

**EVANGELICAL LUTHERAN CHURCH IN AMERICA
CHURCH COUNCIL**

**MINUTES
November 13–15, 2009
Lutheran Center
Chicago, Illinois**

The sixty-third meeting of the Church Council of the Evangelical Lutheran Church in America (ELCA) was convened in the Council Room of the Lutheran Center at Chicago, Illinois. On Thursday, November 12, 2009, the Audit Committee and the Executive Committee met. On Friday morning, November 13, 2009, orientation sessions were held for new voting and advisory members, and a technology tutorial was offered. Following lunch, the Church Council gathered for a service of Holy Communion in the Lutheran Center Chapel. Presiding Bishop Mark S. Hanson served as presiding minister; the Rev. J. Pablo Obregon preached; Ms. Deborah L. Chenoweth was the assisting minister; and Ms. Sandra Schlesinger served as lector.

ORGANIZATION OF MEETING

(Agenda I.A.-I.F.)

The following persons were present for all or part of the meeting:

Voting Members

Officers:

Pr. Mark S. Hanson, presiding bishop
Mr. Carlos E. Peña, vice president
Mr. David D. Swartling, secretary
Ms. Christina Jackson-Skelton, treasurer

Church Council:

Pr. David P. Anderson	Pr. Heather S. Lubold
Ms. Judith E. Barlow-Roberts	Ms. Susan W. McArver
Mr. Baron Blanchard	Pr. Raymond A. Miller
Ms. Rebecca Jo Brakke	Mr. John S. Munday
Ms. Rebecca D. Carlson	Mr. Mark W. Myers
Ms. Deborah L. Chenoweth	Ms. Ann F. Niedringhaus
Pr. Rachel L. Connelly	Pr. J. Pablo Obregon
Mr. John R. Emery	Mr. Ivan A. Perez
Pr. Amsalu T. Geleta	Ms. Lynette M. Reitz
Ms. Karin Lynn Graddy	Ms. Sandra Schlesinger
Mr. Mark S. Helmke	Pr. Michael J. Schmidt
Ms. Louise A. Hemstead	Mr. Blaire P. Smith
Mr. William B. Horne II	Pr. Jeffrey “Jeff” B. Sorenson
Pr. Keith A. Hunsinger	Pr. Kathryn A. Tiede
Mr. Mark E. Johnson	Mr. David Truland (<i>excused</i>)
Pr. Susan Langhauser	Pr. Philip R. Wold
Pr. Steven P. Loy	

Representatives of the Conference of Bishops

Bp. Allan C. Bjornberg	Bp. Gerald L. Mansholt
Bp. Michael L. Burk	Bp. Margaret G. Payne
Bp. Murray D. Finck	Bp. Harold L. Usgaard
Bp. Callon W. Holloway Jr.	Bp. Martin D. Wells
Bp. Ralph E. Jones (<i>excused</i>)	Bp. Herman R. Yoos III

Advisory Members

Youth:

Ms. Arielle Mastellar

Mr. Kyle Teague

Advisors:

Pr. Chi Shih Chen, president, Asian and Pacific Islander Association
Pr. Michael L. Cooper-White, ELCA seminaries
Pr. Jaime Dubon, president, Association of Latino Ministries in the ELCA
Ms. Elizabeth Gaskins, president, American Indian and Alaska Native Lutheran Association
Mr. Kent L. Henning, colleges and universities (*excused*)
Pr. David J. Keller, Lutheran Services in America
Ms. Kristin Kvam, chair, Justice for Women consulting committee
Ms. Katherine Long, president, European American Association
Pr. O. Dennis Mims, president, African American Lutheran Association (*excused*)
Mr. Fuad Nijim, president, Arab and Middle Eastern Association
Pr. Paul D. Ostrem, chair, Church in Society program committee
Pr. Arthur C. “Chris” Repp, chair, Global Mission program committee
Mr. Alfred Sagar, chair, Multicultural Ministries program committee
Mr. Kai S. Swanson, chair, Vocation and Education program committee
Ms. Janet Thompson, chair, Augsburg Fortress Board of Trustees
Ms. Deborah Wilson, secretary, Evangelical Outreach and Congregational Mission program committee
Ms. Beth Wrenn, president, Women of the ELCA (*excused*)

Resource Persons

Office of the Presiding Bishop:

Pr. M. Wyvetta Bullock, executive for administration
Pr. Marcus R. Kunz, executive for discernment of contextual and theological issues
Pr. Walter S. May, executive for synodical and constituent relations
Ms. Myrna J. Sheie, executive for governance and institutional relations

Section Executives and Staff:

Mr. Kenneth W. Inskeep, executive for research and evaluation
Pr. Donald J. McCoid, executive for ecumenical and inter-religious relations
Pr. Darrell D. Morton, assistant to the presiding bishop for federal chaplaincy ministries
Pr. A. Craig Settlage, director for mission support
Ms. Else B. Thompson, executive for human resources
Pr. Robert G. Schaefer, executive for worship and liturgical resources

Office of the Secretary:

Pr. Karen G. Bockelman, executive assistant to the secretary
Pr. Ruth E. Hamilton, executive for Office of the Secretary administration
Mr. Phillip H. Harris, general counsel
Ms. Mary Beth Nowak, executive assistant to the secretary
Mr. David A. Ullrich, associate general counsel

Office of the Treasurer:

Section Executives and Staff:

Mr. Jonathan H. Beyer, executive for information technology
Pr. Jeffrey R. King, support specialist, information technology
Ms. Karen M. Rathbun, executive for management services

Program Unit Executives:

Pr. Stephen P. Bouman, executive director, Evangelical Outreach and Congregational Mission (*excused*)
Ms. Evelyn Soto, representative
Ms. Linda Post Bushkofsky, executive director, Women of the ELCA
Pr. Sherman G. Hicks, executive director, Multicultural Ministries
Pr. Rebecca S. Larson, executive director, Church in Society (*excused*)
Pr. Leslie F. Weber Jr., representative
Ms. Beth A. Lewis, president and chief executive officer, Augsburg Fortress, Publishers
Pr. Rafael Malpica-Padilla, executive director, Global Mission
Pr. Stanley N. Olson, executive director, Vocation and Education

Service Unit Executives:

Ms. Kristi S. Bangert, executive director, Communication Services
Ms. Cynthia J. Halverson, president, ELCA Foundation and executive director, Development Services
Mr. John G. Kapanke, president and chief executive officer, ELCA Board of Pensions
Mr. Daniel J. Lehmann, editor, *The Lutheran* magazine
Ms. Eva M. Roby, executive vice president for administration, Mission Investment Fund

Press:

Mr. John R. Brooks, director, ELCA News Service
Ms. Elizabeth M. Hunter, *The Lutheran* magazine

Ecumenical Guests:

Ms. Lelanda Lee, The Episcopal Church
Pr. Mary Ann Neevel, United Church of Christ (*excused*)
Pr. Teresita Valeriano, North American representative, Lutheran World Federation
Moravian Church in America [position vacant]
Presbyterian Church (U.S.A.) [position vacant]
Reformed Church in America [position vacant]

Friday, November 13, 2009
Plenary Session I

The first plenary session of the sixty-third meeting of the Church Council of the Evangelical Lutheran Church in America was called to order by Mr. Carlos E. Peña, vice president of the Evangelical Lutheran Church in America and chair of the Church Council at 2:15 P.M.

Vice President Peña welcomed members to the first Church Council meeting of the biennium, particularly new members and advisors, as well as visitors. He noted that Mr. David Truland would not be present and Mr. Mark S. Helmke would arrive later after attending the funeral of his brother-in-law.

Vice President Peña thanked the worship leaders for the opening worship service and made a number of routine announcements concerning printed materials for the meeting.

Vice President Peña alerted members to the agenda item, “Church Council Joys and Concerns,” noting the opportunity for members to bring to the council’s attention issues that related to the council’s work as well as personal occasions for concern or celebration. He also called attention to the Church Council Prayer Team, which includes both members and advisors, who will be called upon to pray at various times during the meeting.

Vice President Peña reminded members to wait until called upon to speak, to state their names, and to direct their comments to the chair. He noted that members may speak only once on any given issue until all those wanting to speak have been given opportunity. Anyone wishing to register an abstention on a vote may do so with the minutes desk.

ADOPTION OF AGENDA

(Agenda I.G.)

Background:

Agenda items had been distributed by mail and electronically. Additional items were distributed at the meeting to the members of the Church Council, representatives of the Conference of Bishops, advisory members, and resource persons.

Church Council Action:

Vice President Carlos E. Peña called on Mr. David D. Swartling, secretary, to read the action pertaining to adoption of the agenda. Vice President Peña called for a second, then opened the floor to discussion. There being no discussion, Mr. Peña called for a vote.

VOTED:

CC09.11.58 To adopt the agenda and to permit the chair to call for consideration of agenda items in the order the chair deems most appropriate.

INTRODUCTIONS

Vice President Carlos E. Peña invited those present to introduce themselves.

APPROVAL OF MINUTES

(Agenda I.H.)

Background:

The minutes of the March 27–30, 2009, and the August 16, 2009, meetings of the Church Council had been distributed to council members electronically on the NetCommunity Web site. The minutes of the council’s Executive Committee meetings on March 27, 2009, May 26, 2009, July 14, 2009, August 16, 2009, September 21, 2009, September 24, 2009, and October 7, 2009, also had been distributed electronically.

Council members were asked to provide in writing to the Office of the Secretary any minor or typographical errors

in the distributed text of the minutes so that corrections could be entered into the protocol copies of the minutes.

Church Council Action:

At the request of Vice President Carlos E. Peña, Secretary David D. Swartling read the proposed action. Vice President Peña called for a second, then opened the floor for discussion. There being none, he called for a vote.

VOTED:

**CC09.11.59 To approve the minutes of the March 27–30, 2009, and August 16, 2009, meetings of the Church Council; and
 To ratify actions of the council’s Executive Committee as indicated in the minutes of the March 27, 2009, May 26, 2009, July 14, 2009, August 16, 2009, September 21, 2009, September 24, 2009, and October 7, 2009, meetings.**

REPORT OF THE PRESIDING BISHOP

(Agenda II.A.1; Agenda/MINUTES Exhibit A, Part 1)

The Rev. Mark S. Hanson, presiding bishop of the Evangelical Lutheran Church in America, reported as follows: “I can say with all confidence, this church has never, in my nine years of being presiding bishop, needed the strong leadership of the Church Council as much as we need your strong leadership now. We need leadership from you that is more than the sum total of the individual decisions that you will make. We need leadership that is clearly grounded in the means of grace, the confession of faith, in the words of Scripture as we live as a Book of Faith council. We need your leadership that is attentive to complex issues while, as the same time, always being stewards of the unity that is ours in Christ. We need you to discern when it is that you need to mediate conflicts and controversies in this church, when you need to agitate this church and stir it up for the sake of mission, and when [you need] to extricate yourself from controversies and conflicts that are not worthy of our attention because they are not core to our mission.”

Presiding Bishop Hanson said that, in a recent conversation with a synod bishop, he was struggling to know what to say to the Church Council in his oral report. The bishop told him he needed to name the pain, saying he could not be a pastor in the midst of pain if he didn’t name the reality.

Presiding Bishop Hanson continued, “These have been very painful days in this organization. I can’t describe what all of my colleagues in this room and this building have been experiencing, but I know something of it because I’ve been a participant. [I know] what it is like to call in to one’s office gifted, wonderful, faithful stewards of the call to serve this church, some of whom have stewarded that call since the day this church body was founded, and to say, ‘I’m sorry. I need to give you an early warning that more than likely because of the actions of the Church Council in adopting budget changes this weekend, your position will be eliminated.’ I know it is an experience people are having, and a message people are receiving, all too frequently throughout the land and the world today.

“There is no one way to give or to respond to such news . . . but I need to tell you from my own experience and the stories I’ve heard from colleagues, those over 40 persons in recent weeks who have received that word have been amazingly gracious. One colleague, upon hearing that her position was being eliminated, came immediately to our floor and said, ‘I just need to hug each one of you because I can’t imagine what this is like for you who have to make the final decisions.’ Then amidst the tears in her eyes there was a bit of a twinkle. She said, ‘Bishop, you know I’m Roman Catholic and you can’t imagine how many Catholics I’ve got praying the rosary for the ELCA.’

“In that little exchange of both sorrow and counsel, I thought of Paul’s words that when one member of the body suffers, we all suffer together. If you do nothing else this weekend, take time to express gratitude to everyone you meet in this building. Drop them a note and, in this moment, I would ask you express your gratitude for my colleagues in this room, some of whom have been bearers of that message and some [of whom] have been receivers of it. I ask my colleagues in churchwide ministry to stand and receive your expression of gratitude.” The council members responded with applause.

Presiding Bishop Hanson stated: “The budget reductions we will bring to you impact personnel, programs, and partners. They are the result of 30-year trends, the consequences of the continuing impact of the economy in downturn,

and the result of congregations choosing to withhold and redirect mission support as a response to Churchwide Assembly actions. However one finally analyzes the contributing factors, the consequences are the same: mission is diminished, unity is strained, lives are impacted, and faith is tested.

“Where do we turn in times such as these? . . . We will turn to the Book of Faith. So often, in times like this, as a parish pastor, synod bishop, and now in this call, when I know not what to say or where to turn, I go to Romans 5: ‘Therefore, since we are justified by faith we have peace with God through our Lord Jesus Christ, through whom we have obtained access to this grace in which we stand; and we boast in our hope of sharing the glory of God. And not only that, but we also boast in our sufferings, knowing that suffering produces endurance, and endurance produces character, and character produces hope, and hope does not disappoint us, because God’s love has been poured into our hearts through the Holy Spirit that has been given to us’ (Romans 5:1-5).

“Did you hear the good news amongst all the bad news? ‘Therefore, since we are justified by faith we have peace with God through our Lord Jesus Christ, through whom we have obtained access to this grace in which we stand.’ How good is that? Isn’t it just itching to be told? This is the good news that’s being told throughout this church. It’s the good news that was announced in words of absolution this morning from the font, and in the proclamation of the Gospel. It’s the good news that all the baptized bear through word and deed as they proclaim Jesus Christ. It’s the good news we received in bread and wine at the table of the Eucharist. So just in case you missed it, one more time, ‘Therefore, since we are justified by faith we have peace with God through our Lord Jesus Christ, through whom we have obtained access to this grace in which we stand.’

“It doesn’t stop there. Did you get caught up in the movement: the movement from suffering to endurance to character to what? To hope. Then the crescendo: hope does not disappoint us because God’s love has been poured—not dripped, not turned off and on like a spigot, not a steady trickle—‘God’s love has been poured into our hearts through the Holy Spirit that has been given to us.’ I’m here to say ‘Amen’ to Pablo’s testimony that God is faithful to that promise and that God is being faithful to that promise throughout the life, the people, and the work of the Evangelical Lutheran Church in America.

“This weekend, as we gather here, leaders from throughout this church: members of congregations, synods, seminaries, colleges, social ministry organizations, multicultural and ethnic ministries, are gathering in Naples, Florida, to explore together how Lutherans can increasingly be a vibrant, educational, multicultural, worshiping, social ministry, multi-lingual presence in south-central Florida. How could such a thing happen? Because one congregation, Emmanuel Lutheran Church, Pr. Steven E. Wigdahl, and a leadership team bought land in a growing area called Big Cypress and said, ‘We don’t need just to expand as a congregation, we need to grow as a Lutheran, multicultural, missional presence in southern Florida and to do that we need all the partners in the room.’ This is the Holy Spirit being poured out upon us as together we proclaim Christ and engage in God’s mission.

“This week the Holy Spirit was poured out upon Chaplain Michael T. Lembke, chief chaplain, ELCA pastor, Ft. Hood, Texas and upon two other ELCA chaplains that serve that Ft. Hood community, Chaplains Richard E. Brunk Jr. and Paul E. Dirksmeyer, as they minister to families and to the nation in this moment of devastating violence. What could have become a moment to fan the flames of religious extremism became instead a moment to witness to the mercy of God being poured out upon us. Chaplain Lembke wrote in an email to me, ‘This has been a very engaging time, not without challenge, but also not without the dynamic moving of the Holy Spirit.’

“That Holy Spirit is continuing to be poured out upon us in this time of deep disagreement. I think the Holy Spirit poured out upon us calls us, moves us, toward one another in times such as these, rather than into retreat and withdrawal into like-minded enclaves. One of the deepest concerns I have for this church right now is that people who agree with one another are retreating into like-minded enclaves to reinforce the strength of their convictions and the clarity that those not in the room are wrong. That is not bearing witness, being stewards of the ministry and message of reconciliation that, as Paul writes to the Corinthians, God entrusts to us as ambassadors of Christ.

“Last week I was with the rostered leaders in Central States Synod, a great opportunity for lots of conversations. I recall the conversation I had with one pastor. He said, ‘Bishop, I so appreciate that you came to be with us, but I need to tell you that I and the congregation I serve are really struggling with the decisions of the Churchwide Assembly because [we] do not agree with them and we cannot support them. I don’t want to leave the ELCA, I know stopping mission support doesn’t seem right, but we’ve got to find a place to stand and I’m not sure what to do.’ I was able to listen to him, to hear his struggle and the depth of his conviction. I was wise enough to know that the presiding bishop

isn't going to tell someone where to stand in that moment, because my attempt to do so would diminish the probability it would be received as a viable way to express opposition. I was able to say, with all clarity and conviction, 'The witness of the Evangelical Lutheran Church in America and our capacity to proclaim Christ and be engaged in mission will be diminished if you choose to withdraw from this church in silence, restrain from supporting this church with your gifts of finances, or if you, sadly, should choose to leave this church body.'

"Amidst all the struggles that are going on right now in the ELCA, with people, individuals, and congregations, this is the phrase that continually comes in my e-mails and letters: 'We're struggling to find a place to stand.' I think Paul gives us the answer when he writes to the Romans, 'Therefore, since we are justified by faith, we have peace with God through our Lord Jesus Christ, through whom we have obtained access to this *grace* in which we stand.'

"As much as some are struggling with their opposition to the assembly's actions, others are rejoicing, giving thanks to God for the new possibilities that are now open for gifts of ministry that have been bestowed upon the baptized who discern the call into ministry. I received an e-mail from a pastor in Michigan, who wrote this: 'Two days after the assembly I got a call from a young man in the community. He was asking questions about the vote. He wanted to know about this Lutheran church. When we met together, he told me he was gay. He came out in high school, dropped out of school. He grew up in a fundamentalist church, and when he came out as gay, they told him to leave. His grandmother told him if he just prayed hard enough, he could be cured. He saw the news about the ELCA and was overjoyed to find out there was a church where he could be welcome. He's been in church every Sunday since the first week in September. We've met several times, and last Sunday, All Saints Day, he was baptized. This week he joined the choir. God continues to be faithful to the promise that God will pour out the Holy Spirit upon us.'

"Last Sunday I preached at Simpson Temple United Parish in Altoona, Pennsylvania. They wanted to celebrate the adoption of the full communion agreement between the United Methodist Church and the Evangelical Lutheran Church in America. Actually they were breathing a big sigh of relief because 39 years ago, in 1971, the people at Simpson Methodist and United Lutheran, separated by four feet of space, decided they could do much more vibrant ministry as one parish in Altoona than as two separate congregations. So they didn't wait for 39 years of theologians to tell us there were no longer any church-dividing issues, they didn't hold their breath for 39 years waiting for full communion adoption, they formed a Lutheran-United Methodist parish, and now they were celebrating that the rest of us have awakened to follow their lead. Isn't it amazing how the Spirit can be poured out even through acts of ecumenical, ecclesial civil disobedience? They are living examples of what the Spirit can do with and through the relationships we have with six church bodies because of full-communion agreements. I fear that each of us church bodies have become so turned inward, preoccupied with the challenges of our diminishing resources and our re-describing of our organizational structures, that we have failed to step back and ask the question, 'What might the Spirit be stirring up for possibilities for us to be engaged in ministry differently because of these relationships?'

By the way, the acolyte in the Sunday morning service and the Sunday afternoon service was the same, a little girl named Faith, age 10. As I was getting ready to leave, she tugged on my coat and said, 'Could my mom take a picture of us?' I said, 'Sure.' She said, 'You know what? I always knew, before you came, I wanted to be a pastor, and I will be. But now I know I'm also going to be a bishop someday.' The Holy Spirit is being poured out as God has promised.

"The Holy Spirit is being poured out this weekend upon ELCA members who are gathered in Olympia, Washington, for a global mission formation event. How can I be so confident? Because I've heard the stories of the global mission events upon which the Spirit was poured out . . . in Southwood Lutheran Church in Lincoln, Nebraska, where 250 people coming in teams from congregations . . . wanted to deepen their skills in how to bring global and local mission together, adopting the spirit of accompaniment, and learning from our global companions how to more boldly proclaim Jesus Christ and more effectively engage in holistic ministry and mission. How did those global mission events happen? Because churchwide Global Mission and Evangelical Outreach and Congregational Mission program units, the resources of Hunger Program and churchwide budgets, and congregational teams and synodical leaders say, 'We can more effectively be the body of Christ in mission together than apart.' I thank God for the Holy Spirit continuing to be poured out upon us through our global companion relationships.

"Several of us were in Geneva, Switzerland, for . . . the council meeting of the Lutheran World Federation. In the context of that meeting we had opportunity for deep one-to-one conversations with leaders of several Lutheran churches throughout the world. I need to tell you, the story that some are telling of our global companions distancing themselves and desiring to sever relationships with us [because of the Churchwide Assembly actions] simply is not borne out. When

I sat with the new president of the Mekane Yesus Church in Ethiopia, now having surpassed us as the second largest Lutheran church in the world, and as I sat with President Modeste of the Malagasy church of Madagascar, as Rafael [Malpica-Padilla] and Don [McCoid] sat with others of our global companions, the message was clear: ‘Our church does not agree with the actions of the Churchwide Assembly relative to human sexuality, but that disagreement will not lead to disengagement, but . . . will call us to deeper conversation and renewed commitment for sake of the mission we share together.’ They were so thankful that throughout this process we have kept our global companions informed. . . . They are so appreciative that we have said to them, ‘We will respect your context, your culture, your church’s personnel policies, when it comes to the placement of our global mission personnel.’ This is what accompaniment means: walking together. Not looking down upon one another as less enlightened than the other. Not using the other for the sake of posturing our political power within our own church conflicts and controversies, but walking shoulder to shoulder so that together we might proclaim Christ and serve the neighbor.

“One of the partners with whom I spent time was the presiding bishop of the Evangelical Lutheran Church in Malawi. Yesterday I received an e-mail from the Rev. Andrea DeGroot-Nesdahl, who leads our Lutheran Malaria Initiative (LMI) and is part of the team for the HIV and AIDS strategy. She and three other colleagues from the churchwide organization are now in southern Africa deepening possibilities for how your generous gifts to the LMI and the HIV and AIDS strategy might strengthen those partners in their ministry. Listen to what Andrea said in her e-mail: ‘Today we toured projects for clean well water, sustainable garden and crop production, agricultural training, HIV and AIDS support groups, microfinance and banking, medicine distribution, malaria and AIDS mainly. It was a full day of meeting people whose lives are being changed by their engagement with the Evangelical Lutheran Church in Malawi and their development services. We literally saw improvements between one community that had been doing a spectrum of projects for 18 months and one who had been doing them for four to five years. You could see the economic lift, better care of their village, personal hygiene, children improving in school—remarkable. My bottom line is this: we have partners in Malawi who are committed to working together, working with and through Lutheran Churches of South Africa (LCSA), Lutheran World Federation (LWF) Southern Africa, with us, ELCA, around LMI, HIV and AIDS strategy. It’s like the rainbow after the storm. The ELCA is so well equipped to do this type of partnering. Global mission is so respected and careful in their cultivation of relationships. It’s more clear than ever that we are called to this initiative, now in this time and place. I want you to hear this story, Mark, as you go to the Church Council meeting this weekend. I gave your greetings to the bishop and others. They are ready to go to work. They are trusting that we, the ELCA, will be there as a companion. I really think the ELCA, especially with the Lutheran Malaria Initiative, is going to be a part of a movement that changes the world. It certainly is changing Malawi.’

“It was a year ago, in this room, that I sensed the Spirit was being poured out as the Church Council voted to respond to the crisis facing the people of Zimbabwe, extending grants through the budget and the World Hunger money. We as a church responded to that crisis by acting swiftly, generously, boldly, and faithfully, sending money that would give food aid and financial assistance. The Evangelical Lutheran Church in Zimbabwe, through those grants, was able to keep four hospitals open that otherwise would have closed. That \$330,000 enabled us to buy 90 metric tons of grain, seed, and fertilizer to help secure food production. Can you imagine the sign of hope those gifts were to a people literally on the edge of despair and death? Now the people of the Evangelical Lutheran Church of Zimbabwe have expressed their gratitude by a gift to you—this beautiful hanging on the wall. Think of it as an icon into which you look deep into the eyes of the suffering that still goes on in Zimbabwe and give thanks to God for what happens when the Spirit is poured out upon us and through us for the sake of our mission together.

“This is why we call financial contributions to the church ‘mission support’ and this is why it makes absolutely no sense to me that anyone would shut off mission support as a way of expressing disapproval with decisions of a Churchwide Assembly. God is faithful. God’s Spirit continues to be poured out upon us, strengthening our faith and giving us a vision of the church we are called to become.

“Last weekend the leadership of all our ethnic associations gathered here. Many of them were young adults. The energy in the room was palpable. To be in that room was to have a glimpse of the Pentecost church that the Spirit calls, empowers, gifts us to become—multicultural, multi-lingual, multi-generational. Friends, we need to move beyond being 97percent white. We’re not going to get there, ever, until you and I who are white, and you and I who are white males, are willing to confront and die to the power and privilege that is ours in this church and society and world by virtue of our whiteness and our gender.

“God is faithful. God’s Spirit is being poured out for the sake of the church God is calling us and equipping us to become. In the budget reductions we’re bringing to you, we are not calling any missionaries home, we are not cutting subsidies for the seminaries, and we are sustaining our commitment to plant new congregations. It was going to be 33 [new congregations] in 2009; but because the Mission Investment Fund, your dollars stewarded through the MIF, stepped up to the plate and said we’re going to fund 13 more in 2009, we can now [start] 46 in 2009. In the [proposed] budget we’re committed to a goal of at least 50 [new congregations] and our desire is at least one in every synod. We did not cut support for the directors for evangelical mission (DEM) because that’s a commitment that the resources of this church need to go to the synods and through the synods so that the DEMs can convene mission tables in every synod. It is our conviction that every ELCA congregation, no matter where they stand on human sexuality, needs to be standing on God’s grace, which engages them in their community, proclaiming Christ, and serving their neighbors. We believe that to be a church growing in evangelical mission means every member of this church must be growing in faith practices: worship, the study of Scripture, prayer, stewardship, discipleship, and advocacy.

“But let me tell you this, if reductions in mission support continue, if the call to express disapproval of Churchwide Assemblies by withholding and redirecting mission support continues, I cannot promise that in the future we can continue to keep missionaries in the field, new congregations planted in communities, seminaries supported strongly, and DEMs engaged faithfully.

“Signs of God’s Spirit being poured out, shaping us for the church we’re called to be. This week, Kathryn Lohre was elected president-elect of the National Council of Churches. [She is] 32 years old, an ELCA member of Faith Lutheran Church in Cambridge, Massachusetts. She’s from New England. She’s a graduate of the college that is 30 miles south of Augsburg College in Minneapolis; I think it’s in Northfield [St. Olaf]. She works at Harvard University in the religious pluralism project. She is on the Central Committee of the World Council of Churches. She is just one of the young adult leaders being prepared, not for future leadership in this church, but that the Spirit is stirring up and calling to leadership today.

“If you want signs of the Holy Spirit being poured out, you all should have been in New Orleans this summer: 37,000 predominantly youth, praising Jesus, riding in bathtubs, carrying *Jesus, Justice, Jazz*, the Lutheran Study Bible made for these kids, . . . and adding their hands to do God’s work of rebuilding lives and communities in New Orleans.

“You want signs of God’s Spirit being poured out? Then come with me next weekend to the Rocky Mountain Synod high school youth convo. They’re spending the whole weekend digging down deep into the Millennium Development Goals, saying, ‘How do we as young people, ELCA members in Colorado, lead our passion to eradicate extreme poverty and hunger, combat HIV and AIDS and malaria, and ensure the sustainability of the environment.

“I’m confident that God’s Spirit will continue to be poured out upon all in this room: Church Council members, advisors, bishops, staff, ecumenical guests, friends from CORE [Coalition for Reform], friends from Lutherans Concerned/North America, ELM [Extraordinary Lutheran Ministries], because, as I read Paul to the Romans, the Spirit isn’t poured out on the basis of how one votes on actions in Churchwide Assemblies. It is poured out because of God’s faithfulness through Jesus Christ to be gracious. On God’s grace we stand. When God’s Spirit is poured out, then the pattern of our lives is shaped, not by polarizing issues of personal morality, but the paschal mystery. That becomes the figural narrative of our life, constantly in our lives and in our preaching and our worshiping, moving from the aching loss of Good Friday through Holy Saturday’s forsaken absence to the astonishing newness of Easter morning and risen life in Christ.

“Because the Holy Spirit is being poured out, our differences call not for disengagement but for deeper moving toward one another, being renewed in the conversation for the sake of mission. It is finally, only, because God is faithful to God’s promise to pour out the Holy Spirit upon us that we can confidently and in hope take up our work as servant leaders in this church. Welcome to that calling.”

Council members responded by standing to applaud.

REPORT OF THE BOARD DEVELOPMENT COMMITTEE (Agenda II.E.1)

INTRODUCTION TO RACIAL JUSTICE PROCESS OBSERVATION (Agenda III.B.1; Agenda/MINUTES Exhibit B, Part 6)

Background:

At its April 2007 meeting, the Church Council received a report on anti-racism training and took the following action [CC07.04.03]:

To assign to the Board Development Committee responsibility for continuing anti-racism training in relation to the Church Council;

To acknowledge that the Board Development Committee may appoint a subcommittee for assistance in addressing issues of anti-racism training; and

To affirm the possibility of engagement of a racial justice monitor or monitors at future meetings of the Church Council to provide observations on the process of deliberations of the council.

Subsequent to this action, the Church Council has included anti-racism training sessions at its November 2007 and April 2008 meetings. In addition, the summer 2008 Church Council retreat focused on the “scandalous realities” of racism and sexism.

The Church Council at its February 2008 meeting approved a proposal from the Board Development Committee for a racial justice monitoring pilot, using the following method, to be undertaken by the Church Council at its regular meetings from April 2008–March 2009:

1. Process observers observe three two-hour (or equivalent) plenary sessions. Identified categories for observation questions include:
 - a. Process
 - b. Who’s in the room? Who speaks or addresses the plenary? How often? Whose voices are brought into the room?
 - c. Climate: disconnect between advisors and council; comfort in sharing, speaking in plenary
2. Just before the end of a session, observers compile information into one report. Observers report to the plenary what they saw and heard.
3. A written report of observations is given to the chair of the Board Development Committee.
4. At the end of the third observation session, members and advisors complete and submit a pilot evaluation form.
5. Upon consideration of this report, the Board Development Committee may make corresponding recommendations to the Executive Committee for consideration.
6. Compiled pilot evaluation results are given to the Board Development Committee chair.

Process observers have been present for the Church Council meetings in April 2008 and March 2009. In preparation for the March 2009 meeting, the following five members of the Church Council and advisors were trained as process observers: Ms. Lynette M. Reitz, Ms. Ann F. Niedringhaus, the Rev. J. Pablo Obregon, Mr. Baron Blanchard, and Ms. Arielle Mastellar (youth advisor).

Church Council Discussion:

Vice President Carlos E. Peña called on Ms. Lynette M. Reitz for an introduction to racial justice process observation. Ms. Reitz reviewed the Church Council’s decision to implement a pilot project of process observation and pointed out the questions to which council members would be asked to respond. She introduced the other people who had been trained as process observers: the Rev. J. Pablo Obregon, Ms. Arielle Mastellar, Mr. Baron Blanchard, and Ms. Ann F. Niedringhaus, adding that they would provide feedback at the end of a number of plenary sessions.

REPORT OF THE EXECUTIVE COMMITTEE

(Agenda II.E.3)

Vice President Peña, chair of the Church Council, presented the report of the Executive Committee.

RATIFICATION OF APPOINTMENTS TO CHURCH COUNCIL COMMITTEES

(Agenda III.D.1; Agenda/MINUTES Exhibit B, Part 3a and 3b)

Background:

In preparation for the August 2009 meeting of the Church Council, continuing members of the Church Council were invited to indicate their preferences for service on one of the four standing committees of the Church Council: Budget and Finance, Legal and Constitutional Review, Planning and Evaluation, and Program and Services. Members also indicated interest in other areas of service, including the Board Development Committee. At its August 2009 meeting, the Church Council ratified the provisional membership of the four standing committees.

Following their elections by the Churchwide Assembly, newly elected members were invited to indicate their committee preferences. The Executive Committee reviewed the requests at its October 2009 meeting and made recommendations for ratification by the Church Council during the first plenary session of its November 2009 meeting. New members of the Board Development Committee will be appointed by the Executive Committee during the meeting.

Church Council Action:

Vice President Carlos E. Peña noted that new members of the Board Development Committee and the council liaison to Women of the ELCA Board would be appointed later in the meeting. He called on Ms. Linda Post Bushkofsky, executive director of Women of the ELCA, to describe the duties of the liaison position.

Vice President Peña called on Secretary David D. Swartling to introduce the proposed action. Vice President Peña called for a second and then opened the floor for discussion. Secretary Swartling invited advisors not assigned to a committee to attend any of the committee meetings and, if ready to commit, to indicate their preference to Ms. Myrna J. Sheie, executive for governance and institutional relations. There being no further discussion, the chair called for the vote.

VOTED:

CC09.11.60 To ratify the appointments to the Church Council committees and other advisory responsibilities for the 2009–2011 biennium as detailed in Exhibit B, Parts 3a and 3b.

EXECUTIVE SESSION

(Agenda III.A.1)

The Church Council entered into executive session at 3:30 P.M. for the purposes of election of two unit executive directors, election of the editor of *The Lutheran* magazine, and a legal update. No minutes were kept.

RECESS

The first plenary session of the November 2009 meeting of the Church Council recessed at 4:51 P.M.

**Friday, November 13, 2009
Plenary Session II**

Vice President Carlos E. Peña called Plenary Session Two to order at 5:09 p.m. and called on Presiding Bishop Mark S. Hanson to report on the elections.

Church Council Action:

VOTED:

CC09.11.61 **To re-elect the Rev. Sherman G. Hicks to a four-year term as executive director of the program unit for the Multicultural Ministries program unit, beginning January 17, 2010.**

VOTED:

CC09.11.62 **To re-elect the Rev. Stanley N. Olson as executive director of the Vocation and Education program unit for a four-year term beginning January 1, 2010.**

ABSTAIN: 1

VOTED:

CC09.11.63 **To re-elect Mr. Daniel J. Lehmann as editor of *The Lutheran* for a four-year term beginning January 1, 2010.**

Two-thirds vote required

Presiding Bishop Mark S. Hanson invited those elected to greet the council. He also acknowledged the re-election of Ms. Linda Post Bushkofsky as executive director of Women of the ELCA by its board and invited her to greet the council.

REVISIONS TO ELCA MINISTRY POLICIES: PROCESS, TIME FRAME, AND CONTENT

(Agenda III.D.3; Agenda/MINUTES Exhibit D, Part 1; Exhibit G, Parts 1 and 2; Exhibit O, Parts 1a, 1b, and 5)

Background:

The 2009 Churchwide Assembly took action to allow service in rostered ministry by people who are in publicly accountable, lifelong, monogamous, same-gender relationships. The assembly directed that necessary changes in policy be made and that any additional guidelines necessary be developed. It further directed that provision be made within this church to respect diverse, faith-based commitments on this matter.

At its November 2009 meeting, the Executive Committee considered a recommendation from the Administrative Team for a protocol to guide consideration by the Church Council of proposed revisions to ELCA ministry policies in response to the assembly's actions.

ELCA Ministry Policies

The ELCA has four rosters for public ministry: ordained ministers (pastors), associates in ministry, deaconesses, and diaconal ministers. The policies that guide preparation for public ministry are organized in the following official documents:

- “Vision and Expectations” (for pastors): This document is a statement of expectations and hopes and an invitation for reflection and consideration of those who seek to serve in the ordained ministry of Word and Sacrament.
- “Vision and Expectations” (for associates in ministry, deaconesses, diaconal ministers): This document is for

those called to serve in an ELCA rostered ministry of Word and Service and serves as an invitation for reflection and consideration by those who seek to enter such service.

- “Definitions and Guidelines for Discipline”: This document describes the grounds for which rostered leaders may be subject to discipline according to the governing documents and policies of this church.
- “Candidacy Manual”: This manual contains the policies and procedures that guide the process of discerning and preparing for calls to public ministry and the steps by which this church moves toward approval of candidates for call.
- “Manual of Policies and Procedures for Management of the Rosters”: this manual contains policy documents related to aspects of rostered ministry.

Summary of Churchwide Assembly actions related to ministry policies

The 2009 Churchwide Assembly considered the recommendations related to ministry policies during plenary sessions on Friday, August 21, 2009. At the beginning of Plenary Session Eight, voting members approved the following change to the Order of Business pertaining to the order in which the resolutions of the Recommendation on Ministry Policies would be considered [CA09.05.22]: “To consider and vote on separately the four resolutions of the Recommendation on Ministry Policies in this order: Resolution 3, Resolution 1, Resolution 2, and Resolution 4.”

The 2009 Churchwide Assembly voted on the former Resolution 3, as amended, of the Recommendation on Ministry Policies during Plenary Session Eight [CA09.05.23]: “RESOLVED, that in the implementation of any resolutions on ministry policies, the ELCA commit itself to bear one another’s burdens, love the neighbor, and respect the bound consciences of all.”

In the same plenary session, the assembly also voted on the former Resolution 1 of the Recommendation on Ministry Policies [CA09.05.24]: “RESOLVED, that the ELCA commit itself to finding ways to allow congregations that choose to do so to recognize, support, and hold publicly accountable lifelong, monogamous, same-gender relationships.”

During Plenary Session Nine, the assembly approved the former Resolution 2 of the Recommendation on Ministry Policies [CA09.05.26]: “RESOLVED, that the ELCA commit itself to finding a way for people in such publicly accountable, lifelong, monogamous, same-gender relationships to serve as rostered leaders of this church.”

Also in that session voting members of the 2009 Churchwide Assembly approved former Resolution 4 of the Recommendation on Ministry Policies, as amended [CA09.05.27):

WHEREAS, guided by the Holy Spirit, this church raises up, calls, supports, and maintains rosters of ordained ministers, associates in ministry, deaconesses, and diaconal ministers for public ministry in service of the mission of Christ and seeks faithfully to discern in each situation what will best serve that mission; and

WHEREAS, this church maintains these four rosters according to policies and procedures that are developed and applied according to the specifications of chapters 7 and 20 of its *Constitution, Bylaws and Continuing Resolutions*; and

WHEREAS, this church has a polity, processes, and procedures that trust designated individuals and bodies to use churchwide standards to make decisions about fitness for rostered ministry in general and for call to a specific ELCA ministry; and

WHEREAS, some members, congregations, candidacy committees, and synods of the ELCA have discerned gifts and skills for rostered ministry in some people who are or contemplate being in publicly accountable, lifelong, monogamous, same-gender relationships and have indicated their conviction that rostering and calling such people would serve the mission and ministry of this church; and

WHEREAS, other members, congregations, candidacy committees, and synods of the ELCA acknowledge those gifts and skills for ministry, but believe that this church must maintain an expectation of celibacy for any gay or lesbian person, whether or not that person is in a publicly accountable, lifelong, monogamous, same-gender relationship, and thus believe that this church cannot call or roster people in such relationships; and

WHEREAS, the Church of Christ sometimes has been surprised by the actions of the Spirit, as is reported in the book of Acts when the inclusion of Gentiles was affirmed; and

WHEREAS, public accountability of rostered leaders in the ELCA is essential to nurturing the trust that is necessary for effective ministry; and

WHEREAS, although there is no generally recognized civil or ecclesial status that corresponds to heterosexual marriage for publicly accountable, lifelong, monogamous, same-gender relationships, this assembly has committed itself to find ways to recognize, support, and hold publicly accountable lifelong, monogamous,

same-gender relationships; and

WHEREAS, present ELCA policies prohibit the rostered service of any and all people in publicly accountable, lifelong, monogamous, same-gender relationships, but this assembly has committed itself to find a way for people in publicly accountable, lifelong, monogamous, same-gender relationships to serve as rostered leaders of this church; therefore, be it

RESOLVED, that the Evangelical Lutheran Church in America call upon its members to commit themselves to respect the bound consciences of those with whom they disagree regarding decisions on the call and rostering of individuals in publicly accountable, lifelong, monogamous, same-gender relationships, in this church and with churches ecumenically and globally; and be it further

RESOLVED, that this church, because of its commitment to respect the bound consciences of all, declare its intent to allow structured flexibility in decision-making regarding the approving or disapproving in candidacy and the extending or not extending of a call to rostered service of a person who is otherwise qualified and who is living or contemplates living in a publicly accountable, lifelong, monogamous, same-gender relationship; and be it further

RESOLVED, that the Evangelical Lutheran Church in America make provision in its policies to eliminate the prohibition of rostered service by members who are in publicly accountable, lifelong, monogamous, same-gender relationships; and be it further

RESOLVED, that the Evangelical Lutheran Church in America make provision in its policies to recognize the conviction of members who believe that this church should not call or roster people in a publicly accountable, lifelong, monogamous, same-gender relationship; and be it further

RESOLVED, that the appropriate churchwide unit(s) be directed to develop, in consultation with the Conference of Bishops, and the Church Council be directed to approve, appropriate guidelines for a process by which congregations, synods, and the churchwide organization could hold people publicly accountable in their relationships who are in or contemplate being in lifelong, monogamous, same-gender relationships and who seek to be on the rosters of this church; and be it further

RESOLVED, that the Committee on Appeals be directed to develop, in consultation with the Conference of Bishops, and the Church Council be directed to approve, appropriate amendments to “Definition and Guidelines for Discipline” and the Vocation and Education program unit be directed to draft, in consultation with the Conference of Bishops, and the Church Council is directed to approve, appropriate amendments to the “Vision and Expectations” documents and the Candidacy Manual to accomplish the intent of this resolution; and be it further

RESOLVED, that additional policies be developed, as necessary, so that those whom this church holds responsible for making decisions about fitness for rostered ministry in general and for call to a particular specific ELCA ministry may discern, and have guidance in discerning, the fitness for ministry of a member living in a publicly accountable, lifelong, monogamous, same-gender relationship; and be it finally

RESOLVED, that this church continue to trust its established processes and those to whom it has given the responsibility to discern who should and should not be rostered or called to public ministry in this church.

Process for fulfilling the Churchwide Assembly actions

The amendment process follows procedures mandated in the bylaws of this church, beginning with drafting by the appropriate churchwide units (Office of the Secretary and Vocation and Education) and by the Committee on Appeals, consultation with the Conference of Bishops, and consideration by the Church Council.

Both the drafting and the consultation processes have begun. It is expected that these processes will continue until the April 2010 meeting of the Church Council at the earliest.

The protocol provided is based on the *Ad Hoc* Committee process that has guided consideration of social statements by Churchwide Assemblies. The protocol addresses factors including time line (October 2009–April 2010), participants, process, and documents, and it assigns overall responsibility to the Legal and Constitutional Review Committee and the Program and Services Committee, working collaboratively.

Church Council Information:

At the request of Vice President Carlos E. Peña, the Rev. Stanley N. Olson, executive director of the Vocation and Education program unit; the Rev. Allan C. Bjornberg, bishop of the Rocky Mountain Synod and chair of the Conference of Bishops; and Secretary David D. Swartling led an introduction to the process of revising this church's ministry policies in accordance with the actions of the 2009 Churchwide Assembly.

Pr. Olson said the phrase “publicly accountable, lifelong, monogamous, same-gender relationships” was carefully crafted by the Task Force for ELCA Studies on Sexuality in order to provide a term currently not available in cultural or ecclesial language.

Pr. Olson urged council members to study the new social statement, “Human Sexuality: Gift and Trust.” He stressed the importance of the words “gift” and “trust.” He noted that the statement, in a section on homosexuality, does not resolve the diversity of opinion about same-gender relationships, but outlines four positions that are faithfully held in this church.

Pr. Olson pointed to two sentences as the context for the ministry policy decisions of the Churchwide Assembly: “We understand that in this discernment about ethics and church practice, faithful people can and will come to different conclusions about the meaning of scripture and about what constitutes responsible action. We further believe that this church, on the basis of the bound conscience, will include these different understandings and practices within its life as it seeks to live out its mission and ministry in the world.”

Pr. Olson reviewed the four resolutions on ministry policies adopted by the 2009 Churchwide Assembly, saying the undergirding assumption was that there will be differences in practice.

Pr. Olson outlined the work being done to draft amendments to official documents and the process of consultation with the Conference of Bishops and the Church Council, saying that the principal consideration was the centrality of mission, the calling and support of faithful, wise, and courageous leaders to serve God's mission in the world. He said that the drafts would make all necessary changes, but only necessary changes, and that this church would continue to trust its established processes and those to whom it has given responsibility to discern who should and should not be rostered or called to public ministry in this church.

In speaking specifically about “Vision and Expectations” [Exhibit O, Part 1a], Pr. Olson reported that whenever possible language from the social statement would be used, that common language would be used to the extent possible in a pattern of parallel paragraphs, and that some simple definitions of terms would be included.

Pr. Olson explained that “Notes on Clarifications and Possible Revisions to the Candidacy Process and Manual and the Call Process” [Exhibit O, Part 1b] was not draft language, but an attempt to clarify issues in preparation for drafting changes. He noted some specifics about hospitality, mutual respect within the decision-making bodies, the importance of transparency, and the question of honoring the bound consciences of all. He reminded the council that synods do not create their own ministry policies.

Mr. David D. Swartling, secretary of the Evangelical Lutheran Church in America, spoke about the misunderstandings people have about what was adopted by the Churchwide Assembly and urged council members to encourage people to look at the actual language of the actions. He noted that multiple documents are affected by the assembly actions, that proposed language needs to be consistent and congruent, and that policies represent consistent and accurate implementation of the actions of the Churchwide Assembly.

Secretary Swartling spoke specifically about “Definitions and Guidelines for Discipline” [Exhibit G, Parts 1a–1b], calling attention to the cover letter from the Rev. A. Donald Main, chair of the Committee on Appeals, and the three-column document showing the draft work of the committee and the Conference of Bishops.

Secretary Swartling also noted that there were two actions before the council at this meeting. A proposed protocol for revisions calls for a single committee to look at the documents. The revised reinstatement policy [Exhibit G, Part 2] would address people who were on the roster previously but either were removed or resigned as a result of being in a lifelong, monogamous, same-gender relationship. The revised policy would open a two-year window during which people could apply for reinstatement. He added that the revision would have no impact on those who were removed for sexual misconduct.

The Rev. Allan C. Bjornberg, bishop of the Rocky Mountain Synod and chair of the Conference of Bishops, pointed out that the Conference of Bishops represents the spectrum of positions held by members of this church. He said that bishops are among those dealing with these issues on a daily basis through candidacy, reinstatement, the call process.

and personal conversations.

Bp. Bjornberg said that at its October meeting the conference explored the tasks of defining what the Churchwide Assembly did or did not do and how dissenting opinions would be thoughtfully and appropriately integrated. He said there was consensus around being ready to move forward with reinstatement, recognizing that while changes to “Vision and Expectations” and “Definitions and Guidelines” had yet to be adopted, candidacy committees could begin the reinstatement process.

Bp. Bjornberg concluded that, as an advisory body, the Conference of Bishops wanted to be very clear it felt revisions of “Vision and Expectations” and “Definitions and Guidelines” were not ready for adoption.

The Rev. Martin D. Wells, bishop of the Eastern Washington-Idaho Synod and chair of the Conference of Bishops’ Vocation and Education Liaison Committee, commented that, as reflected in the social statement, the old consensus concerning homosexuality no longer holds in this church, but a new consensus has not yet been put together. He said that different positions have been articulated.

The Rev. Harold L. Usgaard, bishop of the Southeastern Minnesota Synod, said the bishops’ experience was very much like peeling an onion; the more the bishops asked questions, the more questions appeared. He urged that the council take the time necessary to do its best work and see that time as something positive.

The Rev. Callon W. Halloway Jr., bishop of the Southern Ohio Synod, indicated that among the bishops in his region there was consensus, but no unanimity about reinstatement. He expressed his own concern about discipline issues from the past resurfacing if there was a blanket reinstatement.

The Rev. Michael L. Burk, bishop of the Southeastern Iowa Synod, commented that since the Churchwide Assembly actions have not been consistently articulated, the question remains, “Where does the ELCA stand?” He wondered whether the policies would have to bear more weight than usual. He expressed concern among some that, in the careful work being done to provide for this opening, marriage and publicly accountable, lifelong, monogamous, same-gender relationships will be set side by side in parallel paragraphs that might lead to the assumption that they are equivalent.

Pr. Olson pointed out the primer on call and candidacy in the council materials and noted the importance of understanding candidacy as a process that goes on over time. He said candidacy committees have been told they cannot make decisions on the basis of documents that have not yet been amended but that the process can move forward up to the point of final approval.

Vice President Carlos E. Peña opened the floor for questions.

Ms. Rebecca Jo Brakke asked if public accountability would lead to formal approval of a ceremony of blessing. Pr. Olson responded that the meaning of “publicly accountable” has been much discussed and that council members would need to say whether the documents as drafted are clear. He added that public accountability was an intentionally complicated concept rather than a checklist. He pointed out that there was no reference to blessing, a ceremony, or a liturgy in the ministry policy recommendations, and while a congregation that so chose might create a liturgical expression, the action of the 2005 Churchwide Assembly said this church officially would not produce such a ceremony.

Mr. Mark W. Myers asked how a standard policy could respect the bound conscience of specific synods. Pr. Olson replied that the concept of bound conscience applied to individuals, not synods. He said the challenge would be how a committee or synod could express its conviction without violating its own governance documents by refusing to abide by the standard policies of the church.

The Rev. Keith A. Hunsinger wondered if the concept of maintaining rosters at a lower level than the churchwide organization was being considered within the Office of the Secretary and the Conference of Bishops. Secretary Swartling responded in the negative.

PROCESS OBSERVATION

(Agenda III.B.1; Agenda/MINUTES Exhibit B, Part 6)

Vice President Carlos E. Peña called on Ms. Lynette M. Reitz for process observation. She commented that much of the day had focused on inclusivity, specifically Presiding Bishop Mark S. Hanson’s remarks and the discussion of the revisions to ministry policies. She said that moving forward in diversity was a positive idea; the challenge was how to make that happen.

The Rev. J. Pablo Obregon commented that he appreciated Presiding Bishop Hanson’s remarks on this church’s

being predominately white. He noted that of the three males elected as executive directors of units and the editor of *The Lutheran* magazine, only one of them was of ethnic background, and he hoped for further inclusivity in those elected as leaders in this church.

ANNOUNCEMENTS

Secretary Swartling made a number of announcements regarding the deadlines for removal of items from *en bloc* consideration and for the introduction of new business, the welcome banquet, and the schedule for the following day.

RECESS

The second plenary session of the November 2009 meeting of the Church Council recessed at 6:07 P.M.

**Saturday, November 14, 2009
Plenary Session III**

Prior to the convening of Plenary Session Three of the November 2009 meeting of the Church Council, the Board Development Committee met over breakfast; members participated in Morning Prayer, led by Mr. John R. Emery and Ms. Ann F. Niedringhaus; and the Budget and Finance, Legal and Constitutional Review, Planning and Evaluation, and Program and Services committees met.

Vice President Carlos E. Peña convened the third plenary session at 11:04 A.M. He thanked all those who had a part in planning the welcome banquet and welcomed Mr. Mark S. Helmke.

**NOMINATIONS, APPOINTMENTS, AND ELECTIONS: FIRST BALLOT FOR 2009–2011 EXECUTIVE COMMITTEE
(Agenda III.A.3)**

Background:

At the first meeting of each biennium the Church Council elects a new Executive Committee. Seven members of the Church Council will serve on this committee for the 2009–2011 biennium, in addition to the four officers of this church. Incumbent members of the Executive Committee are eligible for reelection.

The process uses the following pattern:

1. To facilitate its work between regular meetings by ensuring input and perspective from each of its standing committees, the chairs of the committees will be elected to the Executive Committee. Two committee chairs were elected in March 2009 and will continue as members of the Executive Committee: Pr. Susan Langhauser, Planning and Evaluation Committee, and Pr. Steven P. Loy, Program and Services Committee. The chairs of the Budget and Finance Committee and the Legal and Constitutional Committee will be elected during the committees' November 2009 meetings.
2. The remaining three members of the Executive Committee will be selected through the following process. The first ballot shall be a nominating ballot for each of the following categories:
 - a. person of color
 - b. lay person
 - c. clergy
3. The second ballot shall be limited to the two people (plus ties) in each category receiving the greatest number of nominations.
4. Upon completion of the balloting, the members of the Executive Committee (four officers and seven at-large) shall be deemed constituted.

Church Council Action:

Vice President Carlos E. Peña called on Secretary David D. Swartling to introduce the proposed action. The chair opened the floor for discussion. There being none, he called for a vote.

VOTED:

CC09.11.64 To reaffirm the process for the election of the Executive Committee for the 2009-2011 biennium; and

To declare that the chairs of the Budget and Finance Committee, the Legal and Constitutional Review Committee, the Planning and Evaluation Committee, and the Program and Services Committee shall be members of the Executive Committee of the Church Council.

Vice President Peña announced the committee chairs for the 2009–2011 biennium: Budget and Finance, Ms. Ann F. Niedringhaus; Legal and Constitutional Review, Mr. Mark S. Helmke; Planning and Evaluation, the Rev. Susan Langhauser; Program and Services, the Rev. Steven P. Loy. He announced the first ballot for a person of color or whose

primary language is other than English. He asked Ms. Rebecca Jo Brakke to offer a prayer, after which a vote was taken by written ballot.

DWELLING IN THE WORD

Vice President Carlos E. Peña called on Mr. Baron Blanchard to reflect on “dwelling in the Word.”

REPORT OF THE VICE PRESIDENT

(Agenda II.A.2; Agenda/MINUTES Exhibit A, Parts 2a–2)

Presiding Bishop Mark S. Hanson invited council members to greet Mr. Carlos E. Peña, vice president of the Evangelical Lutheran Church in America, as he brought his report. Council members rose to applaud.

Vice President Peña began with a reading from Romans 12:4-8, commenting on the passage as a familiar illustration of interdependency. He spoke of the importance of council members working together, offering different gifts for the good of the whole body. He said that council members are to represent the whole church, foregoing any personal, congregation, or synod agenda and making decisions on the basis of what will serve this church.

Vice President Peña said that in difficult times with dwindling resources there is a tendency to turn inward and maintain the status quo. He said the purpose of this church is not to perpetuate itself but to serve God’s mission in a broken and hurting world. He added, “No one said it was going to be easy, but with God’s help nothing is impossible.” He thanked council members for their willingness to serve.

Vice President Peña noted that a basic responsibility of council members was to support the ministry of the ELCA through an annual financial gift. He asked them to pray, consider how they had been blessed in their lives, and respond with a financial gift over and above annual mission support.

Vice President Peña listed the five strategic directives of this church: to support congregations; grow in evangelical outreach; step forward as a public church; deepen and extend this church’s global, interfaith, and interreligious relationships; and raise up wise, faithful, and courageous leaders. He said the actions of the Church Council must be viewed through this lens.

Vice President Peña closed with a word of thanks and gratitude to the other officers, staff, and colleagues in the churchwide organization for their leadership, especially in these last few months.

NOMINATIONS, APPOINTMENTS, AND ELECTIONS: 2009–2011 EXECUTIVE COMMITTEE (CONTINUED)

(Agenda III.A.3)

Vice President Carlos E. Peña asked Secretary David D. Swartling to announce the results of the first ballot.

Secretary Swartling informed the council of the following results:

Ms Judith Barlow-Roberts	6
The Rev. Amsalu T. Geleta	1
Mr. William B. Horne II	12
The Rev. J. Pablo Obregon	13
Mr. Ivan A. Perez	4

The names of Mr. Horne and Pr. Obregon would appear on the second ballot.

NOMINATIONS, APPOINTMENTS, AND ELECTIONS: CHURCHWIDE BOARDS AND COMMITTEES

(Agenda III.A.4; Agenda/MINUTES Exhibit C, Parts 1–2)

Background:

Between meetings of the Churchwide Assembly, the Church Council has the responsibility of electing people to fill terms on churchwide boards, steering committees of churchwide commissions, and certain advisory committees. The Executive Committee serves as the Nominating Committee for the Church Council.

Church Council Action:

Vice President Carlos E. Peña asked Secretary David D. Swartling to introduce the proposed action. The chair opened the floor for discussion. There being none, he called for a vote.

VOTED:

**CC09.11.65 To accept the report of the Executive Committee, serving as the Nominating Committee; and
To request that a ballot be prepared:**

Advisory Committee for *The Lutheran* magazine

Clergy [Term 2015]

Pr. Jennifer M. Ginn, Salisbury, N.C. [9B]

Pr. Amaretta J. Onstad, Conyers, Ga. [9D]

Lay Female [Term 2015]

Ms. Judy R. Korn, Morris, Minn. [3F]

Ms. Kathleen Fick, Grand Forks, N.D. [3B]

Lay Male [Term 2015]

Mr. Jack H. Palmer, Defiance, Ohio [6D]

Mr. John A. Wagner, Toledo, Ohio [6D]

Board of Trustees for the ELCA Foundation

Clergy [Term 2015]

Pr. Susan J. Crowell, Greenville, S.C. [9C]

Lay Female [Term 2015]

Ms. Teresa Chow, Hoffman Estates, Ill. [5A]

Lay Male [Term 2015]

Mr. James E. Willis, Rockwell City, Iowa [5E]

Committee of Hearing Officers

Clergy [Term 2015]

Pr. Gerald R. Kliner, Jr., Hurricane, W. Va. [8H]

Lay Female [Term 2015]

Ms. Leslie M. Frost, Saint Paul, Minn. [3G]

Lay Male [Term 2015]

Mr. William R. Lloyd, Jr., Somerset, Pa. [8C]

Board of Trustees of the Board of Pensions

Term [2013] - *to replace Kelly L. Birch, Arlington Heights, Ill. [5A]*

Mr. Cecil D. Bykerk, Omaha, Neb. [4A]

Mr. Daniel E. Meylink, Sr., Lake Mills, Wisc. [5K]

The ballot was distributed and Secretary Swartling called attention to the biographical information on nominees found in Exhibit C, Part 1b. Vice President Peña asked Ms. Rebecca D. Carlson to lead the council in prayer, after which a vote was taken by written ballot.

REPORT OF THE EXECUTIVE COMMITTEE (CONTINUED)

(Agenda II.E.3)

Vice President Carlos E. Peña continued the report of the Executive Committee.

SYNOD VISITS BY CHURCH COUNCIL MEMBERS

(Agenda III.D.2; Agenda/MINUTES Exhibit B, Parts 4 and 5)

Background:

At its November 2007 meeting, the Church Council voted [CC07.11.65]:

To recall that, concerning changes in governance of this church, the 2005 Churchwide Assembly voted [CA05.06.21]: “To encourage greater interaction of members of the Church Council with synodical councils and synodical assemblies in their respective areas”;

To urge members of the Church Council to accept this responsibility and interact with their own synods and their partner synods in various ways, including attending at least one Synod Council meeting per year and participating in Synod Assemblies, especially in years when a synod is considering nominations to the Church Council; and

To note that expenses for attending Synod Council meetings and Synod Assemblies will be reimbursed by the churchwide organization in accordance with the ELCA travel policy.

Beginning with the November 2005 meeting, members of the Church Council made the commitment, as available, to be in contact with specific synods during the biennium. Current commitments are listed in Exhibit B, Part 5. A summary of reports of these contacts is printed in Exhibit B, Part 4. In addition, a notebook including the full texts of reports submitted is available on the materials distribution table. Newly elected members of the Church Council will be invited to make this commitment during the November 2009 meeting. When the process is complete, Exhibit B, Part 5 will be revised and distributed.

Church Council Action:

Vice President Carlos E. Peña called on Secretary David D. Swartling to introduce the proposed action. The chair then opened the floor for discussion.

Ms. Ann F. Niedringhaus asked if there was an expedited way to determine to which synods Church Council members would relate, saying it would be especially helpful to know a council member’s synod of residence. Ms. Myrna J. Sheie, executive for governance and institutional relations, responded that the information was available in Exhibit R, Part 2. Vice President Peña said members would be given an opportunity to sign up for specific synods.

In response to a question from the Rev. Heather S. Lubold, Vice President Peña indicated the purpose of synod visits was to build relationships with the synod, to listen to the synod’s concerns, and to interpret the work of the Church Council. Ms. Niedringhaus added that council members could ask to be on the agenda or prepare a written report for a Synod Council meeting. She said that at Synod Assemblies, Church Council members were introduced by the churchwide representative.

Ms. Sandra Schlesinger informed the council that she had developed PowerPoint slides as a tool to use in speaking to a Synod Council. She commented that she would give an overview of the budget as well as explain the work of the churchwide organization and point out ways in which the synod could be involved in that work.

The Rev. Keith A. Hunsinger observed that it was not only good form but also essential to talk to the bishops and vice presidents. He said that a council member's physical presence serves as a reminder of the connectedness among expressions and that he experienced a greater willingness to discuss benevolence figures when he was present.

There being no further discussion, the chair called for a vote.

VOTED:

CC09.11.66 **To acknowledge the commitment of the Church Council of the Evangelical Lutheran Church in America to have “greater interaction of members of the Church Council with synodical councils and synodical assemblies in their respective areas”; To urge members of the Church Council to accept this responsibility and interact with their own synods and their partner synods in various ways, including attending at least one Synod Council meeting per year and participating in Synod Assemblies, especially in years when a synod is considering nominations to the Church Council; and**
 To note that expenses for attending Synod Council meetings and Synod Assemblies will be reimbursed by the churchwide organization in accordance with the ELCA travel policy.

PROTOCOL FOR REVISIONS TO MINISTRY POLICIES

(Agenda III.D.3; Agenda/MINUTES Exhibit D, Part 1)

Background:

At its November 2009 meeting, the Executive Committee discussed a recommendation from the Administrative Team for a protocol to guide consideration by the Church Council of proposed revisions to ELCA ministry policies following action by the 2009 Churchwide Assembly.

The protocol provided in Exhibit D, Part 1 of the Church Council materials was based on the *ad hoc* committee process that has guided consideration by churchwide assemblies of ELCA social statements. The protocol addresses time line (October 2009-April 2010), participants, process, and documents and assigns overall responsibility to the Legal and Constitutional Review Committee and the Program and Services Committee, working collaboratively.

Church Council Discussion:

Vice President Carlos E. Peña called on Secretary David D. Swartling to introduce the proposed action and then opened the floor for discussion. Presiding Bishop Mark S. Hanson emphasized the importance of understanding the proposed protocol.

The Rev. Keith A. Hunsinger commended the change in the last line of the document from “adopts” to “considers,” saying that while he believed the Church Council is obligated to be expeditious, setting an artificial deadline might result in adoption of “something not the best practice.”

Mr. John R. Emery noted that council members have been receiving correspondence concerning the decisions made in Minneapolis and asking the Church Council to “do something about it.” He expressed his concern over misinformation throughout this church about what the Church Council can and cannot do, so he asked Secretary Swartling what response to such correspondence comes from the Office of the Secretary.

Secretary Swartling replied that constitutionally the Churchwide Assembly is the highest legislative authority of this church, and the Church Council not only cannot overturn decisions of the assembly but is duty-bound to implement those actions in good faith while exercising due diligence. He described the work being done in the churchwide organization to respond to communications, especially the need to emphasize the actual decisions of the Churchwide Assembly. He urged council members to forward communications they receive to Ms. Myrna J. Sheie, executive for governance and institutional relations, and recommended that council members not respond individually. He said any suggestions for improving communication would be welcome, but he noted that it is difficult to reach every person who has a reaction and that, further, communication may not assuage the concern.

Presiding Bishop Mark S. Hanson added that the explicit plea is usually one of two things: stop the implementation

of the assembly decisions because of the correspondent's deeply held conviction the decisions are wrong or intervene for the sake of the unity of this church. He addressed the need to be clear about what the authority of the Church Council is and is not, to acknowledge the need to attend to the unity of this church, and to engage in conversation about the deeper questions. He said that people express appreciation for the attention paid both to their questions and to their deeper concerns.

Ms. Rebecca Jo Brakke expressed her desire for a very careful process and her willingness to give more time, beyond April 2010, for the process, if it is needed.

Ms. Sandra Schlesinger asked if, for the sake of consistency, council members could have access to language being used by the presiding bishop and the secretary. Presiding Bishop Hanson expressed a willingness to help council members with phrasing or talking points, but he did not want that help interpreted as a "corporate message" council members were expected to give. He added that it would be helpful to know the questions council members are being asked for which they would like assistance in framing responses.

The Rev. Herman R. Yoos III, bishop of the South Carolina Synod, stated that the Conference of Bishops was pleased with this timeline, saying it would give bishops, who "live on the ground with these realities," time for thoughtful moral deliberation and input.

There being no further discussion, Vice President Peña called for a vote.

VOTED:

**CC09.11.67 To approve the "Proposed Protocol for Revisions to Ministry Policies (October 2009-April 2010)" as printed below; and
To anticipate consideration by the ELCA Church Council at its April 2010 meeting on revisions to "Vision and Expectations," "Definitions and Guidelines for Discipline," the Candidacy Manual, and other policies as needed.**

**Protocol for Revisions to Ministry Policies
October 2009–April 2010**

October–November 2009 Executive Committee

- Executive Committee appoints an *Ad Hoc* Committee to:
 1. Develop a process and timeline for Church Council members to receive, review, and provide response to proposed revisions to ministry policies documents.
 2. Receive and review responses from Church Council members.
 3. Prepare a report and recommendations for Church Council consideration at its April 2010 meeting.
- *Ad Hoc* Committee participants:
 - Church Council members: Legal and Constitutional Committee: Mark Helmke, Lynette Reitz
Program and Services Committee: Steve Loy, Sandra Schlesinger, Judith Barlow-Roberts
 - Conference of Bishops: 1–2 liaison bishops (Martin Wells, Marie Jerge)
 - Committee on Appeals: Donald Main
 - Churchwide staff: Vocation and Education unit: Stanley Olson
Office of the Secretary: David Swartling, Ruth Hamilton
Office of the Presiding Bishop: Myrna Sheie

November 2009 Church Council meeting

- **Friday, November 13** (Plenary 2; 5:00 p.m.): Introduction to ELCA ministry policies: process, time frame, and content
 1. Participants: Stanley Olson (VE); Allan Bjornberg (Conference of Bishops); David Swartling (Office of the Secretary)
 2. Primer on Call Process and Candidacy (Exhibit O, Part 5)
 3. Preliminary documents for review in November 2009:
 - a. Possible revisions to “Vision and Expectations” (VE) (Exhibit O, Part 1a)
 - b. Possible revisions to “Candidacy Process and Manual” (VE) (Exhibit O, Part 1b)
 - c. Possible revisions to “Definitions and Guidelines for Discipline” (Committee on Appeals) (Exhibit G, Part 1)
 4. Document for consideration and approval in November 2009
 - a. “Reinstatement to the Rosters of the Evangelical Lutheran Church in America” (OS) (Exhibit G, Part 2)
- **Saturday, November 14** (12:30 - 2:00 p.m.): Café Conversations for Church Council, liaison bishops, and advisory members
- **Plenary consideration of proposed documents**
 1. Executive Committee: presentation of “Proposed Protocol for Revisions to Ministry Policies (October 2009-April 2010)” (Exhibit D, Part 1). Discussion of possible revised documents (see above) scheduled Saturday, November 14 (Plenary 3; 11:00 a.m.).
 2. Legal and Constitutional Committee: presentation of “Reinstatement to the Rosters of the Evangelical Lutheran Church in America” (Exhibit G, Part 2) scheduled Saturday, November 14 (Plenary 5; 4:15 p.m.)

March 2010 Conference of Bishops meeting (March 4-9, 2010; Chicago)

- Chairs of Legal and Constitutional Review and Program and Services committees (or designees) are present for Conference of Bishops discussion and deliberation related to revisions of ministry policies
- [date TBD] *Ad Hoc* Committee conference call

Preparation for April 2010 Church Council meeting

- [date TBD]: Conference call to develop process for Church Council members to identify significant issues related to proposed revisions to ministry policies
- [date TBD]: Church Council members receive final proposed revisions to ministry policies
- [date TBD]: comments due to *Ad Hoc* Committee
- [date TBD]: *Ad Hoc* Committee conference call to prepare report and possible recommendations

April 2010 Church Council meeting: April 9-12, 2010

- Report and recommendations presented by the Ad Hoc Committee to ELCA Church Council
- ELCA Church Council considers revisions

NOMINATIONS, APPOINTMENTS, AND ELECTIONS: CHURCHWIDE BOARDS AND COMMITTEES (CONTINUED) (Agenda III.A.4; Agenda/MINUTES Exhibit C, Parts 1–2)

Vice President Carlos E. Peña called on Secretary David D. Swartling for the results of the ballot for members of churchwide committees.

Secretary Swartling announced the following results:

Advisory Committee for *The Lutheran* magazine

Clergy [Term 2015]

Pr. Jennifer M. Ginn, Salisbury, N.C. [9B] - 24

Pr. Amaretta J. Onstad, Conyers, Ga. [9D] - 12

Lay Female [Term 2015]

Ms. Judy R. Korn, Morris, Minn. [3F] - 24

Ms. Kathleen Fick, Grand Forks, N.D. [3B] - 12

Lay Male [Term 2015]

Mr. Jack H. Palmer, Defiance, Ohio [6D] - 10

Mr. John A. Wagner, Toledo, Ohio [6D] - 24

Board of Trustees for the ELCA Foundation

Clergy [Term 2015]

Pr. Susan J. Crowell, Greenville, S.C. [9C]

Lay Female [Term 2015]

Ms. Teresa Chow, Hoffman Estates, Ill. [5A]

Lay Male [Term 2015]

Mr. James E. Willis, Rockwell City, Iowa [5E]

Committee of Hearing Officers

Clergy [Term 2015]

Pr. Gerald R. Kliner, Jr., Hurricane, W. Va. [8H]

Lay Female [Term 2015]

Ms. Leslie M. Frost, Saint Paul, Minn. [3G]

Lay Male [Term 2015]

Mr. William R. Lloyd, Jr., Somerset, Pa. [8C]

Board of Trustees of the Board of Pensions

Term [2013] - *to replace Kelly L. Birch, Arlington Heights, Ill. [5A]*

Mr. Cecil D. Bykerk, Omaha, Neb. [4A] - 19

Mr. Daniel E. Meylink, Sr., Lake Mills, Wisc. [5K] - 15

VOTED:

CC09.11.68

To declare the following elected:

Advisory Committee for *The Lutheran* magazine

Clergy [Term 2015]

Pr. Jennifer M. Ginn, Salisbury, N.C. [9B]

Lay Female [Term 2015]

Ms. Judy R. Korn, Morris, Minn. [3F]

Lay Male [Term 2015]

Mr. John A. Wagner, Toledo, Ohio [6D]

Board of Trustees for the ELCA Foundation

Clergy [Term 2015]

Pr. Susan J. Crowell, Greenville, S.C. [9C]

Lay Female [Term 2015]

Ms. Teresa Chow, Hoffman Estates, Ill. [5A]

Lay Male [Term 2015]

Mr. James E. Willis, Rockwell City, Iowa [5E]

Committee of Hearing Officers

Clergy [Term 2015]

Pr. Gerald R. Kliner, Jr., Hurricane, W. Va. [8H]

Lay Female [Term 2015]

Ms. Leslie M. Frost, Saint Paul, Minn. [3G]

Lay Male [Term 2015]

Mr. William R. Lloyd, Jr., Somerset, Pa. [8C]

Board of Trustees of the Board of Pensions

Term [2013] - *to replace Kelly L. Birch, Arlington Heights, Ill. [5A]*

Mr. Cecil D. Bykerk, Omaha, Neb. [4A]

NOMINATIONS, APPOINTMENTS, AND ELECTIONS: 2009-2011 EXECUTIVE COMMITTEE (CONTINUED)

A second ballot was distributed for the election of a person of color or a person whose primary language is other than English to the Executive Committee. Vice President Carlos E. Peña called on the Rev. Rachel L. Connelly to lead the council in prayer, after which a vote by written ballot was taken.

ANNOUNCEMENTS

Secretary Swartling made a number of announcements regarding deadlines, lunch, and the Café Conversations to follow. Vice President Carlos E. Peña called on Mr. John R. Emery to pray before the meal.

RECESS

The November 2009 Church Council meeting recessed at 12:05 P.M. for lunch.

Saturday, November 14, 2009
Plenary Session IV

Prior to the beginning of Plenary Session Four, members of the Church Council and the liaison bishops engaged in Café Conversations.

Vice President Carlos E. Peña convened the fourth plenary session at 2:30 P.M. He announced the new members of the Board Development Committee: Mr. Baron Blanchard, Mr. William B. Horne II, and the Rev. Kathryn A. Tiede. He reported that Mr. Mark W. Myers had agreed to serve as Church Council liaison to the Women of the ELCA.

REPORT OF THE CONFERENCE OF BISHOPS
(Agenda II.B; Agenda/MINUTES Exhibit A, Part 5)

The Rev. Allan C. Bjornberg, bishop of the Rocky Mountain Synod and chair of the Conference of Bishops, presented the report of the Conference of Bishops. He reviewed the written report found in Exhibit A, Part 5. He stated that the bishops have been working very hard to be in conversation with people on all sides of the questions and concerns raised by the actions of the 2009 Churchwide Assembly. He said that, at times, the bishops have been on the receiving end of inappropriate aggression and anger and reported that while they are not discouraged, they are tired.

Bp. Bjornberg reported on transitions in the Conference of Bishops, welcoming the Rev. Stephen G. Marsh, bishop of the Southeast Michigan Synod, and anticipating elections of new bishops in the Greater Milwaukee Synod (December 5, 2009) and the Delaware-Maryland Synod (January 16, 2010). He expressed appreciation to Mr. John G. Kapanke, president and chief executive officer of the ELCA Board of Pensions, and his staff for continuing to be in open and inviting conversation with the bishops on issues of pension and health care.

Bp. Bjornberg also reported that, following the January 2009 Bishops' Academy trip to the Holy Land, an additional 12 members of the conference would leave for the Holy Land in late November. He added that bishops continue to relate to and exchange visits with global companion synods.

Bp. Bjornberg concluded by saying that the bishops want to be available to work with the Church Council as the council makes decisions to implement the ministry policy actions of the Churchwide Assembly. On behalf of the Conference of Bishops, he thanked the council members for their partnership.

NOMINATIONS, APPOINTMENTS, AND ELECTIONS: EXECUTIVE COMMITTEE (CONTINUED)
(Agenda III.A.3)

Church Council Action:

Vice President Carlos E. Peña called upon Secretary David D. Swartling for a report on the second ballot for the executive committee.

Secretary Swartling announced the following results:

Mr. William B. Horne II 17

Pr. J. Pablo Obregon 19

VOTED:

CC09.11.69 To declare elected the Rev. J. Pablo Obregon to the Church Council Executive Committee.

Ballots were then distributed for the election of a lay female and a male or female clergy person to the Executive Committee. Vice President Peña called on Ms. Karin L. Graddy for prayer, after which a vote was taken by written ballot.

REPORT OF THE TREASURER

(Agenda II.A.4; Agenda/MINUTES Exhibit A, Part 4 and Exhibit F, Parts 1–9)

Ms. Christina Jackson-Skelton, treasurer of the Evangelical Lutheran Church in America, focused her report on three areas: interim financial results as reported in Exhibit F, the projected close of the 2009 fiscal year, and the revised income proposal for the 2010 budget.

Ms. Jackson-Skelton began with the summary of revenue and expenses (Exhibit F, Part 1b, page 1) impacting the current operating budget. She reported a net operating deficit of \$2.8 million for the eight-month period ending September 30, 2009, but noted that a deficit had been projected and that the net operating income was favorable to plan. She pointed out the year-to-date variance, noting that while income was down compared to the 2008 fiscal year, both revenue and expenses were favorable to plan.

Ms. Jackson-Skelton reviewed the major income categories, indicating that mission support represents 80.7 percent of income. She called attention to other revenue categories in the operating budget: missionary sponsorship, bequests and trusts, endowment distributions through the Foundation, the Mission Investment Fund, and grants from Thrivent Financial for Lutherans. She reviewed the revenue summary (Exhibit F, Part 1b, page 2,) calling attention to a significant, but anticipated, decrease in mission support income and reminding members of the significant reductions made in the budget proposal at the March 2009 Church Council meeting. She also noted positive variances in investment income and bequests and trusts income.

Turning to the expense side of the budget (Exhibit F, Part 1b, page 3), Ms. Jackson-Skelton reported spending at a level of 96.75 percent, somewhat higher than usual due to late changes and adjustments in the spending plan. She added that the Office of the Treasurer is working closely with churchwide program units to lower the percentage of actual spending to budget to 95 percent by the end of the year.

Ms. Jackson-Skelton noted that pages 4-6 (Exhibit F, Part 1b) provide information about synods and regions that council members might find helpful in their synod visits. She said that more information could be provided upon request. She clarified that the “Specific Mission Support” column referred to designated giving categories (e.g., World Hunger Appeal, Disaster Response) rather than general mission support. She also noted that total mission support for September 2009 was behind that of September 2008 and that the year-to-date mission support for 2009 was behind that of 2008.

Ms. Jackson-Skelton also called attention to the importance of December and January in mission support income (Exhibit F, Part 1b, page 7), focusing in particular on the \$900,000 drop in income in January 2009. She pointed out the aggressive movement toward the 2009 budget level of \$62 million and stated the importance of the contingency planning that had been done earlier in the year.

Ms. Jackson-Skelton then moved to Exhibit F, Part 1c, the report on World Hunger, a major restricted appeal for this church. She reported that, although the amount of the average gift to the World Hunger Appeal has decreased, the number of gifts have increased and therefore there would be no proposed decrease in World Hunger spending for 2010.

In reviewing 2009, Ms. Jackson-Skelton said that in March 2009 synods had reported a collective mission support amount of \$69 million. Revisions led to a projected \$65.7 million in mission support. She reported budgeting at 94.5 percent or \$62 million for mission support, an amount that appears to be very accurate, and said there was not a revised proposal for 2009 being brought to this meeting of the Church Council.

Ms. Jackson-Skelton observed that due to the continuing economic situation, reaction to churchwide assembly decisions, and some withholding, the financial situation remained complex. Revised synod projections led to a proposed mission support income of \$55.1 million for 2010. She pointed to the income proposal for 2010 in Exhibit F, Part 2a, and said the proposal on which the council would act represented an 11.5 percent decrease from what was approved at the Churchwide Assembly and a 15.6 percent reduction from 2008 actual mission support. She noted other adjustments for a total reduced income adjustment of \$7,669,200 (10 percent).

Ms. Jackson-Skelton concluded by saying she believed good work had gone into preparing the Church Council action, and she expressed her commitment to continue to monitor income closely, to work on stewardship, and to engage in contingency planning.

REPORT OF THE EXECUTIVE FOR ADMINISTRATION

(Agenda II.C; Agenda/MINUTES Exhibit E, Parts 1 and Exhibit F, Part 2b)

The Rev. M. Wyvetta Bullock, executive for administration in the Office of the Presiding Bishop, reviewed the details of her written report. She surveyed the process for and the criteria used in preparing the revised 2010 budget. She emphasized the attention given to the work of the ecology study task force, the impact on significant mission partners, a commitment not to turn the churchwide organization in on itself, areas where there might be clear alternatives for providing a service or ministry, strategic planning around churchwide organization infrastructure, and a commitment to remain inclusive as a churchwide organization.

Pr. Bullock said the need to reduce staff numbers was both clear and painful. Rather than a 10 percent across-the-board reduction in expenses, she noted the range of reductions shown in Exhibit F, Part 2b. She said the proposal sought to maintain commitments to new congregational starts, synodical directors for evangelical mission, seminaries, campus ministries, companion churches, and missionaries. She reported some reductions in infrastructure and the rewriting of position descriptions, saying, “We will be doing less with less, and we will focus on what can be done and be done well.”

Pr. Bullock reviewed current fund expenses by major expenses type from 1994–2010, showing projected reductions in staff costs (from \$28.7 million in 2009 to \$24 million in 2010) and other areas, such as support for retirees, depreciation, building maintenance, office expenses, and travel (from \$18.4 million in 2009 to \$16.7 million in 2010). She reported that the majority of the reduction in the proposed revised 2010 spending authorization was in staff costs. She also reviewed the distribution of churchwide organization staff by type, pointing out that the number of staff in the Lutheran Center has been declining since 2007. She said, however, that if mission support were to continue to decline, there would need to be reductions in grants to partners and support for starts of new congregations.

Pr. Bullock concluded she was still hopeful for the work and mission of this church. She thanked colleagues who had assisted in preparing the budget proposal, particularly Treasurer Christina Jackson-Skelton; Mr. Gary K. Brugh, budget director; and the unit executive directors, especially Mr. Kenneth W. Inskeep, executive for research and evaluation, and Ms. Else B. Thompson, executive for human resources, and her staff.

Church Council Discussion

Presiding Bishop Mark S. Hanson noted the incredibly gifted, competent staff that serve this church. He said they were “such good stewards of this church’s resources” and “so effective in planning, even in an unpredictable environment” that it would be easy for the Church Council to adopt the significantly reduced budget without much conversation. In that case, he said, what would be reported would be the amount of the reduction and the absence of debate. He urged the council to send a message of how unacceptable the budget reduction was in light of what God is calling and the Spirit is gifting this church to do. He urged that the action on the budget not be just a numerical accommodation to unacceptable conditions that decrease the ELCA’s capacity to be in mission: “Find your voice and lead this church. These trends cannot continue.”

Ms. Ann F. Niedringhaus asked what the budget reductions meant in terms of staff. Pr. Bullock pointed to Exhibit E, Part 1, Page 2, noting the numbers of positions eliminated among executive staff and support staff as well as the care taken not to have the staff reductions borne disproportionately by any one demographic group. She also said that many remaining staff will have position descriptions rewritten, and some are being asked to take new positions.

Ms. Susan W. McArver asked for a breakdown of the staff reduction numbers in each unit. Pr. Bullock responded with the following staff numbers (which are not necessarily full-time equivalents): Communication Services, three; Church in Society, three; Evangelical Outreach and Congregational Mission, seven; Ecumenical Relations, re-writing a contract that will extend until July; Global Mission, four; Human Resources, one; Information Technology, two; Multicultural Ministries, one; Management Services, two; Office of the Bishop, one; Office of the Secretary, one vacancy not to be filled; Office of the Treasurer, one; Research and Evaluation, one position moved to contract status; Synodical Relations, a position re-written; Vocation and Education, five; Worship and Liturgical Resources, one. She added that some of these units had experienced earlier reductions. Pr. Bullock cautioned that names were not being released and that this information was not for public distribution.

Ms. McArver commented that she had been hearing anecdotally that the reductions included losses in areas focused on congregational teaching, building up youth ministry, and candidacy, and she found it very difficult to accept them. Pr. Bullock agreed that such losses were distressing but reminded the council that the churchwide organization was not

backing away from commitments, such as youth ministry or Christian education. It would have to support those commitments differently, however.

Pr. Heather S. Lubold expressed her concern that the people being cut are those who connect the ELCA to congregations and that the loss of such relationships would affect future mission support.

Ms. Deborah L. Chenoweth said that, as council members seek to express the gravity of the situation to synods and congregations, it would be helpful to have information about the impact on programs. Presiding Bishop Hanson described the dilemma of trying to hold on to the shared priorities of this church, adding that “if we wanted to give a wake up call, we could have done the cuts differently, going deeper into what we perceived as shared priorities, such as global mission and funding new congregations.”

Mr. Blaire P. Smith wondered about the possibility of staff numbers increasing when the economy recovered.

The Rev. Murray D. Finck pointed out that synods are a part of making the connection between congregations and the churchwide organization and that the 65 synods also were making staff adjustments. Pr. Bullock added that the loss of synod staff was one of the reasons for not cutting the directors for evangelical mission positions.

The Rev. Jeffrey “Jeff” B. Sorenson commended churchwide staff for their planning and for maintaining the priorities set by this church. He thanked them, on behalf of this church, for enduring the pain of loss of staff.

Vice President Peña asked the council to express their thanks to Pr. Bullock. Council members responded with applause.

REPORT OF THE PLANNING AND EVALUATION COMMITTEE

(Agenda II.E.5; Agenda/MINUTES Exhibit E, Part 3 and Exhibit H, Parts 2a–b)

Vice President Carlos E. Peña called upon the Rev. Susan Langhauser, chair, for the report of the Planning and Evaluation Committee.

Pr. Langhauser indicated that the committee had received a follow-up to the evaluation of the Multicultural Ministries program unit, a review of some of the staff alliances, a report from the ecology study design group, and an update on the churchwide organization contingency planning.

UPDATE ON THE ELCA ECOLOGY STUDY

(Agenda V.E.1; Agenda/MINUTES Exhibit E, Part 2)

Pr. Langhauser called on the Rev. Diane “Dee” H. Pederson, chair of the ecology design group, to bring an update to the Church Council.

Pr. Pederson began by recognizing the design group members along with its project coordinator, the Rev. H. Karl Reko. She reviewed the proposed charter as found in Exhibit E, Part 2. She noted that the Church Council used the term “ecology” to describe the interrelationships among the expressions of this church, its partner agencies, and its institutions. She said that “ecology connotes the study of the relationships, interdependencies, and interactions between living things and their environments and refers to the study of relationships between parts and the whole.” She acknowledged that the design group had wrestled with the helpfulness of that term but recognized that it beautifully described the interrelationships within and surrounding this church.

Pr. Pederson indicated that the motivation for the establishment of the ecology study task force was the need to have a clear vision of the interrelationships among the ELCA’s constituencies in today’s changed and changing environment in order for the ELCA to better fulfill its call to God’s mission. She said the changing environment was addressed in the “context” section of the charter document, recognizing both opportunities and challenges, as well as the tremendous work the Holy Spirit continues to do through this church.

Pr. Pederson pointed out that the parameters of the task force study were outlined under the section titled “Scope.” She said the nature of the ELCA and its governing documents formed the framework within which the task force would be working and reviewed the specific questions to be addressed.

Pr. Pederson informed the council that the task force would be formed into working groups assigned to prepare studies on each of the questions to be addressed. She noted that the design group has begun to develop a tentative timeline and that an initial communication overview had been developed to maintain contact with various constituencies. She said that a planning group within the task force would use the working group studies to prepare reports for various

groups, including the Church Council, which would, in turn, prepare recommendations for the 2011 Churchwide Assembly.

ECOLOGY STUDY DESIGN GROUP CHARTER (Agenda III.D.4; Agenda/MINUTES Exhibit E, Part 2)

Background:

At its March 2009 meeting, the Executive Committee recommended the following action, which was approved by the Church Council [CC09.03.04]:

To acknowledge that the principles of organization of the Evangelical Lutheran Church in America call us to be one church consisting of “interdependent partners sharing responsibly in God’s mission” in which this church is called to be in relationship with institutions and agencies, including seminaries, colleges, and universities, as well as other partners, so that together we can build capacity for evangelical witness and service in the world;

To recognize that more than 20 years have passed since the Evangelical Lutheran Church in America came into existence, that the relationships among this church and partner institutions and agencies have evolved substantially, and that assumptions that undergirded the original organization, governance, and interrelationships of this church may no longer apply or apply in a different way in the 21st century;

To recognize further that significant societal and economic changes have taken place that raise profound issues regarding the organization and governance of this church, its interrelationships with partner institutions and agencies, and the ways in which ministry can be accomplished most effectively;

To acknowledge the desire by this Church Council to address these difficult and complex issues by beginning a process to evaluate the organization and governance of this church and the interrelationships among its expressions and partner agencies and institutions for the purpose of bringing a comprehensive report and recommendations to the 2011 Churchwide Assembly;

To authorize the Presiding Bishop, in collaboration with the Executive Committee of the Church Council and the Conference of Bishops, to appoint a study group for the purpose of formulating a plan to undertake such an evaluation; and

To request that the study group bring a report and possible recommendations through the Executive Committee in consultation with the Planning and Evaluation Committee for the April 2010 meeting of the ELCA Church Council and such report include the membership of a task force to conduct the evaluation, an outline of potential topics to address, a timetable, budget implications, and such other issues as the study group believes will facilitate the evaluation.

An initial design group was appointed and began meeting in June 2009. Members include Pr. Robert Bacher, Chapel Hill, N.C.; Ms. Deborah Chenoweth, Hood River, Ore.; Ms. Kathleen Elliott Chillison, Carson, Calif.; Bp. Richard H. Graham, Washington, D.C.; Ms. Debra Jacobs Buttaggi, Sarasota, Fla.; Pr. Roland D. Martinson, St. Paul, Minn.; Pr. Diane H. Pederson, St. Cloud, Minn.; and Mr. Richard Torgerson, Decorah, Iowa. Pr. Pederson was elected chair. In the months to come, the Executive Committee will appoint the remaining members of the ecology study design group. The Planning and Evaluation Committee will provide oversight, review, and advice in preparation for regular reports to the Church Council.

Church Council Action:

On behalf of the Planning and Evaluation Committee, Pr. Susan Langhauser introduced the recommended action. Vice President Carlos E. Peña opened the floor for discussion.

The Rev. Kathryn A. Tiede asked if the ecology study task force is the same as the ecology study design group. Pr. Pederson responded that the group which had been meeting was formed to design the charter for the proposed task force and that members of the design group had been asked to continue with the work of the proposed task force. Pr. Tiede asked if this was a long-range planning team. Pr. Pederson responded that the work would involve evaluation of

current work as well as look to the future. Pr. Tiede wondered if a different title might be more helpful.

Presiding Bishop Mark S. Hanson replied that for some, long-range planning feels focused on institutional survival or as if the churchwide organization is planning for this whole church, when some expressions of this church are already doing their own planning. He said there was a uniqueness to how the ELCA functions in its interdependence and that this work was about the sustainability of the whole ecology as well as the parts.

Ms. Judith E. Barlow-Roberts asked about the increase in budget for the second year of the task force work. The Rev. M. Wyvetta Bullock pointed out that the 2009 budget covered work that began in June with a smaller design group. The 2010 budget included some money for the addition of resource people and consultants.

There being no further discussion, the chair called for a vote.

VOTED:

CC09.11.70 To approve the charter for the Ecology Study Design Group as printed below:

**Living into the Future Together:
Renewing the Ecology¹ of the Evangelical Lutheran Church in America² (ELCA)
October 28, 2009**

PURPOSE

The purpose of the ELCA Ecology Study Task Force study is to recognize the evolving societal and economic changes of the twenty years since the formation of this church, and to evaluate the organization, governance, and interrelationships among this church's expressions in the light of those changes. The intended result of the Ecology Study Task Force's work is a report and recommendations that will position this church for the future and explore new possibilities for participating in God's mission.

HISTORY

At its March 2009 meeting, the ELCA Church Council authorized Presiding Bishop Mark Hanson in collaboration with the Executive Committee of the Church Council and the Conference of Bishops to appoint a study design group. The task of the study design group was to design a charter for a task force "... to evaluate the organization and governance of this church and the interrelationships among its expressions and partner agencies and institutions for the purpose of bringing a comprehensive report and recommendations to the 2011 Churchwide Assembly."³ The report of the task force first will be received by the ELCA Church Council.

The study design group was formed and met on June 15-16, 2009. The group met via a conference call on August 4 and then in a face-to-face meeting on September 15-16, 2009. In fulfillment of the ELCA Church Council's assignment, the study design group submits the charter below. The charter contains the context, scope, membership, budget, timeline, and process for the work of the proposed ELCA Ecology Study Task Force.

CONTEXT

"The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world."⁴ In light of the Evangelical Lutheran Church in America's calling to participate in God's mission, this church is engaging in an evaluation and reimagining of its ecology and related ecosystems.

The Church, the body of Christ, is a living entity that must be mindful of and attentive to its relationships and to its

¹ Ecology is the science of the relationship and interdependence between living beings and their environments. It is also a study of the relationship between parts and the whole, in this case among the ELCA's various constituencies.

² In the remainder of the charter, the Evangelical Lutheran Church in America normally will be referred to as "this church."

³ CC09.03.04, ELCA Church Council Meeting, March 27-30, 2009.

⁴ ELCA Constitution 4.01.

contexts. The ELCA, part of the body of Christ, celebrates that an important part of the ELCA identity is its relationship with its partners in ministry. While each partner occupies an ecosystem of its own, the three expressions of this church (congregations, synods, and the churchwide organization), along with its agencies and institutions, live together as they seek to participate in carrying out God's mission in the world.

In the 20 years since the ELCA was created, the environment has changed dramatically in ways not imagined when the ELCA was formed. There has been an explosion of knowledge. New developments in technology, particularly related to electronic communication, have altered the way people understand and relate to one another. Globalization and mobility have produced new levels of religious, ethnic, racial, and cultural diversity within American society.

Many churches in the United States have struggled to negotiate these changes positively. The trends in membership and giving within the ELCA—back to its predecessor bodies—reflect the challenge of envisioning these changes as rich opportunities.

- In 2008, the baptized membership of the ELCA was 4.7 million while the population of the United States was 304 million. In 1970, the baptized membership of the ELCA was 5.7 million while the population of the United States was 203 million.
- The number of those attending worship in a typical ELCA congregation has declined from about 148 in 1990 to about 128 in 2008.
- The ELCA has been unable to achieve the goal it set for itself in 1988 of a 10 percent baptized membership of persons of color or language other than English. While these groups represent 32 percent of the population in the United States, they comprise only three percent of the baptized membership of the ELCA.
- The membership of the ELCA is considerably older than the population of the United States. The average age of a baptized member of the ELCA is about 56. This compares to an age of about 40 for the general population.
- In 2008, undesignated and designated giving to ELCA congregations declined for the first time since the beginning of the ELCA. When adjusted for inflation, undesignated and designated giving to congregations in the ELCA has risen only slightly since the beginning of the ELCA.
- Congregations consistently have lowered the amount they share with their synods and the churchwide organization as a percent of undesignated and designated giving. In 1990, congregations remitted about 10 percent of their undesignated and designated giving to their synod and the churchwide organization. In 2008, congregations sent about six percent.
- Mission support passed on from synods to the churchwide organization has remained at about \$65 million since the beginning of the ELCA. Adjusting for inflation, the churchwide organization is operating with half the financial resources available in 1990.
- The American economy, which is now clearly global in its scope, has most recently slipped into a recession that has impacted the financial capacities of the various expressions of this church and its partners.
- The structure and governance practices of the ELCA (i.e., the Churchwide Assembly, the Church Council, the Conference of Bishops, Synod Councils, the churchwide organization) have not been evaluated as a whole in terms of efficiency, effectiveness, and cost.

At the same time, in this changing, exciting, and sometimes overwhelming environment, God has continued to bless this church with abundant gifts. The ELCA has a long history of service through its congregations, synods, the churchwide organization, seminaries, campus ministries, outdoor ministries, colleges and universities, social ministry organizations, global companions, and other partners. Because of the faithful commitment of the members of this church, the ELCA continues to accomplish its purposes to proclaim God's saving Gospel, to carry out Christ's Great Commission, to serve in response to God's love to meet human needs, to worship God, to nurture members in the Word of God, and to manifest unity.⁵

The ELCA gathers together 4.7 million baptized members in over 10,000 congregations. In 2008, 1.3 million people attended worship each week, 62,000 children were baptized, and \$1.9 billion was given by its members to support the mission and ministry of the ELCA. This mission and ministry grow out of a theological heritage that believes the Good News of Jesus Christ speaks to all people and all places. Its confessional documents recognize that unity is in the

⁵ ELCA Constitution 4.02

teaching of the Gospel and the administration of the sacraments.⁶

Over the decades, this ecology has been shaped by the Lutheran capacity for broad theological reflection, dialog, and conversation. Opportunities abound for participating in God's mission in creative new ways. As we live into the future together, how can this church in its various expressions participate most effectively in carrying out God's mission in the world?

SCOPE

Recognizing these significant environmental changes, the ELCA Ecology Study Task Force will be led by these overarching questions:

- What is God calling this church to be and to do in the future?
- What changes are in order to help us respond most faithfully?

Specific questions to be addressed are:

1. What unique gifts does our theological, confessional, and liturgical identity bring to this environment and to this time of change?
2. How is God surprising and leading us in the midst of change and uncertainty to new and distinctive opportunities?
3. What are the key changes, internal and external, that have most impacted the relationships and interdependence within and among the congregations, synods, the churchwide organization, and related organizations, agencies, entities, and partners including, but not limited to, seminaries, campus ministries, outdoor ministries, colleges and universities, social ministry organizations, ecumenical partners, global companions, and others?
4. Given the importance of congregations in the ELCA, how has the changing environment impacted their mission and relationships? How might this church through its congregations, in partnership with synods and the churchwide organization, engage in ministry with evangelical missional imagination for the sake of the world?
5. How can the ELCA's relationships with its full communion and global mission partners strengthen and extend this church's mission and ministries? How can we learn from and partner with ministries and organizations accomplishing God's work beyond this church?
6. How can this church most effectively and efficiently steward and deploy the funds available for its mission? What are the current patterns and what are their implications for future funding patterns?
7. How can the governing documents in the *Constitution, Bylaws, and Continuing Resolutions* provide structures and governance mechanisms that strengthen identity and faithfully and effectively facilitate mission and ministry?

MEMBERSHIP

The twelve to fifteen member members of the ELCA Ecology Study Task Force will reflect a variety of perspectives and backgrounds representative of the expressions of this church. The study will engage additional resource people throughout the process.

BUDGET

The estimated expense for the ELCA Ecology Study Task Force's work for 2009–2011 is \$170,000. This includes expenses for staff support, travel, task force meetings, and limited research and consultation services.

- 2009: \$35,000
- 2010: \$90,000
- 2011: \$45,000

TIMELINE

The ELCA Ecology Study Task Force will report regularly to the Conference of Bishops and Church Council for the purpose of preparing a report and recommendations for action at the August 2011 Churchwide Assembly.

PROCESS

⁶ *The Book of Concord*, The Augsburg Confession, Article VII

The methodology with which the study proceeds will be critical and will be the first order of business. The ELCA Ecology Study Task Force will carry out its work with transparency and regular communication with the various constituencies of the ELCA. It will seek wisdom from existing research and input from the expressions of this church and its institutions, agencies, and partners.

DWELLING IN THE WORD

Vice President Carlos E. Peña called on Ms. Sandra Schlesinger for a reflection on “dwelling in the Word.”

RECESS

The November 2009 meeting of the Church Council recessed at 4:05 P.M.

Saturday, November 14, 2009
Plenary Session Five

Vice President Carlos E. Peña called the fifth plenary session to order at 4:31 P.M.

NOMINATIONS, APPOINTMENTS, AND ELECTIONS: EXECUTIVE COMMITTEE (CONTINUED)
(Agenda III.A.1)

Vice President Carlos E. Peña called on Secretary David D. Swartling for an elections report.
Secretary Swartling announced the following results:

Lay female

Ms. Judith Barlow-Roberts - 3
Ms. Rebecca Jo Brakke - 4
Ms. Rebecca D. Carlson - 3
Ms. Deborah L. Chenoweth - 4
Ms. Karin L. Graddy - 3
Ms. Louise A. Hemstead - 3
Ms. Susan W. McArver - 3
Ms. Lynette M. Reitz - 7
Ms. Sandra Schlesinger - 5

Clergy

Pr. David P. Anderson - 3
Pr. Rachel L. Connelly - 14
Pr. Amsalu T. Geleta - 4
Pr. Keith A. Hunsinger - 4
Pr. Heather S. Lubold - 0
Pr. Raymond A. Miller - 0
Pr. Michael J. Schmidt - 0
Pr. Jeffrey "Jeff" B. Sorenson - 5
Pr. Kathryn A. Tiede - 6
Pr. Philip R. Wold - 0

Ballots were distributed containing the names of the two persons in each category with the most votes. Vice President Peña asked the Rev. Philip R. Wold to pray, after which a vote was taken by written ballot.

REPORT OF THE PROGRAM AND SERVICES COMMITTEE
(Agenda II.E.6)

Vice President Carlos E. Peña called on Ms. Sandra Schlesinger, vice chair, for the report of the Program and Services Committee.

SOCIAL POLICY RESOLUTION ON IMMIGRATION

(Agenda III.G.1; Agenda/MINUTES Exhibit K, Part 1)

Background:

At its November 2006 meeting, the Church Council considered resolutions from four synods that requested the development of a new message on immigration. Since that time, additional requests have been received, both as resolutions from synods and as memorials from Synod Assemblies. The Church in Society program unit, in cooperation with Lutheran Immigration and Refugee Service, has worked closely with the Program and Services Committee to

consider the appropriate response.

In recent months, the Church in Society unit has reviewed the ELCA's 1998 message on immigration and determined that the message provides a sufficient basis for ongoing theological reflection and deliberation within this church. As stated in "Policies and Procedures of the ELCA for Addressing Social Concerns," messages are "a particular means to encourage learning and moral discourse." At the same time, those involved in the consultation process underscored the need for specific policy language that would address the contemporary situation and have encouraged the development of a social policy resolution rather than a revised message.

The Church in Society unit, in accordance with "Policies and Procedures of the ELCA for Addressing Social Concerns," concurs and requests that a social policy resolution be adopted to clarify the position of the Evangelical Lutheran Church in America related to immigration. Social policy resolutions refer to actions, other than social statements, of the Churchwide Assembly or Church Council on matters of social concern.

Church Council Action:

Ms. Sandra Schlesinger, vice chair of the Program and Services Committee, introduced the proposed action, noting that the proposed resolution would not replace the 1998 message on immigration but would update language in response to the current context.

Vice President Carlos E. Peña opened the floor for discussion.

The Rev. J. Pablo Obregon commended this work and asked about the most effective ways to communicate the message of the resolution.

The Rev. Gerald L. Mansholt, bishop of the Central States Synod and member of the bishops' immigration ready bench spoke strongly in favor of the proposed social policy resolution. He said the resolution was urgent and reflected the realities faced by immigrants and refugees in the post-9/11 context. He felt the resolution lifted up the principles under which this church has done work with immigrants for many years.

Ms. Kristi S. Bangert, executive director of the Communication Services unit, informed the council that the resolution would be posted to the ELCA Web site in both English and Spanish and that it would be highlighted on the home page. She said notice also would be posted in "Seeds for the Parish," synod communicators would be notified, and downloadable bulletin inserts likely would be produced.

There being no further discussion, Vice President Peña called for the vote.

VOTED:

CC09.11.71 To approve the revised social policy document on immigration, as printed below:

Toward Compassionate, Just, and Wise Immigration Reform

The Evangelical Lutheran Church in America (ELCA) has a long history of helping immigrants, refugees, and asylum seekers settle in the United States and supporting fair and generous immigration policies.⁷ Social conditions and historical events in this decade call for renewed attention to immigration. One factor is the estimated 12 million unauthorized immigrants (close to one-half of unauthorized-immigrant households are couples with children⁸) residing in the United States—living in the shadows, vulnerable to injustice and mistreatment, and representing a mass violation of the rule of law. Other factors include: the 2006 immigration demonstrations across the nation; and the emphasis on national security and immigration enforcement following the September 11, 2001, terrorist attacks. The ELCA recommits itself to join with others in seeking compassionate, just, and wise immigration reform through this social policy resolution.

Theological Commitments

⁷ Cf. *Immigration* (Chicago: Evangelical Lutheran Church in America, 1998).

⁸ <http://pewhispanic.org/reports/report.php?ReportID+107>. See also Jeffery S. Passel and D'Vera Cohn, "A Portrait of Unauthorized Immigrants in the United States," (Washington DC: Pew Research Center, 2009).

In 1998, the ELCA adopted a message on immigration that reiterated long-standing Lutheran commitments to both newcomers and just laws that serve the common good.⁹ Its core conviction was that “hospitality for the uprooted is a way to live out the biblical call to love the neighbor in response to God’s love in Jesus Christ.”¹⁰ Two biblical references guided the message’s direction: 1) “The stranger who resides with you shall be to you as the citizen among you; you shall love the stranger as yourself, for you were strangers in the land of Egypt: I am the Lord your God” (Leviticus 19:34) and 2) “I was a stranger and you welcomed me” (Matthew 25:35). In Jesus of Nazareth, the God who commands us to care for the vulnerable identifies with the human stranger—the person unknown and regarded with suspicion who stands on the receiving end of both welcome and hospitality and rejection and resentment.¹¹ Not cited in the 1998 message but also relevant is Romans 13:1-7 and related Lutheran interpretations of the role and authority of government.

Created in the image of God

“Human beings are created ‘in God’s image’ (Genesis 1:27) as social beings whose dignity, worth, and value are conferred by God.”¹² We are created to live together with God and one another in love and freedom, reflecting or imaging God’s perfect love and freedom.¹³ Therefore, this church seeks to oppose anything that disables or destroys a person’s capacity to relate to God and others in this way. With respect to work, the honoring of God’s image involves advocating for a “sufficient, sustainable livelihood for all,” while recognizing that individuals amount to significantly more than their capacity for labor.¹⁴ Further, “through our work we should be able to express this God-given dignity as [people] of integrity, worth, and meaning.”¹⁵ Thus, “[n]o one should be coerced to work under conditions that violate their dignity or freedom, jeopardize their health or safety, result in neglect of their family’s well-being, or provide unjust compensation for their labor.”¹⁶

A just government that serves the common good

God appoints and authorizes governments to preserve the created order and serve the common good, primarily through the exercise of judgment between right and wrong, good and bad.¹⁷ The ELCA further specifies that governments are to serve the *global* common good, for example, through fair trade policies or refugee assistance.¹⁸ Governing authorities are to seek justice, foster peace, protect people, and support their well-being.¹⁹ This church therefore acknowledges the rule of law and the role of government in facilitating orderly migration and integration, and preventing

⁹ Ibid., 6.

¹⁰ Ibid., 3.

¹¹ “Jesus characterizes ... hospitality in part as the exemplary recipient of hospitality. From his conception in Mary’s womb by the power of the Holy Spirit to his birth in a manger through to his burial (in a tomb of Joseph of Arimathea), Jesus was dependent on the welcome of others.” Amos Yong, *Hospitality and the Other: Pentecost, Christian Practices, and the Neighbor* (Maryknoll, NY: Orbis Books, 2008) 101. Cf. Luke’s account (24:13-35) of Jesus appearing as a stranger on the road to Emmaus.

¹² *Sufficient, Sustainable Livelihood for All* (Chicago: Evangelical Lutheran Church in America, 1999) 9.

¹³ One of the ELCA’s ecumenical partners articulates this point: “In the mystery of the one God, the three divine persons—Father, Son, and Holy Spirit—live in, with and for one another eternally in perfect love and freedom.” *The Study Catechism*, The Presbyterian Church (U.S.A.), 1998.

¹⁴ Cf. *Sufficient, Sustainable Livelihood for All*, 9. The language of “work” as opposed to “labor” is preferable when considering matters of employment. “Work, for example, a good gift from God and an expression of a person’s intellectual and physical powers, is spoken of by the negative term ‘labor’ in order to represent the relation of worker and employer as an exchange rather than a partnership.” Oliver O’Donovan, *The Ways of Judgment* (Grand Rapids, Michigan: William B. Eerdmans Publishing Company, 2005) 36.

¹⁵ *Sufficient, Sustainable Livelihood for All*, 9.

¹⁶ Ibid., 9.

¹⁷ Cf. Romans 13:1-7. “[A]ll political authority, orderly government, laws, and good order in the world are created and instituted by God ...” Article 16 (German text), “The Augsburg Confession,” *The Book of Concord*, eds. Robert Kolb and Timothy J. Wengert (Minneapolis: Fortress Press, 2000) 48.

¹⁸ *For Peace in God’s World* (Chicago: Evangelical Lutheran Church in America, 1995) 5.

¹⁹ Cf. Luther’s discussion on the relationship between the practices of government and the well-being of society embedded in his commentary on the daily bread petition of the Lord’s Prayer. See Martin Luther, *The Large Catechism in The Book of Concord*, 449ff.

migration that might be dangerous or harmful to host communities.²⁰ The law must be just, governance must be good, and enforcement must be humane. It should also be recognized that just as there are legitimate grounds for the use of force, there are also legitimate grounds for showing restraint.²¹ The fairness of laws and the practices of governance and enforcement require constant evaluation in light of the Christian doctrine of sin. The ELCA's posture toward governing authorities is one of critical respect—respectful of their role to serve the common good, yet critical of unjust and harmful ideologies, structures, and processes.

A Broken Immigration System

Families separated, people marginalized, and communities at risk

Because of overstaying their work, student, or tourist visas or crossing the border illegally, an estimated 12 million immigrants live in the United States without legal status.²² Backlogs for family preference visas result in people waiting up to 15 years or more to be reunited with loved ones. Many without legal status, desperate to survive and provide for their families, consistently risk dangerous border crossings and abrupt, forced separation from their families after they arrive. These alternatives are considered better than the socio-economic pressures they face in their home countries.

Although laws prohibit employers from hiring unauthorized workers, many employers, for a variety of reasons, are not in compliance. Numerous major industries (e.g., agriculture, construction, and hospitality), small businesses, and family households across America find such workers indispensable. Many employers turn to the undocumented workforce for flexible, industrious, and low-cost labor to do work United States citizens often will not do. The cost savings, however, are realized at the expense of unauthorized workers and the wider community when employers pay lower wages, evade state and federal taxes, and withhold payment for benefits such as health and disability insurance. Fearing immigration officials, detention, and deportation because of their unauthorized status, undocumented workers are vulnerable to exploitation. Consequently, unfair and unsafe work conditions often go unchecked, illnesses and injuries go untreated, crimes and abuse go unreported, and this country's labor laws often go unenforced.

The "new security paradigm" and enforcement-only approaches

The September 11, 2001, terrorist attacks on the United States renewed the federal government's policy emphasis on national security, focusing particular attention on border control and interior enforcement. One fear was that lax immigration controls and the non-enforcement of existing laws would allow terrorists to cross borders illegally, remain here indefinitely, and move about inconspicuously. Other concerns related to drug trafficking, the entry of criminals, and connections with increasing gang-related activity in the United States. As federal immigration responsibilities migrated from the Department of Labor to the Department of Homeland Security, immigration issues have increasingly been viewed through the lens of national security. The blurring of the distinction between anti-terrorism efforts and the prosecution of routine worksite immigration violations—both responsibilities of U.S. Immigration and Customs Enforcement—has resulted in false characterizations of unauthorized immigrants.

Meanwhile, the U.S. Customs and Border Protection's budget has grown by 80 percent from \$6 billion in 2004 to over \$10 billion in 2009, with resources being directed primarily toward expanding its security personnel and

²⁰ The ELCA message on terrorism adds a word of caution to national security concerns. "Governments often abuse and violate their authority under the guise of seeking security. They may deny the rightful aspirations of an oppressed group, violate human rights, or inflict their own unjustifiable violence on people in the name of fighting terrorism." *Living in a Time of Terrorism*, p. 5. The message also shows a sober awareness of the limits of such interests. "The security that governments—including that of the United States—can provide from the threats of terrorism has limits. Human beings, finite creatures that we are, are always vulnerable; eliminating vulnerability would also do away with freedom. Governments cannot provide perfect or total security; when they claim to do so, they become agents of arrogant pride and the injustice and insecurity that flow from pride. If they are to secure freedom for vulnerable people, governments must recognize their limits in providing security." p. 6.

²¹ Cf. George W. Forell and James F. McCue, "Political Order and Vocation in the Augsburg Confession," in *Confessing One Faith: A Joint Commentary on the Augsburg Confession by Lutheran and Catholic Theologians*, eds. idem (Minneapolis: Augsburg Publishing House, 1982) 330f.

²² Jeffery S. Passel and D'Vera Cohn, "A Portrait of Unauthorized Immigrants in the United States," i.

infrastructure (e.g., physical and virtual fencing, and enforcement).²³ Increased patrolling and fencing along the southern border of the United States have made attempts to cross the border illegally more difficult. Yet many continue to opt for more remote locations, more hazardous conditions, and more expensive traffickers (who are often connected to organized crime). As a result, deaths in the desert average more than one a day.²⁴ Fence building has also been fraught with controversy because of: impacts on border communities and United States-Mexico relations; environmental and private property concerns; and exceptionally high costs and mismanaged construction.²⁵ Immigration raids, round-ups, and crackdowns conducted like military operations on businesses and homes have had negative side effects. They have heightened fear and mistrust among unauthorized and authorized immigrants, and separated and traumatized families and communities across America.²⁶

Further, the practice of detaining immigrants is skyrocketing, even while alternatives have proved more humane, less costly, and more effective.²⁷ The federal government detains more than 300,000 immigrants and refugees every year in a nationwide immigration detention system, much of it operated by for-profit corporations.²⁸ Vulnerable people such as families with children, torture survivors, asylum seekers, trafficking victims, and those with serious medical conditions such as HIV and AIDS are detained pending court hearings for civil immigration violations. They are jailed in remote federal prisons and detention centers, contract prison facilities, and rented space in local jails and state prisons, and are often mixed in with criminal populations. Most detainees lack legal counsel and many suffer from overcrowding, inadequate medical and mental health care, vulnerability to physical and sexual abuse, and neglect leading in some cases to death. Detention also imposes heavy financial and emotional costs on families living without the support of the detained person. Finally, many of those deported are removed without attorney involvement or a hearing before a judge, even when their deportation may mean significant danger and deprivations, including lifelong exile from their family.²⁹

The massive number of unauthorized immigrants residing in the United States has also cast doubt on the federal government's competence to carry out its immigration responsibilities. Such doubt follows from unresolved congressional debate, an overwhelmed and under-resourced immigration system, and obvious violations of immigration law on a vast scale. Meanwhile, some state and local governments have expanded their authority and dramatically increased their legislative activity concerning immigration, with some taking over enforcement responsibilities.³⁰ While states with the largest foreign-born populations (i.e., traditional immigrant-receiving states) tend to propose bills that expand immigrants' rights, states newly experiencing rapid immigration growth (i.e., new destination states) tend to propose bills that contract immigrants' rights, such as imposing certain prohibitions on the receipt of state public benefits

²³ Doris Meissner and Donald Kerwin, *DHS and Immigration: Taking Stock and Correcting Course* (Migration Policy Institute, February 2009) 9.

²⁴ *Ibid.*, 15.

²⁵ *Ibid.*, 11ff.

²⁶ See Randy Capps, Rosa Maria Castaneda, Ajay Chaudry, and Robert Santos, *Paying the Price: The Impact of Immigration Raids on America's Children*, a report by The Urban Institute for the National Council of La Raza, 2007.

²⁷ *DHS and Immigration*, 50ff.

²⁸ See "The History of Immigration Detention in the United States," Detention Watch Network www.detentionwatchnetwork.org/node/2381.

²⁹ See generally INA s. 292, 8 U.S.C. s. 1362 (non-citizens removed have the privilege of being represented by counsel, but at no expense to the government); Department of Justice, Executive Office for Immigration Review, FY 2007 Statistical Yearbook (Apr. 2008), p. G1 (in 2007, approximately 58 percent of non-citizens in removal proceedings were not represented by counsel); INA s. 235(b)(1)(B)(iii), 8 U.S.C. s. 1225(b)(1)(B)(iii) (non-citizens who are considered "arriving aliens" under the law, and who are not determined by an Asylum Officer to have a credible fear of persecution, are removed from the United States under a process called expedited removal, without hearing or review); Department of Homeland Security Office of Inspector General, *Removals Involving Illegal Alien Parents of United States Citizen Children*, p. 5 (Jan. 19, 2009) (Between 1998 and 2007, more than 100,000 non-citizen parents of United States citizen children were removed from the United States.)

³⁰ See "Regulating Immigration at the State Level: Highlights from the Database of 2007 State Immigration Legislation and the Methodology," Laureen Laglagaron et al. (Migration Policy Institute, October 2008). In 2007, 1059 immigration-related bills were introduced by state legislators.

and services.³¹ Racism, prejudice, and negative stereotyping have been a part of these debates as well.³²

Refugees struggling to rebuild their lives in the United States

Refugees are among the most vulnerable people in the world.³³ Their stories are often filled with fear, pain, and loss because of the forced separation of families, persecution, war, and genocide. Many have been warehoused in camps for up to a decade or more in dangerous conditions and with limited support, where neither repatriation nor integration into the camp's host country is feasible. Even when individuals are resettled, their family members often are not, causing further sorrow. The United States has been a world leader in providing protection and assistance to refugees both internationally through humanitarian assistance and domestically by resettling refugees and integrating them into our communities. However, resettlement agencies complain of chronic underfunding—with some viewing this as inconsistent with this nation's humanitarian intentions and federally-mandated resettlement programs. Current economic conditions have made it difficult for resettled refugees to find the security and stability to rebuild their lives. Agencies supporting such integration are in critical need of further resources to provide the basic services refugees need to survive in this country. These organizations currently rely on private sources of funding to help underwrite the cost of services and to compensate for a lack of sufficient federal support. These private sources have declined because of the weakened economy.

Resolutions

In light of current immigration laws, practices, and policy debates; their impact on immigrant communities and this country as a whole; and existing ELCA theological and moral commitments, this church commits itself to the following actions, balancing humanitarian, labor, and security issues:

1) Reunite families and integrate the marginalized

This church urges the United States government to prioritize family reunification. Many refugee and immigrant families, including “mixed families” (families composed of United States citizens, often children, and/or legal permanent residents), are separated with no viable means of timely reunification. It calls for Congress and the Executive Branch of the government to address statutory and administrative factors and the lack of humanitarian waivers that contribute to barriers and backlogs separating families and the systematic marginalization of human beings. The ELCA also advocates for the welcome and care of unaccompanied children who have lost or are separated from their families. It again calls for “flexible and humane ways for undocumented [individuals] who have been in this country for a specified amount of time to be able to adjust their legal status.”³⁴ They should be permitted to come out of the shadows and have immediate family members join them on a path to earned legalization.

2) Protect the rights of people at work

New legislation should facilitate an orderly, regulated future flow of workers, consistent with America's labor needs and obligations, to contribute to the global common good. Legal pathways for entry to work in the United States ought to correspond to the annual need for foreign workers. Migrant workers should be permitted to have immediate family members join them and together be offered a path to permanent residency. They should also be free to travel within and outside the United States. Worksites must provide: fair wages, benefits that do not undercut domestic workers, and conditions and protections comparable to domestic expectations (e.g., legal recourse for exploitation, freedom to change

³¹ Ibid, p. 3f., 27.

³² “Policies, practices, and attitudes that are hostile to immigrants living in the United States and that unduly curtail the legal arrival of immigrants, refugees and asylum seekers fail to live up to our country's tradition of welcoming newcomers in a fair and generous way.” *Living in a Time of Terrorism* (Chicago: Evangelical Lutheran Church in America, 2004) 6.

³³ Refugees are defined as individuals who have “a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion” according to the United Nations' 1951 “Convention Relating to the Status of Refugees,” which was adopted by the United States in the Refugee Act of 1980. Cited in *Immigration*, 10.

³⁴ *Immigration*, 8.

employers). A secure, efficient, mandatory, and enforceable means of verifying a job applicant's eligibility to work in the United States should be implemented.³⁵

3) Establish just and humane enforcement

This church believes that governing authorities have the responsibility to protect the nation's borders and maintain its security. It supports the establishment of clear protocols and safeguards for raids on worksites that ensure immigrant families and local communities are not harmed. It is troubled by the use of criminal charges in routine immigration-status violations and advocates against this approach. The ELCA also supports increasing the use of more humane, less costly, and more effective alternatives to detention, such as supervised release programs. When detention is necessary, compliance with humane standards and access to vital services must be ensured at every facility housing detainees. Families with children should never be detained in penal settings. Children should be united with family members whenever possible, or provided with guardianship if needed. Immigrant children in federal custody ought to be treated in accordance with child welfare principles consistent with their best interests. This church advocates for a fair deportation process consistent with American values, including, for example, the right to appointed legal representation and a hearing before a judge. It supports the right to judicial review and advocates for increased access to legal counsel for immigrants to seek opportunities for relief from detention and deportation. Finally, the ELCA calls for a moratorium on and a comprehensive assessment of fence building along the United States-Mexican border, noting especially its impact on local communities.

4) Revitalize refugee protection and integration

This church calls for reform of the United States refugee resettlement system in order to address the growing demand for resettlement worldwide and to facilitate refugee integration within this country. The United States government should continue to use refugee resettlement strategically as part of a larger protection response, seek to end the warehousing of refugees, and find sustainable solutions for refugees who are unable to return home. Special attention must be paid to protecting and integrating refugees created by actions of the United States that contribute to refugee flows in the world. The ELCA also calls for renewed commitment to family unity and family reunification as a basic human right and integral to long term integration. Finally, increased federal support of local agencies and organizations that welcome refugees and assist them in rebuilding their lives is urgently needed.

5) Address root causes of forced migration

Immigration and refugee laws and their reform should not be considered in isolation from United States foreign policy and globalization issues. In particular, this church acknowledges the obligation of the United States to serve the common global good. This includes the need for better economic and trade policies designed, for example, to strengthen Mexican and Central American economies and create job opportunities with family-sustaining wages for would-be migrants. In general, the United States, in concert with other nations, must address through policy and action the root causes of forced migration, such as extreme poverty, unemployment, political persecution, armed conflicts, genocide, environmental degradation, religious intolerance, trade policies, and other forms of injustice. The aim is for would-be migrants to be free to remain in their homeland, support their families, and contribute to their communities. This church supports the ratification of international legal instruments that defend the rights of migrants, refugees (including unaccompanied children), and asylum seekers. The ELCA advocates especially for the right to migrate to support oneself or one's family, the right not to be forced to migrate, the right to be reunited with family, and the right to just working conditions.

³⁵ *DHS and Immigration*, 28.

REVISION TO PERSONNEL POLICIES

(Agenda IV.G.5; Agenda/MINUTES, Exhibit I, Parts 1a–1b)

Background:

In accordance with ELCA continuing resolution 15.11.D05., the Human Resources section of the Office of the Presiding Bishop has recommended the revision of one of the personnel policies of the churchwide organization. In a memorandum dated October 27, 2009, Ms. Else B. Thompson, executive for human resources, recommended endorsement by the Church Council of this policy. She wrote the following:

Policy 13.0 *Staff Training and Development* deals with several aspects of training and development: the Continuing Education Plan (CEP) and the use of funds as part of that program, development plans, and sabbatical leave. The changes being submitted reflect the request to eliminate the continuing education plan. The sections on training, development plans, and sabbaticals will remain, minus the references to use of CEP funds and/or time.

As you might surmise, the recommendation to eliminate the CEP program is primarily budget driven. Currently, 362 staff members participate in the program, about 70 percent of employees eligible. Looking back at the past three years, the number of participants has remained relatively stable. The cost of funding the program in 2006 was \$176,000; in 2007 it was \$155,000; and in 2008 it was \$150,000.

However, budget alone was not the deciding factor in making this recommendation. Training and development—the ability to increase knowledge, skills, and capacity relevant to the work of the organization—is more critical now than ever. Experience shows that the CEP program as it was originally designed, did not—in many cases—help the organization accomplish those goals. The voluntary nature of the program has restricted managers from requiring the use of funds for specific trainings. In addition, the administration of the funds for travel and other purposes has been difficult and often results in decisions to fund activities only peripherally related to organization goals.

Despite the elimination of the CEP program, training and development will continue. Managers will be encouraged to promote opportunities for growth and will fund (as many are already doing) specifically targeted activities. Human Resources will continue to carry some budget dollars for employee development and certificate training.

The revisions have been reviewed by ELCA legal counsel and if approved will be implemented in two stages: contributions will stop on November 16, 2009, and withdrawals will end on January 31, 2010.

The proposed revisions are detailed in Exhibit I, Parts 1a-1b. In Exhibit I, Part 1a, deleted language is struck out; added language is underlined. The policy as revised is printed in Exhibit I, Part 1b.

Church Council Action:

Ms. Sandra Schlesinger, vice chair of the Program and Services Committee presented the proposed action. Vice President Peña opened the floor for discussion.

The Rev. David P. Anderson asked if a new policy would be put in place. Ms. Else B. Thompson, executive for human resources, responded that the current program is difficult to administer and cannot be supported by the current budget. She said both the sabbatical policy and the commitment to continue training and education remain in place. She added that the committee had asked that more detail about training initiatives be brought to the next council meeting.

Ms. Schlesinger reported that the Rev. Steven P. Loy, chair of the Program and Services committee, had commented in the committee meeting that he felt continuing education was the single most valuable benefit, and he supported the need for continuing education in the life of a rostered leader.

Presiding Bishop Mark S. Hanson stated that as the one responsible for bringing the budget, he felt the elimination of this program was necessary; however, he repeated the commitment to creating a culture that expects and supports all employees to be engaged in learning.

The Rev. Rachel L. Connelly, a member of the Program and Services Committee, expressed her agreement with Pr. Loy's concern for continuing education, especially for rostered leaders.

There being no further discussion, the chair called for a vote.

VOTED:

- CC09.11.72** **To approve the revisions to the ELCA Churchwide Personnel Policies as detailed in Exhibit I, Parts 1a–1b; and**
 To request that the Human Resources section of the Office of the Presiding Bishop bring to the next meeting of the Church Council recommendations for continuing education policies for churchwide employees.

REPORT OF THE LEGAL AND CONSTITUTIONAL REVIEW COMMITTEE
(Agenda II.E.4)

Vice President Carlos E. Peña called on Mr. Mark S. Helmke, chair, for the report of the Legal and Constitutional Review Committee. Mr. Helmke began with a point of personal privilege, thanking council members for their prayers and expressions of concern on the sudden death of his brother-in-law.

BOARD OF PENSIONS TRUST DOCUMENTS
(Agenda III.E.1; Agenda/MINUTES Exhibit P, Parts 1a–1j)

Background:

Mr. Robert H. Rydland, vice president and general counsel of the ELCA Board of Pensions, had prepared a memorandum dated October 30, 2009. The memorandum explained the reasons for the trust restatements: to clarify trustee roles and responsibilities and reduce complexity by appointing the ELCA Board of Pensions as corporate trustee of each of the nine trusts. The trustees of the Board of Pensions maintain oversight of the operation of the Board of Pensions, including operating as trustee of each of the nine trusts, he stated. The memorandum also explained the reason for the merger of the ELCA continuation of the American Lutheran Church (ALC) medical-dental trust for retired participants into the ELCA benefits contribution trust.

The Church Council was asked to approve the following:

- a. Restatement of ELCA Retirement Trust (Exhibit P, Part 1b)
- b. Restatement of ELCA Master Institutional Retirement Trust (Exhibit P, Part 1c)
- c. Restatement of ELCA Medical and Dental Benefits Trust (Exhibit P, Part 1d)
- d. Restatement of ELCA Survivor Benefits Trust (Exhibit P, Part 1e)
- e. Restatement of ELCA Disability Benefits Trust (Exhibit P, Part 1f)
- f. Restatement of ELCA Benefits Contribution Trust (Exhibit P, Part 1g)
- g. Restatement of ELCA Supplemental Retirement Benefits Trust (Exhibit P, Part 1h)
- h. Restatement of ELCA Master 475(b) Deferred Compensation Trust (Exhibit P, Part 1i)
- i. Addition of ELCA Participating Annuity Trust (Exhibit P, Part 1j)
- j. Merger of ELCA Continuation of The ALC Major Medical-Dental Trust for Retired Participants into the ELCA Benefits Contribution Trust (Exhibit P, Part 1k)

The specific amendments were available online only in Exhibit P, Parts 1b-1j. A complete set of the printed documents was provided to members of the Legal and Constitutional Review Committee and were available upon request by any member of the Church Council.

Church Council Action:

Mr. Mark S. Helmke, chair of the Legal and Constitutional Review Committee, introduced the proposed action, reviewed the background material, and stated that the committee was assured that the revised structure maintained the same level of control, accountability, and supervision as the previous structure.

Vice President Carlos E. Peña opened the floor for discussion. There being none, he called for a vote.

VOTED:

CC09.11.73 To approve the following: (1) restatement of ELCA Retirement Trust; (2) restatement of ELCA Master Institutional Retirement Trust; (3) restatement of ELCA Medical and Dental Benefits Trust; (4) restatement of ELCA Survivor Benefits Trust; (5) restatement of ELCA Disability Benefits Trust; (6) restatement of ELCA Benefits Contribution Trust; (7) restatement of ELCA Supplemental Retirement Benefits Trust; (8) restatement of ELCA Master 475(b) Deferred Compensation Trust; and (9) addition of ELCA Participating Annuity Trust.

POLICY ON REINSTATEMENT TO THE ROSTER

(Agenda III.E.2; Agenda/MINUTES Exhibit G, Part 2)

Background:

The “Manual of Policies and Procedures for Management of the Rosters of the Evangelical Lutheran Church in America” (Roster Manual) contains the roster policies derived from and provided for in the *Constitution, Bylaws, and Continuing Resolutions* of this church. The process for approval of these policies is that they are developed by the relevant unit, in consultation with the Conference of Bishops, and approved by the Church Council.

On November 14, 1994, the Church Council voted [CC94.11.95]:

To approve the “Manual of Policies and Procedures for the Management of the Rosters of the Evangelical Lutheran Church in America” and authorize its distribution for use by synodical bishops, synodical staff members, and others who hold responsibility for such matters in this church; and

To authorize the secretary to provide periodic updates reflecting new or revised policies subsequently adopted by the Church Council.

Following approval by the 2005 Churchwide Assembly of the reorganization plan for the churchwide organization, the manual was revised to reflect changes in terminology and to make editorial corrections. The Church Council voted on November 12, 2005 [CC05.11.65]:

To approve the “Manual of Policies and Procedures for the Management of the Rosters of the Evangelical Lutheran Church in America” and authorize its distribution for use by synodical bishops, synodical staff members, and others who hold responsibility for such matters in this church; and

To authorize the secretary to provide periodic updates reflecting new or revised policies subsequently adopted by the Church Council.

The Roster Manual contains one policy on “Reinstatement to the Rosters of the Evangelical Lutheran Church in America.” Included in this policy is the following:

In the case of an applicant whose removal from the roster was the result of either:

- 1) the official disciplinary process of this church, or
- 2) resignation or removal from the roster in lieu of the disciplinary process, or
- 3) application of ELCA churchwide bylaw 7.31.16., where the person was on leave or without call after conduct or allegations that could lead to disciplinary charges, then a minimum of five consecutive years without call must elapse before an application for reinstatement may be considered. The passage of five years without call does not guarantee reconsideration.

A rostered leader who was in a same-gender partnered relationship was subject to discipline and often resigned or went on leave from call in lieu of discipline.

In the wake of the action by the 2009 Churchwide Assembly committing this church “to finding a way for people in such publicly accountable, lifelong monogamous, same-gender relationships to serve as rostered leaders of this church” [CA09.05.26], the policy on reinstatement to the rosters requires amendment. The revisions will permit those who resigned or were removed from the roster solely because of being in a same-gender relationship to begin the process of reinstatement on January 1, 2010.

The reinstatement process, which occurs through synodical candidacy committees, can take up to a year. The process may begin, but no final decision on an applicant's reinstatement under the new policy will be made, however, until revisions to "Vision and Expectations" and "Definitions and Guidelines for Discipline" are approved by the Church Council. Some other minor revisions to the process also were proposed.

The Conference of Bishops considered the policy revisions both through its Liaison Committee with the Vocation and Education unit and in plenary session and recommended that they be presented for action at the November 2009 meeting of the Church Council.

Church Council Action:

Mr. Mark S. Helmke, chair of the Legal and Constitutional Review Committee, reviewed the background and introduced the proposed action, as amended.

Vice President Carlos E. Peña opened the floor for discussion.

Mr. John S. Munday asked why the descriptor, "publicly accountable" was not included in the revision. Mr. Helmke responded that, while public accountability was part of the 2009 Churchwide Assembly action, it was not part of the standards that previously would have led someone to be removed or resign from the roster.

Mr. Mark W. Myers asked for clarification on a starting date of January 1, 2010, when the council would not have approved any proposed changes in other policy documents. Mr. Helmke replied that because of the length of time required in the reinstatement process, provision could be made to begin the process; however, changes to the other documents would have to be completed before someone could be reinstated. Secretary David D. Swartling added that persons subject to reinstatement have to go through the candidacy process. He said that in looking at ways to implement the actions of the Churchwide Assembly, it seemed appropriate to revise the reinstatement policy so that the process could begin, even though it could not be completed until changes in "Vision and Expectations" and "Guidelines for Discipline" were approved.

The Rev. Martin D. Wells, bishop of the Eastern Washington-Idaho Synod and chair of the Conference of Bishops' Vocation and Education Liaison Committee, said the committee and the Conference of Bishops had approved these changes. Bp. Wells added that, in cases where there might be issues of misconduct in addition to being in a lifelong, monogamous, same-gender relationship, there were several layers of safeguard. He noted that a bishop has discretion over whether or not to forward a reinstatement request to the candidacy committee.

The Rev. Stanley N. Olson, executive director of the Vocation and Education unit, added that, given the Churchwide Assembly mandate to change policy, someone could enter candidacy now who is in a publicly accountable, lifelong, monogamous, same-gender relationship and someone who had left the roster for other kinds of reasons could enter the process, but this policy prevents those in same-gender relationships from even applying to the bishop for reinstatement.

The Rev. Keith A. Hunsinger asked for clarification on Section II.D., ". . . bishop of the synod in which the reinstatement application will be considered . . ." He said it was his understanding that applications for reinstatement must be made where the applicant was last rostered and that he did not read the proposed change the same way. He was concerned about the possibility of an applicant "shopping for the one bishop who would approve." Secretary Swartling responded that the application would begin in the synod where a person left the roster [Section I.A.,] but that an existing provision allowed for transfer to the place of residence [Section II.C.]

The Rev. Heather S. Lubold asked if it was a matter of clear record why someone resigned or was removed. Secretary Swartling responded that while it would not always be clear, it would be in some cases. He added that the bishop, in exercising due diligence, would make that determination. Pr. Lubold asked if the bishop would have the authority to investigate. Secretary Swartling replied that the responsibility of the bishop is to interview and went on to say there was a deliberate decision in this policy not to change the role of the bishop as the gatekeeper of the reinstatement process.

The Rev. Jeffrey "Jeff" B. Sorenson expressed concern about the council's readiness for this change, asking what a candidacy committee would do absent a definition of "lifelong, monogamous, same-gender relationship." Pr. Olson replied that the candidacy staff felt there was sufficient understanding of the term to begin the process. In addition, mutual discernment about fitness for ministry had many aspects that could be considered at the beginning of the process.

Pr. Sorenson served notice of his intention to amend Section IV.C. to read "If an applicant who was removed from the roster under the circumstances described in paragraphs I.C. and I.D. . . ."

PROCESS OBSERVATION

Mr. Baron Blanchard commented on the intentional voting to elect a person of color or whose primary language is other than English to the Church Council Executive Committee. He said that more process observers would be welcome and invited council members to contact one of the current process observers to discuss potential involvement.

Ms. Ann F. Niedringhaus noted that the café conversations allowed for differing ways of both processing material and participating in discussion. She also mentioned the care taken to maintain multicultural and gender balance in staff cuts at the churchwide organization. Ms. Niedringhaus reminded council members to fill out the daily process observation and turn it in at the end of the day or at the beginning of the next plenary session.

JOYS AND CONCERNS

The Rev. Keith A. Hunsinger asked for prayers for his mother-in-law, who recently was diagnosed with lung cancer.

NOMINATIONS, APPOINTMENTS, AND ELECTIONS: EXECUTIVE COMMITTEE (CONTINUED)

(Agenda III.A.1)

Vice President Carlos E. Peña called on Secretary David D. Swartling for an elections report. Secretary Swartling announced the following results:

Lay female

Ms. Lynette M. Reitz - 22

Ms. Sandra Schlesinger - 13

Clergy

The Rev. Rachel L. Connelly - 21

The Rev. Kathryn A. Tiede - 14

VOTED:

CC09.11.74

To declare elected Ms. Lynette M. Reitz and the Rev. Rachel L. Connelly to the Church Council Executive Committee.

ANNOUNCEMENTS

Secretary David D. Swartling made a number of announcements regarding Evening Prayer, the mini-retreat for voting members of the Church Council, unit breakfasts, Sunday worship, and hotel check out.

RECESS

The November 2009 Church Council meeting recessed at 5:25 p.m.

Sunday, November 15, 2009
Plenary Session VI

Prior to the convening of Plenary Session Six of the November 2009 meeting of the Church Council, council members and advisors met over breakfast to receive various program unit updates. Following the unit breakfasts, the Church Council gathered for a service of Holy Communion and the installation of new members of the council. The Rev. David P. Anderson served as presiding minister; the Rev. Margaret G. Payne, bishop of the New England Synod, preached; Mr. William B. Horne II was the assisting minister; Ms. Rebecca Jo Brakke served as lector.

Vice President Carlos E. Peña called the sixth plenary session to order at 10:13 A.M. He thanked those who had led worship and thanked the Board Development Committee for planning the mini-retreat.

REPORT OF THE BUDGET AND FINANCE COMMITTEE

(Agenda II.E.2; Agenda/MINUTES Exhibit F, Parts 1–9)

Vice President Carlos E. Peña called on Ms. Ann F. Niedringhaus, chair, for the report of the Budget and Finance Committee. Ms. Niedringhaus made note of several items included in the *en bloc* actions: the election of Ms. Louise Hemstead to the Audit Committee, revisions to the charter of the Audit Committee, and the approval of the investment philosophy and policy statement for the Charitable Gift Annuity Program. She announced the election of Ms. Deborah L. Chenoweth as chair of the Audit Committee.

CURRENT FUND AND WORLD HUNGER: REVISED 2010 EXPENSE PROPOSAL

(Agenda III.C.1; Agenda/MINUTES Exhibit F, Parts 2a–2b)

Background:

Exhibit F, Part 2a reflected income estimates that had been revised since the August 2009 Churchwide Assembly. Current income is projected to be \$69,022,800, a decrease of \$7,669,200 or ten percent from the budget approved by the 2009 Churchwide Assembly.

Mission support was anticipated to decrease from the assembly-approved income budget of \$62,250,000 to \$55,100,000, a decrease of \$7,150,000 or 11.5 percent. This mission support income estimate was based on early, rough estimates from ELCA synods and will be revisited in February 2010.

Investment income estimates had been adjusted downward by \$400,000 since the April income estimates. This was due primarily to lower investment account balances than previously estimated and anticipated market value losses caused by higher interest rates. Other unrestricted income was projected to decrease by \$67,650, primarily due to the potential for a reduction in income from congregational stewardship programs and special gifts through synods. Temporarily restricted endowment distributions were reduced by \$51,550 due to the final distribution of funds from a bequest that had been invested as an endowment.

The World Hunger Appeal estimate was unchanged.

Exhibit F, Part 2b reflected revised 2010 unit allocations proposed by the Office of the Presiding Bishop. These allocations were the result of a process of deliberation and advice from the Program Advisory Team and the service units and offices.

Church Council Action:

Ms. Ann F. Niedringhaus, chair of the Budget and Finance Committee, introduced the proposed action. Vice President Carlos E. Peña opened the floor for discussion.

The Rev. M. Wyvetta Bullock, executive for administration, clarified that her comments on the previous day regarding no reductions in missionaries, new starts, seminaries, and campus ministries referred to the 2010 budget passed at the 2009 Churchwide Assembly. She noted, however, that the revised 2009 budget approved by the Church Council in March 2009 had included reductions in those categories.

Presiding Bishop Mark S. Hanson commented that he had received e-mails from people who misunderstood the distinction between cuts in 2009 and no proposed cuts in the revised 2010 budget.

The Rev. Raymond A. Miller requested information about the severance policy for churchwide organization

employees. Ms. Else B. Thompson, executive for human resources, replied that the churchwide organization had a reduction in force policy. The policy provided for an early warning notice as soon as practical, followed by a final warning notice. The final notice marked the beginning of a three-month period during which the employee remained a full employee with all benefits in place. During that time the employee and his or her executive would work together to find an appropriate end time. Outplacement service was also provided.

The Rev. David P. Anderson acknowledged the pain experienced by those in the churchwide organization and expressed thanks for the compassion shown to those who experienced separation from service. He challenged council members to share the story of what is happening in the ELCA. He added a word of admonition to all those struggling with bound conscience, to remember that bound conscience meant “we are in it together.”

Ms. Judith Barlow-Roberts asked why the option of a ten percent across-the-board reduction was not followed. Pr. Bullock noted that in the past there had been some across-the-board reductions, but such reductions would not have allowed for strategically addressing the priorities of the churchwide organization. She said the unit executive directors had asked the administrative team to look at reductions more strategically.

Ms. Susan McArver commented that she appreciated the fact that cuts were strategically made, but she was concerned that cuts in education, youth positions, schools, candidacy, and campus ministry cumulatively gave the impression that this church was not interested in Christian education, formation, and the raising up of wise and courageous leaders.

Presiding Bishop Hanson noted that Ms. McArver’s observation raised the question of interpreting the cuts honestly while retaining commitments in light of those cuts.

The Rev. Stanley N. Olson, executive director of the Vocation and Education unit, observed that he shared the concern and was committed to continue support to children, youth, lifelong learning, and a careful candidacy process; however, the commitment would need to be carried out with fewer dollars and fewer people.

Presiding Bishop Hanson stressed the importance of remembering that, over the course of recent years, the role of the churchwide organization had continued to evolve, moving away from being the principal creator and distributor of resources to being the convener of gifted, talented people. He noted that a key role of synodical directors of evangelical mission was to bring leaders of congregations and other resource persons together to deepen the Christian practices of church members and the engagement of congregations in mission in their context. He added that Augsburg Fortress, Publishers, would continue to serve as the publishing ministry of this church in the development of resources.

The Rev. J. Pablo Obregon extended his appreciation and prayer support to the staff of the churchwide organization. He thanked the bishops and local pastors who continued to interpret to congregations the ELCA’s financial stress. He encouraged the Church Council and other leaders to find ways to communicate with the church at large. He noted that there are places in the world that continue good ministry with minimal financial resources. He asserted that God is faithful, and he urged council members to be creative and to continue to live in hope.

The Rev. Rachel L. Connelly commended the work, pain, and prayerful consideration on the part of the human resources section and others in the churchwide organization. She said that as a pastor developer, she looked to the churchwide organization for resources and that she grieved the changes in the organization. She noted the networking that would need to take place with the ELCA’s full communion partners, who had been experiencing their own financial stresses.

Mr. John R. Emery also extended his thanks to the officers and churchwide staff for their hard work in dealing with financial decisions. He said it was one thing for the council to address responsibly and realistically the financial shortfalls, but it was also necessary to give thought to what steps could be taken to try to reverse this trend. He said it would fall to the council to do a better job of educating people on the synodical and congregational level about what their mission support dollars do. He reported that when his congregation faced an economic crisis, one of the first remedies suggested was to cut mission support. When Mr. Emery shared Ms. Sandra Schlesinger’s PowerPoint presentation about the churchwide organization with the congregation council, many members said they never knew what this church does. Mr. Emery felt it was important for congregation members to understand that what can be done together is much more than what individuals could do separately and that worshiping communities were supported by work done by the churchwide organization. He said that council members were in a unique position to talk about how mission support dollars were used by the churchwide organization, and he urged members to take every opportunity to do so.

The Rev. Jeffrey “Jeff” B. Sorenson said that the kind of cuts the Church Council was being asked to make were

not acceptable. He felt it was important to clarify that the decision of the Churchwide Assembly was a decision to stand together in our differences as a “big middle church.” He stated that he experienced the Church Council as having come to a place where members could stand together in their disagreements and trust one another, and he hoped that same possibility would exist for this whole church.

Ms. Niedringhaus shared the thanks that had been given by the Budget and Finance Committee to the leadership of this church. She said that if contingency planning had not been done earlier in the year, the churchwide organization would have been looking not at a ten percent cut, but at two to three times as much. She commented that this church was blessed with these leaders.

Vice President Peña called on Ms. Rebecca Jo Brakke to lead in the council in prayer. He then called for a vote.

VOTED:

CC09.11.75 **To approve an initial 2010 fiscal year current fund spending authorization of \$69,022,800; and**
 To approve an initial 2010 fiscal year World Hunger spending authorization of \$18,700,000.

Presiding Bishop Hanson thanked the council members for their “thoughtful, passionate, insightful comments in this discussion,” saying it was a strong moment in their leadership, for which he was very grateful.

SYNODICAL MISSION-SUPPORT PLANS: REVISIONS TO 2009 SYNODICAL MISSION-SUPPORT PLANS
(Agenda III.C.2; Agenda/MINUTES Exhibit F, Parts 5a–5b)

Background:

The ELCA Church Council has responsibility for reviewing and approving or withholding approval for synodical mission-support plans. Exhibit F, Part 5b shows the actual mission support received from each synod for 2007–2008 with plans and any revisions for the 2009 and 2010 fiscal years.

Since the March 2009 Church Council meeting, revisions for 2009 mission-support plans had been received from 15 synods.

Church Council Action:

Vice President Carlos E. Peña called on Ms. Ann F. Niedringhaus, chair of the Budget and Finance Committee, to present the proposed action. He opened the floor for discussion. There being none, he called for a vote.

VOTED:

CC09.11.76 **To affirm with sincere appreciation the increases in the percentage for the sharing of 2009 mission-support contributions by congregations for synodical and churchwide ministries of the following synods: Alaska, Arkansas-Oklahoma, Texas-Louisiana Gulf Coast, North/West Lower Michigan, and Slovak Zion synods;**
 To affirm the revised 2009 mission-support dollar estimates for the sharing of mission-support contributions for synodical and churchwide ministries by congregations of the following synods: Rocky Mountain, Metropolitan Chicago, Northern Illinois, and Southern Ohio synods; and
 To acknowledge the percentage change in mission support resulting from revised estimates of congregational mission support for the following synods: Northwest Synod of Wisconsin, Greater Milwaukee, Southeast Michigan, Northeastern Ohio, Allegheny, and South Carolina synods.

SYNODICAL MISSION-SUPPORT PLANS: REVISIONS TO 2010 SYNOD MISSION-SUPPORT PLANS

(Agenda III.C.3; Agenda/MINUTES Exhibit F, Parts 5a–5b)

Background:

Since the March 2009 Church Council meeting, original plans or revisions for 2010 mission support had been received from 17 synods.

Church Council Action:

Vice President Carlos E. Peña called on Ms. Ann F. Niedringhaus, chair of the Budget and Finance Committee, to present the proposed action. He then opened the floor for discussion. There being none, he called for a vote.

VOTED:

CC09.11.77

To affirm with sincere appreciation the increases in the percentage for the sharing of 2010 mission-support contributions by congregations for synodical and churchwide ministries of the following synods: Northern Texas-Northern Louisiana, Northeastern Iowa, Southeast Michigan, Upstate New York, and Allegheny synods;

To affirm the revised 2010 mission-support dollar estimates for the sharing of mission-support contributions for synodical and churchwide ministries by congregations of the following synods: Alaska, Rocky Mountain, Eastern North Dakota, Central States, Metropolitan Chicago, Northern Illinois, Greater Milwaukee, Indiana-Kentucky, Slovak Zion, Northwestern Pennsylvania, and Upper Susquehanna synods; and

To acknowledge the percentage change in mission support resulting from revised estimates of congregational mission support for the following synod: New England.

DWELLING IN THE WORD

Vice President Carlos E. Peña called on Mr. John Munday to reflect on “dwelling in the Word.”

RESOLUTIONS OF THE 2009 LUTHERAN YOUTH ORGANIZATION CONVENTION

(Agenda IV.A.3; Agenda/MINUTES Exhibit B, Part 1c)

At the request of Vice President Carlos E. Peña, Secretary David D. Swartling noted that this item had been removed from *en bloc* consideration. He presented the proposed action. Vice President Peña called for a second and then opened the floor for discussion.

Church Council Action:

Ms. Susan W. McArver said she felt saying “we acknowledge the disappointment” and commending the youth for raising the issue was not a helpful response. She said it appeared that youth advisors to the Church Council typically had been advisors to the Churchwide Assembly but were not in 2009. She felt the youth were owed an explanation and a promise to make every effort to keep it from happening again. In addition, Ms. McArver asked for some response to the concern expressed in LYO Resolution 14 that the Lutheran Youth Organization was not fully involved in a restructuring discussion in the program unit to which the organization related.

Secretary Swartling responded that the governing documents of the ELCA did not provide that advisory members to the Church Council were automatically advisory members to the Churchwide Assembly. He said that his decision was not due to covering the expenses of two youth advisory members only, but for a total of 15 to 20 advisors. Secretary Swartling also pointed out that the Office of the Secretary had worked very diligently with the Vocation and Education program unit to propose substantive amendments to the governing documents of this church that would acknowledge the commitment to youth and young adults at each expression: churchwide, synodical, and congregational. He noted the approval of those changes by the 2009 Churchwide Assembly so that, beginning in 2011, there would be a greater representation by youth as voting members of the assembly. He stressed the profound commitment of the Office of the

Secretary and the Vocation and Education unit to changing the face of the Churchwide Assembly. Secretary Swartling stressed that his decision about advisors was consistent with the governing documents and that he did not recommend looking at changes to those documents apart from the work of the ecology task force.

Ms. Arielle Mastellar, youth advisory member, said that she and former youth advisory member, Mr. Samuel F. Schlouch, had concluded that their only way to the Churchwide Assembly was through their advisory role to the Church Council. Other advisors had other ways to support their presence at the assembly.

The Rev. Stanley N. Olson, executive director of the Vocation and Education unit, responded to the concern about governance changes by acknowledging that, in the restructuring process, there had been some disagreement. He felt these issues were now being addressed.

Ms. Mastellar agreed that there had been a significant change in sharing information with the LYO, even with the budget cuts, and expressed her appreciation at being more informed.

Ms. Susan McArver proposed an amendment to the resolution, calling for Secretary Swartling to write a letter to the Lutheran Youth Organization explaining the reasoning behind youth advisors to the Church Council not being invited as advisory members to the Churchwide Assembly. Having received a second, Vice President Peña called for discussion on the amendment. Hearing none, he called for a vote.

Moved;

Seconded;

Carried:

To amend the response to Resolutions of the 2009 Lutheran Youth Organization Convention by the addition of the following:

To request that the secretary of this church inform the Lutheran Youth Organization of this action, explaining why the male and female youth advisors to the Church Council were not invited to serve as advisory members to the 2009 Churchwide Assembly.

Vice President Peña then called for a vote on the action, as amended.

VOTED:

CC09.11.78

To acknowledge the actions of the 2009 Lutheran Youth Organization convention in adopting the resolutions reported to the Church Council;

To commend the LYO delegates for engaging challenging issues and the opportunities of our time;

To encourage the LYO board to continue to exercise leadership and facilitate the leadership of youth throughout this church;

To acknowledge the disappointment expressed in LYO resolution 8, “Youth Role in Church Council,” specifically that the male and female youth advisors to the Church Council were not invited to be resource persons for the 2009 Churchwide Assembly; and

To request that the secretary of this church inform the LYO board of this action, explaining why the male and female youth advisors to the Church Council were not invited to be resource persons for the 2009 Churchwide Assembly.

REPORT OF THE SECRETARY

(Agenda II.A.3; Agenda/MINUTES Exhibit A, Part 3)

Vice President Carlos E. Peña called on Mr. David D. Swartling, secretary of the Evangelical Lutheran Church in America, for his report. Secretary Swartling began by saying that in times of tumult he tried to pause and look for sources of strength and a sense of perspective. He said he found strength in the words of 1 Corinthians 10:13: “No testing has overtaken you that is not common to everyone. God is faithful, and he will not let you be tested beyond your strength, but with the testing he will also provide the way out that you may be able to endure it.” Perspective, he

commented, could be more difficult to obtain. He noted that in his oral report to the 2009 Churchwide Assembly he referred to the 1957 Lutheran World Federation Assembly to suggest that living in anxious times was more a common denominator in the modern world than an exception. He then showed some photographs of the first ELCA Church Council meeting in October 1987, a meeting that addressed budget issues and would soon face a near catastrophic drop in income. Secretary Swartling reminded the council that “this isn’t our church, it’s God’s church.”

Secretary Swartling shared information from the 2008 parochial report. He indicated that total giving in the ELCA, as reported by congregations, was \$2.27 billion, the second highest in its history. He reported that total assets held by ELCA congregations were \$20.62 billion, and he wondered how these assets or a portion of them could be translated into additional ministry. He noted a lack of success in being a diverse church, but said that 14 percent of ELCA congregations have a membership of more than five percent persons of color. Secretary Swartling found signs of hope in that the ELCA remains a wealthy church, ministry opportunities exists, and there is progress in diversity in some congregations.

Secretary Swartling offered some reflections on the 2009 Churchwide Assembly based on the evaluation forms filled out by three-fourths of the voting members. He noted high ratings for worship, online availability of pre-assembly materials, the Pre-Assembly Report, registration and arrangements, and the process for addressing issues. He thanked the Rev. Robert G. Schaefer, executive for worship and liturgical resources; the assembly planning team, led by Ms. Myrna J. Sheie, executive for governance and institutional relations; and Ms. Mary Beth Nowak, executive assistant to the secretary, and her staff. Council members responded with applause.

Secretary Swartling particularly noted the 97 percent positive response to the two-part question “Did you feel adequately informed about procedures for debate? the subject of each vote?” He observed that Presiding Bishop Mark S. Hanson was principally responsible for that success. Council members responded with applause.

Secretary Swartling stated that planning for the 2011 Churchwide Assembly had begun, and he asked council members to be sounding boards and listening posts for ways of continuing to improve the assembly process.

Secretary Swartling reported that, post-Churchwide Assembly, the Office of the Secretary had been fielding many questions about polity, process, and procedure. He thanked the synodical bishops, who are on the front line of answering these questions and walking with congregations and individuals. Council members responded with applause.

Secretary Swartling commented on the concept of interdependence, calling it a bedrock principle in the polity of the ELCA. He noted that the word “interdependence” appears about 20 times in this church’s governing documents and reviewed many of those references. He briefly addressed what it means that congregations are incorporated and reviewed the constitutional provisions [9.21., 9.62., and 7.46.] by which all congregations of this church must abide. In terms of the termination of a congregation’s relationship with the ELCA, he referenced his memo [Exhibit A, Part 3, Appendix 3] and said that termination of relationship was not a series of events, but a process, involving bishops, clergy, lay people, and members of the congregation council.

Secretary Swartling indicated that, based on reports from synod offices, 87 congregations have taken an initial vote to terminate their relationship with the ELCA, not all the votes related to sexuality or the actions of the 2009 Churchwide Assembly. He said that in 28 of those congregations the first vote failed to pass by the requisite two-thirds and that five congregations had taken a second vote and left the ELCA. He added that some scheduled votes had not yet taken place.

Secretary Swartling concluded by saying that he is convinced it is always part of the DNA of the church to be anxious, but that the ELCA can be effectively interdependent and committed to the proclamation of the Gospel and service to the neighbor.

QUASI COMMITTEE OF THE WHOLE

Vice President Carlos E. Peña called on Secretary David D. Swartling to present the proposed action. After receiving a second, Vice President Peña opened the floor for discussion. There being none, he called for a vote.

VOTED:

CC09.11.79

To go into a quasi committee of the whole for a period of 30 minutes to discuss draft revisions to policies implementing the actions of the 2009 Churchwide

Assembly.

Church Council Discussion:

Ms. Myrna J. Sheie, executive for governance and institutional relations, noted the location of the material for discussion: Agenda, pages 15-18; Exhibit D, Part 1; Exhibit G, Part 1a-1b and Part 2; and Exhibit O, Part 1a-1b and Part 5. Vice President Peña opened the floor to discussion.

Secretary Swartling outlined the documents that would need to be addressed in order to implement the actions of the 2009 Churchwide Assembly. He named the persons who had prepared and reviewed drafts of proposed changes. He noted the process described in the protocol adopted earlier in the meeting and stressed the need for a free exchange of ideas, information, and thoughts to be passed on to the *ad hoc* committee and those responsible for drafting proposed changes.

The Rev. Heather S. Lubold said she needed more discussion of all the words in “publicly accountable, lifelong, monogamous, same-gender relationships.” The Rev. Stanley N. Olson, executive director of the Vocation and Education unit, referred her to footnote 3 in the “Vision and Expectations” draft and asked what else was needed.

Pr. Lubold responded by asking to whom and when a relationship became “publicly accountable.” She also inquired who would declare a relationship “publicly accountable” and how that declaration would be accountable. Short of marriage, what would the relationship publicly accountable, she wondered.

Pr. Olson replied that in a state where there is legal status for such a relationship, that process might be part of public accountability. Legal status could not be required, however, since the social statement on human sexuality did not argue for marriage for same-gender relationships. He said that this church consciously acted in a context where society does not answer the question, and as a result defining “publicly accountable” would be confusing. He indicated that bishops would need to be able to say they accepted a person’s statement about the relationship, a statement that might cite legal status, blessing in a congregation, the number of years of having lived together, owning property together, and having adopted children together. Pr. Olson stated that he did not believe it would be appropriate to establish a list and then require a certain number of checkmarks on the list. He emphasized the need to trust those who had a designated role in the candidacy process. In response to the question of “when” a relationship reached the status of public accountability, Pr. Olson said that a relationship of romantic interest and casual dating would not be publicly accountable for any pastor, heterosexual or homosexual. He explained that in the concept of public accountability, the public would be the church and the community.

Mr. William B. Horne II indicated the need for some benchmarks, some way to comprehend from a practical perspective what it meant to be publicly accountable. Pr. Olson asked for help in thinking what information a congregation or candidacy committee would need.

Secretary Swartling gave an example, currently in “Vision and Expectations,” that a pastor is expected to be “fiscally responsible” but is not asked to produce a financial statement.

The Rev. Harold L. Usgaard, bishop of the Southeastern Minnesota Synod, commented that other entities, beyond the congregation and the candidacy committee, would be asking for specifics. The Board of Pensions, for example, would need to know a starting date and ending date for such a relationship.

Mr. Mark W. Myers asked if it would not it be simpler for a congregation to have a blessing of the union. He also indicated the need for some defined ending if the relationship were to break apart. Pr. Olson commented that the Board of Pensions had need for tighter language than would be needed in “Vision and Expectations.” He added that this church has said it is not ready to endorse a ceremony; therefore, it cannot require one. With regard to dissolution of a relationship, he noted that some work had been done using parallel language with respect to consultation with the bishop on the ending of a marriage.

The Rev. Philip R. Wold observed that one of the keys to the way in which this church came to its decision was through the language of bound conscience, which was a way to be together around deep disagreement. He said he felt the draft language in “Definitions and Guidelines for Discipline,” paragraph 3 [Relationship to Family], specifically “this church also recognizes and supports publicly accountable, lifelong, monogamous, same-gender relationships,” could be understood as not being faithful to the bound conscience provision. He felt it would be necessary to keep returning to “bound conscience” as the base from which work is done.

The Rev. Keith A. Hunsinger said he found the concept of bound conscience fundamentally impossible to use in

this context. He commented that in this church's governing documents, interdependence is bound to Scripture and the Confessions, and he and others felt the decisions at the 2009 Churchwide Assembly breached that understanding. He stated that viewing attestations of call as procedural denied a bishops's right to act out of conscience. He wondered where conscience-bound objections would be allowed. He expressed concern that those who had done the study and come to a different conclusion, or whose responses were ignored or repudiated, were being pushed into a corner and left no possibility but to lash out.

Ms. Susan McArver suggested that the policy could indicate what a publicly accountable relationship might look like and provide not an exhaustive list, but some examples.

The Rev. Michael L. Burk, bishop of the Southeastern Iowa Synod, called for precision in the language of changes in the policy documents and in understanding the context. He said it was important to recognize that while the bishops have provided input, they have not yet said everything they need to say. He wanted to clarify Pr. Olson's comment about the development of a blessing ceremony to point out that this church has found no basis in Scripture or tradition for such a ceremony and therefore has not authorized one. He concluded by saying that synodical bishops were spending "almost every waking moment seeking to overcome the so-called demonization" of those whose view did not prevail at the assembly.

The Rev. Susan Langhauser asked that gay and lesbian persons in publicly accountable, lifelong, monogamous, same-gender relationships be included in the work of the *ad hoc* committee and in the continuing conversation in the Conference of Bishops. She said she was uncomfortable with heterosexuals defining "publicly accountable" for others. She added that congregations who do not choose to call people in such relationships do not have to do so.

The Rev. Michael Cooper-White, president of Lutheran Theological Seminary at Gettysburg and advisory member representing ELCA seminaries, stated that he wanted to lift up the voices of those whose lives were on hold waiting for the Church Council to make its decisions, especially senior seminarians and prospective seminarians. He said he affirmed all due deliberation, but that taking too long a time would not be well received by some whose lives and vocational callings were in the council's hands.

Ms. Rebecca "Becky" J. Brakke asked if there was anything to prevent a synod bishop or candidacy committee from suggesting that a candidate go to a state that allowed same-gender marriage and get married. Pr. Olson responded that would be problematic since the social statement says only that some in this church understand "marriage" to be an appropriate term for a same-gender relationship. He noted such a marriage would not be legal in the state where the candidate was resident.

The Rev. Jeffrey "Jeff" B. Sorenson asked what would be wrong with expecting a candidate to go to the highest possible civil level of accountability in the state where the candidate would be residing. He said he would have no problem with the congregation or call setting being encouraged to have some kind of public accountability.

Ms. Sandra Schlesinger agreed that public accountability is key. She indicated that in her area people look to the standards of the ELCA, and she has heard comments that "we've lowered the standards." She felt that concern could be addressed by putting baseline standards in place.

Pr. Olson requested that council members communicate with staff and the *ad hoc* committee over the next several weeks rather than waiting until April 2010. He noted that the policy documents, along with drafts of revisions, were posted on the ELCA Web site.

REPORT OF THE LEGAL AND CONSTITUTIONAL REVIEW COMMITTEE (CONTINUED)
(Agenda II.E.4)

POLICY ON REINSTATEMENT TO THE ROSTER (CONTINUED)
(Agenda III.E.2; Agenda/MINUTES Exhibit G, Part 2)

Church Council Action:

The Rev. Jeffrey “Jeff” B. Sorenson moved to amend Section IV.C. to read “If an applicant who was removed from the roster under the circumstances described in paragraphs I.C. and I.D. . . .” The motion was seconded.

Moved;

Seconded: To amend by addition [*with the addition underlined*]:
If an applicant who was removed from the roster under the circumstances described in paragraphs I.C. and I.D. . . . [*with the rest unchanged*]

Vice President Carlos E. Peña opened the floor to discussion on the amendment.

Pr. Sorenson stated that the Churchwide Assembly agreed to continue to trust the established processes and wondered why the step of having the executive committee of the synod council was not included in the reinstatement process for those whose removal or resignation from the roster was solely the result of being in a lifelong, monogamous, same-gender relationship. He felt it would be helpful for candidacy committees to know they were not alone in giving approval.

The Rev. Martin D. Wells, bishop of the Eastern Washington-Idaho Synod, replied that he understood the distinction to be the use of the word “solely” in paragraph I.C.; in such a case there would be a very limited, and theoretically quite clear, reason why the person has gone off the roster, making the additional step unnecessary.

Mr. Mark S. Helmke added that the committee had discussed the possibility of the proposed amendment and did not recommend it, feeling it was an unnecessary additional step on top of the concurrence of the synodical bishop and the candidacy committee.

The Rev. Michael J. Schmidt asked if, in order to get to this step in the reinstatement process, the necessary changes in the policy documents would have been made. Secretary Swartling replied in the affirmative.

There being no further discussion on the amendment, the chair called for the vote. The amendment failed.

Moved;

Seconded;

Defeated: To amend by addition [*with the addition underlined*]:
If an applicant who was removed from the roster under the circumstances described in paragraphs I.C. and I.D. . . . [*with the rest unchanged*]

Vice President Peña then opened the floor for further discussion of the main motion. There being none, he called for a vote.

VOTED:

CC09.11.80 To approve the proposed revisions to “Reinstatement to the Rosters of the Evangelical Lutheran Church in America”

I. REINSTATEMENT PROCESS

A. Reinstatement to the rosters of the Evangelical Lutheran Church in America (ELCA) is the responsibility of the Candidacy Committee of the synod where the applicant was last rostered as an ordained minister, associate

in ministry, deaconess, or diaconal minister of the Evangelical Lutheran Church in America.³⁶

- B. In the case of an applicant whose rostered ministry was last in one of the ELCA predecessor churches, the successor ELCA synod has the responsibility. In every case, the process begins in the synod from which the applicant left the roster or its successor.
- C. For a period of two years, from January 1, 2010, until December 31, 2011, Candidacy Committees may begin to consider, without waiting for five years to elapse, applications from those whose removal or resignation from the roster was solely the result of being in a lifelong, monogamous, same-gender relationship.
- D. Except as provided in paragraph I.C. above, in the case of an applicant whose removal from the roster was the result of either:
 - 1) the official disciplinary process of this church, or
 - 2) resignation or removal from the roster in lieu of the disciplinary process, or
 - 3) application of ELCA churchwide bylaw 7.31.16., where the person was on leave or without call after conduct or allegations that could lead to disciplinary charges,then a minimum of five consecutive years without call must elapse before an application for reinstatement may be considered. The passage of five years without call does not guarantee reconsideration.

II. APPLICATION

- A. The applicant provides the completed “Application for Reinstatement” to the appropriate roster of the Evangelical Lutheran Church in America to the synod, and the synod sends a copy to the Vocation and Education unit for information.
- B. Upon receipt of the application, the synodical bishop will notify the Office of the Secretary of the Evangelical Lutheran Church in America and request any pertinent information the churchwide office may have concerning the applicant.
- C. With the approval of the ELCA secretary, the reinstatement process may be transferred from the synod of previous roster to the synod of current residence, upon the written concurrence of both candidacy committees and both synodical bishops. The original synod will provide the receiving synod with all information and documentation concerning the applicant.
- D. The bishop of the synod in which the reinstatement application will be considered arranges an interview with the applicant. The purpose of this interview is to determine the applicant’s eligibility to be a candidate in the synod for ministry. The bishop also determines whether the application is timely under paragraph I.C. or premature under paragraph I.D. above.
- E. In the case of an applicant where inappropriate conduct or allegations of misconduct led to resignation or removal from the roster, the synodical bishop examines the applicant for indications of repentance and amendment of life as well as indication of or attempts at reconciliation with those injured by the conduct, and documents the corrective actions that have occurred before proceeding with the reinstatement process. The bishop should invite comments from those directly affected by the applicant’s inappropriate conduct or alleged misconduct.
- F. The applicant is considered for reinstatement by the Candidacy Committee when the application is forwarded to the committee by the bishop. The bishop may, in his or her sole discretion, decline to forward the application to the Candidacy Committee or may forward the application to the Candidacy Committee with a written statement of the bishop’s opinion of the application.

III. CANDIDACY COMMITTEE

- A. The synod Candidacy Committee will receive and review the registration by the pastor and Congregation Council of the congregation of which the applicant is a member in good standing. The registration attests that the applicant is an active member of an ELCA congregation.

³⁶ Any person removed from a lay roster that existed on December 31, 1987, who seeks to return to active lay roster status, must apply for acceptance to a roster of this church under the standards, criteria, policies, and procedures that apply to the roster of associates in ministry, as identified in ELCA churchwide bylaw 7.52.13. This requirement shall apply to those certified during the period of January 1, 1988, through September 1, 1993, as associates in ministry of this church.

- B. The committee shall determine that it has received all records and information concerning the applicant, including verification of synodical records concerning the reason for removal from the roster. If synodical records are incomplete, this verification may include conferring with the former bishop, synod staff, or with the churchwide office.
- C. The committee may request any additional information from any source that it deems necessary in order to determine the applicant's readiness for ministry and suitability for reinstatement to the roster.
- D. The applicant must prepare an approval essay and submit it to the Candidacy Committee.
- E. In the case of any applicant who has been off the roster or without call for more than five years, the Candidacy Committee will require the applicant to participate in the Psychological Evaluation and Career Consultation according to the policies of the Vocation and Education unit. The expense of this evaluation is the responsibility of the applicant.
- F. The Candidacy Committee follows the Candidacy Manual standards and procedures for new applicants as its guide in considering a request for reinstatement. The Candidacy Committee interviews the applicant to explore all concerns related to reinstatement, including but not limited to:
 - 1) the circumstances surrounding the removal of the applicant from the roster, including the applicant's reason(s) for leaving the roster;
 - 2) the applicant's reason(s) for requesting reinstatement to the roster with a special focus upon what has changed in the person's life, faith, attitudes, and circumstances since the time of removal;
 - 3) discussion of the applicant's understanding of ordained, commissioned, or consecrated ministry in the Evangelical Lutheran Church in America, and the applicant's willingness to serve in response to the needs of this church; and
 - 4) discussion of "Vision and Expectations," and the applicant's commitment to live according to the expectations of this church.
- G. The Candidacy Committee may request the Vocation and Education unit to convene a Review Panel to determine the applicant's theological readiness for ordained ministry. The Review Panel will make a recommendation to the committee following the procedures developed by the Vocation and Education unit.

IV. DECISION

- A. The Candidacy Committee will decide the applicant's suitability to serve as a rostered minister of this church. This decision is one of the following:
 - 1) approval of the candidate for reinstatement upon receipt and acceptance of a letter of call;
 - 2) postponement of approval with specific recommendations for remedial or developmental work before further consideration for reinstatement; or
 - 3) denial of approval for reinstatement.
- B. If the decision of the Candidacy Committee is to deny an applicant reinstatement, that decision is final. Any such applicant who desires reconsideration must begin the process again by applying under II.A. above.
- C. If an applicant who was removed from the roster under the circumstances described in paragraphs I.D. above is approved for reinstatement by the Candidacy Committee, such approval is not effective unless affirmed by a two-thirds majority vote of the total membership of the Executive Committee of the Synod Council. After the Candidacy Committee reports its approval and the reasons for that approval to the Executive Committee of the Synod Council, the Executive Committee may obtain whatever additional information or advice, including legal advice, it deems necessary before reviewing the decision of the Candidacy Committee.

V. APPROVAL

- A. If approved, the candidate will complete the normal assignment paperwork and will participate in the churchwide assignment process through the Vocation and Education unit.
- B. If after consultation with the synodical bishop, the Vocation and Education unit determines that the process for reinstatement described herein has not been fully or properly completed, then the Vocation and Education unit shall postpone the candidate's participation in the assignment process until all requirements are met.
- C. An approved candidate is eligible for a call for a period of one year after approval by the synod. Any delay

- occasioned by a postponement under V.B. above is not counted toward that one-year period of eligibility.
- D. The process for renewal of approval, as defined by the Vocation and Education unit (“Candidacy Manual”), is the same as that for other candidates for rostered ministry.
 - E. Upon receipt and acceptance of a properly issued and duly attested letter of call, the candidate is reinstated to the appropriate roster of this church.

Adopted by action of the Church Council as policy of the Evangelical Lutheran Church in America, April 16, 1989, revised on November 14, 1994, and further revised by the Church Council April 12, 1999 [CC99.04.29], November 14, 2004 [CC04.11.69c], and November 2009 [CC09.11.XX].

OPERATIONAL ETHICS POLICY OF THE CHURCHWIDE ORGANIZATION
(Agenda III.E.3; Agenda/MINUTES Exhibit G, Parts 3a-3b)

Background:

As described in the position description for members of the Church Council of the Evangelical Lutheran Church in America, one of the responsibilities of members is to “Sign the ‘Board and Committee Operational Ethics Policy’” (Church Council Orientation Manual, page 28 and pages 89-92).

The policy had been amended to specifically refer to the Church Council and to conform to actual practice.

Church Council Action:

Mr. Mark S. Helmke, chair of the Legal and Constitutional Review Committee, introduced the proposed action. Vice President Carlos E. Peña opened the floor for discussion. There being none, he called for a vote.

VOTED:

**CC09.11.81 To approve the proposed revisions to “Church Council and Committee Operational Ethics Policy of the Churchwide Organization of the Evangelical Lutheran Church in America” as printed in Exhibit G, Part 3b; and
To request that the policy as amended be added to the Church Council Orientation Manual.**

Following approval by the Church Council of the amendments, the form “Representation by Church Council Member” (Orientation Manual, p. 91) was distributed to Church Council members to be signed.

DWELLING IN THE WORD

Vice President Carlos E. Peña called on the Rev. Susan Langhauser to reflect on “dwelling in the Word.”

ANNOUNCEMENTS

Secretary David D. Swartling reported a morning offering of \$4,470 and made a number of other routine announcements.

RECESS

The November meeting of the Church Council recessed at 12:21 P.M.

**Sunday, November 15, 2009
Plenary Session VII**

Vice President Carlos E. Peña called the seventh plenary session to order at 1:10 P.M.

DWELLING IN THE WORD

Vice President Peña called on the Rev. Mark S. Hanson, presiding bishop, to reflect on “dwelling in the Word.”

BIBLE STUDY

Vice President Peña called on the Rev. Michael L. Cooper-White, president of the Lutheran Theological Seminary at Gettysburg, to lead a Bible study on “Godly governance.” Following the council meeting, Pr. Cooper-White’s study was posted on the NetCommunity Web site.

REPORT OF THE EXECUTIVE COMMITTEE (CONTINUED)

RESPONSE TO LETTER FROM THE SOUTHWESTERN PENNSYLVANIA SYNOD COUNCIL
(Agenda III.D.5; Agenda/MINUTES Exhibit B, Part 1a)

Background:

At its September 2009 meeting, the Synod Council of the Southwestern Pennsylvania Synod (8B) prepared and approved a letter to the Church Council. At the request of the Office of the Presiding Bishop, a draft response was prepared by the Church in Society and Vocation and Education program units in consultation with the Office of the Secretary. The letter follows:

A Word to the Church Council of the
Evangelical Lutheran Church in America
from the Synod Council
of the Southwestern Pennsylvania Synod.
Adopted September 25, 2009

This synod, at our June Synod Assembly, expressed its desire to reject the Proposed Social Statement and the Ministry Policies Recommendation in assembly action. That action was based on a conviction held by many in this synod that the language of the social statement that allows divergent conclusions of “bound conscience” to be recognized as valid expressions of this church’s faith and teaching is both internally inconsistent with other language of the social statement and unfaithful to Scripture, the Ecumenical Creeds, and the Lutheran Confessions.

We, the Synod Council of the Southwestern Pennsylvania Synod, find the term “bound conscience” to be an inadequate basis on which this church took action to change its ministry policies and approve a teaching document. The resulting actions, with no firm foundation underneath, have left many in this synod confused, feeling hurt, angry, and betrayed, and moved to react in bold ways. Lifetime members are leaving our congregations; faithful and active congregations are withholding their mission support; pastors are disassociating themselves from the Evangelical Lutheran Church in America or considering affiliating with associations like Lutheran CORE; congregation members are losing their trust in their pastors who either do express their convictions powerfully or who refrain from doing so out of respect for the various positions in the social statement; some among us who have felt marginalized institutionally now feel marginalized personally and emotionally; the ministry of the gospel to which we have been called is already suffering and is in danger of being put to the side as long as this question remains unresolved for us. This is a deeper reality for us than simple disagreement. It is the great stress of trying to live in a structure that has a foundation too weak to support it.

The particular expression of the “bound conscience” approach found in the ministry policies action creates so troublesome an ecclesiology that its logical conclusion seems to be one of these two: either that the synods, congregations, pastors and lay members of this church re-arrange themselves into new groups (as many as four, based on the social statement list?) in which each group can believe, teach and confess with internal integrity; or that this church become a collection of so many “bound consciences” that it has no teaching voice on the matter of the authority of scripture, except that voice which demands the recognition of each one’s “bound conscience” by all the others. We do not believe that either of these alternatives is a faithful and sustainable one for our synod or for the ELCA.

Our synod bishop has counseled patience, love and respect for each other, and a renewed study of Scripture, Creeds, and Confessions, as we wait to see how the churchwide assembly actions may be put into practice. For the moment, that patience has been exercised. We do not believe it can be exercised widely in this synod for very much longer, and for some it has already been too long. We do not wish to create in this synod the same deep marginalization of some voices among us that others in this synod have newly felt resulting from Churchwide Assembly actions.

This Synod Council is aware that some members of this synod are requesting a churchwide referendum on the actions taken in August concerning sexuality, because they believe that the convictions of the membership of this church were not faithfully reflected in the actions of the assembly. Others among us desire to call a Special Synod Assembly to make a formal response to the Churchwide Assembly actions. It is the sincere desire of this Synod Council for the members of this synod to remain in the ELCA, and it is our deep hope to resist a reactionary path that dishonors other members of the Body of Christ or compromises our church’s ministry. But we also deeply desire to remain faithful to the witness of Scripture, Creeds, and Confessions, which we believe the “bound conscience” language of the assembly actions (more so than the actual outcomes) has made very difficult if not impossible to do.

We urge the program units of the Churchwide Organization, the Conference of Bishops, and the Church Council not to make the current situation more difficult, but to act with deliberate restraint and with respect for those in this church who are still waiting to see clear scriptural, creedal, and confessional warrant to be established as the foundation underneath the assembly actions. In particular, we counsel the following:

- Please hear that this part of our church is struggling very deeply to love and respect each other, to remain faithful to the source and norm of our faith, and to exercise patience in responding to the Churchwide Assembly actions.
- Please do provide a succinct summary of the scriptural basis on which the assembly actions were taken, that can be distributed to our congregations.
- Please discontinue the use of the phrase “bound conscience.” We encourage this church to take up the task of finding words that can provide a much more secure foundation on which to build a rationale for making difficult choices about which members disagree, and we offer ourselves to help in the service of that task.
- Please do not move quickly to admit, transfer, or reinstate to this church’s roster those who have been removed from the roster for reasons of discipline, or who underwent candidacy and ordination outside this church’s recognized procedures, without using great care and collaborative decision making.

Thank you for your consideration of these things.

Church Council Action:

At the request of Vice President Carlos E. Peña, Secretary David D. Swartling moved adoption of the action as revised. The chair opened the floor for discussion.

The Rev. Keith A. Hunsinger asked about the background material in Exhibit B, Part 1a, Page 3, the first indented paragraph of the “Response from the Church in Society program unit: Perspectives provided by existing documents.” He expressed concern that what was one of several choices in the social statement seemed to be lifted up as the normative teaching of this church.

Presiding Bishop Mark S. Hanson replied that how to affirm the continuum of positions described in the social statement without favoring one of them posed a dilemma.

The Rev. Leslie F. Weber Jr., associate executive director of the Church in Society unit, explained that the Church in Society staff understood the Southwestern Pennsylvania Synod to be asking for response to certain biblical passages and that this particular text referenced the program unit’s response.

Pr. Hunsinger said that was not the only way the social statement suggested those seven biblical texts could be read,

but it was the only way given in this response. He thought other possible readings should be acknowledged.

Pr. Weber said he believed the social statement was premised on the fact that those biblical passages are not read as condemning homosexuality but as condemning abusive and coercive sexual behaviors.

The Rev. Kathryn A. Tiede suggested a change in the second full paragraph on page four [Exhibit B, Part 1a] to read: “Additionally, and perhaps most importantly, the ELCA’s social statement, “Human Sexuality: Gift and Trust,” lays a biblical and confessional foundation for ~~changing our~~ understanding of same-gender sexual relations out of concern for the good of the neighbor.”

Secretary Swartling pointed out that the original text was provided by the Church in Society program unit as staff input and that, as a procedural matter, it would not be appropriate to change the text of the background material.

Presiding Bishop Hanson commented that, while he appreciated the work was that of the Church in Society staff, it was necessary to hear the comments of both Pr. Hunsinger and Pr. Tiede in order not to perpetuate misunderstandings or misinterpretations that are not helpful to this church.

Secretary Swartling suggested that council members could articulate their concerns and take action on the proposed response. However, before the response would be sent, the Church in Society staff could be given opportunity to revise the background material, based on input from the Church Council.

Ms. Susan W. McArver asked if additional work would be done on the term “bound conscience.” Pr. Weber responded in the affirmative.

Presiding Bishop Hanson indicated that it was very important to him that any response convey the invitation to deepening, continuing conversation rather than seeking to answer all questions. He stated that there was a tension between those who felt the biblical, theological case for change was not made and those who found the social statement and its background materials helpful in making the case. He noted that he was most hopeful the conversation could be broadly participatory, and that was the tone he wanted in the response.

Ms. McArver asked how the “active involvement of the Southwestern Pennsylvania Synod and the rest of this church in the conversation” would be accomplished. Presiding Bishop Hanson responded that discussion was a challenge because conversations have tended to be among the like-minded. He said he was committed to convening such a conversation, and he recommended partnering with synods, seminaries, congregations, and first-call theological education.

Pr. Tiede suggested another possible editorial change in the second paragraph of the response from the Church in Society program unit [Exhibit B, Part 1a, Page 3, eighth line from the bottom]. She said she thought a part of the fear and anxiety people were experiencing was that this church had changed what it believes. She suggested replacing the word “changing” with “further developing,” “further deepening,” or “growing in our understanding.”

The Rev. Jeffrey “Jeff” B. Sorenson indicated that it might be helpful to include in the response all four different interpretations and acknowledge that this church upholds and respects all of them.

Pr. Weber said that the social statement is based on a new understanding of those seven biblical passages, so he was not sure if it would be accurate to say that all of those positions reflect the biblical basis on which the social statement is grounded.

The Rev. Stanley N. Olson, executive director of the Vocation and Education unit, pointed out the Southwestern Pennsylvania Synod asked for “respect for those in this church who are still waiting to see clear scriptural, creedal, and confessional warrant to be established as the foundation underneath the assembly actions.” He noted that there was an appropriate allusion in the response to the Taylor-Hultgren essay, and he thought it also would be appropriate to at least reference the section of the social statement citing the four kinds of conclusions.

Presiding Bishop Hanson turned to the Southwestern Pennsylvania Synod Council’s request for a “succinct summary of the scriptural basis on which the assembly actions were taken, that can be distributed to our congregations,” which was a frequent request. He asked if something new should be developed and, if so, by whom. He wondered if eight years of study and resources could be reduced to a two-page accessible summary of the scriptural basis for the statement.

Pr. Olson responded that if the request meant “how did this church do that” the proper answer would be the Taylor-Hultgren essay and all the study documents. He added that the Taylor-Hultgren essay concluded that the question could not be settled by reference to Scripture. He said he thought what many people meant was “prove this to me with scriptural verses.” The task force and the assembly had concluded that could not be done.

The Rev. Heather S. Lubold commented that it was important to remember that the question came from people familiar with the study documents, so sending them back to the same documents might not be very helpful.

Presiding Bishop Hanson expressed concern about those who were not convinced of the case through the process, but who were now asking for the case to be made in two pages. He said his response to such questions has been that some in this church have been convinced and can make that case, but one does not have to be convinced in order to be in this church.

Pr. Sorenson indicated that he was one who was not convinced by Scripture, but that the “love your neighbor” and the “bound conscience” arguments helped him find a middle position where he could stand together with those with whom he disagreed.

Mr. John S. Munday remarked that, when asked, he reminded people that a congregation does not have to call anyone it does not want to call. He affirmed that emphasizing the idea that this church is large enough for everyone is important.

Presiding Bishop Hanson wished that people of differing views were engaging one another in a dynamic conversation rather than waiting for someone from churchwide leadership to give a definitive response.

Ms. Rebecca “Becky” J. Brakke observed that, people are asking for something be developed that says people of differing views can live together. She wondered if some who understand homosexuality to be sin felt that by staying in the church they were associating with the sin.

Presiding Bishop Hanson asked what the synodical bishops were hearing or being asked that was not being answered.

The Rev. Margaret G. Payne, bishop of the New England Synod, responded that she felt Presiding Bishop Hanson’s response was the only answer. She felt the leadership would be capitulating to a component that wanted to find a way to continue the conversation about why it is wrong rather than claiming a place to stand. She affirmed that the bishops, despite differing opinions on the issue, were joined in the determination that this church could be unified despite different positions and that all the positions will be honored. She asserted that it was important to resist producing a shorthand version of what the task force said could not be done in a shorthand version.

The Rev. Marcus R. Kunz, executive for discernment of contextual and theological issues, indicated that he had read many responses to the assembly actions, and while he cautioned against generalizing, some people had only begun to look at the materials while others had been reading and thinking deeply and carefully for some time. He stated that there was not a succinct response that could speak respectfully to people at both ends of that spectrum. He added that there might be ways of providing, for those just beginning to look at these issues, a helpful and succinct entry into the material.

Presiding Bishop Hanson remarked that the other complicating factor in conversation was the degree to which the word “heresy” was being used, saying that if heresy was at stake, that would redefine what materials was being requested. He thought the allegations of heresy needed to be addressed.

The Rev. Michael L. Burk responded people on both sides of the issue dealt with Scripture in a multitude of ways. To compile one two-page summary would do a disservice to the whole biblical fluency argument. He said that the way people interpret votes made it harder to include nuances or ambiguities. People who wanted to hear “yes” or “no” did not want to hear “yes and no.”

The Rev. Martin D. Wells, bishop of the Eastern Washington-Idaho Synod, observed that the broader context for answering the question was understanding “Word of God” in the ELCA constitution as meaning first, Jesus Christ; second, law and gospel; and then Scripture.

The Rev. Amsalu T. Geleta commented that some people in his region heard only that the Churchwide Assembly reversed traditional teachings of the church. They did not know what the decision was and was not.

Pr. Hunsinger agreed with Presiding Bishop Hanson that a two-page answer for the question asked would do disservice to everyone. He thought some shorter documents that directed people into the process or explained the ramifications of the decision might be helpful. He added that he did not know if that was what was being asked for in the letter from the Southwestern Pennsylvania Synod. He returned to his original question and said that he found the way the response was structured implied more than he thought the council wanted to say. He posited there might be some questions the council should not answer.

Presiding Bishop Hanson said he did not think the council was bound to the specifics of the background material and asked if the council would be willing to take action, knowing the background material might be changed. He felt

it would be wrong not to respond to a thoughtful action from a synod waiting for a response.

Pr. Weber noted that the Church in Society staff understood that the Synod Council was asking some very specific questions and that it would be disrespectful not to respond to the questions being asked. He did say the staff recognized the deep pastoral issue and had tried to speak pastorally in the overview to the response. He said that he had heard several things in the council discussion that the staff might work on.

Ms. McArver moved to amend the second to the last paragraph as follows: “To ~~anticipate~~ encourage and solicit the active involvement . . .” The motion was seconded.

Moved;

Seconded: To amend by substitution [*with the deletions struck through and the additions underlined*]:
“To ~~anticipate~~ encourage and solicit the active involvement . . .” [*with the rest unchanged*]

Vice President Peña opened the floor for discussion of the amendment. There being none, he called for a vote.

Moved;

Seconded;

Carried: To amend by substitution [*with the deletions struck through and the additions underlined*]:
“To ~~anticipate~~ encourage and solicit the active involvement . . .” [*with the rest unchanged*]

There being no further discussion on the main motion, Vice President Peña called for a vote on the motion as amended.

VOTED:

ABSTAIN: 1

CC09.11.82 To receive with deep gratitude the letter from the Southwestern Pennsylvania Synod Council;

To acknowledge the painful theological, moral, and institutional struggle of the Southwestern Pennsylvania Synod Council, congregations, and members as a result of the decisions of the 2009 Churchwide Assembly on the social statement on human sexuality and the recommendation on ministry policies;

To honor the Synod Council’s efforts to communicate this struggle and practice leadership in the face of disagreement and to encourage its “effort to maintain the unity of the Spirit in the bond of peace” (Ephesians 4:3);

To note that many of the concerns of the Southwestern Pennsylvania Synod Council are shared by others in this church and are acknowledged in the work of the Task Force for the ELCA Studies on Sexuality;

To emphasize this church’s commitments to recognize the conviction of members who believe that this church should not call or roster people in a publicly accountable, lifelong, monogamous, same-gender relationship as it implements the decisions of the 2009 Churchwide Assembly on the social statement on human sexuality and the recommendation on ministry policies;

To affirm that Scripture, the Confessions, and theology are foundational in this church’s decision-making;

To acknowledge that the scriptural, theological, and confessional foundations that underlie the decisions of the assembly, as well as the concept of “bound conscience,” continues to require explanation, theological exploration, and deeper and broader conversation, and more extensive communication;

To respond, therefore, to the request of Motion F of the 2009 Churchwide Assembly

“to undertake a study of the concept of ‘bound conscience’” and “to disseminate widely through appropriate mechanisms the results of this study” with a commitment to a theological conversation on the foundations of this church’s decision-making, the results of that conversation to be disseminated to this church;

To refer the conversation to the Office of the Presiding Bishop, in collaboration with the Church in Society program unit, the Vocation and Education program unit, and Lutheran teaching theologians of the ELCA;

To encourage and solicit the active involvement of the Southwestern Pennsylvania Synod and the rest of this church in the conversation; and

To request that the secretary of this church inform the synod of this action, providing the background information above as part of the response of the Church Council to the Synod Council’s letter.

CANCELLATION OF 2010 CHURCH COUNCIL RETREAT

Background:

At its November 2009 meeting, the Executive Committee reviewed the budget contingency planning process for 2010. The budget for the Office of the Secretary (OS) includes funding support for meetings of the Church Council. As part of compliance with the process, funding will be reduced by \$35,000, approximately the cost of the biennial Church Council retreat.

Church Council Action:

Secretary David D. Swarting introduced the proposed action. Vice President Peña opened the floor for discussion.

Mr. Mark S. Helmke supported the action as appropriate stewardship but reported that the Church Council class of 2009, which experienced a cancellation of the retreat in their first biennium, felt they suffered as a group in their cohesiveness and integration into the work of the council as a result.

Ms. Karin L. Graddy also agreed with the cancellation for budgetary reasons but said it would be helpful and essential for the council to be together more often, perhaps through Webinars or conference calls.

There being no further discussion, the chair called for a vote.

VOTED:

CC09.11.83 To cancel, for budgetary reasons, the proposed Church Council retreat in August 2010; and

To find other ways and times for board development activities to occur, such as adding a day to council meetings.

CONSIDERATION OF RESOLUTIONS REMOVED FROM THE *EN BLOC* RESOLUTION

ADDITIONAL VOTING MEMBERS FOR THE 2011 CHURCHWIDE ASSEMBLY

(Agenda IV.E.1)

Background:

For each Churchwide Assembly of the Evangelical Lutheran Church in America, provision for additional voting members has been made for certain synods. This has been done in keeping with this church’s “Principles of Organization.” Under those principles, the Church Council was assigned responsibility for ensuring that at least 60 percent of the members of assemblies shall be lay persons and that at least 10 percent of such voting members shall be people of color or people whose primary language is other than English (provision 5.01.f.).

Experience in the registration process for assemblies has demonstrated the need for allocation of additional positions

to help ensure fulfillment of the organizational principles and also to provide for broader representation in synods (for example, the Caribbean Synod) that normally would be entitled to only two voting members, one of whom would be the synodical bishop.

Church Council Action:

Vice President Carlos E. Peña called on Secretary David D. Swartling to present the proposed action. The chair then opened the floor for discussion.

Secretary Swartling reviewed the background to the action, saying that the recommended proposal for the 2011 Churchwide Assembly represented the same allocation for additional voting members as for the 2009 Churchwide Assembly. He reported that there would be some decrease in the number of voting members from some synods due to a decrease in baptized membership in those synods. Secretary Swartling noted that the November 2008 Church Council meeting had dealt with a previous request from the Alaska Synod and that, prior to this meeting of the Executive Committee, another resolution from the Alaska Synod had asked for a minimum of five voting members from each synod. He informed the council that the proposed action was the response of the Executive Committee to that request. Secretary Swartling reminded the council that the ecology study would be looking at the structure and governance of this church, including looking at the Churchwide Assembly, so the Office of the Secretary recommended not changing voting member allocation for the 2011 Churchwide Assembly.

Mr. Mark E. Johnson reported that he had visited with the Alaska Synod Council to explain the decision of the Church Council in November 2008 and had, at that time, indicated the anticipated work of an ecology task force. He said he supported the proposed recommendation and would again visit with the Alaska Synod Council.

There being no further discussion, Vice President Peña called for a vote.

VOTED:

CC09.11.84 To allocate for the 2011 Churchwide Assembly two additional voting-member positions to the Caribbean Synod (9F), making a total of 4, with the provision that these additional voting members shall be people of color or people whose primary language is other than English;

To allocate for the 2011 Churchwide Assembly one additional voting-member position to the Alaska Synod (1A), making a total of four voting members, with the provision that the position shall be filled by an Alaska Native person;

To allocate for the 2011 Churchwide Assembly one additional voting-member position each to the Arkansas-Oklahoma Synod (4C), making a total of four voting members, and the West Virginia-Western Maryland Synod (8H), making a total of five voting members, for a individual of color or an individual whose primary language is other than English; and

To allocate for the 2011 Churchwide Assembly one additional voting-member position for a lay member of the Slovak Zion Synod (7G); the total number of voting members is three.

EN BLOC APPROVAL OF CERTAIN ITEMS

Background:

The following *en bloc* resolution includes agenda items that were considered on the last day of the Church Council meeting. Inclusion of these items in the *en bloc* action reflected a judgment that these items were relatively non-controversial in nature and may not require plenary discussion and a separate vote. Each of the items was noted as being in the *en bloc* action in the agenda. On the first day of the council meeting, the chair provided an opportunity for members to indicate whether they wished to discuss separately any of the items listed in the *en bloc* resolution; any such item was removed from the *en bloc* resolution and discussed at the appropriate point in the agenda.

Church Council Action:

At the request of the chair, Secretary David D. Swartling moved the recommended action. Vice President Carlos E. Peña called for a vote.

VOTED: *EN BLOC*
CC09.11.85 **To take action *en bloc* on the items listed below, the full texts of which are found in the body of the agenda or in the exhibit as noted:**

VOTED: *En Bloc*
CC09.11.86 Responses to Synodical Resolutions Directed to the Church Council, p. 67;

VOTED: *En Bloc*
CC09.11.87 Responses to Referrals from the Churchwide Assembly, p. 75;

VOTED: *En Bloc*
CC09.11.88 Amendments to the ELCA Pension and Other Benefits Program, p. 76;

VOTED: *En Bloc*
CC09.11.89 Election of Audit Committee Members, p. 76;

VOTED: *En Bloc*
CC09.11.90 Approval of the Report of the Audit Committee, p. 77;

VOTED: *En Bloc*
CC09.11.91 Approval of Revisions to the Charter of the Audit Committee, p. 77;

VOTED: *En Bloc*
CC09.11.92 Approval of Items Related to the Charitable Gift Annuity Program, p. 78;

VOTED: *En Bloc*
CC09.11.93 Approval of Protocol for Attendance at Church Council Meetings, p. 78;

VOTED: *En Bloc*
CC09.11.94 Acknowledgment of Independent Lutheran Organizations, p. 79;

VOTED: *En Bloc*
CC09.11.95 Approval of Revisions to the ELCA Lifelong Learning Network Policy, p. 79;

VOTED: *En Bloc*
CC09.11.96 Approval of Amendments to Corporate Social Responsibility Issue Paper, p. 80;

VOTED: *En Bloc*
CC09.11.97 Approval of Amendments to “Guidelines on Candidacy Issues for German Students or Pastors from the Evangelical Church in Germany,” p. 81;

VOTED: *En Bloc*
CC09.11.98 Approval of ELCA Membership in Action by Churches Together Alliance, p. 81;

VOTED: *En Bloc*
CC09.11.99 Approval of Amendments to the Lutheran Youth Organization Constitution, p. 82;

VOTED: *En Bloc*
CC09.11.100 Other Nominations, Appointments, and Elections, p. 82.

1. RESPONSES TO SYNODICAL RESOLUTIONS DIRECTED TO THE CHURCH COUNCIL
(Agenda IV.A.1; Agenda/MINUTES, Exhibit B, Part 1b)

VOTED: *EN BLOC*
CC09.11.86 **To adopt *en bloc* the following responses to synodical resolutions to the Church Council:**

A1. Benefits for Domestic Partners

South-Central Synod of Wisconsin (5K)

WHEREAS, the South-Central Synod of Wisconsin adopted the “Resolution on ELCA Board of Pensions and Domestic Partners” at its 2008 assembly; and

WHEREAS, economic impacts have only worsened in that time; and

WHEREAS, the ELCA Board of Pensions has not changed its policy of unjustly preventing unmarried partners to “unbundle” pensions from other parts of the program; therefore, be it

RESOLVED, that the 2009 Assembly of the South-Central Synod of Wisconsin memorialize the 2009 Churchwide Assembly of the Evangelical Lutheran Church in America (ELCA) to call on the ELCA Board of Pensions to change the policies of the Pension and Other Benefits Program to more justly support domestic partners by allowing them to opt out of health benefits in the same fashion as current policy allows for married participants; and be it further

RESOLVED that the bishop of this synod report to the 2010 Synod Assembly how the president and trustees of the ELCA Board of Pensions have responded to this concern.

A2. Board of Pensions Health Plan

New England Synod (7B)

RESOLVED, that the Board of Pensions of the Evangelical Lutheran Church in America (ELCA) shall offer health and benefit packages for same-sex domestic partners that are equal in value and coverage to those plans offered to heterosexual spouses, and that the ELCA Board of Pensions consult with its insurance contractors to determine how best to accomplish this mandate in a timely and equitable fashion; and

RESOLVED, that the New England Synod Assembly direct the New England Synod Council to forward this resolution to the Church Council for consideration and possible action.

Executive Committee Action

The Executive Committee of the Church Council voted [EC09.08.24]

To receive the resolutions of the South-Central Synod of Wisconsin and the New England Synod related to benefits for same-gender domestic partners and other health care issues;

To acknowledge that pending actions of the 2009 ELCA Churchwide Assembly may inform response to these resolutions;

To refer the resolutions to the ELCA Board of Pensions in consultation with the Office of the Secretary with the request that a report and possible recommendations be brought to the November 2009 meeting of the ELCA Church Council; and

To request that the secretary of this church inform the synods of this action.

Response from the ELCA Board of Pensions

It should be noted that the Board of Pensions initially responded to the South-Central Synod of Wisconsin regarding the memorial to the Churchwide Assembly prior to the August Churchwide Assembly.

Following the affirmative action of the Churchwide Assembly on *Human Sexuality: Gift and Trust* implementing resolutions and, specifically, implementing resolution #7 (“To call upon the ELCA to amend the eligibility provisions of the ELCA Pension and Other Benefits Program, consistent with the policies of this church”), the staff of the Board of Pensions has been researching the implications of this resolution, fully aware that the Churchwide Assembly action requires “policies of this church” to be developed and approved by the ELCA Church Council. Specifically, policy changes to ELCA documents “Vision and Expectations” and “Definition and Guidelines for Discipline” are to be approved by the ELCA Church Council. It is important that amendments to the ELCA Pension and Other Benefits Program be consistent with the policy changes.

Preliminary work on plan amendments already has commenced, and introductory discussions were held at the October–November 2009 Board of Trustees’ meeting.

While it is challenging to draft plan amendments prior to the approval of policy changes by the ELCA Church Council, the Board of Pensions intends to draft provisional amendments for the February–March 2010 Board of Trustees’ meeting, with the understanding that this time line precedes the spring 2010 Conference of Bishops and Church Council meetings. The Board of Pensions has been and intends to continue working with the ELCA Office of the Secretary and

the Vocation and Education unit in order to be informed and updated with pertinent policy change recommendations as they develop.

Consequently, plan amendments approved by the Board of Trustees in February–March 2010 will be viewed as preliminary and subject to further revisions as necessitated by actions of the 2010 Conference of Bishops and Church Council meetings.

VOTED:

En Bloc

CC09.11.86a

To receive the update provided by the Board of Pensions as the initial response to the resolutions of the South-Central Synod of Wisconsin related to benefits for domestic partners and the New England Synod related to the Board of Pensions health plan for same-sex domestic partners;

To authorize a delay in the final response to these resolutions until the April 2010 meeting of the Church Council; and

To request that the secretary of this church inform the synods of this action.

B. Health Care

New England Synod (7B)

RESOLVED, that the New England Synod join with the Evangelical Lutheran Church in America (ELCA) in acknowledging the issue of affordable healthcare coverage for all as a justice issue that calls for action and that guidance for such action is found in the 2003 social statement on health and healthcare; and be it further

RESOLVED, that the New England Synod direct the ELCA Board of Pensions to re-evaluate its policies and procedures for the purpose of providing support to rostered leadership with benefit coverage that is equalized and affordable; and be it further

RESOLVED, that the New England Synod further direct the ELCA Board of Pensions to develop a program that empowers rostered leadership to better health without infringing on their individual rights or using information for data gathering; and be it further

RESOLVED, that the New England Synod Assembly direct the New England Synod Council to forward this resolution to the Church Council for consideration and possible action.

Executive Committee Action

The Executive Committee of the Church Council voted [EC09.08.24]:

To receive the resolutions of the South-Central Synod of Wisconsin and the New England Synod related to benefits for same-gender domestic partners and other health care issues;

To acknowledge that pending actions of the 2009 ELCA Churchwide Assembly may inform response to these resolutions;

To refer the resolutions to the ELCA Board of Pensions in consultation with the Office of the Secretary with the request that a report and possible recommendations be brought to the November 2009 meeting of the ELCA Church Council; and

To request that the secretary of this church inform the synods of this action.

Response from the ELCA Board of Pensions

The Board of Pensions already fulfills the stated request of this resolution by providing equalized benefit coverage in accordance with current ELCA policies and procedures as adopted by the Church Council, and as applied to the question of benefit eligibility.

In addition, the ELCA Medical Dental Benefits Plan provides a single health benefits plan to all active, sponsored plan members (clergy and lay) who have ELCA-primary coverage. This single benefit plan approach is consistent with the ELCA's philosophy of benefits, since it provides equal coverage to all enrolled plan members regardless of their age, gender, health status, or geographic location. In the past, the Board of Pensions has examined benefit designs that vary in relation to member compensation, but concluded that significant administrative and other challenges associated with

maintaining fairness under such an approach are too great to work effectively.

The ELCA Medical Dental Benefits Plan has been designed so that, on average, members pay about 20 percent of the allowable medical, pharmacy, and mental health charges through the mechanism of plan deductibles, coinsurance, and co-payments. Compared to health plans offered by many other U.S. employers, the ELCA health benefit is considered to be moderate, or about average. Even so, the average cost of coverage under the plan is higher than other employers primarily because of the advanced average age and health status of our membership. For comparable benefits and age, the ELCA Medical Dental Benefits Plan is competitively priced with commercial insurer alternatives. The Board of Pensions has implemented several benefits and supportive programs to engage plan members in the act of improving and maintaining their health. In fact, members' health status already has shown measurable improvement. These benefits and supportive programs enhance members' ability to fulfill their calling and ultimately affect our collective ability to manage the cost of health care.

The Board of Pensions has implemented several programs that empower all plan members to lives of better health. In delivering these programs, the Board of Pensions is careful to maintain a participating member's confidentiality and does not have access to individual member health data emanating from any health enhancement program. Whether or not individuals participate in health enhancement programs is not shared with employers or synod bishops; neither is individual health data shared with the Board of Pensions, an employer, or a synod bishop.

It is critical, however, that the Board of Pensions be able to gather aggregate data from which benefit decisions can be made to further enhance the health of plan members. To that end, health data is currently sent from the plan's various benefit administrators to a data warehouse where it is de-identified. The Board of Pensions staff accesses this information on an aggregated basis to perform necessary analyses.

The Board of Pensions has clearly stated—both in printed form and on its Web site—the following information regarding health assessment results, always maintaining member confidentiality:

- Mayo Clinic Health Solutions will use your information to customize your view of the web portal, allowing it to be more interactive and useful for you.
- The data may be forwarded to Ingenix, a health information company hired by the Board of Pensions, where it is de-identified (any information connecting the data to an individual is removed) and aggregated into statistics so we can assess the health strengths and risks of our member population as a whole.
- Your de-identified information may also be forwarded to The Health Institute, a division of Clinical Care Research, Tufts-New England Medical Center, an organization contracted by the Board of Pensions to analyze and assess the impact of health on workplace productivity.

VOTED:

En Bloc

CC09.11.86b To receive the resolution of the New England Synod related to health care and to acknowledge the information above, provided by the Board of Pensions, as the response of the Church Council to the synod's action; and

To request that the secretary of this church inform the synod of this action.

C. Increasing Church Involvement in Mental Illness

Central States Synod (4B)

WHEREAS, in Matthew 14:14 we read, "When Jesus landed and saw a large crowd, he had compassion on them and healed their sick" (NIV), and in Luke 4:40 we read, "When the sun was setting, the people brought to Jesus all who had various kinds of sickness, and laying his hands on each, he healed them" (NIV), which shows that Jesus had compassion on the sick and healed them—the blind, the deaf, the lepers, the lame, and many other sicknesses, even those who were possessed with demons, who would likely today have their illnesses diagnosed as schizophrenia or companion brain disorders; and

WHEREAS, one of five families cope with mental illness, and individuals and families affected by mental illness are members of our congregations; and

WHEREAS, mental illness is a disease of the brain, similar to and yet unique compared to many physical illnesses; and

WHEREAS, mental illness is often a sickness that is no fault of the patient, yet the stigma associated with mental illness continues to deter individuals and their families from seeking timely treatment; and

WHEREAS, persons suffering from mental illness sense being shunned by society and thus tend to isolate themselves from social contacts, which results in the loss of a support system that can be an essential part of a treatment plan; and

WHEREAS, health care professionals may treat the physical and psychological aspects of mental illness but are ill prepared to treat the spiritual or to be available outside of scheduled structured appointments; and

WHEREAS, a 2008 study by the Rand Corporation shows that nearly 20 percent of military service members who have returned from Iraq and Afghanistan—300,000 in all—report symptoms of post-traumatic stress disorder (PTSD) or major depression; and

WHEREAS, this same report states if PTSD and despair go untreated or are undertreated, there is a cascading set of consequences—drug use, suicide, marital problems, and unemployment—which affect a widening circle of people in our congregations and communities; and

WHEREAS, the Healthcare Clinicians Network of the National Healthcare for the Homeless Council states, “It is an outrage that here in America—the wealthiest country on earth in the year 2000—so many people who suffer from mental illness remain homeless. . . . These individuals are among the most vulnerable, not only to multiple co-morbidities including substance abuse, but also to stigmatization, exploitation, and brutal victimization. Consequently, they are at highest risk for prolonged homelessness”; and

WHEREAS, great progress to improve the quality of life has been made in treatment of persons afflicted with mental illness and even more can be made; and

WHEREAS, Jesus has directed us to care for the sick and homeless and all of the “least of these”; therefore, be it

RESOLVED, that the Central States Synod in assembly recommend to its congregations:

1. That they become “the rod and the staff” that “comfort” all persons who suffer from illnesses, including the individuals and families who cope with mental illness;
2. That they designate and make known to the congregation a member (preferably a volunteer) to be the liaison for the congregation on matters related to mental illness who will help members understand mental illness and be a source of information on where individuals and families who cope with the illness can get treatment and find a support group;
3. That they seek opportunities for pastors, pastoral ministry associates, parish nurses, and other interested members to receive training for their unique role in providing spiritual guidance to individuals even as they are being treated by mental health professionals who might not recognize that the patient’s faith is important to the patient and should be considered when developing a treatment plan;
4. That the church provide a non-judgmental meeting place for persons who avoid being seen in public places because of their illness;
5. That the congregation in its role of supporting members with mental illness communicate to its legislative representative the need for increased funds and resources that will help people access mental health services; and be it further

RESOLVED, that the Central States Synod in assembly

1. memorialize the 2009 Churchwide Assembly of the Evangelical Lutheran Church in America (ELCA) to direct development of a social statement on mental illness to serve as a companion to “Caring for Health: Our Shared Endeavor,” a 2003 social statement on health, healing, and health care; and
2. direct the Central States Synod Council to refer this resolution to the ELCA Church Council, requesting that it direct development of congregational resources for use in ministry to those afflicted with mental illness, in addition to those resources currently available from the Lutheran Network for Mental Illness/Brain Disorders.

NOTE: The Central States Synod requests that this action be treated as a resolution since the social statement “Caring for Health” addresses issues of mental illness.

Executive Committee Action

The Executive Committee of the Church Council voted [EC08.10.22a]:

To receive the resolution of the Central States Synod requesting increasing ELCA involvement in mental illness through the development of a social statement on mental illness;

To refer the resolution to the Church in Society unit in accordance with the “Policies and Procedures of the Evangelical Lutheran Church in America for Addressing Social Concerns” and to request that a report and possible recommendations be brought to the November 2009 meeting of the ELCA Church Council; and

To request that the secretary of this church inform the synod of this action.

Response from the Church in Society unit

The medical understanding of mental illness as a disease of the brain has made immense strides since the 1990s (often called the Decade of the Brain), and new means of treatment show hopeful signs. At the same time, it now is estimated that as many as one out of five families cope with mental illness and that members of the military returning from war zones may suffer post-traumatic stress disorder (PTSD) at a rate as high as 20 percent. Despite the possibilities of better medical response and new awareness of the widespread presence of mental illness in our society, individuals with mental illness and their families continue to experience considerable suffering—including homelessness and victimization for some—and isolation. The social stigma, lack of access to health care, reduction of social services in this economic climate, and especially the general lack of understanding, deter individuals and their families from seeking treatment or experiencing appropriate support and care, both in society and in ELCA congregations and at other ministry sites.

Biblical injunctions and Jesus' example of care for the mentally ill, as well as the ELCA's social statement on health care, "Caring for Health: Our Shared Endeavor," provide firm grounding for the development of a message on mental illness. Such a message should provide a focus for teaching, deliberation, engagement, and action within this church that will enable a deeper understanding of current needs and issues, as well as the means to address mental illness for individuals and as a social concern.

Cost and timeline

The development of an ELCA message requires approximately \$17,000 in order to hold a small consultation, provide for miscellaneous expenses, and print and mail the document. It requires the quarter-time commitment of a studies staff member for about six months. Staff time and dollars should become available for such work in the middle of 2010, permitting a proposed message to be brought to the spring 2011 meeting of the Church Council. It is anticipated that it would be formatted for both Web and print distribution by late spring of that year.

VOTED:

En Bloc

CC09.11.86c

To thank the Central States Synod for its concern for people with mental illness and their families;

To authorize staff of the program unit for Church in Society, in accordance with "Policies and Procedures of the Evangelical Lutheran Church in America for Addressing Social Concerns," to initiate the development of an ELCA message on mental illness to be brought to the Church Council for adoption in April 2011; and

To request that the secretary of this church inform the synod of this action.

D. Creation of a Department of Peace in the U.S. Government

Northwestern Minnesota Synod (3D)

WHEREAS, Jesus Christ is the Prince of Peace, who calls us to love our neighbors and to be a peace with one another; and

WHEREAS, in our worship and liturgy we pray for peace on earth (Kyrie, Hymn of Praise, post-Communion canticle, hymns and songs of praise); and

WHEREAS, our baptismal covenant binds and calls us to "care for others and the world God made, and work for justice and peace" (*ELW*, baptismal order of service); and

WHEREAS, Scripture calls us to pursue what makes for peace (Romans 14:19), peace in marriage (1 Corinthians 7:15), peace in our relationships with others (2 Corinthians 13:11), and to strive for peace with all people (Hebrews 12:14); and

WHEREAS, Jesus admonishes us with the words, "Blessed are the peacemakers, for they shall be called the children of God" (Matthew 5:9); and

WHEREAS, in the 109th Congress a resolution was introduced in the United States House of Representatives, and a companion bill was introduced in the United States Senate, to create a Cabinet-level Department of Peace and Nonviolence, and on February 5, 2007, the resolution was re-introduced in the House of Representatives of the 110th Congress as House Resolution 808 (HR808); and

WHEREAS, the Churchwide Assembly of the Evangelical Lutheran Church in America (ELCA) on August 20, 1995, adopted "For Peace in God's World," a social statement on the responsibility of the church to work for peace; and

WHEREAS, House Resolution 808 (HR 808) to create a Cabinet-level Department of Peace and Nonviolence would implement action in keeping with the goals stated in "For Peace in God's World" (p.6; p. 73B bottom paragraph; p. 12 3rd paragraph); and

WHEREAS, the ELCA's then Director for International Relations and Human Rights, the Rev. Dr. James Vigen, wrote in a letter

dated November 14, 2005, that “The goals of the legislation [to establish a Department of Peace and Nonviolence in the U.S. government (now HR808)] are worthy and well in line with our ELCA social statements on seeking peace, and are certainly ones we would support”; and

WHEREAS, the 1999 Churchwide Assembly committed this church to work with other churches and organizations to build a Culture of Peace and Non-Violence in the decade of 2001-2010; and

WHEREAS, the mission of the Department of Peace and Nonviolence will be to work to reduce domestic and international violence, to gather and coordinate information and recommendations from America’s peace community, to teach violence prevention and mediation to America’s school children, to treat and dismantle gang psychology, to rehabilitate the prison population, to build peace-making efforts among conflicting cultures both here and abroad, and to support our military with complementary approaches to ending violence; and

WHEREAS, we applaud, support, and seek to augment the marvelous work the Evangelical Lutheran Church in America (ELCA) does to promote peace in our world; therefore; be it

RESOLVED, that the Northwestern Minnesota Synod, in Assembly, adopt this resolution in favor of enactment of HR 808 and the reintroduction of legislation in the Senate to create a Department of Peace and Non-Violence; and be it further

RESOLVED, that the Northwestern Minnesota Synod, in Assembly, commend Rep. James Oberstar for being a co-sponsor and urge Rep. Collin Peterson to become a co-sponsor of HR 808 to create a Department of Peace and Nonviolence; and be it further

RESOLVED, that the Northwestern Minnesota Synod, in Assembly, urge Senator Norm Coleman and Senator Amy Klobuchar to support the reintroduction of legislation in the Senate to create a Department of Peace and Nonviolence; and be it further

RESOLVED, that the Northwestern Minnesota Synod, in Assembly, memorialize the 2009 Churchwide Assembly to support HR808 by encouraging the Church in Society unit to notify its co-workers in the nationwide network of state public policy advocacy offices, and the members of the United States House of Representatives of this church’s support for HR808; and be it finally

RESOLVED, that the Northwestern Minnesota Synod, in Assembly, memorialize the 2009 Churchwide Assembly to encourage the Communication Services unit to provide ELCA congregation members and staff, through the appropriate media, with information about HR808.

Executive Committee Action

The Executive Committee of the Church Council voted [EC09.03.12]:

To receive the resolution of the Northwestern Minnesota Synod related to a Department of Peace within the U.S. government;

To refer the resolution to the Church in Society program unit with a request that a report and possible recommendations be brought to the November 2009 meeting of the ELCA Church Council; and

To request that the secretary of this church inform the synod of this action.

Background from the Church in Society unit

The idea for a United States Department for Peace has been discussed for a number of years. Based on this discussion, a United States Institute for Peace was established to provide “the analysis, training and tools that prevent and end conflicts, promote stability and professionalize the field of peacebuilding” (<http://www.usip.org/about-us>). While the institute’s information and resources are made available both to the executive and legislative branches of the federal government and the general public, it lacks authority to be directly involved in the implementation of public policy.

Currently, the concept for a Department for Peace is promoted by a bill sponsored by Rep. Dennis Kucinich (D-OH). To date, this bill has not garnered bi-partisan sponsorship and is unlikely to move through legislative committees to final passage.

The goal of peacemaking, however, is of central concern for people of faith and one of several long-standing thematic foci for ELCA ministries, programs, and relationships. The ELCA has made a commitment to peacemaking in substantive ways. In 1995, the ELCA adopted the social statement, “For Peace in God’s World,” which recognizes

“sin’s persistent, pervasive, and subtle power” to undermine peace, but declares that “God continues to work through people, their communities, and structures to make earthly peace possible” (p. 7). One implication of this faith is the task of building a culture of peace (p. 13). The social statement calls upon “nations to provide leadership, education, structures, and funds for the peaceful resolution of conflict” with “the same commitment that they prepare people to settle disputes with military force” (p. 15). Because of its commitment to peace-building, the 1999 ELCA Churchwide Assembly voted to participate in the United Nations Decade for a Culture of Non-violence (2000 to 2010). Lutheran Peace Fellowship, an independent Lutheran organization that relates to the ELCA through the Church in Society unit, has provided resources, experiences, and advocacy for peace-building for nearly 70 years.

The proposed Department for Peace would include in its purview domestic issues and priorities, such as sentencing, domestic violence, criminal justice, and conflict resolution, as well as international and foreign policy priorities. In support of these, the ELCA has worked to address criminal justice and community and domestic violence. It has promoted peace abroad through inter-religious dialogue, multilateral peace-building efforts through the United Nations, sustainable development through the Lutheran World Federation and Lutheran World Relief, and poverty-focused foreign assistance, among other activities.

There is a convergence of the ELCA’s peace-building priorities with the constitutive goals of a United States Department for Peace worthy of further exploration by the ELCA’s expressions and affiliated and related independent organizations.

VOTED:

En Bloc

CC09.11.86d

**To thank the Northwestern Minnesota Synod for its support for peacemaking;
To acknowledge the response of the Church in Society program unit, including its ongoing peace-building priorities, as the response of this Church Council to the synod’s resolution;
To request that the Church in Society continue to monitor the convergence of the peace-building priorities of this church with the constitutive goals of a United States Department for Peace, but to decline specifically to support pending legislation on this issue; and
To request that the secretary of this church inform the synod of this action.**

E. Missionary for Morogoro Diocese

Arkansas-Oklahoma Synod (4C)

WHEREAS, the Arkansas-Oklahoma Synod is in a companion-synod relationship with the Morogoro Diocese of the Evangelical Lutheran Church of Tanzania; and

WHEREAS, the synod and the diocese currently are involved in joint ministries in the areas of evangelism, mission building (church construction), community health (e.g., basic sanitation, HIV and AIDS, malaria), water well development and maintenance, economic sustainability, and global awareness and advocacy; and

WHEREAS, the Morogoro Diocese has issued a request to the Global Mission unit of the churchwide organization of the Evangelical Lutheran Church in America for a missionary to work in the area of evangelism; and

WHEREAS, the synodical Global Mission Committee has identified several ways both to strengthen and be supportive of these ministries with the Morogoro Diocese; therefore, be it

RESOLVED, that each of the five conferences in the Arkansas-Oklahoma Synod be encouraged to establish an ongoing relationship with districts of the Morogoro Diocese for the purpose of mutual support through prayer and development of a deeper understanding of one another’s ministries, cultural context, concerns, and gifts; and be it further

RESOLVED, that the Arkansas-Oklahoma Synod as a whole continue its relationship with the Mission District of the Morogoro Diocese; and be it further

RESOLVED, that the Global Mission Committee of the Arkansas-Oklahoma Synod explore with Asbury Methodist Church, Tulsa, Oklahoma, the possibility of bringing a youth choir from the Morogoro Diocese to visit the Arkansas-Oklahoma Synod and Asbury Methodist Church in 2009, possibly at the time of the 2009 Arkansas-Oklahoma Synod Assembly; and be it further

RESOLVED, that every congregation in the Arkansas-Oklahoma Synod be encouraged to become a Living Water Congregation through participation in the “Living Water: Small Change for a Big Change” campaign, which seeks to collect change (coins) for the water well and other water-ministry projects in the Morogoro Diocese; and be it further

RESOLVED, that the Arkansas-Oklahoma Synod convey to the Global Mission unit of the churchwide organization

its support in regards to the Morogoro request for a missionary for evangelism; and be it further

RESOLVED, that, in support of the work of said missionary, congregations and individuals in the Arkansas-Oklahoma Synod be encouraged to raise up to \$20,000 to provide a vehicle for this missionary's ministry in the Morogoro Diocese; and be it further

RESOLVED, that the Arkansas-Oklahoma Synod and its Global Mission Committee continue to invite and welcome other persons and parties beyond the synod to be in partnership with it in the companion relationship with and support of the Morogoro Diocese of the Evangelical Lutheran Church in Tanzania.

Executive Committee Action

The Executive Committee of the Church Council voted [EC08.06.11a]:

To receive the resolution of the Arkansas-Oklahoma Synod related to a missionary for the Morogoro Diocese of the Evangelical Lutheran Church in Tanzania;

To refer the resolution to the Global Mission unit with the request that a report and possible recommendations be brought to the November 2008 meeting of the Church Council; and

To request that the secretary of this church inform the synod of this action.

Church Council Action

The Church Council voted [CC09.03.35f]:

To authorize a delay in the response of the Global Mission unit to the resolution of the Arkansas-Oklahoma Synod related to a missionary for the Morogoro Diocese of the Evangelical Lutheran Church in Tanzania;

To request that a report and possible recommendations be brought to the November 2009 meeting of the ELCA Church Council;

To request that the secretary of this church inform the synod of this action.

Response from the Global Mission program unit

The ELCA Global Mission program unit appreciates the commitment of the Arkansas-Oklahoma Synod to renew and extend its companion synod relationship with the Morogoro Diocese of the Evangelical Lutheran Church in Tanzania (ELCT). It also appreciates the synod's intentional partnership with Global Mission in exploring options relating to the placement of an ELCA missionary in that diocese.

As a result of creative three-way conversations (ELCT, Global Mission, and the Arkansas-Oklahoma Synod), the Rev. Joshua and Susan Magyar began their service as ELCA missionaries in July 2009, serving in a two-year placement in the Morogoro Diocese. Pastor Magyar was called by Global Mission to serve as pastor and leader of evangelism in the diocese. Under the guidance of Tanzanian church leadership, he will be working to strengthen the parishes and sub-parishes in the Mission District and engage in evangelical outreach and leadership development in new areas that have as yet not been reached with the Gospel.

VOTED:

En Bloc

CC09.11.86e

To acknowledge the strong commitment of the Arkansas-Oklahoma Synod to renew and extend its companion synod relationship with the Morogoro Diocese of the Evangelical Lutheran Church in Tanzania (ELCT);

To celebrate the partnership of the ELCT, the ELCA's Global Mission program unit, and the Arkansas-Oklahoma Synod that has resulted in the placement of an ELCA missionary within the Morogoro Diocese as pastor and leader of evangelism; and

To request that the secretary of this church inform the synod of this action.

2. RESPONSES TO REFERRALS FROM THE CHURCHWIDE ASSEMBLY
(Agenda IV.A.2; Agenda/MINUTES Exhibit B, Part 2a)

VOTED: *En Bloc*
CC09.11.87 **To approve the referrals from the 2009 Churchwide Assembly to the churchwide organization, as detailed in Exhibit B, Part 2a.**

3. AMENDMENTS TO THE ELCA PENSION AND OTHER BENEFITS PROGRAM
(Agenda IV.B; Agenda/MINUTES Exhibit P, Parts 2–4)

The Board of Trustees of the Board of Pensions of the Evangelical Lutheran Church in America met on July 30–August 1, 2009, and October 30–November 1, 2009, in Minneapolis, Minn. The following plan amendments, approved by the Board of Trustees, have been reviewed by the Legal and Constitutional Committee and are recommended for *en bloc* approval.

VOTED: *En Bloc*
CC09.11.88 **To approve the following amendments to the ELCA Pension and Other Benefits Program:**

A. Amendments to the ELCA Retirement Plan: Annuity Fund

Section 9.07 (Payment of Annuity Benefits Upon Retirement) and 10.06 (Adjustment of ELCA Participating Annuity Bridge Fund Accounts) were amended to further clarify the annuity fund closing amendments made in August 2009.

VOTED: *En Bloc*
CC09.11.88a **To adopt amendments to Section 9.07 of Article IX and Section 10.06 of Article X of the ELCA Retirement Plan.**

B. Amendments to the ELCA Master Institutional Retirement Plan: Annuity Fund

Section 8.07 (Payment of Annuity Benefits Upon Retirement) and Section 8.08 (Distributions After Death of Member) reflect the annuity fund's closing to new entrants effective April 3, 2009.

VOTED: *En Bloc*
CC09.11.88b **To adopt amendments to Sections 8.07 and 8.08 of Article VIII of the ELCA Master Institutional Retirement Plan.**

C. Amendment to the ELCA Retirement Plan for The Evangelical Lutheran Good Samaritan Society: Annuity Fund

Section 8.07 (Payment of Annuity Benefits Upon Retirement) and Section 8.08 (Distributions After Death of Member) reflect the annuity fund's closing to new entrants effective April 3, 2009.

VOTED: *En Bloc*
CC09.11.88c **To adopt amendments to Sections 8.07 and 8.08 of Article VIII of the ELCA Retirement Plan for The Evangelical Lutheran Good Samaritan Society.**

4. ELECTION OF AUDIT COMMITTEE MEMBERS
(Agenda IV.C.1)

The Audit Committee shall consist of six members. A minimum of two members should be ELCA Church Council Budget and Finance Committee members. Members of the committee shall be appointed by the Budget and Finance

Committee and those appointments forwarded to the Church Council for approval. Budget and Finance Committee members are appointed for a two-year term with the possibility of reappointment up to the end of their Church Council term. Non-Church Council members are appointed for a two-year term, renewable for two additional terms. Terms are staggered in recognition of the need for continuity of committee membership from year to year.

Members of the Audit Committee and current term end date are: Ms. Ann F. Niedringhaus (August 2011); Mr. John F. Timmer (August 2010); Mr. Timothy L. Stephan (August 2011); Ms. Deborah L. Chenoweth (August 2011); and Mr. Philip W. Bertram (August 2011).

VOTED:

En Bloc

CC09.11.89 To elect Ms. Louise Hemstead to the ELCA Audit Committee for a two-year term beginning November 2009.

5. APPROVAL OF THE REPORT OF THE AUDIT COMMITTEE

(Agenda IV.C.2; Agenda/MINUTES Exhibit F, Part 6a)

At its June 2009 meeting the ELCA Audit Committee reviewed the audited financial statements for the year ended January 31, 2009.

VOTED:

En Bloc

CC09.11.90 To receive and approve the report of the Church Council Audit Committee describing their review of the audited financial statements, management letter, and response of management for the fiscal year ended January 31, 2009, as follows:

REPORT OF THE AUDIT COMMITTEE

At the June 12, 2009, meeting, management presented a preliminary draft of financial statements of the Evangelical Lutheran Church in America for the year ended January 31, 2009. It was noted that, in Crowe Horwath and Company's preliminary opinion, the financial statements present fairly the financial position of the Evangelical Lutheran Church in America as of January 31, 2009, and the changes in its net assets and its cash flows for the year then ended were in conformity with generally accepted accounting principles. In addition, the committee reviewed and discussed the SAS 61 letter with the external auditors, including, but not limited to, any changes required in the original audit plan or any serious difficulties or disputes with management during the course of the audit. In this letter Crowe Horwath indicated that there were no such changes required or serious difficulties or disputes encountered.

The committee also:

- Received and reviewed the 2009 management letter provided by Crowe Horwath and Company along with management's response to this letter;
- Received and reviewed the internal auditor's report outlining audits executed, issues raised, and management's responses;
- Reviewed and confirmed the independence of the external auditors by monitoring fees paid for consulting or other non-audit services and reviewing any relationships that may impact the objectivity or independence of the auditor;
- Met with the internal auditor to discuss any fraud or "whistle blower" complaints, of which none have been reported; and
- Executed all the other duties and responsibilities as outlined in, and in compliance with, its charter. No exceptions were noted.

Upon completion of a review of the documents provided, the committee voted to receive and approve the financial statements and management letter.

6. APPROVAL OF REVISIONS TO THE CHARTER OF THE AUDIT COMMITTEE
(Agenda IV.C.3; Agenda/MINUTES Exhibit F, Part 6b)

VOTED: *En Bloc*
CC09.11.91 **To approve the revisions to the charter of the Church Council Audit Committee as printed in Exhibit F, Part 6b.**

7. APPROVAL OF ITEMS RELATED TO THE CHARITABLE GIFT ANNUITY PROGRAM
(Agenda IV.C.4; Agenda/MINUTES Exhibit F, Parts 7a–7c)

The Charitable Gift Annuity (CGA) Program's investment pool has been managed as a single Legal Reserve Fund according to investment guidelines for the fixed income and equity portfolio managers, ELCA Board of Pensions and Thrivent Financial for Lutherans, respectively. However, there are currently no program-level investment guidelines that govern the CGA Program.

The Foundation's review of the CGA Program revealed that formal approval of an investment policy governing these funds has not been given by the ELCA Church Council. A recommendation arising from that review and conversation with the Office of the Treasurer is that the ELCA formally adopt an Investment Philosophy and Policy Statement that will include distinct strategies and regulatory requirements for investing Required and Excess Reserves. The policy will assist the Evangelical Lutheran Church in America in effectively supervising, monitoring and evaluating investment management of its CGA Program. The philosophy and policy statements are located in Exhibit F, Parts 7a–7c.

The Investment Philosophy and Policy Statement has been developed by Foundation staff in consultation with the ELCA Board of Pensions and the Office of the Treasurer. If approved, this recommendation has an effective date of January 2010 and implementation period of first quarter 2010.

VOTED: *En Bloc*
CC09.11.92 **To approve the investment philosophy and policy statement for the Charitable Gift Annuity Program;**
 To approve the required reserve fund guidelines for the Charitable Gift Annuity Program; and
 To approve the excess reserve fund guidelines for the Charitable Gift Annuity Program.

8. APPROVAL OF PROTOCOL FOR ATTENDANCE AT CHURCH COUNCIL MEETINGS
(Agenda IV.D.1)

At its March 2009 meeting, the Executive Committee received an update from the Administrative Team related to the attendance and travel plans for Church Council and advisory members for the council's March 2009 meeting. The Executive Committee recommended that protocols be developed to advise members and advisors as they consider attendance at future meetings in order to guide their planning, maintain adequate representation by advisory members, and ensure good stewardship of Church Council funds. The Executive Committee further recommended that the protocol be published in the formal announcement of each meeting and in the Church Council Orientation Manual.

VOTED: *En Bloc*
CC09.11.93 ***To add the following protocol to the Church Council Orientation Manual:***
 It is expected that Church Council members and advisory members will:
1) **Commit to being present for meetings, not missing more than one full day of a meeting nor two consecutive meetings.**
2) **Complete reservations for travel at least one month prior to the meeting and at the**

lowest fare available. Travel arrangements made after the deadline must be approved by the Office of the Secretary. Additional costs due to late reservations may be charged to the member or advisor.

9. ACKNOWLEDGMENT OF INDEPENDENT LUTHERAN ORGANIZATIONS

(Agenda IV.E.2)

Bylaw 14.21.16. in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* states:

The Church Council shall establish the criteria and policies for the relationship between this church and independent, cooperative, and related Lutheran organizations. The policies adopted by the Church Council shall be administered by the appropriate unit of the churchwide organization. The determination of which organization shall relate to a specific unit of the churchwide organization shall be made by the Church Council.

At its April 2006 meeting, the Church Council of the Evangelical Lutheran Church in America voted [CC06.04.27] to approve a revised “Policy on Relationships of Churchwide Units with Independent Lutheran Organizations.” The revision was made necessary by changes in structure, governance, and the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.

In accordance with the revised policy, the Rev. Rafael Malpica-Padilla, executive director of the Global Mission unit, recommends that Lutheran Health Care Bangladesh–USA and China Service Ventures be acknowledged as Independent Lutheran Organizations in relationship to the Evangelical Lutheran Church in America through the Global Mission unit.

VOTED:

En Bloc

CC09.11.94

To acknowledge, in accordance with bylaw 14.21.16. of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* and the “Policy on Relationships of Churchwide Units with Independent Lutheran Organizations,” Lutheran Health Care Bangladesh–USA and China Service Ventures, which will relate to the Evangelical Lutheran Church in America through the Global Mission unit.

10. APPROVAL OF REVISIONS TO THE ELCA LIFELONG LEARNING NETWORK POLICY

(Agenda IV.G.1; Agenda/MINUTES Exhibit O, Parts 2a and 2b)

The Vocation and Education program unit has responsibility on behalf of the Evangelical Lutheran Church in America to “...encourage and facilitate the theological education network of this church for cooperation, coordination, and collaboration,” including guiding the evolution both of this church’s understanding of lifelong learning/continuing education and the organizations that are providing lifelong learning.

The oversight role assigned to the former Division for Ministry has evolved primarily into the Vocation and Education unit role of convening and nurturing the network of lifelong learning partners. The growing number of providers of lifelong learning vary in their primary relationships: some relate to a seminary, some to colleges and universities, some to synods, some to congregations, and some to entrepreneurial individuals.

The proposed revisions to the current policy are intended to describe and guide the convening and nurturing role of the Vocation and Education unit, how an organization becomes a lifelong learning partner, and what it means to be part of the ELCA Lifelong Learning Network.

VOTED:

En Bloc

CC09.11.95 To approve the proposed revisions to the ELCA Lifelong Learning Network policy as printed in Exhibit O, Part 2b.

11. APPROVAL OF AMENDMENTS TO CORPORATE SOCIAL RESPONSIBILITY ISSUE PAPER
(Agenda IV.G.2; Agenda/MINUTES Exhibit K, Parts 2, 3a and 3b)

The Evangelical Lutheran Church in America has a long history of working for justice through corporate social responsibility. The Corporate Social Responsibility Program (CSR) of the Evangelical Lutheran Church in America (ELCA) is mandated by bylaw 14.21.14. of the ELCA *Constitution, Bylaws, and Continuing Resolutions*:

The Church Council, acting through the designated churchwide unit, shall have responsibility for the corporate social responsibility of this church and shall have the authority to file shareholder resolutions and cast proxy ballots thereon on stocks held by the churchwide units that are not separately incorporated. In addition, the Church Council may make recommendations to the churchwide units that are separately incorporated concerning the filing of shareholder resolutions and the casting of ballots on stocks held by those units.

Continuing Resolution 16.12.D06. provides further detail:

The Church in Society unit shall assist this church to discern, understand, and respond to the needs of human beings, communities, society, and the whole creation through direct human services and through addressing systems, structures, and policies of society, seeking to promote justice, peace, and the care of the earth. To fulfill these responsibilities, this program unit shall: give expression to this church's concern for corporate social responsibility, both in its internal affairs and its interaction in the broader society. To do so, this program unit will:

- 1) exercise, at the direction of the Church Council, the rights of this church as a corporate shareholder on issues of social concern on stocks held by the churchwide units that are not separately incorporated. In addition, the Church Council may make recommendations to the churchwide units that are separately incorporated concerning the filing of shareholder resolutions and the casting of proxy ballots on stocks held by those units;
- 2) facilitate the formation of an Advisory Committee on Corporate Social Responsibility that will include representatives from the Board of Pensions, the Church Council, and other units of this church and that will give counsel and advice to all appropriate units of this church on corporate social responsibility; and
- 3) work with national ecumenical groups on issues of corporate responsibility.

At its November 2003 meeting, the Church Council voted [CC03.11.68]:

To approve the revised governance process for Corporate Social Responsibility in the Evangelical Lutheran Church in America, with the request that:

1. The ELCA Church Council, upon recommendation of the board for the Division for Church in Society:
 - a. review and recommend prioritized focus issues for the attention of this church in Corporate Social Responsibility; and
 - b. recommend a policy framework for each focus issue that will identify and delimit the scope within which resolutions may be filed;
2. The executive director of the Division for Church in Society, within the policy framework, approve individual Corporate Social Responsibility resolutions for filing; and
3. Regular reports be made to the board of the Division for Church in Society, the Conference of Bishops, the ELCA Church Council, and the trustees of the Board of Pensions regarding resolutions that have been filed .

The annual Corporate Social Responsibility (CSR) report of activities for August 2008–August 15, 2009, is printed in Exhibit K, Part 2. Recommended amendments to CSR issue paper 11, “Sufficient Sustainable Livelihood for All: Extractive Industries” are printed in Exhibit K, Part 3a. The issue paper as revised is printed in Exhibit K, Part 3b.

VOTED:

En Bloc

CC09.11.96 To approve the amendments as detailed in Exhibit K, Part 3a, to the following Corporate Social Responsibility issue paper, but to request that the wording of the original issue paper be archived for historical and research purposes: “Sufficient Sustainable Livelihood for All: Extractive Industries.”

12. APPROVAL OF AMENDMENTS TO “GUIDELINES ON CANDIDACY ISSUES FOR GERMAN STUDENTS OR PASTORS FROM THE EVANGELICAL CHURCH IN GERMANY”

(Agenda IV.G.3; Agenda/MINUTES Exhibit O, Parts 3a–3c)

An agreement between the Evangelical Church in Germany (EKD) and the Evangelical Lutheran Church in America (ELCA) was signed on September 24, 2007. The agreement, in part, allows for short-term service and exchangeability for rostered people from both church bodies. The agreement is printed in Exhibit O, Part 3a.

The Church Council is asked to approve revisions to the ELCA’s “Guidelines on Candidacy Issues for German Students or Pastors from the Evangelical Church in Germany.” The suggested revisions are printed in Exhibit O, Parts 3b–3c, and include revisions to the layout to clarify the pathways for service under exchangeability, the candidacy process for already-ordained EKD pastors coming onto the ELCA roster, and the candidacy process for candidates who are not yet ordained. The documents originally were presented for consideration by the Church Council at its August 2009 meeting, but the Church Council requested that final consideration be delayed until its November 2009 meeting.

VOTED:

En Bloc

CC09.11.97 To approve the revisions to “Guidelines on Candidacy Issues for German Students or Pastors from the Evangelical Church in Germany” as printed in Exhibit O, Parts 3a–3c.

13. APPROVAL OF ELCA MEMBERSHIP IN ACTION BY CHURCHES TOGETHER ALLIANCE

(Agenda IV.G.4)

Established on August 25, 1995, Action by Churches Together (ACT) International is a global alliance of churches and related agencies—all members of the Lutheran World Federation and the World Council of Churches—that responds collaboratively to global emergencies. The ELCA has been an active member of ACT International since its inception.

Over the past two years, discussion has taken place regarding the unification of ACT International and ACT Development, an alliance established in 2007 to eradicate poverty, injustice, and the abuse of human rights through long-term development. ACT Development builds on the emergency response work already undertaken by ACT International. In early 2009, both entities passed motions to unify ACT International and ACT Development to form the ACT Alliance, which legally commences on January 1, 2010. Renewal of membership requires the approval by the governance body of each organization.

As the unit responsible for the ELCA’s mission abroad, Global Mission is called to carry out specified functions, including the stewardship of member and church resources in mission abroad involving “. . . justice, relief, and development. . .” (ELCA 16.31.C87.). According to established guidelines directing ELCA Disaster Response, “ELCA International Disaster Funds normally shall be channeled to Action by Churches Together (ACT), which coordinates ecumenical response to emergencies.” The ELCA Global Mission unit recommends that the ELCA Church Council approve renewing ELCA membership to the unified ACT Alliance.

VOTED:

En Bloc

CC09.11.98 To approve membership by the Evangelical Lutheran Church in America in the unified Action by Churches Together (ACT) Alliance as requested by the Global Mission program unit.

14. AMENDMENTS TO THE LUTHERAN YOUTH ORGANIZATION CONSTITUTION
(Agenda IV.G.6; Agenda/MINUTES Exhibit O, Parts a–b)

According to ELCA continuing resolution 16.12.C06.b.2., the constitution of the Lutheran Youth Organization (LYO) is subject to approval by the ELCA Church Council. Amendments adopted by the July 2009 LYO convention are attached as Exhibit O, Parts a-b.

VOTED:

En Bloc

CC09.11.99 To approve the amendments to the constitution of the Lutheran Youth Organization as adopted at its July 26-30, 2009, convention and detailed in Exhibit O, Parts a–b.

15. OTHER NOMINATIONS, APPOINTMENTS, AND ELECTIONS
(Agenda IV.H)

A. Social Ministry Organizations

The Evangelical Lutheran Church in America serves as a corporate member of certain inter-Lutheran organizations and affiliated social ministry organizations. The role of corporate members includes the responsibility to elect ELCA representatives to the organization's board of directors as prescribed in the organization's governing documents. The relationship of the ELCA to certain inter-Lutheran organizations and affiliated social ministry organizations is expressed through the Church in Society unit.

The ELCA serves as a corporate member of Lutheran Medical Center, Brooklyn, New York; the Evangelical Lutheran Good Samaritan Society, Sioux Falls, S.D.; Lutheran Services in America, Baltimore, Md.; Mosaic, Inc., Omaha, Neb.; and Lutheran Immigration and Refugee Service, Baltimore, Md. In the case of Lutheran Medical Center, Brooklyn, New York, the ELCA's annual election of board members complies with its constitutional requirement that this action constitute an annual meeting of the corporate member. The Church in Society program unit has forwarded to the Church Council the following nominations for positions on the boards of these organizations.

VOTED:

En Bloc

CC09.11.100a To elect to the board of trustees of Lutheran Medical Center, Brooklyn, New York as members-at-large: Bp. Robert Rimbo to a one-year term expiring in 2010; Ms. Angela Martinez to a three-year term expiring in 2012; and Ms. Wendy Goldstein (*ex officio*) to a term simultaneous with her position as president and CEO.

B. Board of Lutheran Theological Southern Seminary

Bylaw 8.31.02. outlines basic parameters for the election of members to the boards of ELCA seminaries. Subsection 8.31.02.a. provides for churchwide representation: "At least one-fifth nominated, in consultation with the seminaries, by the appropriate churchwide unit and elected by the Church Council." The following are submitted for election based on a protocol between the seminary and the Vocation and Education program unit.

VOTED:

En Bloc

CC09.11.100b To elect to the board of directors of Lutheran Theological Southern Seminary, Columbia, S.C., to three-year terms expiring in 2012: Dr. Richard Conn, Dr. Miriam

David-Brown, and Mr. Kenneth Childs.

REPORT OF THE BOARD DEVELOPMENT COMMITTEE (CONTINUED)
(Agenda II.E.1)

Vice President Carlos E. Peña called on the Rev. J. Pablo Obregon, chair, for the report of the Board Development Committee. Pr. Obregon reported that the Rev. Rachel L. Connelly would serve as co-chair of the committee. He invited council members to check the NetCommunity Web site for additional material related to the work of the committee. Pr. Obregon reported that feedback from the new class of council members was very helpful to the committee.

PROPOSAL FOR RACIAL JUSTICE PROCESS OBSERVATION
(Agenda III.B.1; Agenda/MINUTES Exhibit B, Part 6)

Church Council Action:

On behalf of the committee, Pr. Obregon moved the recommended action. Vice President Peña opened the floor for discussion. There being none, he called for a vote.

VOTED:

**CC09.11.101 To approve “Process Observation: A Practice of Church Council Leaders”
[printed below]; and
To request that the document—with the exception of information specific to the
November 2009 meeting—be added to the Church Council Orientation Manual.**

Proposal for Church Council Process Observation

Process Observation

A Practice of Church Council Leaders

Background

The ELCA Church Council is committed to lead the church toward racial and gender justice and full inclusion and participation. In October 2007, the ELCA Church Council began a multi-year racial justice process observation pilot as a way to address racism within the Church Council itself. Process observation is the practice of observing what happens during the process of a meeting. The observer focuses less on content and more on the process of how the group interacts with content and with one another. Process observation is a leadership competency used both in plenary and committee sessions.

The council uses process observation to surface and identify practices, cultural norms, and behaviors among its members that impact racial and gender justice and full inclusion and participation. Once identified, these practices and cultural norms are shifted, strengthened, or eliminated to support the Church Council's meeting of this commitment.

The pilot concludes with the Church Council's November 2009 meeting. The Board Development Committee has assessed this pilot and proposes the following.

Proposal

To institutionalize the Church Council's commitment to racial and gender justice and full inclusion and participation, the Board Development Committee proposes that the Church Council adopt process observation both as a leadership competency expected of its members and as a critical practice to incorporate permanently into Church Council procedure. Council members, advisors, and guests use process observation in plenary sessions and committee meetings; a small group of members and advisors are trained to serve as lead observers.

Steps for implementation

1. Current pilot observers serve as lead observers for Church Council meetings in 2010.
2. By February 2010, current pilot observers prepare and submit to the Board Development Committee a plan for building the process observation capacity of council members, including the training of lead observers.
3. By April 2010, the Board Development Committee submit to the Church Council a proposal, including budget, for building the process observation capacity of council members, including the training of lead observers.

Procedure for process observation

1. Lead observers, council members, advisors, and guests observe plenary sessions using a daily observations form. Process observation is also used in committee meetings.
2. Daily Reporting
 - a. Lead observers give an oral report of observations to the plenary session and submit a written report of observations.
 - b. Council members, advisors, and guests submit completed observations forms to the lead observers.
 - c. Written reports and observation form comments are compiled and distributed to council members the next morning. Taking into consideration reported observations, individual members adjust practices, cultural norms, or behavior.
3. Lead observers give a final verbal report during the final plenary session of each meeting.

Integrating Observations

1. All daily written reports and comments are compiled into a complete report for the entire meeting and submitted to the following:
 - a. Office of the Secretary for inclusion in meeting minutes;
 - b. Executive Committee for monitoring and information; and
 - c. Board Development Committee for analysis.
2. The Board Development Committee analyzes the report and makes recommendations to the Executive Committee for corresponding changes in council policy, procedure, or practices.

UPDATE ON LUTHERAN MALARIA INITIATIVE
(Agenda V.F.1; Minutes/AGENDA Exhibit A, Part 1b)

Vice President Carlos E. Peña called on Ms. Cynthia J. Halverson, president of the Foundation of the ELCA and executive director of the Development Services unit, for an update on the Lutheran Malaria Initiative. Ms. Halverson reported on the establishment of an executive committee, made up of the heads of the three LMI partners (Lutheran World Relief, The Lutheran Church–Missouri Synod, and the Evangelical Lutheran Church in America); an operations committee, including the Rev. Andrea DeGroot-Nesdahl, coordinator for LMI and the HIV and AIDS strategy; and three program committees: program, represented by Global Mission staff; major gifts/fundraising, represented by Ms. Halverson; and communication/marketing, represented by Ms. Kristi S. Bangert, executive director of the Communication Services unit. She added that a national leadership group was being recruited, several position descriptions had been developed, a budget had been completed, the Lutheran Nothing but Nets program was going forward, and four pilot synods (Southwest California, Southern Ohio, Northwest Synod of Wisconsin, East Central Synod of Wisconsin) were engaged in active planning while a fifth (Minneapolis Area Synod) was expected to begin work shortly.

Ms. Halverson also reported on the HIV and AIDS strategy. She said an implementation team was moving forward internally on program, funding, and communication; a lead fundraiser was to begin work January 1, 2010; and an estimated \$35,000 had been received to date for each of these initiatives.

CHURCH COUNCIL BOARD DEVELOPMENT: PRIMER ON RESPONDING TO THE MEDIA
(Agenda V.A; Agenda/MINUTES Exhibit Q, Part 1)

Vice President Carlos E. Peña called on Mr. John R. Brooks, director for the ELCA News Service, for a primer on responding to the media. Mr. Brooks reviewed the material in Exhibit Q, Part 1 and said that the news service staff would be available to respond on behalf of council members or to assist members in their own responses.

EVALUATION AND DEBRIEFING: CHURCH COUNCIL MEETING

Vice President Peña asked council members to e-mail their comments to him or Ms. Myrna J. Sheie, executive for governance and institutional relations.

EVALUATION: 2009 ELCA CHURCHWIDE ASSEMBLY
(Agenda VI.E.; Agenda/MINUTES Exhibit R, Part 1)

Vice President Peña apologized for the lack of time for this agenda item and suggested that questions or comments concerning the evaluation of the 2009 Churchwide Assembly be sent to Mr. Kenneth W. Inskeep, executive for research and evaluation.

PROCESS OBSERVATION

Vice President Carlos E. Peña called on the Rev. J. Pablo Obregon for the day's process observation.

Pr. Obregon said that overall the process observation was very helpful for the observers as well as for council members who had completed the process observation forms. He encouraged members to complete the forms either before leaving or to send them in later. Pr. Obregon noted it was good to talk about youth issues and to hear from the youth advisors to the council. He encouraged those interested in process observation to speak with one of the members of the Board Development Committee regarding future training for process observers.

ANNOUNCEMENTS

Secretary David D. Swartling encouraged council members to take with them a bullet-point summary of council actions, noting that it would be posted on Net Community the next day. He announced that new council members would be engaged in one-on-one stewardship conversations at the April 2010 meeting.

Vice President Peña reported the death of the mother of Ms. Barbara A. Fletcher, assistant to the editor of *The Lutheran* magazine. He asked the council to join in thanking the officers, churchwide staff, and synodical bishops for their work. Presiding Bishop Hanson asked the council to thank Vice President Carlos E. Peña.

Vice President Peña called on the Rev. Jeffrey "Jeff" B. Sorenson for a closing prayer.

ADJOURNMENT

The sixty-third meeting of the Church Council of the Evangelical Lutheran Church in America adjourned November 15, 2009 at 3:03 P.M.

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CC09.11.58	Adoption of the agenda	4
CC09.11.59	Approval of the minutes of the March 2009 and August 2009 Church Council meetings and ratification of the actions of the Executive Committee	5
CC09.11.60	Ratification of the appointments to the Church Council committees and other advisory responsibilities for the 2009–2011 biennium	11
CC09.11.61	Re-election of the Rev. Sherman G. Hicks to a four-year term as executive director of the program unit for Multicultural Ministries beginning January 17, 2010	12
CC09.11.62	Re-election of the Rev. Stanley N. Olson as executive director of the Vocation and Education program unit for a four-year term beginning January 1, 2010	12
CC09.11.63	Re-election of Mr. Daniel J. Lehmann as editor of <i>The Lutheran</i> for a four-year term beginning January 1, 2010	12
CC09.11.64	Reaffirmation the process for the election of the Executive Committee for the 2009-2011 biennium; and declaration that the chairs of the standing committees shall be members of the Executive Committee	18
CC09.11.65	Acceptance of the report of the Nominating Committee and request for ballot preparation	20
CC09.11.66	Acknowledgment of the commitment of Church Council members for interaction with synods .	22
CC09.11.67	Approval of the “Proposed Protocol for Revisions to Ministry Policies”	23
CC09.11.68	Declaration of elections to the advisory committee for <i>The Lutheran</i> magazine, the Committee of Hearing Officers, the board of trustees for the ELCA Foundation, and the board of trustees for the ELCA Board of Pensions	25
CC09.11.69	Declaration of the election of the Rev. J. Pablo Obregon to the Executive Committee	27
CC09.11.70	Approval of the charter for the Ecology Study Design Group	32
CC09.11.71	Approval of the revised social policy document on immigration	37
CC09.11.72	Approval of the revisions to the ELCA Churchwide Personnel Policies	44
CC09.11.73	Approval of amendments to ELCA Board of Pensions trust documents	45
CC09.11.74	Declaration of the election of Ms. Lynette M. Reitz and the Rev. Rachel L. Connelly to the Executive Committee	47
CC09.11.75	Approval of an initial 2010 fiscal year current fund spending authorization and an initial 2010 fiscal year World Hunger spending authorization	50
CC09.11.76	Affirmation and acknowledgment of 2009 synodical mission-support plans	50
CC09.11.77	Affirmation and acknowledgment of 2010 synodical mission-support plans	51
CC09.11.78	Acknowledgment of the actions of the 2009 Lutheran Youth Organization convention	52
CC09.11.79	Approval of motion to go into a quasi committee of the whole	54
CC09.11.80	Approval of revisions to “Reinstatement to the Rosters of the Evangelical Lutheran Church in America”	56
CC09.11.81	Approval of revisions to “Church Council and Committee Operational Ethics Policy of the Churchwide Organization of the Evangelical Lutheran Church in America”	59
CC09.11.82	Response to a letter from the Southwestern Pennsylvania Synod Council	64
CC09.11.83	Cancellation, for budgetary reasons, of the proposed Church Council retreat in August 2010 . .	65
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CC09.11.88c	Amendments to the Retirement Plan for The Evangelical Lutheran Good Samaritan Society: Annuity Fund	76
CC09.11.89	Election of Ms. Louise Hemstead to the ELCA Audit Committee	77
CC09.11.90	Receipt and approval of the report of the Church Council Audit Committee	77
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CC09.11.92	Approval of the investment philosophy and policy statement, the required reserve fund guidelines, and the excess reserve fund guidelines for the Charitable Gift Annuity Program	78
CC09.11.93	Approval of the addition of the attendance protocol to the Church Council Orientation Manual	78
CC09.11.94	Acknowledgment of independent Lutheran organization status for Lutheran Health Care Bangladesh–USA and China Service Ventures	79
CC09.11.95	Approval of revisions to the ELCA Lifelong Learning Network policy	79
CC09.11.96	Approval of revisions to “Sufficient Sustainable Livelihood for All: Extractive Industries” ...	81
CC09.11.97	Approval of revisions to “Guidelines on Candidacy Issues for German Students or Pastors from the Evangelical Church in Germany”	81
CC09.11.98	Approval of membership by the Evangelical Lutheran Church in America in the unified Action by Churches Together (ACT) Alliance	81
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CC09.11.100a	Election to the board of trustees of Lutheran Medical Center, Brooklyn, N.Y.	82
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