

TEMPORARY PROTOCOL FOR CONGREGATIONAL MEETINGS DURING SOCIAL DISTANCING

In response to several inquiries from churches about **congregational meetings** during the period when COVID-19 pandemic church assembly and social distancing restrictions are in effect from the Bishop, the following advice is applicable:

Background: Diocesan Canons require action by a congregational meeting for several purposes, including vestry elections. Canon XVII, which deals primarily with the election of vestry members, generally states the requirements for a congregational meeting, namely that (a) all adult communicants in good standing are entitled to vote, (b) voting in the election of vestry members shall be by secret ballot, in person, except under very limited circumstances, and (c) there shall be no voting by proxy.

Options:

1. **Delay** the congregational meeting until larger gatherings are permitted and feasible. Canon XVII,.11 allows vestries to fill vacancies on the vestry until the next congregational meeting with another “qualified” parish member, provided the vote to fill the vacant seat is approved by a majority of the vestry. In the alternative, vestries can vote to extend vestry members’ terms until the next congregational meeting. If a vestry member whose term is extended cannot continue to serve, the seat may be left vacant.

Congregational meetings are an important link in the governance of Episcopal churches. They are the forum in which congregants may express their views and concerns through electing the members of their church’s vestry. That link must be preserved, so (a) a delay in an annual congregational meeting should not be extended (or permanent), and (b) communication by the vestry with the congregants should be more extensive during the delay.

2. **Hold a congregational meeting in person while maintaining social distancing and complying with other current guidance from the Bishop on church assemblies.** To do this, it will be important that such a meeting be accessible to all adult communicants in good standing, and, if necessary and appropriate, reasonable accommodations should be made for all adult communicants in good standing to attend the meeting. Only qualified attendees at the meeting should be allowed to vote, with no proxy voting. The setting may be indoors (subject to the Bishop’s guidance on the use of church buildings) or outside, but all persons present must be able to hear each other speak during the meeting and any attendee can speak to the group, and voting must be by ballot by only persons attending the meeting.

3. **Hold a virtual congregational meeting** in a form that (a) complies with current guidance from the Bishop on social distancing and church assemblies, (b) complies with the provisions of Canons XVII (listed above) and (c) has the capability for all persons present to be able to hear each other speak. That capability may be satisfied by use of a conference call or a video conference program like Zoom meetings, but would not be satisfied by an electronic streaming format or program like YouTube or a webinar in which most participants can only hear a speaker but cannot speak themselves and be heard by the other attendees. This is not to say that most participants cannot be muted by the host for portions of the meeting, such as presentations, but all participants cannot be muted by the host for discussions and debates.

Notice of a virtual meeting must be given clearly and more than two weeks prior to said meeting, per Canon XVII. The notice should specify that the meeting will be virtual (e.g. by Zoom, or some other facility). It will also specify that the virtual meeting will require 2/3 consent of delegates in attendance that the meeting is permitted to go forward electronically.

As with option 2, the meeting will need to be accessible to all adult communicants in good standing and, if necessary and appropriate, reasonable accommodations would need to be made for all adult communicants in good standing to attend the virtual meeting. There should also be an attendance list of the attendees who are qualified to vote, *i.e.*, who are adult communicants in good standing in that church, to be able to verify who voted.

Voting on resolutions may be done orally, although, in addition to the presiding person asking for those in favor of the proposal on the floor, the presiding person should also ask for those opposed. If the result of an oral vote is not clear, resort to the election process below.

Elections of vestry members must be by ballot by those present at the meeting, with no proxy voting, but those ballots may be submitted by electronic means and the voter will need to be identified to the election judges so that the voter's qualifications to vote may be determined. A voting program such as "Election Runner," "Simply Voting," or other such program may be used. Especially for smaller congregations, an informal voting process such as voting by texts, email, &c., may be used, provided that the election judges can determine who the voter is and whether the voter is qualified to vote and was in attendance at the meeting. Provisions will need to be made for subsequent ballots for the vestry election. Depending on the process for tallying the election results, those provisions may have to involve a recess in the meeting and a reconvening at a later date, at which time the

whole attendance and election process would have to be repeated. Appropriate and reasonable accommodations should be made for those without ready access to the electronic voting system.

To confirm the integrity of the virtual meeting, documentation of the notice of the meeting, the processes used to conduct the meeting, the list of attendees and the voting results, including the election judges' procedures for verifying who voted and the tabulating of vote (but not the identity of who voted for whom), should be filed with the meeting minutes.

A successful virtual congregational meeting should involve detailed planning and communication, not only to those who are technically challenged but to all of the congregation. The processes for who is recognized to speak, how questions may be asked, how voting works, and other procedural issues should all be thoroughly examined and explained in advance of the meeting.

Questions and comments may be directed to:

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These practices and procedures will be a learning process. So, we encourage you to discuss your plans and experiences with virtual congregational meetings with us so we can improve or adjust the protocol, as appropriate.

September 10, 2020

Samuel J. Webster, Chancellor