18-25.) God's good intention for us is that sexual intimacy is to occur only between a man and a woman who are married to each other. (1 Cor 6:18; 7:2-5; Heb 13:4.) For the blessing and protection of our families, particularly our children, God has commanded that no intimate sexual activity be engaged in outside of a marriage between a man and a woman.

Because God has ordained marriage and defined it as the covenant relationship between a man and a woman, The Diocese will only recognize and solemnize marriages between a biological man and a biological woman, that is between two persons whose birth gender identities were respectively male and female. Further, the clergy and staff of The Diocese shall only participate in weddings and solemnize marriages between one man and one woman. The facilities and property of The Diocese shall only host weddings between one man and one woman. (Passed 3-14-15)