

Rector's and Congregation's Mutual Covenant of Ministry

EPISCOPAL DIOCESE OF MASSACHUSETTS

LETTER OF AGREEMENT

between

The Rev. _____ and The Vestry of _____ Church, _____, Massachusetts, which has elected [him/her] to be Rector with the understanding that [his/her] rectorship shall continue until dissolved by mutual consent or by arbitration and decision as provided by Title III, Canon 21 of the Episcopal Church.

The relationship between a Rector and a Vestry is unique, and it evolves within a larger covenant of mutual trust and ministry to each other. The purpose of this Letter of Agreement is to strengthen that relationship by clarifying some of the practical arrangements and to reduce later misunderstandings.¹

Section A – COMPENSATION

1. The Rector's salary will be \$ _____ per annum commencing on or about _____.

The parties agree that the Rector's Total Clergy Compensation ("TCC") will equal \$ _____, including the amount of the Housing Allowance, if applicable, and _____.²

2. Housing³

[Option A - Rector will not live in a Rectory]

The Vestry agrees to adopt annually the necessary resolution required by the Internal Revenue Service designating that portion of the TCC shown above as a Housing Allowance within the meaning of Section 1.107 of the IRS Code.⁴

¹This Letter of Agreement is intended to be negotiated after the Vestry has extended the initial call to the Rector and it should be reviewed annually. The model contains recommended provisions that may be varied according to the particular facts and circumstances. For a part-time Rector, the various sections should be prorated on the basis of a fraction (or percentage), e.g., half-time, three quarters time, etc. Consult the current Diocesan Guidelines for Salaries and Benefits.

²Specify other compensation received by the Rector that may be considered part of TCC. Consult the current Diocesan Guidelines for Compensation and Benefits.

³The model contains two options relative to housing. "Option A" applies to those situations where the Rector will not live in a Rectory. "Option B" applies to those situations where the Rector will live in a church-provided Rectory.

⁴The amount of the TCC designated as a Housing Allowance should be the lesser of (1) the fair rental value for the housing; including furnishings and appurtenances (such as garage) and utilities or (2) the amount the Rector expects to spend on housing.

[Option B - Rector will be living in a Rectory]

The Rector and [his/her] family will living in the church-owned Rectory. The Vestry will be responsible for the following expenses:

- (a) Insurance (and property taxes, if any) on the property;
- (b) Maintenance or replacement of the following appliances:
[Specify, such as refrigerator, dishwasher, etc.];
- (c) Maintenance of the structure(s), renovations or capital improvements;
- (d) [Specify utilities, such as heat, light, water, etc.];
- (e) [Specify other responsibilities].

The Rector and [his/her] family are responsible for good stewardship in regard to the care of the Rectory and will remain responsible for the general care and upkeep such as [specify particular responsibilities].⁵

The Rector is expected to present an annual report to the Vestry on the condition of the Rectory, with particular attention to items requiring maintenance.

3. [Optional] Other Compensation: [Specify, e.g., SECA allowance, equity allowance, etc.].⁶

Section B – PREMIUMS

1. The Vestry will pay the following premiums as required by the Diocese:
 - (a) Church Pension Fund premiums based on the Rector's TCC;
 - (b) The cost of Health Insurance premiums [specify whether individual or family coverage, which includes domestic partners, where applicable].
2. The Vestry will provide the following additional benefits [specify other benefits, e.g., dental, other insurance, life insurance for clergy not eligible for pension, etc. and allocation of premiums].
3. In the event of a total and permanent disability of the Rector, or in the case of the death of the Rector, the following agreements apply:
 - (a) Regarding housing: ____ month(s) in Rectory or ____ month(s) Housing Allowance, to be negotiated by the Vestry, Warden and the Rector, or Rector's spouse or other designee.
 - (b) Regarding compensation; ____ month(s) salary per year of service, up to a maximum of ____ month(s).

⁵The specific responsibilities of the Vestry and Rector will depend on the particular facts and circumstances. Once these are determined, they should be delineated with as much specificity as possible.

⁶Since a Rector while living in a church-provided Rectory will not build any equity in a home, a number of Vestries have agreed to fund an equity allowance through contributions to a tax sheltered 403(b) plan. Such other compensation is includable as TCC.

Section C – EXPENSES

The Vestry agrees to pay for the following expenses incurred by the Rector in fulfilling [his/her] professional duties:

1. Moving: The cost of moving the Rector's family and household goods when the initial call has been accepted.
2. Travel: The Vestry agrees to provide the Rector with _____⁷
[Option A: reimbursement for all church-related automobile travel at the current rate established by the IRS (2007=\$.485/mile)]
[Option B: a travel allowance of \$ _____ per ear adjusted annually for all church-related automobile travel.]
[Option C: an automobile for purposes of church-related travel upon such terms as the Vestry and the Rector shall determine.]
3. Communications: To provide for a telephone in the Rector's office and study. All postage for church business will be included in the parish budget.
4. Office: All necessary office furniture, equipment and supplies will be paid by the parish, the amount to be established in the annual budget.
5. Discretionary Fund: A fund will be provided for charities and expenditures at the discretion of the Rector in accordance with the Diocesan Guidelines for Clergy Discretionary Funds, the amount to be established in the annual budget.
6. Guests and Hospitality: The Rector will be reimbursed for the reasonable costs of hospitality and entertainment on behalf of the parish, the amount to be established in the annual budget.
7. Professional Fees: Dues of the Rector to the Massachusetts Episcopal Clergy Association and other professional associations, the cost of the annual Clergy Conference with the Bishop, and the cost of professional periodicals, the amount to be established in the annual budget.
8. Continuing Education: The amount of \$ _____ annually to support the Rector's continuing education. The Rector is expected to make an annual report to the Vestry and/or parish on his continuing education work.
9. The cost of pulpit supply and pastoral services: when the Rector is absent from the parish; the amount to be established in the annual budget.

⁷ Specify whether the Rector will receive (1) travel reimbursement and, if so, the rate of reimbursement, (2) an annual allowance or (3) an automobile. Note IRS reimbursement 2007 + \$.485/mile

Section D - LEAVE TIME⁸

The Vestry agrees that the Rector shall have the following periods of leave at full pay:

1. _____ month(s) of vacation per year, including Sundays, plus[_____].⁹
2. _____ weeks per year (in addition to vacation time) for continuing education and career development.
3. Paid Sabbatical Leave: The Priest is eligible for 3 months of sabbatical leave for every 5 years of parish ministry, for the purpose of renewal, study, travel, and continued spiritual growth. *[Congregations may wish to adapt this time frame to fit their needs, or the needs of their clergy. For example, a Priest may wish to have a longer leave after a longer number of years of service, or may wish to have shorter leaves after fewer years.]* Applications for diocesan support from the bishop's Clergy Sabbatical Program can be obtained from the Department of Canonical Ministries.

Planning for the Priest's sabbatical shall begin at least nine months prior to the first day of the leave. The Priest and Vestry shall agree to the form this planning shall take. Both the Priest and Vestry will participate in this planning, which shall include financial and activity information about the sabbatical, provision for congregational life and continuity, and clergy support during the Priest's absence.

4. The Rector is expected and encouraged to participate in Regional, Diocesan and National Church responsibilities as well as community endeavors. Further, time given to such work shall be understood as an integral part of the Rector's ministry in the parish.¹⁰
5. [Specify other leaves.]

Section E - SUPPLEMENTARY COMPENSATION

The disposition of wedding, funeral and other fees will be determined in conjunction with the Vestry.

The following understanding has been reached between the Rector and the Vestry concerning the income the Rector may receive performing [specify].

Section F - USE OF BUILDINGS

In addition to his/her use and administration of parish buildings for the discharge of his/her duties, the Rector shall have the right to grant use of the buildings to individuals or groups from outside the parish under general conditions to be determined in conjunction with the Vestry.

⁸ Currently, one month of vacation per year and one week of continuing education/career development per year are the recommended minimum. Additional time off for clergy retreat is strongly encouraged

⁹ Specify additional leave, e.g., amount of time after Christmas, amount of time after Easter and amount of other time as agreed upon with the Wardens.

¹⁰ Other such leave may include parental leave in the event of childbirth or adoption. Consult current Diocesan Guidelines on Compensation and Benefits

Section G - REGULAR PARISH GOAL SETTING

The Rector and Vestry will review the mutual ministry of the parish, vestry, and clergy on or about _____ (in no event more than one (1) year) from the Rector's assumption of his/her duties on the basis of goals and expectations set at the time of the call of the new Rector. Subsequently, periodic reviews (every year or two years) will be scheduled. These reviews for the purpose of goal-setting will cover the following items:

1. What are the mission and goals of the parish as presently understood?
2. What are the roles and tasks of the parish leaders (Rector, Vestry members, and others) in accomplishing the goals?
3. How well have the previously set goals been met?
4. What goals and expectations will be set for the next period in the life of the parish?

Finally, this Letter of Agreement will be revised as desired with the mutual consent of Rector and Vestry, and at any rate shall reviewed and revised no later than _____.

Section H - STATEMENT OF NON-DISCRIMINATION

In accordance with diocesan and national church principles, this congregation will not discriminate on grounds of age, race, gender, sexual orientation, marital status, or disability. ¹¹

¹¹ Since the 2001 Report to Convention, the Compensation and Benefits Committee has included this option to reflect the concerns of both the Diocese and National Church as reflected in a variety of resolutions presented in their respective conventions.

PARISH SIGNATURES

Date: _____ Rector: _____

Approved by the Vestry on (date): _____

Warden: _____

Warden _____

Clerk _____

BISHOP'S SIGNATURE

Reviewed by the Bishop:

Date: _____

Bishop: _____

If a Deacon, to reside one year in the jurisdiction.

Sec. 2. A Member of the Clergy who is a Deacon shall not be ordered Priest until having resided within the jurisdiction of this Church at least one year and all the requirements for ordination to the Priesthood as required by Canon III.7 have been satisfied.

CANON 13: Of Deacons and Their Duties

Subject to Ecclesiastical Authority.

Sec. 1(a) Each Deacon shall serve under the direction and supervision of the Bishop of the jurisdiction in which the Deacon is canonically resident. A Deacon shall serve as Deacon only in such places, and in such manner, as the Bishop, or if there be no Bishop, the Standing Committee, may designate. A Deacon shall not accept any appointment to serve as Deacon outside the jurisdiction in which the Deacon is canonically resident without the written consent both of the Deacon's Bishop and of the Bishop in whose jurisdiction the Deacon desires to exercise this office.

(b) The Bishop may appoint a person to supervise the Deacons of the Diocese under the direction of the Bishop.

Not to be in charge of a Congregation or Chaplain in Armed Forces.

Sec. 2(a) No Deacon, except one in training for the Priesthood, shall be in charge of a Congregation, nor be permitted to accept a chaplaincy in the Armed Forces of the United States, but may assist in the chaplaincies in Veterans' Administration Hospitals and in federal prisons.

To act under direction of the Priest.

(b) A Deacon ministering in a Congregation under the charge of a Priest, shall act under the direction of the Priest in all ministrations therein.

CANON 14: Of Clergy and Their Duties

Authority of the worship and spiritual direction.

Sec. 1(a) The authority of and responsibility for the conduct of the worship and the spiritual jurisdiction of the Parish are vested in the Rector, subject to the Rubrics of the Book of Common Prayer, the Constitution and Canons of the Church, and the pastoral direction of the Bishop.

(b) All assistant Clergy by whatever title they may be designated, shall be selected by the Rector, subject to the approval of the Vestry when required by Diocesan Canons, and shall serve under the authority and direction of the Rector. Before the selection of an assistant the name of the Member of the Clergy proposed for selection shall be made known to the Bishop and sufficient time, not exceeding thirty days, shall be given for the Bishop to communicate with the Rector and Vestry on the selection. Any assistant selected shall serve at the discretion of the Rector but may not serve beyond the period of service of the Rector except that, pending the call of a new Rector, the assistant may continue in the service of the Parish if requested to do so by the Vestry of the Parish and under such conditions as the Bishop and Vestry shall determine.

(c) For the purposes of the office and for the full and free discharge of all functions and duties pertaining thereto, the Rector shall, at all times, be entitled to the use and control of the Church and Parish buildings with the appurtenances and furniture thereof.

(d) In a Missionary Cure, the control and responsibility belong to the Priest who has been duly appointed to the charge thereof, subject to the authority of the Bishop.

Sec. 2(a) It shall be the duty of the Clergy in charge of a cure of souls to ensure that children, youth and adults receive instruction in the Holy Scriptures, in the subjects contained in An Outline of the Faith, commonly called the Catechism, and in the doctrine, discipline and worship of this Church, and in the exercise of their ministry as baptized persons.

(b) It shall be their duty to instruct all persons in their charge concerning Christian stewardship, including:

- (1) The reverence for the creation and the right use of God's gifts;
- (2) The generous and consistent offering of time, talent, and treasure for the mission and ministry of the Church at home and abroad;
- (3) The biblical standard of the tithes for financial stewardship;
- (4) The responsibility of all persons to make a will as prescribed in the Book of Common Prayer, page 445.

(c) It shall be their duty to prepare persons for Baptism. Before baptizing infants or children they shall prepare the sponsors by instructing both the parents and the Godparents concerning the significance of Holy Baptism, the responsibilities of parents and Godparents for the Christian training of the baptized child, and how these obligations may properly be discharged.

(d) It shall be their duty to encourage and prepare persons for Confirmation, Reception, and the Reaffirmation of Baptismal Vows, and to be ready to present them to the Bishop with a list of their names.

(e) On notice being received of the Bishop's intention to visit any Congregation, the Clergy shall announce the fact to the Congregation. At every visitation it shall be their duty and that of the Wardens, Vestry or other officers, to exhibit to the Bishop the Parish Register and to give information on the state of the Congregation, spiritual and temporal, in such categories as the Bishop shall have previously requested in writing.

(f) The Aims and Contributions, not otherwise specifically designated, at the Administration of the Holy Communion on one Sunday in each calendar month, and other offerings for the poor, shall be deposited with the Member of the Clergy in charge of the Congregation or with such Church officer as the Member of the Clergy in charge shall appoint to be applied to such pious and charitable uses as shall be thought fit by the Member of the Clergy. When a parish is without a Rector the Vestry shall appoint a responsible person to serve as Almoner.

Discretionary Fund

Christian Ed

Duty to person; Baptis
Confir
Recep
Reaffi
At Bisi
visitat
inform
the sit
congre
Aims &
offerin
poor.

Pastoral Letters.

(g) Whenever the House of Bishops shall put forth a Pastoral Letter, it shall be the duty of each Member of the Clergy in charge of a Congregation to read it to the Congregation on some occasion of public worship on a Lord's Day, or to cause copies of the same to be distributed to the members of the Congregation, not later than thirty days after the receipt of the same.

Position Papers.

(h) Where the House of Bishops shall adopt a Position Paper, it may by its own vote require the same procedure for communication of the contents of the Paper to the membership of the Church as is required in the case of a Pastoral Letter as provided in Clause (g) above.

To keep a register of official acts.

Sec. 3(a) It shall be the duty of each Member of the Clergy in charge of a Congregation to record in the Parish Register all Baptisms, Confirmations (including the canonical equivalents in Canon I.17.1(d)), Marriages and Burials.

Register of baptisms to be signed by officiant. Data to be recorded in Parish Register.

(b) The registry of each Baptism shall be signed by the officiating Member of the Clergy.

Register of baptisms to be signed by officiant. Data to be recorded in Parish Register.

(c) Each Member of the Clergy in charge of a Congregation shall have recorded in the Parish Register a list of all persons who have received Holy Baptism, all communicants, all persons who have received Confirmation (including the canonical equivalents in Canon I.17.1(d)), all persons who have died in the past year and all persons who have been received or whose names have been removed by letter of transfer.

The Member of the Clergy in charge shall also indicate (1) those whose domicile is unknown, (2) those whose domicile is known but are inactive, and (3) those families and persons who are within the Congregation, which list shall remain in the Congregation for the use of the successor.

Not to officiate in another's Cure without consent.

Sec. 4(a)

(1) No Member of the Clergy shall officiate, either by preaching, reading prayers in public worship, or performing any other similar function, in a Congregation without the consent of the Member of the Clergy in charge of that Congregation. If, because of the absence or disability of the Member of the Clergy in charge, provision has not been made for the stated services of the Congregation, a Warden may give consent.

In case there are two or more Congregations or Churches in one Cure.

(2) If there be two or more Congregations or Churches in one Cure, as provided by Canon I.13.3(b), the consent of the majority of the Clergy in charge of the Congregations, or of the Bishop, shall be sufficient; *Provided*, that nothing in this Section shall be construed to prevent any Member of the Clergy of this Church from officiating, with the consent of the Member of the Clergy in charge, in the Church or place of public worship used by the Congregation of the consenting Member of the Clergy in charge or in private for members of the Congregation; or in the absence of the Member of the Clergy in charge, with the consent of the Wardens or Trustees of then Congregation; *Provided further*, however, that the license of the Ecclesiastical Authority required in Canon III.16.2 be obtained first when necessary.

(3) This rule shall not apply to any Church, Chapel, or Oratory, which is part of the premises of an incorporated institution, created by legislative authority, provided that such a Place of worship is designed and set apart for the convenience and uses of such institution, and not as a place for public or parochial worship.

(b) If any Member of the Clergy in charge, from disability or any other cause, neglect to perform the regular services in the Congregation, and refuse, without good cause, consent to any other duly qualified Member of the Clergy to perform such services, the Wardens, Vestry, or Trustees of the Congregation shall, on proof before the Ecclesiastical Authority of the Diocese of such neglect or refusal, have power, with the written consent of the Ecclesiastical Authority, to permit any duly qualified member of the Clergy to officiate.

(c) Any Member of the Clergy who would be permitted under Canon III.18 to renounce the exercise of ordained office, who desires to enter into other than ecclesiastical employment, may declare in writing to the Ecclesiastical Authority of the Diocese in which the Member of the Clergy is canonically resident a desire to be released from the obligations of the office and a desire to be released from the exercise of the office to which ordained. Upon receipt of such a declaration, the Ecclesiastical Authority shall proceed in the same manner as if the declaration were one of renunciation of the ordained ministry under Canon III.18.

CANON 15: Of Clergy Not in Ecclesiastical Employment

Sec. 1. Any Deacon or Priest who has entered or plans to enter nonecclesiastical employment without renouncing the exercise of the office of Deacon or Priest shall make this desire known to the Bishop of the Diocese in which the Deacon or Priest is canonically resident. The Deacon or Priest shall demonstrate to the Bishop that reasonable opportunities for the exercise of the person's office exist and that good use will be made of such opportunities. After having determined that the person will have and use opportunities for the exercise of the office to which ordained, the Bishop, with the advice and consent of the Standing Committee, may approve the person's continued exercise of the office on condition that the Deacon or Priest report annually in writing, in a manner prescribed by the Bishop, as provided in Canon I.6.1.

Sec. 2. Any Deacon or Priest who has entered or plans to enter nonecclesiastical employment without continuing to exercise the office to which ordained must comply with the requirements of Canon IV.8 for renunciation.

Except

Neglect perform service Church

Request release

Proceed leaving ecclesiastical employ, but retain Ministry

Condition

Canon 15

ELECTION AND APPOINTMENT OF CLERGY

Sec. 1. Parish Clergy No election or appointment of a rector or any other minister to any parish shall be had until the name of the candidate has been made known to the Bishop, if there be one, or to the Ecclesiastical Authority serving in the place of the Bishop, and sufficient time, not exceeding thirty days, has been given to him or her to communicate with the vestry, in the case of an election or with the rector in the case of an appointment, nor, in the case of an election, until such communication, if made within that period, has been considered by the parish or vestry at a meeting duly called and held for that purpose.

Sec. 2. Missionary Clergy Except as otherwise provided in these Canons or specifically authorized from time to time by the Bishop, all clergy in charge of or ministering to missions, however established or conducted, shall be appointed by and remain under the direct supervision of the Bishop. They may be designated as vicars, priests-in-charge, ministers-in-charge, or otherwise, as the Bishop may approve.

Sec. 3. Report of Vacancy Whenever a parish or mission becomes vacant, it shall be the duty of the wardens or other representatives of such parish or mission to give immediate notice thereof to the Ecclesiastical Authority.

Canon 16

(Revised November 14, 1987 and November 1-2, 1991)

RECORDS AND REPORTS OF PARISHES, MISSIONS AND CLERGY

Sec. 1. Records to be Kept by Clerics Every cleric of this Church regularly settled in any parish or mission shall record in a book to be provided for the purpose and to be called the register, all baptisms, confirmations, marriages and burials. He or she shall also keep a list of all communicants, families and adults within his or her cure, as nearly as can be ascertained. She or he shall exhibit the register and such list to the Bishop on each visitation. The register shall specify the names of parents and sponsors of each child baptized; the name and witnesses of each adult baptized; the name of each person confirmed by the Bishop of the Church or otherwise canonically received therein; the names of all persons married; the name of each person buried; and the date when each rite was performed.

Sec. 2. Definitions

(1) Member (a) All persons who have received the Sacrament of Holy Baptism with water in the Name of the Father, and of the Son, and of the Holy Spirit, whether in this Church or in another Christian Church, and whose Baptisms have been duly recorded in this Church, are members thereof.

(b) Members sixteen years of age and over are to be considered adult members.

Parish Register

(2) Communicant (a) All members of this Church who have received Holy Communion in this Church at least three times during the preceding year are to be considered communicants of this Church.

(b) For purposes of statistical consistency, communicants sixteen years of age and over are to be considered adult communicants.

(3) Communicant in Good Standing All communicants of this Church who for the previous year have been faithful in corporate worship, unless for good cause prevented, and have been faithful in working, praying, and giving for the spread of the Kingdom of God, are to be considered communicants in good standing.

(4) Confirmed Person: A person, (a) who is baptized in this Church as an adult and receives the laying on of hands by the Bishop at Baptism, (b) who is baptized in this Church as an adult and at some time after the Baptism receives the laying on of hands by the Bishop in Reaffirmation of Baptismal Vows, and (c) any baptized person who received the laying on of hands at Confirmation (by any Bishop in apostolic succession) and is received into the Episcopal Church by a Bishop of this Church, and (d) any baptized person who received the laying on of hands by a Bishop of this Church at Confirmation or Reception, is to be considered as both baptized and confirmed.

Sec. 3. Annual Reports of Parishes, Missions and Clergy Every cleric of this Church, regularly settled in any parish or mission shall deliver or cause to be delivered, on or before February 1st, to the Bishop of the Diocese (or if there be no Bishop, to the Presiding Officer of the Convention), a report for the year ending with the previous thirty-first day of December, showing: (1) the number of baptisms, confirmations, marriages and burials during the year; the total number of adult baptized members, baptized members under sixteen years of age, and total number of baptized members; the total number of confirmed adult communicants in good standing, the total number of confirmed communicants in good standing under sixteen years of age, and the total number of confirmed communicants in good standing; (2) a summary of all the receipts and expenditures, from whatever source derived and for whatever purpose used; (3) a statement of the property held by the Parish, whether real or personal, with an appraisal of its value, together with a statement of the indebtedness of the Parish, if any, and of the amount of insurance carried; and (4) such other relevant information as is needed to secure an accurate view of the state of this Church, as required by the approved form. If the parish is vacant, the wardens shall deliver, or cause to be delivered, the foregoing report. If a mission is vacant, the warden or wardens or person holding a similar office in the mission shall deliver or cause to be delivered the foregoing report. Every cleric not regularly settled in any parish or mission shall also report the occasional services he or she may have performed, and, if he or she has performed no such services, the causes for reasons for not so doing. Every cleric engaged in educational or other non-parochial work shall report such work. The Treasurers of all allied parochial organizations are required to present to the Treasurer of the parish on or before January 15th of each year, their annual reports, and he or she shall see that these reports are similarly audited.

Parished Report